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## **Taming the "Rogue" Sector:**

### **Studying State Effectiveness in Africa through Informal Transport Politics**

Tom Goodfellow

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Use of the term "effective states" has proliferated in recent years, despite confusion over what state effectiveness fundamentally is and how it can be achieved or measured. This article aims to refocus the debate by proposing a workable definition of state effectiveness and answering a concrete comparative empirical question about why some states are more effective than others at tackling similar challenges, even among some of the world's poorest countries. The empirical puzzle relates to the degree to which states succeed in efforts to regulate and tax economic activities in the urban informal economy. Informal economic activity is often extremely lucrative but by its very nature subject to little official taxation or effective regulation, posing challenges to state consolidation by undermining the public revenue base and rule of law. Notwithstanding important debates about the degree to which states should seek to regulate and formalize such activity,<sup>1</sup> the informal economy constitutes a domain in which states seek to impose a number of rules, the effectiveness of which can be observed and analysed.

This paper focuses on the urban informal transport sector, a particularly profitable, fast-growing, and under-regulated sector in many developing countries. Uganda has both one of the highest urban growth rates in Africa and among the least regulated urban transport sectors.<sup>2</sup> This is especially evident in the capital Kampala, where public transport is dominated almost entirely by matatus (informal minibuses) and boda-bodas (motorcycle-taxis). The latter, which constitute the empirical focus of this paper, have experienced

extraordinary rates of growth since the 1990s without any effective state control. As this paper will show, this is not because of an absence of regulations but because of the state's ineffectiveness in implementing the regulations introduced. By 2010, boda-bodas were omnipresent in the city, and their drivers were widely considered to constitute an urban underclass of "rogues" and criminals that the state was powerless to control.

Meanwhile in Kigali, the Rwandan capital, the motorcycle-taxi sector went from being similarly lawless to one of the most tightly-regulated in Africa, if not the world. This divergence between effective and ineffective implementation of regulations and policies occurred despite many socioeconomic, geographic, and historical similarities between the two contexts. This article aims to explain the divergence in effectiveness through a comparative case study framework and inductive process-tracing methods. In so doing it proposes an explanation for differential state effectiveness that highlights the importance of informal political processes rather than the technical bureaucratic capacities that have preoccupied many concerned with state performance.

### **Conceptualizing and Studying State Effectiveness**

**What is state effectiveness?** The concept of an "effective state" is deceptively simple; in fact, there is little consensus or clarity regarding what constitutes one, and definitions often depend on the eye of the beholder. To consider just two examples, a research group concerned with citizenship defines an effective state as one that is "inclusive, democratic and just,"<sup>3</sup> while a political scientist interested in political organization defines it in relation to the degree to which state bureaucracies are professionalized.<sup>4</sup> Rendering the concept analytically useful requires a precise and limited definition, accepting that effectiveness does not necessarily subsume accountability, democracy, and all the other qualities we might want states to have.

A first task is to define the state. This article adopts Stepan's definition of the state as being much more than just the government, comprising "the continuous administrative, legal, bureaucratic and coercive systems" in a particular polity that aim to structure relationships between civil society and public authority.<sup>5</sup> States are thus rarely coherent and unified actors. Moreover, every state is more effective at some things than others, and even some of the weakest states in Africa can exhibit "islands of effectiveness."<sup>6</sup> Hence rather than categorizing states as definitively effective or ineffective, it is more productive to focus on particular instances of state effectiveness and the processes through which they are realized.

This study adopts a simple, non-normative definition: state effectiveness refers to situations where the stated aims of government, codified in policies, laws, and regulations, are translated into accomplishment. State effectiveness is therefore defined strictly in relation to implementation – to bringing a stated goal into effect. This is certainly not the only desirable attribute of modern states; questions such as how policies are decided upon and what accountability mechanisms are in place are extremely important. The point is that these attributes are best considered as distinct from effectiveness and may or may not go hand in hand with it.

**Methodological Approach** In seeking to understand state effectiveness with regard to particular policies and regulations, this paper adopts a comparative case study framework and theory-guided process-tracing approach.<sup>7</sup> I follow Hall's strategy of beginning with a specified set of theoretical propositions that identify potential causal factors discussed in a range of relevant literature.<sup>8</sup> The validity of these can then be explored through a "theoretically explicit" comparative analysis, drawing out "causal process observations" in the case studies and facilitating the evaluation of the propositions through the case material.<sup>9</sup> Rather than formally testing a specific hypothesis, the approach thus aims to build detailed

narratives that provide scope for assessing the analytical power of extant theoretical arguments and how they speak to one another. This kind of process-tracing is aimed not at testing theory but at further developing it,<sup>10</sup> particularly with respect to how a multiplicity of causal factors interact.

A structured, focused comparison is employed between two cases selected on "most similar" grounds: in other words, they exhibit many similarities but strong variance on the dependent variable of interest.<sup>11</sup> Both Uganda and Rwanda are situated in a part of Africa dominated by powerful Kingdoms for centuries before colonialism, sharing a history of bureaucratic centralization that is unusual on the continent. They are very similar in terms of their economies, levels of poverty, population densities, urbanization levels, urban growth rates, and degree of democratic institutionalization.<sup>12</sup> Notwithstanding the problems with cross-country measures of regime type (and important differences in political space to be discussed subsequently), both regimes were classified as "closed anocracies" by Polity IV and "semiauthoritarian" by Freedom House at the time of this research.<sup>13</sup> The ruling parties both derived directly from rebel military organizations and achieved power through guerrilla struggle after devastating civil conflicts. More unusually, the Rwandan Patriotic Front (RPF) was literally formed inside the Ugandan National Resistance Movement (NRM) by Rwandese exiles in Uganda.<sup>14</sup>

The decision to take capital cities specifically as a unit of comparison is consistent with an emerging consensus on the value of comparing sub-national units in cross-national comparative analysis.<sup>15</sup> The cities concerned exhibit substantial similarities: both are by far the largest in the country, with estimated night-time populations of around 1 million in Kigali and 1.5 million in Kampala,<sup>16</sup> featuring comparable terrain of hills and swamps, tropical climates, and little by way of formal employment. Despite these similarities at both national and city level, their variation with regard to the outcome of interest—effective

implementation of policies, laws, and regulations pertaining to transport in the capital city—is extreme, as will be demonstrated. To explain this divergence through process-tracing analysis, multiple research methods were utilized during six months of fieldwork in the two cities between January 2009 and February 2010. These included interviews with state officials, politicians, transport workers, and non-governmental organizations, and analysis of newspapers, policy documents, and government data. Before considering the empirical material, I now turn to the "theoretical priors" against which this research will be analysed.

**What Causes State Effectiveness? Five Propositions** Many accounts of state performance in the developing world attach supreme importance to bureaucratic capacity, sometimes using the term interchangeably with effectiveness.<sup>17</sup> Following Putzel, I define capacity as referring to the skills, formal institutional systems (e.g. regarding policy formulation and financial management), number of educated personnel, and financial and technical resources within the state bureaucracy.<sup>18</sup> It is towards these that "capacity building" initiatives are targeted in developing countries, and it is clear why they should in theory enhance state effectiveness. Proposition one is, therefore, that states will be more effective at implementing policies and regulations the greater their bureaucratic capacity.

There are many reasons, however, to believe that effectiveness in translating policy to accomplishment is about much more than this. The analytical prism adopted here proposes four overarching concepts to encapsulate other potentially critical factors: autonomy, infrastructural power, credibility (of government commitments), and legitimacy. These represent a distillation of the explanatory factors for state effectiveness found in a broad range of literature in comparative politics, political economy, and political sociology. They also represent an effort to deepen and expand upon the common tendency in policy discourses to distinguish between a government's "willingness" and "ability" in discussions

of state effectiveness. Democracy and political competition, it should be noted, do not form the basis for any of these propositions because their relationship to state effectiveness is so ambiguous and contested in the literature.<sup>19</sup> There is little to suggest that democracy in and of itself causes a state to be more or less effective. This issue will, however, be picked up again where relevant to the analysis.

The idea of the state's "relative autonomy," which dates back to Marx and Weber, has been central to recent interest in the state's role as an actor in spurring economic transformation.<sup>20</sup> The idea is highly problematic, especially given that states are far from coherent units and that many "developmental" states actually had intimate relationships with private sector actors even as they disciplined them.<sup>21</sup> Despite the many difficulties with the concept, it is so prevalent in the literature as to merit a proposition. Discussing the autonomy of "the state" in general terms is unsatisfactory, but the extent and nature of ties between component elements of the state and particular social forces have clear relevance here. As Rueschmeyer and Evans suggest, autonomy relative to one social class is often achieved by way of state actors becoming less autonomous relative to another.<sup>22</sup> The idea of autonomy may therefore be useful insofar as we can talk of the autonomy of particular arms of the state vis-à-vis particular groups and in relation to specific goals. The degree to which different state organizations are or are not constrained by social groups on whom they depend for resources, legitimacy, or votes is likely to matter for state effectiveness. Proposition two is that states will be more effective at implementing particular policies the more autonomous state agents are vis-à-vis interest groups that may be negatively affected by those policies and thus seek to block them.

Many analyses of state performance do not look much further than capacity and autonomy. Effective implementation, however, also raises questions about deeper societal power relations and how they affect state actions. Michael Mann's concept of "infrastructural

power" is of particular utility here.<sup>23</sup> In his "Alice in Wonderland" analogy, infrastructural power is the Red Queen's logistical ability actually to hunt down Alice and execute her, while "despotic power" is the Queen's power to order her head to be cut off. Infrastructural power is fundamentally about the logistical penetration of civil society and is distinct from state capacity as defined here; government penetration of social life may have more to do with traditions of social control and hierarchical patterns of communication than bureaucratic competence. As argued in the introduction to a recent journal issue dedicated to the concept, it should be distinguished from both bureaucratic professionalism and state autonomy.<sup>24</sup> Proposition three is that states will be more effective where they have a greater degree of infrastructural power. Again, this may be hard to identify and measure but is worthy of exploration through case material.

While the three factors discussed thus far can be thought of as relating to "top-down" aspects of state effectiveness, it is also important to consider the potential "bottom-up" elements. When concerned (as this paper is) about the enforcement of particular laws and regulations, the other side of the coin is popular compliance. Compliance is more likely if government commitments to implementation are actually credible to the social actors on the receiving end. Credible commitment, Kenneth Shepsle has argued, can be achieved in two main ways: either through binding constitutional mechanisms that disable government discretion, or through a situation where the incentives that caused particular commitments to be made remain in place. In the latter case, credibility is self-reinforcing and "motivational."<sup>25</sup> In contexts where the rule of law for elites is still lacking (as is arguably the case in most developing countries),<sup>26</sup> we would expect any credibility to be motivational. Such credibility is arguably further enhanced through cumulative actions, when rewards and punishments are consistently applied, heightening incentives for compliance. Moreover, where government commitments are not credible to state actors themselves, formal organizational rules have less



force, and incentives for corruption and negligence are greater. Proposition four is therefore that states will be more effective where government commitments are motivationally credible both to the social actors affected by them and the state officials implementing them.

A final factor with a long pedigree in explaining state performance is legitimacy and the nature of a state's sources of legitimacy. I follow Gilley's definition, whereby states are more legitimate the more they are treated by their citizens as rightfully holding and exercising power. Logically, legitimacy should enhance state effectiveness due to a positive impact on compliance and acquiescence.<sup>27</sup> Yet the sources of legitimacy matter: if a government is considered legitimate largely because of state performance (e.g. because the state delivers on its formal promises and maintains low levels of corruption), this provides incentives to maintain and enhance state effectiveness, producing a virtuous cycle of legitimacy and credibility. If instead governing elites garner much of their legitimacy through clientelistic relationships to supportive client groups, there is less incentive to make the broad delivery of services through the state more effective.<sup>28</sup> Proposition five is therefore that states will be more effective where the sources of their legitimacy relate to state effectiveness itself, as opposed to clientelistic or patrimonial legitimacy.

In accordance with theory-guided process-tracing, the intention is to take these propositions, which have been distilled from a range of literature on states, institutions, and development, assess their validity, and explore relationships between them through a concrete empirical study. The inter-relationships may be particularly important in accounting for state effectiveness. As already suggested, in theory there can be positive complementarities between state legitimacy and policy credibility. Both infrastructural power and autonomy from certain groups may also enhance credibility, while bureaucratic capacity may enhance state legitimacy and foster infrastructural power over time. To explore these interrelationships requires attention to the realm of informal politics as well as formal institutions.<sup>29</sup> This paper

aims to trace whether and how the five stylized factors of capacity, autonomy, infrastructural power, credibility, and legitimacy interact and contribute to state effectiveness through local-level empirical analysis.<sup>30</sup> Before turning to this material, the next section briefly provides contextual background on the evolution of the informal economy and urban public transport sector in the two cities.

### **The Context: Economic Informality and Transport in Uganda and Rwanda**

The "informal economy" is taken here to refer to activities that in some respects "lie beyond or circumvent state regulation."<sup>31</sup> As in many developing regions, urban public transport became highly informalized across Africa in recent decades as underfunded post-independence national transport systems collapsed. In this context, "paratransit" services in the form of minibuses, microbuses, and motorcycles provided "consummate gap-fillers."<sup>32</sup> However, the effective absence of regulation, including both quality and quantity controls, engendered a host of new problems such as extreme competition resulting in overloading, congestion, soaring traffic fatalities, and severe labour abuses.<sup>33</sup>

Increasing evidence of negative externalities from under-regulation eventually led many governments to attempt to bring in new regulations and taxes to stem the sector's growth and establish order. In Kampala and Kigali, paratransit proliferated at such a high rate in the 1990s that in the 2000s there were repeated efforts to regulate it. These efforts were particularly notable with regard to motorcycle-taxis, which became major players in both cities' informal economies. Originating in the Uganda-Kenya border zone, hence their Ugandan name boda-boda (border-to-border), these motorcycle-taxis proliferated in Uganda with the arrival of motorized bicycles in large numbers in the 1990s<sup>34</sup> and flourished in Rwanda after the 1994 genocide.

Uganda is a canonical case of economic informalization due to the development of its notorious magendo (black market) economy under Idi Amin, which continued to thrive after Amin was ousted.<sup>35</sup> By the time Yoweri Museveni and his National Resistance Movement (NRM) took power in 1986, the urban economy was overwhelmingly informal. Public transport was a substantial component of this burgeoning informal economy, mushrooming in size until it employed an estimated 140,000 people in the city by 2010, mostly in the matatu (minibus-taxi) sector.<sup>36</sup> A basic legal and regulatory framework exists in the 1998 Traffic and Road Safety Act. Within the capital, Kampala City Council (KCC) was responsible, in theory, for transport planning and the enactment of policies, regulations, and local taxes. At various points in the decade 2000–2010, permit-based taxation systems were formally introduced for boda-bodas, which until then had been neither taxed nor regulated and were growing exponentially. KCC also periodically developed basic regulatory measures on maximum numbers, permits, helmets, and reflective jackets.<sup>37</sup> The boda-boda sector's de facto absence of regulation in 2010 did not, therefore, reflect the absence of any regulatory framework but a complete failure to implement the frameworks introduced.

Rwanda's urban areas were also sites of above average levels of informality from the 1970s onwards. From 1970 to 1990, urban growth rates consistently outstripped the African average despite little by way of formal sector employment to absorb this population.<sup>38</sup> The most intense period of informalization took place in the years immediately after the 1994 genocide, when the Rwandan Patriotic Front (RPF) took control. The country's average annual urban population growth rate soared to 18 percent in the 1995–2000 period, in the context of refugee return on an enormous scale.<sup>39</sup> According to a 2001 study, the vast majority of businesses in Kigali were unregistered, suggesting a highly informalized economy.<sup>40</sup> As in Kampala, rapid urban growth accelerated the growth of informal public transport. Responsibility for urban transport planning was shared between the Ministry of

Infrastructure, the City of Kigali (CoK), and the city's three district authorities. Unlike Uganda, there was a separate government regulatory body—the Rwanda Utilities Regulatory Agency (RURA)—responsible for fares and licensing.

Kigali also depended heavily on motorcycle-taxis (there called taxi-motos, or just motos) for transport by the 2000s. As in Kampala, the city authority introduced new regulations in that decade to restrict numbers of taxi-motos and require drivers to wear reflective uniforms and carry two helmets.<sup>41</sup> Motorcycle-taxi drivers were also supposed to pay various taxes and acquire permits annually from RURA. Despite similar conditions at the turn of the millennium, however, there was a dramatic divergence between Kampala and Kigali thereafter. In Kampala, the exponential growth and outlaw status of boda-bodas became even more extreme, while Kigali's taxi-motos became one of the most tightly and effectively regulated economic sectors in Rwanda.

### **Kampala: The "Untouchables"**

The number of boda-boda operators in Uganda allegedly grew by 58.7 percent per annum in the 2000s.<sup>42</sup> One report found "more than 4,000" drivers in Kampala alone in 2003, while another reported 15,979 in November 2007.<sup>43</sup> The Chairman of one of Kampala's boda-boda associations put the figure at 40,000 in 2010,<sup>44</sup> which matched the general consensus and accords fairly well with the growth rate cited above. In 2009, growth was such that in one of Kampala's five administrative divisions, which already accommodated around 5,000, the number of boda-boda drivers expanded by twenty or thirty every day.<sup>45</sup>

The benefits of boda-bodas for passengers are clear, given their relative agility amid the city's increasing traffic gridlock. For operators, the ready availability of low-powered, cheap Japanese motorcycles make the industry the ultimate in fast-return investment.<sup>46</sup> The government initially cultivated the sector as a means of alleviating poverty and

unemployment,<sup>47</sup> allocating funds to credit schemes for motorcycle purchase and persuading banks to provide loans to prospective boda-boda drivers. Consequently, despite their poverty, many drivers owned the motorcycle they operated, usually after having rented it for a period under a hire-purchase system negotiated with the original owner.<sup>48</sup> The latter would commonly make a profit of at least 60 percent out of this transaction; renting out motorcycles was therefore a very lucrative business, and some investors allegedly owned hundreds.<sup>49</sup>

Locally, drivers were highly organized. In 2009, each of Kampala's five divisions contained around 200–300 "stages"—roadside areas where groups of boda-bodas waited to pick up customers. Each stage had an elected or nominated chairman, secretary, and treasurer.<sup>50</sup> National- and city-level organization was considerably more problematic. In 1993, the Uganda Association of Motorcycle and Bicycle Operators (UAMBO) was formed, but this disintegrated to be replaced by an organization called Real Boda-Boda Association, which fell apart to be replaced by National Federation for Boda-Boda Operators (NAFEBO) in 2006.<sup>51</sup> In 2009, NAFEBO was still in evidence but so were other groups, and officials were dealing with multiple rival groups all claiming to be the "real" association. Ordinary drivers also admitted that the organizations were in "chaos."<sup>52</sup>

The case for regulating the sector was clearly strong by the early 2000s. Widespread consensus existed among both boda-boda leaders and city authorities that numbers urgently needed controlling, and the sheer danger to health and life posed by their proliferation was indisputable. Between 2005 and 2006, victims of serious traffic accidents rose from 4,000 annually to 5,000, with deaths occurring in hundreds and motorcycle accidents as the fastest-growing subcategory.<sup>53</sup> Drivers were considered illiterate "hooligans"; the "worst group" in society.<sup>54</sup> In addition to helmet requirements, the fact that many drivers did not have driving licenses prompted a series of regulations early in the millennium requiring them to carry

documents including licenses, Passenger Service Vehicle (PSV) permits, and third-party insurance.

Initial failure to implement these measures resulted in the creation of a special motorcycle enforcement unit (Kuboka) in 2005 with the mandate of enforcing regulations and prohibiting carrying two passengers simultaneously. Kuboka consisted of boda-boda drivers trained by the police as covert enforcement officers familiar with the "tricks of the trade." It became associated with bribes and extortion rather than effective regulation and was formally disbanded in 2007.<sup>55</sup> New guidelines were repeatedly issued by KCC as the decade wore on, including a bylaw banning boda-bodas in the city center, requirements about reflective jackets, and regulations about carrying extra helmets for passengers.<sup>56</sup> The proliferation of rules without any control over the industry's expansion, however, only made the prospect of implementation more hopeless.

In 2008, the Inspector General of Police issued a one-year "last chance" ultimatum for drivers to conform to regulations, particularly regarding permits, PSVs and helmets.<sup>57</sup> Consequently, there was a particularly fierce crackdown in September-October 2009. Police rounded up boda-boda drivers at random and impounded them, demanding sixty to eighty thousand Ugandan Shillings (UGX) in fines for absent helmets and documents. However, if drivers had ready cash, the police would often instead take a bribe of around thirty thousand UGX and let them go. Another crackdown followed in February 2010, initially supported by Museveni, who insisted that "we cannot compromise on safety."<sup>58</sup> The following month he ordered the police to halt it, claiming that "nobody should arrest you because you have no helmet," in direct contradiction of the campaign he had mandated the police to carry out.<sup>59</sup> As one KCC official noted, the sporadic crackdowns improved nothing: "it is like when you collect ants in a cup and then you release them to go."<sup>60</sup>

There were also several concerted taxation attempts in the 2000s, none of which ultimately succeeded. A first effort came in 2002–2003, but drivers made a successful plea to the president, who in June 2004 ordered KCC to stop collecting the tax on the grounds that it was resulting in the over-taxation of a new industry.<sup>61</sup> This further fuelled the sector's growth, and, with an election looming in 2006 (after multiparty politics was re-introduced), the boda-bodas were left untouched by taxation for two years. However, KCC—now formally dominated by the opposition Democratic Party—embarked on another attempt in 2006–2007. Division Chairpersons from all political parties and the City Executive together agreed on a new system, involving the payment of a monthly fee to KCC in exchange for a display sticker. The sticker scheme began in December 2006 and, despite sometimes violent engagement between tax collectors and drivers, was considered successful. The tax was modest, only amounting to around 3 percent of a boda-boda driver's monthly earnings, and there was little evidence that the industry was collectively mobilizing against it.<sup>62</sup>

However, after seven months, tax collection abruptly ended in July 2007. When questioned about why this was, boda-boda leaders claimed that "NRM politicians came and disorganized us". Dissent, they said, was actively stimulated among drivers, who then "cried" to Museveni that they needed to keep their money for permits and other costs.<sup>63</sup> Again, despite initial support for the tax, Museveni misleadingly pronounced resistance as being too overwhelming to manage. Bypassing all formal state channels and processes, he simply decreed that the tax should be aborted, throwing state policy into disarray.<sup>64</sup> In a city where Museveni's support had been dwindling for some time, he evidently could not resist the temptation to sabotage the tax (which was formally supported by his own party) and cement the support of a core urban group that he had symbolically allied himself with in the past (Museveni even famously rode a boda-boda to submit his nomination for renewed presidency in 2001). The NRM government's gain from this destabilizing intervention was the state's

loss: bureaucratic morale was sapped and policy incoherence compounded. Importantly, it was not simply a conflict between local and central government that accounts for these outcomes, but the informal nature of Museveni's interventions, which often contradicted even the official central government position.

Museveni thus directly and repeatedly crippled state effectiveness with respect to attempts to regulate and tax the sector. Some boda-boda drivers were acutely aware of this, noting that "we often fail to keep the law because the president spoiled the whole system."<sup>65</sup> It was not, however, only the president's informal interventions that rendered the state ineffective. The prevalence of corruption among state enforcement agents and the granting of favors by other politicians contributed to the outcome.<sup>66</sup> In consequence, boda-boda drivers were often labelled foremost among the city's "untouchables"—groups that the state effectively could not touch because that they were protected by a range of powerful interests.<sup>67</sup>

### **Kigali: A Burgeoning Sector Transformed**

As returnees poured into Kigali after 1994, cycle taxis of all forms became central to the city's transport system, and, as in Kampala, the government was initially broadly supportive of this development in the interests of tackling unemployment.<sup>68</sup> Despite this, here too in the early 2000s the City of Kigali authorities (CoK) became concerned about safety in a sector they believed was out of control, causing accidents and fomenting "chaos" in the city. Regulations were in place but generally not being enforced by the police.<sup>69</sup> Unlike in Kampala, however, a total reorganization of the sector was subsequently achieved in the middle of the decade.

The number of taxi-motos at the time the new regulations were introduced is difficult to establish, being prior to the government's drive to transform the sector, but is likely to



have been roughly proportional to that in Kampala, with several thousand in the city by the early 2000s.<sup>70</sup> CoK began by cracking down on push-bike taxis, which in 2005 were barred from Kigali altogether and replaced with a limited number of cheap, low-powered mopeds, known as "mini-motos." This left around 6,000 former cyclists without jobs.<sup>71</sup> The following year, the authorities made a decision to ban all forms of bicycle taxi—including taxi-motos—from the city. This was stimulated not only by a concern with accidents, but by the belief that the industry was fomenting drug use, crime, and "disorganization."<sup>72</sup> The ban was in place for two weeks, but city-dwellers made "a lot of noise," mainly through complaints to the city administration and calls into radio stations.<sup>73</sup> Consequently, this decision was revoked. Unlike in Uganda, however, the government did not change course because they feared alienating the constituency of moto drivers. In fact, there was little or no overt protest by this group. It was largely the users rather than providers of the service whose objections convinced the government that removing all forms of cycle taxi without a good public transport system in place could impede development. Some of the most influential complaints came from the banks who provided loans for moto drivers and from aid donors.<sup>74</sup>

The city government therefore reached a decision, in negotiation with the association of taxi-moto drivers (ASSETAMORWA), that they would bring motos back to the city in a limited form, with a new set of regulations.<sup>75</sup> Alongside CoK, various arms of the state from the police to the ministry of youth joined the negotiations, and the result since 2007 has been a highly structured system of cycle taxis quite unlike any other motorcycle-taxi sector in the world.<sup>76</sup> Taxi-motos were initially limited to 3,700 in number, with reflective jackets displaying personal identity codes and green helmets (for passenger as well driver) with unique identifiers. The remaining moto drivers were fully trained and licensed: those lacking permits were "chased out of the city." Mini-motos were allowed to operate in the suburbs only, limited to 1,500, and drivers wore blue helmets. The associational life of cycle taxis

was further consolidated under ASSETAMORWA: all authorized motos paid daily fees of 300 Rwandan Francs (RWF) to the association and a system of city "sections" (ten people), "parkings" (up to ten sections), and "zones" (ten in total throughout the city), was instituted. Each of these levels had an elected leader, and ASSETAMORWA elected a president every three years.<sup>77</sup> Mini-motos had their own association, ATIMIMORWA, which was organized similarly. As in Uganda, hire-purchase systems were in place. By 2009, 70 percent of drivers already owned their own motos.<sup>78</sup>

Since 2007, far from remaining outlaws, taxi-moto drivers were very active participants in community activities through their associations, signing formal agreements with CoK to clean city spaces, plant trees, and construct houses for genocide orphans in particular areas of the city. This kind of "voluntary" activity, strongly encouraged by the RPF government throughout Rwanda, often involved competitions between urban associations to achieve particular goals, of which ASSETAMORWA was often a proud winner.<sup>79</sup> Taxi-moto drivers were also model taxpayers. Each "parking" had a tax collector; in stark contrast to Kampala's boda-bodas, drivers paid several taxes and fees, including RWF 20,000 annually to RURA for their permit, 4,000 each year to the District for a patente (trading license), and around 70,000 annually to the Rwanda Revenue Authority (RRA) in income tax.<sup>80</sup> In fact, despite their small number, they comprised almost 10 percent of Rwanda's total number of registered RRA taxpayers (40,500) in 2010.<sup>81</sup>

Perhaps most significant of all, the taxi-moto reorganization produced an elaborate internal security architecture. Part of the process of reorganizing drivers was "sensitizing" them on the importance of order, safety, and security, so that they would become, to a degree, self-regulating and self-policing, all of which can be linked to the RPF's ongoing preoccupation with securitizing the Rwandan territory.<sup>82</sup> The rationale was that "if you understand something then you will do it better than if someone was to police you."<sup>83</sup> To

facilitate tight internal organization and security, the codes displayed on taxi-moto drivers' jackets were incredibly detailed, making drivers immediately identifiable. Thus, if any crime was committed by a driver, "we can identify exactly where he sleeps."<sup>84</sup>

ASSETAMORWA's security officer described the association as being "under police control." Indeed taxi-motos were sometimes effectively used as an extension of the policing system: for certain crimes, the police called on ASSETAMORWA to help track down the culprit.<sup>85</sup> Due to the mobile nature of the job, both the association and CoK were very concerned that criminal elements did not infiltrate the sector. Recruitment was extremely strict; requirements of at least one year's experience driving in an urban area were combined with careful vetting by the association. Moreover, alongside official security officers for each section and parking area, other inspectors were "put among them so that they can be controlled": drivers who acted covertly as security and intelligence agents, recruited by the official security officers.<sup>86</sup> In sum, despite apparently similar drives to tame this "rogue" group within the informal economy, the authorities in Kigali were far more effective than those in Kampala at regulating the sector, taxing it, and working with associations to order and restructure it.

### **Comparative Analysis**

As noted previously, both the NRM and RPF regimes can be considered "semiauthoritarian." These narratives do indicate, however, that differing degrees of political competition had important effects on the extent of implementation. In Kampala the presence of the political opposition was real enough that the NRM (and Museveni in particular) clientelistically cultivated the boda-boda sector, viewing it as a "consolidated group that he can use to support him during elections" in the city.<sup>87</sup> The multiparty system Museveni had helped restore in 2005—partly in order to allow him to overturn Presidential term limits and thereby actually

further entrench himself in power—created a situation where the Democratic Party was able to formally gain a majority in the elected City Council (as well as the mayoralty) even though it posed very little threat to the NRM at the national level. Consequently, informal political directives from the president often conflicted with formal policies and regulations and frequently rendered KCC ineffective. Indeed, Museveni was able to instrumentalize the opposition at the city level as a foil, blaming them for the ineffectiveness of urban policies that he was often personally obstructing. Meanwhile in Kigali, the directives issuing from the central and local authorities were more consistent and concerted, reflecting Rwanda's relatively centralized governance (despite a very similar decentralization programme to Uganda on paper) and undeniably tighter constraints on opposition politics.

Notwithstanding the clear importance of political opposition (or lack thereof), to suggest that the effectiveness with which the Rwandan state pursued its policies was "caused" by a less open political environment would be problematic. After all, it is clear that states in relatively open political systems in Africa can be very effective (for example, Botswana) and that dictatorial systems can render the state completely dysfunctional (as in Zaire under Mobutu or Uganda itself under Amin). As noted previously, the relationship between democracy and state effectiveness remains highly contested.<sup>88</sup> Ultimately, there is not likely to be any general relationship between effectiveness and political regime type. This paper therefore seeks to assess how the difference in political space interacted with other factors in order to evaluate the theory-based propositions about state effectiveness made previously. The remainder of this section analyses the degree to which these propositions are supported by the empirical narratives above, keeping one eye on the issue of political space.

There is little to suggest that bureaucratic capacity played any significant role in the divergence in effectiveness; in fact, a range of indicators suggests that the Ugandan state had greater capacity. For example, Uganda had a much higher number of civil servants per capita

for several decades leading up to the millennium<sup>89</sup> and superior education indicators well into the 2000s.<sup>90</sup> Another popular (though problematic) measure of state capacity is income per capita; on this Uganda remained consistently just ahead of Rwanda for the whole decade 2000–2010.<sup>91</sup> More anecdotally, Kampala's incoming City Director in 2011 noted her "amazement" at KCC's technical capacities given how ineffectively they had been used.<sup>92</sup> Proposition one about state capacity is therefore of little help in explaining differential state effectiveness in these cases.

Proposition two regarding autonomy has greater relevance, notwithstanding the problems with the concept. The interventions from Museveni that impeded the effectiveness of regulations and taxes can be linked to the NRM's engagement with the boda-boda sector since its inception.<sup>93</sup> NRM politicians actively sought to destabilize associational life in the sector for political gain, most notably through the Kuboka debacle and the stirring up of resistance to the sticker tax scheme, suggesting they were deeply entangled in the sector. Ordinary drivers were mostly grateful for Museveni's interventions,<sup>94</sup> in which he (somewhat ironically) portrayed himself as the heroic savior from an intervening state. This meant that the political arm of the state created expectations among the burgeoning ranks of boda-bodas that they could remain "untouchable" in exchange for their support, rendering enforcement of regulations by the technical arm increasingly difficult. In Kigali, the government was certainly deeply involved in the sector, but in a very different way. It was more autonomous in that it had never treated taxi-moto drivers as a bank of clients as the NRM did in Uganda; consequently, it had few qualms about rendering them numerically insignificant as a social group by decimating their number. It only loosened its outright ban because of its concerns for other interests, relative to which it was less autonomous, such as bankers and middle class commuters. The comparison therefore provides some limited support for proposition two, insofar as the autonomy of the ruling elite from the drivers themselves was relevant.

There are also interesting elements in the narrative regarding infrastructural power. In Rwanda, with its long history of hierarchical power relations, long-standing practices of virtually compulsory community activity supervised by state officials allow for regular "sensitization" and local knowledge-sharing.<sup>95</sup> Moto drivers were intensely involved in this through their tightly-structured associations and, consequently, were very aware of the reasons for the reorganization of their sector and the futility of protest given how embedded state security was within the system.<sup>96</sup> Infrastructural power was not totally absent in Uganda, either. For example, some sources suggested that boda-bodas helped the NRM penetrate society because drivers "go very far and can talk to so many people," rendering them useful tools for surveillance in the wake of civil war, and drivers affirmed that boda-boda stages often had state security agents working at them.<sup>97</sup> However, the apparent lack of knowledge among state actors about exactly what was going on in the sector at large, and the lack of coherence in their efforts to control it, contrasted sharply with Kigali, suggesting infrastructural power was considerably shallower.

Infrastructural power was also being used in fundamentally different ways in the two cases, and this can be related to differences in political space. Interestingly, while "spies" were pervasive in the transport sectors in both cities, this resulted in opposite outcomes for state effectiveness because the manipulation of the sector through state security agents was motivated by fundamentally different political strategies. The overriding interest of the Rwandan government in securitizing Kigali meant knowing the city in great detail and rendering it legible; thus the engagement of security agents was geared towards these ends, which were well-matched with formal institutions of regulation. In Kampala, the greater priority for politicians was to maintain clientelistic relationships and bolster support in urban areas, where the salience of the political opposition provided both a local threat and a convenient scapegoat. Here "spies" were used to destabilize and mobilize as much as "know"

and securitize. This resulted in informal political interventions in Kampala that undermined rather than supported the formal regulatory framework.

This difference in both the degree and usage of infrastructural power reinforced the credibility of policies and regulations in Kigali, but undermined it in Kampala. The issue of credibility can be clearly traced in the comparative narrative and is closely linked with the question of legitimacy. An irony of Kampala's ineffective regulation is that boda-boda leaders expressed deep enthusiasm for reorganizing the sector but were not working concertedly to achieve this because the corresponding commitments on the government side severely lacked credibility.<sup>98</sup> Moreover, the more that politicians intervened to render regulations impotent, the more that their legitimacy was bound to direct, populist engagement rather than state performance, and the less credible policy commitments were. This dwindling credibility meant that frontline state actors tasked with enforcing laws and regulations would either turn a blind eye to contraventions or, during sporadic "crackdowns," merely take bribes and then release the culprits, knowing that politicians were highly capricious in their attitude towards the issue and unlikely to penalize arbitrariness in implementation.

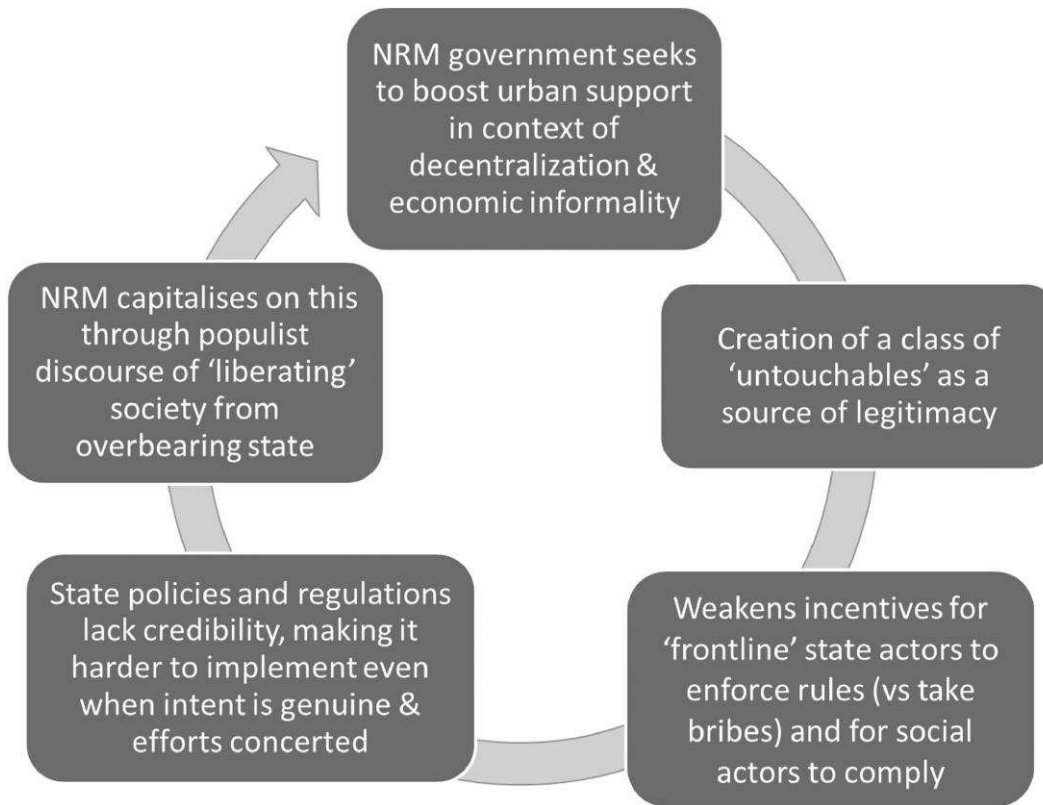
In Rwanda commitments were much more credible, partly due to the RPF government's particular sources of legitimacy. Because the RPF was composed of a large number of former refugees of the minority Tutsi ethnic group with limited social legitimacy in Rwanda, its primary source of legitimacy was halting the genocide and restoring order.<sup>99</sup> It would therefore only tolerate taxi-motos if they actively contributed to the ends of security and order rather than undermining them.<sup>100</sup> This made regulating the sector to render it legible a motivationally credible priority on security grounds. Taxi-moto drivers asserted that the regulation of the sector was about "solidarity and security," noting that high levels of organization were important to "fight the thought" of war and conflict. This seems to have impacted positively on their compliance.<sup>101</sup> Meanwhile government officials stressed that any

form of malpractice could cause them to lose their jobs or worse, leading them to take enforcement very seriously.<sup>102</sup> Indeed, the drive to clamp down on petty corruption, for which contemporary Rwanda is now well-known, bolsters policy credibility, and the perception of the government's "seriousness of intent" is an important resource in facilitating implementation. The comparison of the two cities thus suggests that propositions four and five, on the importance of credible commitment and sources of legitimacy, have considerable analytical power—especially when considered in tandem.

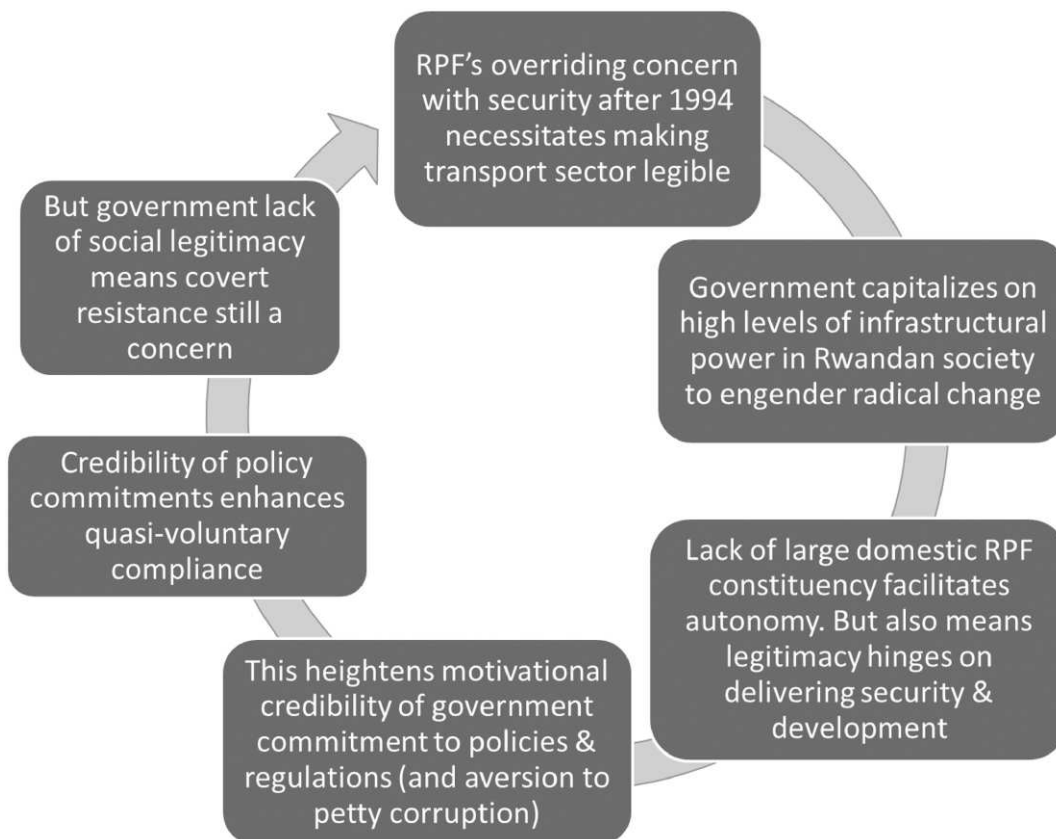
The above discussion highlights how a given cause can work "in combination with other causes to produce an outcome."<sup>103</sup> Figures 1a and 1b illustrate some of the dynamics of interaction between the causal factors and ways in which they can be thought of as reinforcing one another. As there is little to indicate the Rwandan state had the greater capacity of the two, it seems reasonable to claim that the greater effectiveness was due to political dynamics captured by these other interlinking factors. Whether or not the rules in place were credible, whether the government had both the infrastructural power and inclination to consistently disseminate and apply them, and the degree to which politicians drew legitimacy from undermining these rules all played a role. These were matters of politics rather than bureaucratic competence. Research elsewhere shows that in relation to other aspects of development similar divergences between the two countries are evident, including in rural areas—and for broadly similar reasons. In particular, research into both maternal health<sup>104</sup> and access to safe water provision<sup>105</sup> hints at similar causal factors to those raised here.



**Figure 1a: The interplay of causal mechanisms in Kampala**



**Figure 1b: The interplay of causal mechanisms in Kigali**



This focus on the political drivers of state effectiveness brings us back to the aforementioned issue of space for political competition. Rather than identifying variance in political openness per se as the primary cause of differential effectiveness, this paper argues that deeper socio-political drivers are causally more illuminating and indeed may actually help to explain why political space differed in the two countries. After all, an important question is why two regimes with highly authoritarian tendencies took such different approaches to political space. Although a detailed discussion of this is beyond the scope of this article, the foregoing analysis suggests that allowing more or less political openness likely relates to issues of how government legitimacy is sourced, whether policy credibility is central to this or not, and the depth of existing patterns of social control. The extent of political space may thus be partly shaped by some of the same factors that influence the degree of state effectiveness—though the presence of political competition can in turn have further impacts on effectiveness. As such, rather than being a root cause, this article suggests that political space and competition are better conceived as intervening or mediating variables when accounting for state effectiveness. Similarly, decentralization and the fact that an opposition party was in control locally were not a cause of ineffectiveness. It was the strategic ways in which decentralization was informally manipulated to secure legitimacy and maintain client ties that hampered the state in Kampala.

## **Conclusion**

This paper has pursued two main goals. The first was to propose a fresh analytical approach to state effectiveness, drawing on a wealth of existing theory. The second was to explore the propositions underpinning this approach in a concrete comparative empirical study. This sought to show how similar rules and regulations formally put in place by the state were

effectively implemented in one case but not in the other, explain why this was the case, and thereby evaluate the analytical propositions with a view to further theory development.

The comparative analysis provided here suggests that too much attention has been given to bureaucratic capacity in most approaches to state performance, at the expense of informal political dynamics. Understanding the causal interactions at play is vital, especially in view of the widespread misguided assumption that "capacity building" will adequately address poor state performance in developing countries. There is a tendency to think about effective policy implementation largely in terms of a government's capabilities of enforcement, often conceptualized in terms of both capacity and autonomy, and sometimes infrastructural power. Less attention has been paid to the question of compliance—both that of the social groups affected and the state actors charged with implementation—which requires reference to credibility and legitimacy, and the interplay between them. A holistic understanding of effective implementation requires due attention to the drivers of both enforcement and compliance.

The article has also raised important questions about the relationship between state effectiveness and political space. It suggests that the relationship between political competition and state effectiveness, while evidently significant in the cases examined here, is best thought of as being conditioned by other factors. Just as the focus on state capacity in the policy world is inadequate to account for the drivers of differential effectiveness, the tendency in contemporary political science to privilege "regime type" as an independent variable can miss some of the deeper political drivers that can actually shape regime type as well as outcomes associated with it. The analysis here suggests that interrogating the drivers of state effectiveness and understanding what incentivizes and facilitates different degrees of political space are objectives that could fruitfully be pursued in tandem in future research on states and development.

## NOTES

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<sup>6</sup> Richard C. Crook, "Rethinking Civil Service Reform in Africa: 'Islands of Effectiveness' and Organisational Commitment," *Commonwealth & Comparative Politics*, 48 (November 2010), 479–504.

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<sup>16</sup> UN-HABITAT, *Global Report on Human Settlements 2011: Cities and Climate Change* (London: Earthscan, 2011).

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<sup>53</sup> ITSL.

<sup>54</sup> Interview with Aidah Kivumbi, Acting KCC District Commercial Officer, Kampala, October 1, 2009.

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<sup>63</sup> Interview with NAFEBO Chairman.

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- <sup>64</sup> Interview with boda-boda Division Chairman.
- <sup>65</sup> Interview with Chairman of a boda-boda stage.
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- <sup>69</sup> Interview with Jean Berchmas Kamali, Acting Mayor of Nyarugenge District, Kigali, December 1, 2009; interview with Emmanuel Gasana, facilitator for EDPRS, Kigali, December 3, 2009.
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