



Rebuilding public authority in Uganda dualist theory, hybrid social orders and democratic statehood

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ABSTRACT

Conflicted African societies are confronting a crisis of public authority caused by the ethnic, sectarian and class conflicts generated by their ongoing transitions from authoritarian to liberal democratic institutional systems. Most have introduced competitive elections which have rarely produced stable and inclusive political outcomes, discrediting the dominant liberal democratic state-building agenda. We draw on classical 'dualist' and 'new institutionalist' theorists to explain these failures and suggest alternative strategies. They attribute these tensions to the co-existence of contradictory liberal and illiberal rules and cultural systems that interact in dissonant ways in hybrid social orders, and they enable us to develop a 'society-centric historical methodology' that attributes their ability or inability to achieve democratic statehood to the ability of their regimes to build inclusive and hybrid political settlements and organisational structures that reconcile the competing demands of modern and traditional elites and subordinate classes. We then demonstrate the utility of this approach by using it to explain Uganda's transition from a stable, but dualistic colonial state, to a predatory dictatorship and then to a relatively successful competitive autocracy.

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1. Part I

1.1. Theoretical framework

1.1.1. Rebuilding weak and conflicted states - theoretical and political challenges

1.1.1.1. *The issues.* Political oppression and social violence continue to undermine the security, prosperity, and mutuality needed to sustain public authority in weak and conflicted African states and discredit the modernisation projects that were expected to transform African colonies into strong autonomous states after the second world war. (Bagayoko, Hutchful, & Luckham, 2016) Those programmes were shaped by left and right-wing, state-led structuralist models during the first post-colonial era, but often produced despotism not democracy, predatory economic regimes and adversarial ethnic, sectarian and/or class conflicts. Their failures forced regimes to shift from structuralist to neoliberal Structural Adjustment Programmes (SAPs) managed by the IMF and World Bank in the 1980s and 1990s. They initiated a generalised shift to liberal democratic political and economic institutions that still continues, but rulers still suppress oppositions, exploit clientelistic networks, and manipulate elections to retain power, while liberalisation that opened their markets to foreign imports

destroyed many local firms and increased marginalisation and inequality. The worst affected societies like South Sudan, Somalia and Afghanistan are still trapped in downward spirals, while others like Uganda, Rwanda and Mozambique, have made real progress that could be reversed by the zero-sum conflicts generated by inequality, marginalisation and intractable ethnic, sectarian and/or class conflicts, as has now been the case in Ethiopia.¹

These failures have halted or reversed their democratic transitions in many countries, since their states cannot enforce the law or make policies based on 'broad, equal, protected mutually binding consultation' with their citizens, to use Tilly's definition of democracy. (2007: 59) They now confront what MacIntyre (1998: 165) called an 'epistemological crisis' in the socio-economic models that they use to manage their policy agendas because 'conflicts over rival answers to key questions can no longer be settled rationally'. These conflicts include adversarial disputes between the corporatist, social democratic, and communist versions of the structuralist models that dominated the first post-colonial regimes after the war; between the structuralist agenda as a whole and the neoliberal model that discredited and replaced

¹ The Africa Progress Panel (2011) provides a comprehensive review of these failures.

it at the end of the 20th century; and between modernisation theorists and third world critics who have treated that project as an exploitative process that asserted 'the supremacy of white values ... over the ways of life and of thought of the native'. (Fanon, 1967: 33)² Hence some critics now claim that the modern state-building project has 'little relevance to [these] states ... because [modern states have] never existed there'; (Boas & Jennings, 2005: 388) some call for a return to traditional values and institutions to resolve the problem; (Scott, 2017; Bessis, 2003; Rahnema, 1997; Escobar, 1995) while fundamentalist and ultra-nationalist populist movements in advanced countries and late developers now reject the modern liberal and science-based project altogether.

These crises have also discredited the neoliberal market-based SAPs that dominated the late 20th and early 21st century and persuaded donors and national governments to place far more emphasis on state-building and interventionist poverty-reduction and industrial policies. They have produced a new global consensus embodied in the Sustainable Development Goals, (SDGs) agreed in 2016, that offer regimes far more options than state-led structuralism or neoliberalism, but still treat the creation of liberal democratic institutions and the elimination of authoritarian traditional institutions and value systems as a categorical imperative. They are generating positive results in some countries but have yet to address the problems generated by the post-war decision to transform an international order based on 'formally unequal relationships between metropolitan powers and their colonies', into one that gave all countries, however weak or small, a 'universal and categorical [right to] self-determination'. (Jackson, 1990:17).

The SDGs recognise that 'latecomers' should be allowed to adopt interventionist policies that enable them to 'catch up' with 'firstcomers', respect the autonomy of existing governments, and assume that they will respect human rights and democratic procedures, and already have the capacities they need to implement their challenging policy agenda. However, these assumptions do not hold in weak and conflicted states where liberalisation and democratisation will threaten the power and wealth of the dominant elites and the cultural norms and economic inequalities that sustain public authority in pre-modern authoritarian societies. Attempts to impose liberal institutions on pre-modern societies have usually been resisted by incumbents and led to violent conflicts, social disorder, and authoritarian solutions. These zero-sum conflicts have shaped all of the violent revolutionary transformations that have created the modern liberal world order - the transition from feudalism to capitalism, from Catholicism to Protestantism, from authoritarianism to democracy, from colonialism to independence, and from traditionalism to modernity. (Landes, 1998; Moore, 1966; Parsons, 1951/1964; Marx, 1857-8/1973; Hegel, 1822-30/1975) They do not discredit the normative claims of the liberal democratic project, but they do impose very different demands on countries still attempting to make these transitions, than on those that have already completed them, as we will see in the rest of this article.

1.1.1.2. Theoretical framework. These propositions suggest that we can only understand, track and respond to these challenges by adopting a historically based and interdisciplinary methodology that enables us to combine the insights of both the orthodox liberal theorists and their 'third world' critics by treating modernisation as the outcome of ongoing and always changing struggles between the elites and social classes that still depend on authoritarian social structures and pre-scientific knowledge systems and those that reject them. (Kurtz, 2011). I will therefore do this by returning to

the classical enlightenment theorists like Smith, (1776/1910); Hegel, (1821/1967; 1822-30/1975); List (1841/2018) and Marx, (Ibid.) whose work guided the transition from feudalism to capitalism in the west, by modern dualists who shaped the post-colonial modernisation project, whose insights are being carried forward by new institutionalist and hybridity theorists like North, Wallis, and Weingast (2009) Kohli (2004) and Tilly (1997); Tilly (2007).³ The work of the classical modernisation theorists has been discredited and neglected because of misleading claims that they predicted a universal and teleological transition to modernity, and perpetuated a racist distinction between 'backward traditional' and 'civilized western' social systems.

However, while they do recognise that late developers did need to make a transition to democratic statehood, they also recognised that these transitions have always generated violent and unequal competition but produce 'new possibilities, which conflict with the existing system or violate it or even destroy its very foundations and continued existence'. (Hegel, 1822-30/1975: 82) They therefore provide us with a far more realistic and complex understanding of the historical processes that eliminated feudalism, colonialism, fascism, and communism and created a liberal global order by the end of the 20th century, but also tell us why these processes are still heavily contested in weak and conflicted late developers. Their insights raise three key questions that decision-makers must answer if they are to find better ways to consolidate democratic transitions in these societies -.

- why building strong states and market economies is both necessary but heavily contested;
- why dominant and opposition political movements use democratic theories to justify their right to rule, but often resort to authoritarian solutions when they take power;
- and how traditional institutions can still play a role in maintaining political authority and sustaining livelihoods in these societies without perpetuating authoritarianism, theocracy, and patriarchy.

I will first show how the classical dualist theorists and their modern hybridity successors justify the need for strong states to create social order in all societies; then use their insights to understand the way in which the colonial intrusion and transition to capitalism initiated the contested evolutionary processes that have sometimes facilitated and sometimes blocked transitions to democratic statehood in modern conflicted societies. I will then use this approach to explain Uganda's heavily contested transition from a stable colonial territory to a competitive autocracy. (Levitsky & Way, 2010).

1.2. Solving the 'Problem of Order' in traditional and modern societies

All societies must solve what Parsons (1954/61: 121) called 'the Hobbesian problem of order' by creating states with a monopoly of violence that enable them to resolve conflicting interests by making and enforcing the law, but also must persuade people to accept the legitimacy of their right to rule. However, traditional, totalitarian, and democratic societies do this in contrasting ways.

³ They include classical modernisation theorists like (Weber, 1922/1968); Parsons, (1951/1964), Malinowski, (1945/61), Boeke (1976), and Almond (1956) and Marxists like Lenin, (1899/2004) (Trotsky, 1930) and Brenner (1977) whose work informed the early post-colonial policy regimes in the south, whose insights are now being taken forward by new institutionalists, like (Lin & Stepan, 1996) North, Wallace and Weingast (NWW, 2009), Kohli (2004) Platteau, (2009) and (Tilly, 2007) and hybridity theorists like Bhabha (1994) (Werbner, 2005) Bagayoko et al. (2016) Boege (2009) and Meagher (2014)..

² For a review, see Brett (2009).

Small-scale segmentary societies and large-scale traditional empires create obligations based on ascription, religion, clientelism, or other collective loyalties that produce what Tilly (2007) calls 'categorical inequalities'. These enable elites to lock the masses into subordinate roles by persuading even 'the economically most deprived' to accept their situations by creating the dispositions that 'lead them to accept the negative sanctions' resulting from their weaknesses, 'that is, their deprivation'. (Bourdieu, 1990: 64; Haidt, 2013; Saletan, 2012) Modern totalitarian states use legitimating ideologies to maintain consent and suppress innovation by limiting access to competing views. However, modern open social orders allow rulers, capitalists, and civic leaders to discipline or exclude members, but oblige them to legitimate their authority by creating market-based accountability mechanisms and science-based bureaucratic organisations, (Weber, 1922/1968; Besley, et. al., 2021) that enable citizens to punish them (or 'exit') when they fail. (North, Wallace & Weingast, 2009; Hirschmann, 1970) They 'give each person ... an equal right to ... basic liberty' and arrange 'social and economic inequalities ... so they are ... reasonably expected to be to every-one's advantage ... and attached to positions and offices open to all'. (Rawls, 1970: 60).

The public authority that sustains social order is therefore enforced and legitimated in contradictory ways in societies at different stages of development, but they have all survived for as long as their rules and practices were accepted as systems of 'practical belief' or 'habitus' that have been unconsciously internalised since childhood and persuaded both elites and subordinate classes to accept the justice of the inequalities and constraints that sustain them. (Bourdieu, 1990: 68/9) They all use consciously formulated knowledge systems to overcome domestic or external threats but do so in contrasting ways. Beliefs and practices are inherited from the past, and interpreted, disseminated, and enforced by rulers, landlords, and priests in traditional societies, and by coercively enforced ideologies in totalitarian societies, (Arendt, 1951) but depend on consciously created knowledge systems in open social orders that are constantly tested, contested and reformulated by the scientific community and used by elites and citizens to control the natural world, create social cohesion, and manage social and technological change. (Foucault, 1980: 131ff).

The orthodox social sciences then tell us how liberal societies survive and adapt, and anthropologists do so for cohesive traditional societies, but neither address the zero-sum conflicts generated by transitions from closed to open orders that have dominated post-colonial history.

1.3. Explaining conflict and structural change in hybrid social orders

However, dualist and hybridity theorists have addressed these issues because they recognise that radical institutional transitions involve disruptive and asymmetrical encounters between societies governed by institutional systems based on contradictory rules, practices, and incentive systems. They recognised that the organisational and technological superiority of capitalist institutions enabled the western 'firstcomers' to conquer and colonise weaker traditional societies, and created new states by introducing modern bureaucracies and firms governed by expatriate elites, but maintained public authority and provided local services by retaining, but subordinating, authoritarian traditional institutions. They called this 'institutional dualism,' and treated it as the defining feature of developing as opposed to developed societies, and of 'development' as opposed to 'orthodox' theory. (Almond, 1956: 391; Kuznets, 1971: 257) They also recognised that it produced institutional dissonance, not social cohesion, and social systems that were far more prone to political disorder and violence than stable traditional societies or consolidated liberal democra-

cies.⁴ Their insights still have profound and ambiguous political and policy implications.

First, they recognised that colonisation was motivated by greed, implemented by violence, and enabled the metropolitan powers to expropriate local assets, discredit their cultural systems and 'treat their autonomy as only a formality', (Hegel, 1821/1967: 219) but that it also created modern states and export economies that incorporated local communities into the global system, and new indigenous elites that would eventually use liberal theory to justify their claims for independence. (fn. 3) They therefore recognised the progressive as well as the regressive consequences of the colonial encounter and could explain understand the conflicts and reversals that shaped their contested and still incomplete journeys to democratic statehood.

Second, public authority continues to depend on traditional belief and authority systems as people acquired the capacities they need to create what Polanyi (1944/2001) calls 'market societies', and NWW (2009) call 'open social orders'. Open orders depend on individualistic cultural dispositions that are suppressed in closed orders' because the ability to function as 'an individual' has to be created 'through social learning ... in conjunction with specific structural changes in social life. ... [and] only forms in conjunction with specific human situations, with societies having a particular structure'.⁵ (Elias, 1950/2001: 141) Hence, late developers need to conserve and adapt, rather than eliminate traditional cultural systems, even when they are 'objectively ill-adapted to their present conditions' and become 'a source of misadaptation as well as adaptation, revolt as well as resignation'. (Bourdieu, 1990: 62). So -.

Customary law, [and] societal structures ... determine the social reality of large parts of the population ... [so] the only way to make state institutions work is through utilizing kin-based and other traditional networks... that follow their own logic and rules within their (incomplete) state structures. This leads to the deviation of state institutions from the ideal type of 'proper' state institutions... [and the] usurpation of imported formal governance structures by indigenous informal societal forces. (Boege, et. al., 2009: 603)⁶

And third, understanding the 'great collisions' between competing institutional systems that are still creating world history, depends on a synthetic methodology that uses the insights of the orthodox social sciences and anthropologists to explain the stability of each system, but also shows how the interaction between them both produces 'conflict, cooperation and compromise' and, eventually, 'entirely new' social orders. (Malinowski, 1945/61: 8).

These propositions turn 'modernisation' into an evolutionary, rather than linear process, since late developers cannot evade the changes imposed on them by the capitalist intrusion, but have always had to maintain public authority by depending on 'an immense variety' of traditional institutions, as the developed societies did before them. (Almond, 1960: 20–22) These processes need not produce progressive outcomes, but dualists recognise that they can only manage their transitions by building hybrid institutions that combine modern and traditional institutions in

⁴ (Fox & Hoelscher, 2012): found that 'countries with 'hybrid' political orders - weak democracies or autocracies - 'experience higher rates of social violence than those with strong autocratic or strong democratic regimes, and that weakly institutionalized democracies are particularly violent', and found a strong link between 'poverty, inequality and ethnic diversity and social violence.' (2012: 1).

⁵ Marx (1857/8//1972: 17) saw that it is only 'bourgeois society, the society of free competition' that is constituted by a social network made up of individuals who remain indifferent to one another'.

⁶ Also see Platteau, (2009); Price, (1975); (Bagayoko et al., 2016): 1: (Swenson, 2017).

creative ways as Malinowski argued in his late work on cultural change in Africa.

He showed how the 'colonial encounter' introduced more advanced western institutions into Africa, but also 'enabled 'European agents' to use their superior power to subordinate African institutions, (14/15) and showed that the interactions between 'weaker' local traditional, and stronger 'imported' institutions, conserved but transformed them both.. (Ibid., 8) Hence the 'tribes' that survived in colonised societies could no longer be understood using the 'concept of a well-integrated community or culture',⁷ that sustained the functionalist assumptions of 'ordinary anthropological field work', (15/6) because 'the subject matter of culture change differs from that of stationary cultures, ... [since] there are two cultures to deal with instead of one; the modifications wrought on the recipients by the aggressors, and also vice versa.' (17 emphasis added).

The revolutionary change imposed by colonialism therefore did not simply involve 'indiscriminate give and accidental take but was directed by definite forces and pressures on the side of the donor culture and well-determined resistance on the part of the recipients.' (19) This meant that the transition from traditional to modern social systems could only be understood by using what he called 'three-column anthropology' (p. 26) that must identify the principles that govern each culture, but recognise that their interactions would produce hybrid solutions that were –

not a mere fusion or mixing but something oriented on different lines with definite purposes, which are not quite integrated with each other, and which therefore do not act in any simple manner; above all do not simply mix or fuse with African cultures but modify them in a much more complicated and dynamic way'. (21).

This produced evolutionary change, driven by asymmetrical encounters that produce 'conflict, cooperation and compromise' and then 'entirely new products'. (25/6) They also produce contradictory tensions within formal agencies like states, armies, and magistrates' courts; within traditional agencies like chieftainship, witchcraft, and local justice systems; and within the actual personalities of the people who control and are controlled by them. (Ibid.).

He accepted that these encounters could benefit 'the weaker party' but were dominated by the interests of the stronger, so while the colonialists initiated the process, 'the real dynamic issues of contact and change' depended on 'this clash of interests and greeds, as well as the intrinsic difficulty of piecemeal and institutional change'. (p. 71) His distinction between a 'higher' European culture' and a 'passive' African culture reflected the substantive inequalities between their technological and organisational capacities at the time, but he rejected the prevailing racist discourse by producing many concrete examples of how 'African genius' had successfully resisted external threats by simultaneously using and adapting their traditional cultures to do so. And he also recognised that these disruptive processes might not 'bring about a common existence of harmonious cooperation', but 'lead to temporarily suppressed but powerful forces of coming disruption, upheaval and historical catastrophe on an unprecedented scale'. (p. 3).

His 'three-column' approach then reappeared in development economics and political theory.

⁷ He uses culture to include language, technologies, beliefs, and rules, which he also refers to as institutions. He defines the latter 'as a group of people united for the pursuit of a simple or complex activity; always in possession of a material endowment and a technical outfit; organised on a definite ledger or customary charter, linguistically formulated in myth, legend, rule and maxim; and trained or prepared for the carrying out of its task'. (50) The parallel with Bourdieu's concept of *habitus* is very clear.

Boeke's classic study of the economics of dual societies (1953: 4/5) also defined dualism as 'the clash between an imported and an indigenous social system of a divergent character' and argued that 'generalizing them in an "ideal-typical" way' required 'three economic theories combined into one: the economic theory of a precapitalistic society ... the economic theory of a developed capitalistic or socialistic society ... and the interactions of the two'.

While Almond (1956: 401) also recognised that transitional political systems were characterised by –

two political cultures, the Western system ... and the pre-Western system or systems. In countries such as India there are many traditional political cultures which intermingle with the Western system' that impinge on each other in varied ways to produce 'a third type of political culture' which frequently erodes traditional cultures, so the 'rejection of habitual routines' releases feelings of rootlessness, directionlessness, and a large potential for violence'.

Here competing groups have fundamentally different "cognitive maps" of politics and apply different norms to political action, so instability and un-predictability 'are not to be viewed as pathologies but as inescapable consequences of this type of mixture of political cultures'. (402) Thus, researchers should not confine themselves to 'the Western conception of political process and system, but 'look for the particular pattern of amalgamation of these roles with the traditional roles ... and be able to 'grapple more quickly and more adequately with political phenomena which [they] might otherwise overlook or treat as pathologies'. (403) They could then identify relationships between 'the old or the traditional political culture, or cultures, the new or the Western-rational political culture, and transitional or resultant political phenomena of one kind or another'. (401).

Further, Marxist and dependency theorists emphasised the exploitative nature of the capitalist project, but also accepted many of these assumptions. Thus Marx described the destructive impact of the capitalist intrusion on traditional societies in India, but recognised its positive role in marginalising regressive pre-capitalist institutions and creating hybrid societies characterised by the 'coexistence of capitalist and pre-capitalist economic formations'⁸; Trotsky's theory of 'combined and uneven development' showed how 'backward countries, under the whip of external necessity' could make great leaps by combining 'archaic with more contemporary forms'. Trotsky, 1930⁹; while modern critical theorists have used dualism to explain how colonial and neocolonial regimes incorporated indigenous populations into the global capitalist system in subordinate roles.¹⁰

This brief review tells us why dualist theory still provides us with a realistic understanding of the disruptive and dynamic processes that have disrupted the post-colonial state-building and of the challenges that reformers confront as they deal with them that we turn to next.

1.4. Building democratic states in conflicted societies

The socio-economic systems and institutional relationships identified by dualists theorists have changed radically since the early post-colonial era, but their insights still inform the work of new institutionalists like Kohli (2004: 424) trying to tell us why so many transitions have produced 'distorted states ... with

⁸ See Marx & Engels, (1848/1968); Marx, K. (1857-8/1973) *Grundrisse: Foundations of the critique of political economy*, Harmondsworth, Penguin (1853/1973; 1857-8/1964).

⁹ See also Lenin, (1899/2004); Luxemburg, (1913/1963); Mao Tse Tung, (1939/1954).

¹⁰ For example Brett (1973); Mamdani (1996).

weakly centralized and barely legitimate authority structures, personalistic leaders unconstrained by norms or institutions, and bureaucracies of poor quality' rather than strong democratic states'. And why democracy has often 'neither secured peace or even the beginnings of a development trajectory', because bringing new groups into political contention can threaten prevailing political settlements and are 'at best likely to be ineffective or at worst to provoke violent conflict', (Putzel & Di John, 2012) as we have seen in the Soviet Union, Iraq, Libya, and Afghanistan.¹¹

They do recognise that 'free and fair' elections should play a critical role in all societies but can only do so after they have built impersonal bureaucracies, market-driven capitalist firms, open civic institutions, and science-based knowledge systems controlled by autonomous elites who can oblige the state to behave 'in conformity to the expressed demands of its citizens.' (Tilly, 2007): 13/14) They recognise that these reforms must begin in pre-democratic states that have already established a monopoly of violence and have the capacities they need to manage the resulting conflicts between new and old elites and subordinate classes by allowing them to take part in public politics based on 'broad, equal, protected and mutually binding consultation.' (Tilly, 2007): 59; North, Wallace, & Weingast, 2009: 148)¹².

Their 'three-column' methodology then enable reformers to identify the theoretical and substantive challenges they must overcome as they implement their state-building programmes.

First, that they do need to use the orthodox models that identify the rules and practices that govern 'Weberian bureaucracies'; (Weber, 1922)/1968; Besley, Burgess, Khan, & Guo, 2021) market societies; (Polanyi, 1944/2001) and open social orders. (North, Wallace, & Weingast, 2009) They also tell us why the traditional empires and modern despotisms that did introduce these reforms were able to expand and eventually conquer those that did not. (Eisenstadt, 1961; Brett, 2009, Ch. 13).

Second, they tell us why attempts to build liberal institutions in late developers confront far more difficult challenges than the need to maintain them in mature democracies, (Knight, 1992) and why these challenges differ in societies at different stages of development that have different needs and capacities. Hence, they should not rely on 'one-size-fits-all' models like those embodied in the neoliberal SAPs and even the SDGs but use hybrid policy programmes that take account of 'the characteristics of the previous nondemocratic regime' that shape 'the transition paths available and the tasks [they] face when they begin their struggles to create stable democratic states'. (Linz & Stepan, 1996): 55) These characteristics include the capacities of their existing institutions and organisations, the nature of their relationships with external states and classes, and the strengths and weaknesses of their human and social capital.

Third, they treat state-building as a historical and political, and not just a technocratic process, because creating autonomous bureaucratic, capitalist and working classes, strong representative organisations, and an independent media, threatens the power and wealth of despots, crony capitalists, landlords, fundamentalist preachers, and dominant males. These conflicts between these progressive and regressive elites and classes have disrupted modernization projects since the start of the modern era, but regimes in late developers have always had to manage rather than eliminate them and can only succeed by securing the consent or compliance of key contending groups by giving them all the rewards and policies needed to create an inclusive political settlement. (Khan, 2010; Putzel & Di John, 2012).

¹¹ For literature addressing these conflicts see Brett, (2017); de Waal (2015); Faguet (2012); Geertz (1999); Golooba-Mutebi (2017); Gramsci (1939/1971); Huntington (1968, 1997); Liden et al. (2009); (Levitsky & Way, 2010); Kohli (2004): 9).

¹² For an extended review see Brett (2009, Part III; and 2014).

And, fourth, activists can understand and respond to these contested processes by using Kurtz's (2012) 'social-centric', path dependent and interdisciplinary methodology that identifies the variables that enable competing modern and traditional elites and social classes to retain or compete for state power or to evade external rules and impositions. This provides them with a theory of political agency where outcomes depend on the historically determined resources of the contending groups, the strengths or weaknesses of existing institutions and organisations, and the willingness and ability of the regime to create viable political settlements. (Putzel, 2022).

These insights enable us to understand the dynamic and disruptive processes that have 'created world history' since the colonial revolution in the 16th century. (Hegel, 1821/1967; 1822–30/1975; Eisenstadt, 1966) They have produced very different outcomes in different countries during different periods and on different continents, depending on the strength of their indigenous institutions, the resources and ideological orientation of their Metropolitan powers and on the capacities and rights given to the foreign communities they introduced to govern their new territories. Hence, white settlers created modern 'western' states in the Americas and Australasia by conquering small pre-literate indigenous communities and confining them to segregated reserves, and then imported African slaves to run their plantation economies. On the other hand, sophisticated indigenous elites in complex literate societies with hierarchical states and developed trading systems played key roles in managing transitions in South and East Asia.¹³

Pre-colonial Africa was dominated by pre-literate small-scale segmentary societies and large-scale empires, that were mainly dependent on exports of slaves, gold, and ivory until the colonial intrusion.¹⁴ (Park, 1799/2000; Hailey, 1957) Here colonialism created dual societies governed by European and Asian elites and confined Africans to subordinate roles in the formal sector and to reconstituted traditional institutions in the periphery that were subordinated to 'the dominant structures introduced in virtually every sphere of life by the new rulers'. Brett, 1973: 19–21). This 'encounter' did create large-scale modern states but produced contrasting outcomes in 'settler' as opposed to 'peasant' societies. European elites and workers were given citizenship rights in South Africa, Rhodesia, Algeria, and Kenya, where they built strong states, capitalist farms and industrial economies, and proletarianized and/or confined the local population to labour reserves. (Brett, 1973; Wolpe, 1972) However, expatriate officials and capitalists dominated the state and economy in peasant societies like Nigeria, Ghana, and Uganda, but were denied citizenship rights, and Africans retained their land and allowed to produce export crops but were denied political rights and access to large-scale agriculture and tertiary education.

These experiences produced radically different paths from colonialism to modern statehood. Intense conflicts over land, economic rights, and political exclusion led to violent liberation struggles in settler societies, followed by relatively successful political settlements and economic programmes because the new regimes inherited strong states, a mature bureaucratic and capitalist class, industrialised economies, and a modern working class. Peasant societies experienced far lower levels of exploitation, and their expatriate elites did not resist their demands for independence, so they experienced relatively peaceful transitions, but their new rulers inherited weak states, limited human capital, underdeveloped economies, and unresolved class, regional, ethnic, and/or

¹³ For historical accounts see Lipsey; (2005); Pomeranz; (2000); Kohli (2004).

¹⁴ Park, (1799/2000) and Rodney (2022) rightly emphasises the existence of large-scale trading networks and complex urbanised states in the most advanced African empires, but they all lacked the capacity to resist the overwhelming military and organisational superiority of the western powers.

sectarian conflicts that were to disrupt but not end their post-colonial modernisation projects.¹⁵

This interdisciplinary, historical, and comparative approach to state-building in late developing societies tells us why they follow different paths and why some may never succeed, but also why struggles for democratic statehood continue in even the most disrupted societies. It shows why their many failures are not only caused by the prevalence of ethnic loyalties and the opposition of 'patrimonial elites', as many liberal critics have claimed, (Mkandawire, 2015; Boone, 2019), but by many more variables that we will explore in the next section.

2. Part II

2.1. The Creation, dissolution and reconstruction of the Ugandan state¹⁶

2.1.1. Creating and challenging the colonial political settlement, 1894–1962

Islamic, Catholic and Protestant missionaries were sent to colonise the Baganda, Uganda's dominant tribe, in the mid-19th century, and were used by competing factions of the Baganda aristocracy to defend or replace the Kabaka, their ruler, initiating a period of violent sectarian conflict. The British then negotiated an agreement between these factions and established a Protectorate that recognised the authority of the Kabakaship and its Chiefly institutions. (Ward, 1991) They used the Baganda army to conquer the other traditional kingdoms in the south and segmentary societies in the north, and to incorporate them into a single territory and then used Baganda 'Agents' to turn all of them into centralised chieftainships that maintained public authority and provided local services, supervised by British District Commissioners. They created a centralised state apparatus that built modern roads and railways, regulated the new monetary economy, and managed a tightly regulated agricultural export economy.

The Baganda aristocracy and foreign companies were allocated large estates before the first world war, but the regime then blocked the creation of a settler or African agrarian capitalist class by protecting traditional land rights across the country and stopping Baganda landlords from increasing rents or dispossessing their tenants. The peasantry was encouraged to produce cotton and coffee for world markets, which increased local prosperity and maintained the integrity of traditional institutions, but European and Indian expatriates controlled processing and marketing, with monopoly powers which reduced prices to growers and discouraged technological change and industrialisation. Africans were excluded from decision-making roles in the formal sector, which blocked the emergence of an African capitalist class and proletariat. Coffee producing districts in the south close to international road and rail services developed far more rapidly than cotton producers and labour reserves in the north, increasing the pre-colonial inequalities between hierarchical and segmentary societies. A few Africans had access to primary, secondary, and technical education run by Catholic and Protestant missionaries, but none to university education till the 1950s. Missionaries also ran local health systems while soldiers and non-commissioned officers from the north were used to staff the small colonial army.¹⁷

¹⁵ Here see Achemoglu, Johnson, and Robinson (2001); Austin (2008); Brett (1973); Howard (1978); Kohli (2004); Rodney (1972).

¹⁶ I am heavily indebted to Moses Khisa at North Carolina State University, Geoff Goodwin at the London School of Economics and Ben Jones at the University of East Anglia for comments on this section.

¹⁷ Here see Achemoglu, Johnson, and Robinson (2001); Austin (2008); Brett (1973); Howard (1978); Kohli (2004); Rodney (1972).

This dualistic 'indirect rule' system produced a stable political settlement that maintained social order and public authority by guaranteeing the support of the expatriate business and professional classes as well as traditional African elites and the peasantry. It also enabled the British to justify their role by claiming that they were protecting indigenous cultures and property rights and would give their colonies 'full power of controlling their own affairs and developing their own destinies in the fullness of time ... when conditions make it possible'.¹⁸

This hybrid system sustained political authority till the second world war, but the regional inequalities and conflicts of interest generated by the colonial encounter inevitably produced groups with 'fundamentally different "cognitive maps" of politics' so instability was inescapable' as Almond claimed. (p. 6) The British claimed that they were actually creating the capacities that local communities needed to take back control,¹⁹ but actually depended on a racist socio-economic order that systematically undermined their ability to do so. However, they also had to create a new African 'petty bourgeoisie' - chiefs, priests, teachers, clerks, traders, rich peasants, non-commissioned officers, and cooperative officials - who occupied key roles in the formal sector and did eventually acquire the skills and democratic aspirations needed to challenge their exclusion. They could then use these organisational skills and resources to create the nationalist political parties that negotiated a rapid and non-violent transition to independence in 1962, with strong support from anti-colonial movements in Britain.²⁰

Thus, colonisation had far less disruptive consequences in Uganda than in settler-dominated Kenya and did create new indigenous classes that used liberal democratic theory to justify their right to democratic statehood, but they then inherited a state with limited capacities, a weak indigenous ruling class, and unresolved ethnic and regional conflicts that were soon to release powerful forces of 'coming disruption [and] upheaval' as Malinowski predicted. (p. 5).

2.1.2. The dissolution of the Ugandan state 1962–1986

2.1.2.1. *The challenges.* The Uganda People's Congress (UPC) led by Milton Obote took control in 1962 and initiated a state-led development programme designed to transfer political and economic control to the African elite, industrialise the economy, liberate farmers from their dependence on monopolistic expatriate firms, and expand access to education, health, and other social services. (Uganda, 1963, 1966) This project had to address three major challenges -

- to maintain security and public authority at the national and local levels by satisfying the unrealistic expectations of domestic elites and the 'uncaptured peasantry', formerly marginalised by the colonial regime;
- to Africanise the state apparatus without threatening its autonomy and capacity when it lost the skills of the expatriate bureaucratic class;
- and to incorporate the new African elite into the formal economy and raise the productivity of the peasantry, without losing the assets and skills of the expatriate capitalist class.

This programme was embraced by most theorists, donors, and local elites, but it unleashed unresolvable conflicts over power

¹⁸ Leo Amery, Under-Secretary of State for the Colonies, Hansard, 11 viii 1920, vol. 133, col. 490. (Emphasis added).

¹⁹ Britain's 'civilizing role' was formalised in Lugard's 'dual mandate' text (1922) that justified their right to impose the new systems needed to incorporate Africans into the global order, and thus enable them to acquire the capacities needed to take back control in the future.

²⁰ For the wider literature See Apter (1961); Coleman (1958); Hodgkin (1956); Sklar (1963); Young (2012).

and wealth that weakened state capacity, and undermined property rights and social cohesion with devastating consequences.

2.1.2.2. The dissolution of the Post-Colonial state. The regional, ethnic, sectarian and class conflicts inherited from the past destabilised the UPC's attempt to create an inclusive political settlement. The southern kingdoms were given semi-federal status in the British brokered constitution; and competing elites exploited ethnic, regional and sectarian divisions to mobilise support for three political parties - the UPC led by Milton Obote and dominated by northerners, the Democratic Party (DP) by Catholics, and Kabaka Yekka (KY) by the traditional elite and the Kabaka in Buganda. The UPC was the largest party, but failed to win a majority in 1962, so Obote had to buy the grudging support of KY and DP MPs by allowing the Kabaka to become President and including some of their leaders in his cabinet, and then bribing opposition MPs to cross the floor, creating a dysfunctional patronage-based system that undermined the integrity of the state apparatus and economy.

Southern leaders attempted to remove Obote and Idi Amin, the Muslim deputy military commander, in a vote of no-confidence in 1966, but Obote arrested the opposition leaders in his cabinet, suspended elections, and used the predominantly northern army, led by Amin, to occupy the Baganda administration and expel the Kabaka. He introduced a new unitary Presidential constitution that was ratified by Parliament without debate in 1967 and tried to regain popular support in 1968 by a 'move to the left, by nationalising expatriate firms and scheduled new elections in 1971. He tried to dismiss Amin, who removed him by force and set up a military dictatorship. (Golooba-Mutebi, 2008; Ibingira, 1973; Mutesa, 1967).

Amin's coup was initially welcomed by the southern kingdoms, and by donors alienated by the 'move to the left'. Amin appointed a largely civilian cabinet and attempted to restart the economy with donor support but failed to build an inclusive political settlement because of the opposition from the elites, soldiers, and ethnic groups loyal to Obote. Key politicians, officials, officers, soldiers and businessmen were executed or escaped to Kenya or Tanzania, where Obote and Museveni organised rebel armies. Amin then tried to buy political support by expropriating the assets of the Asian business class and transferring them to Africans in 1972, and put corrupt and incompetent officers in charge of State-Owned Enterprises (SOEs). This devastated the economy, destroyed state capacity, alienated western donors, and produced a fiscal and balance of payments crisis. He turned to Saudi Arabia for support by favouring the Muslim minority and assassinated an Anglican archbishop in 1987 which alienated the Christian majority. These failures increased opposition in the civil population, the army and the region, so he attempted to restore his authority by invading Tanzania in 1979 but was defeated by the Tanzanian army and Ugandan rebels and fled to Saudi Arabia. (Brett, 1995; Omara-Otunnu, 1987).

The Amin regime was replaced by a National Consultative Council (NCC) elected by exiled opposition organisations at a meeting organised by President Nyerere in Tanzania before the invasion. It re-convened Parliament and appointed and removed two Presidents, then organised new elections that the UPC won in 1980. It inherited a failed state a devastated economy, and a society characterised by intense factional, ethnic, and regional inequalities and antagonisms. Like the first Obote regime, it initiated a Recovery Programme, with IMF and World Bank support, designed to create a 'mixed economy' by strengthening state capacity, reducing state controls, encouraging private enterprise, and restoring Asian assets. This produced rapid economic growth that would probably have been even greater, [but] for internal security problems and

the adverse world environment for trade and aid mobilization', (World Bank, 1983: i) and the weakness of the country's administrative and economic resources. (Ibid, 23/4) More significantly, however, it also failed to create an inclusive political settlement because the UPC almost certainly 'stole' the election and gave key political and official posts to northerners, marginalized southern and north-western tribes, and excluded southerners from the police and army.²¹

This enabled Museveni to create the southern-based National Resistance Army and Movement, (NRA/M) and begin a civil war in 1981 that further destabilised the economic recovery programme and the state's capacity to defeat the NRA, so Obote was deposed by a military coup in 1985 and the NRA captured Kampala and took power in 1986.²²

2.1.2.3. Deconstructing the statist economy. The state-led modernisation programme adopted by Uganda in 1963 had succeeded in Europe and East Asia, (Chang, 2002) but they were derailed across most of Sub-Saharan Africa, by the weaknesses and conflicts we have already identified.²³ The new UPC regime needed to Africanise the bureaucracy and formal economy and liberate the peasantry from dysfunctional traditional and state controls but retain expatriate skills while they created a new modern bourgeoisie, but failed to do so. The new regime did build new infrastructure, education and health facilities and State-Owned-Enterprises in the early sixties but used the restrictive state controls inherited from the colonialists to transfer resources from expatriates, the peasantry and donors to the emergent African elites that had been excluded from the formal sector by the colonial system.

The regime replaced experienced expatriate officials with inexperienced African graduates and undermined the integrity of the civil service by using promotions to buy political support. This created a 'bureaucratic bourgeoisie' that used their control over key state and cooperative enterprises to extract corrupt rents, and appropriate large tracts of land that they failed to develop. (Okuku, 2006) It also undermined the productivity of the capitalist economy by forcing the dominant Asian business class to enter into unequal partnerships with African firms. (Brett, 2008; van Zwanenburg & King, 2008; Sejjaaka, 2004) The peasantry were given low crop prices and paid high export taxes which discouraged investment and exports that soon produced a balance of payments, fiscal and investment crisis. (Bates, 1981) Donors compounded these problems by funding economically unsustainable state enterprises that depended on inappropriate technologies, monopoly privileges and subsidies. (Burch, 1987).

2.1.2.4. Transforming Socio-Economic structures. These dysfunctional policies undermined state capacity, intensified class, and ethnic conflicts, and generated the political and economic crises that turned Uganda into a failed state. Officials were unpaid, so they took bribes or 'moonlighted' by setting up private schools or health centres, thus effectively privatising state services; (Munene, 1995;) and farmers and traders evaded state controls by smuggling goods across borders, (Brett, 1993, ch. 4; Bunker, 1985; Meagher, 1990) These changes undermined the authority of the regime and its bureaucratic apparatus, but also created a 'real economy' and a new capitalist class that was governed by market forces rather than state regulations. (Callaghy, 1984; McGaffey, 1987) They also reinforced the role and authority of voluntary and traditional institutions, since international and local

²¹ See Brett (1995): 140ff; Mutibwa (1991: 148ff); Omara Otunnu (1987).

²² See fn. 18 & Museveni (2007).

²³ See Ake (1996); Bayart et al. (1993); Bayart et al. (1998); Chabal and Deloz (1999); Clapham (1996); Kholi (2004), van der Walle (2001) for literature on the African crisis.

NGOs provided public goods, the churches provided the best health facilities, Parent Teachers Associations took control of schools; and 'traditional' justice systems re-emerged to impose law and order. (Brett, 1993; Heald, 1989). However, they also transformed the socio-economic structures and conflicts that had sustained the statist colonial political settlement and disrupted its post-colonial successor and eventually produced the shift to a more stable hybrid social order.

2.1.3. Rebuilding the Ugandan state 1986 –

2.1.3.1. *The challenges.* The NRM inherited a failed state, an informalised economy, and a civil war organised by resistance movements led by leaders of the defeated regime and soldiers who returned to the north; and the populist Lord's Resistance Army, (LRA) and the Allied Defence Forces (ADF).²⁴ It also introduced a state-led modernisation programme laid out in its '10 Point Programme' that called for free elections, a Weberian bureaucracy, an interventionist economy combining state and private enterprises, and the elimination of tribalism and sectarianism. (Museveni, 2007) Similar programmes had failed in the 1960s and 1980s, but the socio-economic changes described earlier meant that it could now depend on a much stronger African capitalist and professional class and on civic and traditional institutions that had sustained livelihoods and local services and public authority after the state failed in the 1970s. It was able to build a broad-based political settlement and implement a successful rehabilitation programme with strong donor support, but it could only manage the long-standing conflicts between regions, ethnic groups, firms, and modern and traditional institutions by adopting authoritarian policies and hybrid solutions that combined liberal and illiberal institutions in complex and often contradictory ways, as we will see.²⁵

2.1.3.2. *Reconstructing public authority.* The NRM ended the civil war by de-politicising and 'de-ethnicising' the National Resistance Army (NRA) by keeping NRM loyalists in top leadership positions but recruited soldiers and officers from the defeated national army and made a formal commitment to its political neutrality. (Brett, 1995) It initially intensified opposition in the north-east by attempting to suppress its resistance movements by moving whole communities into camps and allowed armed Karamojong pastoralists to devastate cattle stocks. However, it then negotiated peace agreements with key armed groups and used amnesties to encourage rebels to leave the bush and rebel leaders to take leading positions in new Local Councils, (Brett, 1996a) and initiated a large donor-funded Northern Uganda Reconstruction Programme to rebuild the economy in the 1990s. (Brett, 1990) The LRA and ADF continued to harass civilian populations but were eventually driven into neighbouring countries and no longer threatened the regime's monopoly of force. (Brett, 1995: pp. 144–51).

It created a cohesive political settlement by allowing existing political parties to operate legally but postponed multi-party elections. It treated the NRM as an open 'movement' and set up a 'broad-based' government that included leaders of the other parties and of the rebel groups that gave up their arms. It extended political rights by setting up a new Local Council system in 1987, an indirectly elected Parliament in 1989, an elected Constitutional Assembly in 1994 that produced a new Constitution in 1995, followed by 'no-party' national elections in 1996. Traditional rulers, including the Kabaka returned but their authority was curtailed, and their Kingdoms divided into multiple districts. Fully-fledged multi-party elections were finally allowed in 2005, when the

NRM became a party that has fought and won regular elections ever since.

The state apparatus lacked the capacity to deliver local services but the regime set up elected local authorities that enabled communities to use hybrid solutions to reconstitute public authority by using elections to validate the authority of local leaders who used 'traditional' institutions and belief systems to capture power and create public authority in both regressive and progressive ways. Thus 'democratic' processes were used in the northwest to justify punitive witch-cleansing exercises to re-establish social order; (Allen & Reid, 2015; Allen, 2015) while councillors used the authority of churches and clans, to validate their leadership roles in the northeast and sustain 'many of the historically prescribed functions of government and customary institutions'. (Jones, 2005) And donor-funded transitional justice systems designed to restore peace in northern Uganda were 'mediated through local-hybrid structures ... ranging from administrative systems associated with formal state government to regulatory frameworks of customary law and traditional societal authorities such as clans and spiritual healers'. (Macdonald, 2017: 12/13).

This programme had reconstituted public authority by the late 1990s, and the regime continues to enjoy widespread support, but Museveni's ability to manage the democratic processes and reliance on clientelistic networks and traditional institutions turned it into a 'competitive autocracy' rather than liberal democracy even after competitive elections were introduced. (Levitsky & Way, 2010) Regular elections continue, but he amended the constitution so he could continue in office, used state resources to buy votes, systematically disrupted opposition candidates and parties, and has avoided donor sanctions by supporting the USA's anti-terrorist activities in neighbouring countries. (Khisa, 2019) He has also undermined the local government system by allowing excluded local groups to create many new districts to win their political support. (Green, 2010).

Hence the NRM, like many other semi-authoritarian regimes, has used elections to mobilise support and legitimate its power rather than challenge its authority, and 'personalisation, patronage and coercion', like the Obote regime he replaced, to buy support and repress the opposition. (Reuss & Titeca, 2017: 2361) These anti-democratic strategies have intensified opposition and undermined its foreign reputation, but genuinely free elections that disrupted the fragile political settlement could well have destabilised the regime, encouraged dysfunctional populist policies, or provoked violent conflict (Putzel & Di John, 2012) as they have done in many African countries. Instead, the regime does still command widespread support, and the existence of a far better educated professional class, a growing foreign and domestic capitalist class, a dense array of civic organisations and a relatively autonomous media, has indeed enabled it to incorporate a far wider range of social groups into public politics than before.²⁶

2.1.3.3. *Reconstructing bureaucratic capacity.* The NRM was also committed to the centralised state-led model that had dominated policy agendas in the past that had failed across Africa because the colonial authorities had failed to build the strong 'old style' Weberian states that had succeeded in post-war Europe and East Asia. (Kohli, 2004) It confronted a much greater challenge than the UPC did, because it inherited the dysfunctional and corrupt bureaucratic apparatus described in the previous section that could not tax or deliver services yet retained monopoly powers that systematically blocked legal private-sector development. These weaknesses were used by neoliberal theorists in the

²⁴ Brett (1993, 1995); Allen (2010).

²⁵ Key texts include Brett (1994; 1998; 2008); Barkan (2005); Callaghy (2008); Khisa (2019); Museveni (2007); Mwenda and Tangri (2005); Tripp (2010); Wiegatz et al. (2018); World Bank (2017).

²⁶ See Kjaer and Katusiimeh (2012); Behuria (2021) on the role of business organisations, and (King and Hickey (2017); Golooba-Mutebi (2017) on flocal associations.

International Financial Institutions, and a liberal faction in the NRM to adopt a pluralistic New Public Management (NPM) programme that called for a major shift from state to market based delivery systems.²⁷ These reforms were incorporated into the Structural Adjustment Programme negotiated with the donors in 1987. They were initially resisted by key elites in the NRM, but were pushed through by the donors, local business elites and key NRM officials who wanted to eliminate the repressive state controls, dysfunctional SOEs and Marketing Boards, and the perverse incentives and rents that had derailed development projects in the past. The donors then strengthened the state's ability to regulate the economy and provide public goods by funding more than 50 % of the current budget and more than 80 % of the development budget and providing critical technical assistance to key reforming politicians and officials. (Brett, 1996b; 1998; 2008).

The regime appointed a Public Service Review Commission (Uganda, 1990) that the NRM used to produce a radical reform agenda based on New Public Management principles designed to depoliticise the civil service, change incentives and strengthen accountability by shifting from 'process' to 'results-oriented management' systems, privatising bankrupt SOEs, sub-contracting public services to private firms, donors or NGOs, and restoring fiscal discipline. The regime then pushed this programme through, by eliminating tens of thousands of unproductive and often non-existent 'ghost' workers, setting up an independent tax authority, devolving services to local authorities, and attempting to pay officials a living wage. (Brett, 1994; Langseth, 1995) These reforms were actively resisted by politicians and senior officials, but many were implemented because the existing state apparatus was discredited, the president was happy to eliminate the rents enjoyed by officials loyal to the previous regime, and there was strong budgetary support and supervision from the donors. (Robinson, 2006).

These reforms eliminated many of the dysfunctional controls and destructive rents that had undermined state capacity and inhibited private investment in the past. The emergence of a large and better educated indigenous bureaucratic, business, and professional class, and a critical media, together with the shift to a market economy did at least partially decriminalise the state, encourage investment and reduce donor dependency. The regime continued to promulgate a sophisticated array of public sector reforms and subsequently returned to a far more interventionist approach in the 21st century. It has been able to create what Hickey, Bukenya, and Matsiko (2021:1) call 'pockets of effectiveness' in key Ministries that have made a major contribution to its economic success, sustained by 'presidential protection' and donor support. However, they also note that 'public sector performance in Uganda ... has increasingly become entwined with the politics of regime survival, rather than any wider state-building project'.

The regime has therefore continued to promulgate a sophisticated array of public sector reforms based on NPM principles, but it still cannot provide effective health and educational services, control corruption or meet the ethical and technical standards set out in its own reform agenda. since 'in practice there is deliberate circumvention of these standards by the ruling elite.' (ESID, 2016: 1) These complex processes have had both progressive and regressive consequences -.

- First, the elimination of loss-making state-owned enterprises with monopoly powers reduced corruption and strengthened private firms and NGOs. Donors did provide the regime with 80 % of the resources needed to reconstruct its damaged infrastructure and more than 50 % of the recurrent budget that enabled it to maintain basic services and supported primary

education. However, their focus on private firms and NGOs meant that they failed to rebuild key ministries, or strengthen tertiary education, weakening state capacity. (Brett, 2008; Wiegratz, Martinello, & Grecco, 2018).

- Second, the return to competitive elections and the dilution of conditionality, reintroduce the dysfunctional clientelistic and cash-driven political market that dominated the past, so the NRM still gives key posts to south-western elites, turns a blind eye to corruption and fails to meet the ethical and technical standards embedded in its own 'accountability architecture'. (Bukenya & Muhumuza, 2017)²⁸.
- And third, their continued dependence on illiberal traditional institutions sustained public authority and local services, but reinforced 'monocultural, undemocratic forms of local government'. (Peterson, 2016).

As a result, the NRM, like most other regimes in Africa, has had to adopt hybrid rather than best practice policies, that have generated major improvements, but 'left Uganda without the capabilities required to pursue alternative developmental agendas.' (Hickey, et.al, Ibid.).

Thus as Offe (1985: 305) pointed out -.

the incongruity between the internal modes of operation and external functional demands on the state administration have their basis in the quality of the socio-economic environment, rather than in 'deficient' bureaucracies. The environment binds the state administration to specific modes of operation, yet simultaneously makes claims on its performance which cannot be satisfied by these same modes of operation. (Offe, 1985: 303).

These contradictory outcomes have not only demonstrated the need for strong Weberian bureaucracies and well-managed New Public Management programmes if conflicted societies hope to restore public authority and social order, (Besley et al., 2021; Weber, 1922)/1968) but also tell us why mainstream statist and neoliberal policies need to accept the need for adaptive programmes that combine modern and traditional institutions in creative ways.

2.1.3.4. Restructuring the statist economy. The collapse of the state apparatus and formal economy meant that the NRM inherited a 'real' but informal and illegal market economy consisting of capitalist firms run by modern elites that had used their political and bureaucratic links to finance their businesses and evade state controls, and a dense array of small and micro enterprises based on kinship networks that served local and international markets. (Brett, 1993; MacGaffey, 1991; Meagher, 1990) The donor programme then liberated the emergent African capitalist class from the constraints imposed on it by earlier statist and predatory regimes, by liberalising markets, encouraging foreign investment, protecting property rights, privatising SOEs, devaluing the currency, imposing fiscal discipline, and cutting inflation. Their focus then shifted from structural reforms to poverty alleviation in the 1990s, and to a far stronger emphasis on 'industrial policy for economic transformation' after formal conditionality ended in 2005. (Behuria, 2021; Golooba-Mutebi, 2020).

These reforms produced a rapid return to growth which has fluctuated from 4.5 % and 7 %, between 1986 and 2018, while GDP has increased from \$4 billion to \$27.5 billion, population from 15 to 42 million, life expectancy from 48 to 60 years, with a significant reduction in poverty, although growth slowed down in the late 2000s. (World Bank, 2019) They also initiated a significant

²⁷ See Brett (2009, Ch. 6) for a review.

²⁸ Also see Barkan (2005); de Waal (2005); Ramadhan (2014); World Bank (2004).

change in the structure of the economy since agriculture declined from more than 50 % of GDP in the late 1980s, to around 30 % in the early 2000s, services grew from 30 % to 40 % and industry and manufacturing from around 17 % to 30 %, although these figures have hardly changed since then. (Behuria, 2021, Figure 4) The regime and donors made a formal shift from a neoliberal to an interventionist industrial policy strategy at the end of the 2000s that now prioritises private sector investment, public–private partnerships, and a partial return to old-style import-substitution. (World Bank, nd: 5).

The NRM has therefore managed a relatively successful transition to a liberal capitalist economic system and a return to growth but failed to generate a sustained and equitable transition to a modern agrarian and industrial economy. Rapid population growth has undermined its attempts to improve access to education and social services and is increasing under-employment and the number of people living in absolute poverty. Agriculture is still dominated by small-scale farmers using iron-age technology, and national elites continue to appropriate large-scale tracts of land, creating serious conflicts between owners that depend on traditional as opposed to formal legal titles. (Kandel, 2016, Okuku, 2006) Industry and manufacturing are still dominated by informal and micro enterprises while only a few ‘modern’ industries can compete with cheap imports or on regional markets, despite growing state support. Industrialisation has stagnated since the neoliberal period because of the regime’s failure to rebuild bureaucratic capacity and the destabilising effects of the corruption and clientelism generated by the demands of a dynamic but fragmented national capitalist class that still depends on political rents and favours that produce ‘corruption, poor management at both top and bottom levels, non-coherence in policy implementation inadequate funding and political interference’. (Ggoobi, Wakabula, & Ntayi, 2017): 20; Kjaer & Katusiimeea, 2012; Golooba-Mutebi, 2020; Behuria, 2021).

3. Conclusions

This article has questioned the nature and effectiveness of the ‘western’ modernization programmes used by weak and conflicted states to manage their transitions from colonialism to autonomous statehood. They have facilitated effective transitions in East Asia but produced devastating setbacks in many African countries. Orthodox theorists have attributed these failures to the existence of corrupt rulers, crony capitalists and regressive cultural traditions, while their critics have claimed that these countries were ready to make an immediate transition to democratic statehood, and that donors have used aid, technical advice, and sanctions to oblige them to adopt neoliberal policies that were bound to fail. However, we showed that liberal state-building programmes were supported by modern indigenous elites, that well managed reforms based on orthodox models, did make an essential contribution to growth, public authority and social order, but attempts to implement them were inevitably disrupted by the structural weaknesses and zero-sum conflicts inherited from the past. Third world critics have used these conflicts and failures to call for authentic African solutions to the problem but fail to provide regimes with credible alternatives.

I therefore turned to classical dualist, and contemporary institutional and hybridity theory to resolves the contradiction between these contending views that recognise that modernisation is driven by conflicts between modern and traditional elites, social classes, and cultural systems with a vested interest in promoting or resisting liberal democratic transitions. They show that these processes began when the colonial intrusion created new, large-scale states across Africa, by introducing modern bureaucracies and capitalist economies managed by expatriate elites, that coexisted in

contradictory ways with reconstituted traditional institutions. The heavily contested and asymmetrical interactions between these modern and traditional institutions then generated new social orders that produced different outcomes in different contexts and different periods, depending on the nature of their metropolitan powers, expatriate elites and their pre-colonial social systems. This enabled us to use a historically based, path dependent methodology to show how their relationships changed over time, and a theory of political agency that treats these dynamic processes as the outcome of the creative and destructive consequences of the colonial encounter.

The colonial powers initially conquered, reconstructed, and subordinated indigenous societies, but then justified their role by claiming that they were providing them with the skills and capacities that they needed to manage modern democratic states. Their new modern institutions were managed by expatriate elites and social classes that initially monopolised the skills and resources needed to manage them, while they excluded most Africans from decision-making positions and confined them to ‘despotic’ traditional institutions except for the local elites needed to play subordinate roles in the modern sector. Once the latter had acquired the skills, aspirations and resources needed to manage modern institutions and organisations, they were able to invoke liberal democratic principles to justify their right to join the global state system as independent states after the second world war.

However, the new African elites inherited social and economic situations characterised by very different resources, human capital, class structures and traditional institutions, but they all lacked the capacities and resources needed to make an immediate transition to liberal or social democratic capitalism. They therefore inherited and continued to depend on hybrid social orders characterised by the co-existence of contradictory institutional systems, antagonistic class, ethnic and/or sectarian conflicts and very limited social, political, or economic capital. Segmentary and hierarchical pre-colonial African societies had very different capacities and organisational systems, but they were all subjected to an authoritarian and racist social order by the colonial authorities, that turned local people into subjects, not citizens until their modern elites were able to mobilise the nationalist movement and demand democratic statehood. These processes produced more disruptive but more successful transitions in settler economies like Kenya where expatriates had been given political and economic rights that allowed them to build interventionist states, create capitalist agrarian and industrial policies, as opposed to peasant societies like Uganda run by expatriate officials and capitalists that systematically blocked the emergence of an expatriate or African agrarian or industrial capitalist class, and perpetuated long standing inequalities and antagonisms between competing ethnic groups.

This approach then allowed me to show why the UPC and NRM regimes in Uganda used liberal democratic theory to justify their demand for power and manage their modernisation programmes, but resorted to clientelism, corruption and coercion to win elections, and continued to depend on illiberal traditional institutions to sustain public authority, livelihoods, and services in local communities. These contradictory outcomes were caused by the class, ethnic and sectarian conflicts and structural weaknesses inherited from the pre-colonial and colonial periods, that reinforced ethnic and sectarian rivalries and excluded Africans from the bureaucracy, formal economy, and tertiary education. This forced the UPC to Africanise and politicise the bureaucracy and economy by replacing experienced expatriates with inexperienced Africans, which undermined state and economic capacities, intensified ethnic and regional conflicts and lead to military rule, state failure, and economic collapse. However, these processes also created new indigenous classes and economic and social organisations that enabled exiled Ugandan elites, supported by the Tanzanian army, to

re-establish civilian rule and the UPC to initiate a new state-building programme in 1980 that was also disrupted by its inability to manage these deeply entrenched conflicts and inequalities.

The emergent southern elites that had been created during the post-colonial period then created the NRM that was able to exploit the anger generated by 'northern' dominance in the south to mobilise a resistance movement, take power by winning another civil war, and restore public authority, regular elections, and economic growth after 1986. However, like many other new regimes in Africa, its limited resources meant that it could only manage the country's structural weaknesses, ethnic and class conflicts by creating a competitive autocracy and hybrid social order that has generated significant gains but could also be reversed if it fails to manage the growing political threats generated by domestic conflicts, the climate emergency, the global recession, and the decline in international aid.

These complex and often contradictory evolutionary and contingent processes oblige us to question both the optimism of those who assume that democratisation and liberalisation can generate an immediate and stable transition to modernity in weak states, and the pessimism of those who believe that they can never overcome the structural weaknesses and zero-sum conflicts that still block their attempts to do so. We have shown that progressive African elites and regimes do recognise the need for regular elections, strong Weberian bureaucracies and well-regulated market economies recommended by the dominant liberal democratic paradigm, but also why they have to incorporate illiberal traditional institutions into their policy programmes while they invest in the capacities they need to create open social orders. They can only do this by incorporating formerly excluded social groups into inclusive political settlements and build the political, economic, and civic organisations needed to manage open social orders based on negotiated and binding agreements rather than violence. Doing this has always been a long-term and heavily contested process in poor conflicted societies, with semi-literate populations still dependent on illiberal authority and belief systems. These weaknesses are now compounded by environmental and health crises that have intensified the threats confronting the weakest countries like South Sudan, Somalia and now Ethiopia.

However, the emergence of a stronger indigenous professional, capitalist and political class, and their recognition of the need to negotiate adaptive and inclusive policy solutions to avoid the devastating costs of earlier civil wars, has restored peace and livelihoods in Rwanda, and Uganda by combining liberal and illiberal, formal, and informal institutions in creative ways with important consequences for theorists, policy-makers and political activists at every level from the global to the local.

Data availability

No data was used for the research described in the article.

Declaration of Competing Interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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