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## De-Democratisation and the Rights of Street Vendors in Kampala, Uganda<sup>\*†</sup>

**Abstract:** For a large segment of the urban poor in Kampala, Uganda, street vending has long served as a key livelihood strategy in the absence of formal employment opportunities and a public social safety net. This article explores the effects of de-democratisation on the rights of street vendors in Kampala, describing how changes to local government institutions and processes have forced vendors to adopt new strategies to assert their rights in an environment of closed political space. It argues that for street vendors in the city, economic and social rights are fundamentally rooted in political rights. As de-democratisation has robbed them of their political rights, it has also robbed them of their ability to assert their right to engage in their economic activities, leaving them increasingly vulnerable and marginalised. Barring a fundamental change in the city's political landscape, the hardships that vendors face appear to have no end in sight.

**Keywords:** Street Vending; Informal Economy; De-Democratisation; Political Rights; Economic and Social Rights; Uganda

Street vendors are a prominent feature of urban life in Sub-Saharan Africa. In cities where formal employment creation fails to keep pace with labour market expansion, the ability to sell goods in busy public spaces offers important livelihood support for a highly marginalised and vulnerable segment of the urban poor. Local and national governments, however, are often hostile to the practice, viewing it as a manifestation of urban disorder and an obstacle to development, and many actively seek to eradicate it.<sup>1</sup> Such efforts make street vending a highly politicised activity, and force street vendors to adopt a variety of strategies to assert their right to engage in their economic activities. The efficacy of these strategies has a profound impact on their livelihoods.

Many issues surrounding the ability of street vendors to assert their rights deserve further attention. What conditions allow vendors to successfully defend or advance their rights, and how and why do these change? How can vendors continue to assert their rights in the face of state repression? And how are violations of vendors' economic and social rights tied to other forms of exclusion? This article addresses these questions by examining how street vendors in Kampala, Uganda have been impacted by a process of de-democratisation that has rolled back much of the

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political progress that the country has made under the National Resistance Movement (NRM) and President Yoweri Museveni since the end of the civil war in 1986.

De-democratisation is an increasingly widespread global phenomenon. According to Freedom House's annual 'Freedom in the World' report, 67 countries experienced a decline in political and civil liberties in 2016, marking the 11<sup>th</sup> consecutive year in which global democratic losses outnumbered gains.<sup>2</sup> The report identifies Uganda as the joint-23<sup>rd</sup> worst performer over the past ten years.<sup>3</sup> Although scholarship has begun to explore how both street vendors<sup>4</sup> and the urban poor<sup>5</sup> are able to advance their interests by participating in democratic and/or clientelistic politics, and important insights have been made into how political structures shape the occurrence, forms and success of collective action,<sup>6</sup> the implications of de-democratisation for the economic and social rights of marginalised groups have yet to receive adequate attention.<sup>7</sup> This article pursues this potentially fruitful line of research.

The city of Kampala, Uganda provides an excellent context in which to study the rights of street vendors. While the previous local government body in the city, the Kampala City Council (KCC), offered street vendors the type of political leverage that they have been shown to enjoy elsewhere,<sup>8</sup> the new local government body, the Kampala Capital City Authority (KCCA), has closed these channels of influence as the central government has sought to reassert its authority in the city. This dramatic political transformation has forced street vendors in Kampala to find new ways of asserting their rights in a highly repressive environment. By analyzing these actions and highlighting the degree to which the forms that they take and the success they have are dependent on the political environment that vendors are forced to operate in, this article argues that the process of de-democratisation in Kampala has limited the ability of street vendors to assert their right to engage in their economic activities. The economic and social rights of street vendors in Kampala are therefore highly dependent on their political rights; when vendors lose their ability to participate in politics, they lose their ability to secure their livelihoods in a highly exclusionary urban economy, ultimately leading to further marginalisation and exacerbating the conditions of extreme poverty in which they live.

This article begins by exploring the relationship between street vending and democracy and framing the practice in the context of human rights. It then discusses the economics of street vending as a means of elaborating on the structural constraints that vendors face as they engage in their activities and seek to assert their rights. After briefly outlining its methodological approach,

it subsequently describes the process of de-democratisation in Kampala, demonstrating how closing political space has led to the exclusion of street vendors from local politics and, ultimately, the repression of street vending in the city. It then explores three contrasting strategies that street vendors have employed to assert their rights in response to their changing circumstances: co-operating with the local government to establish a market for street vendors to relocate to; engaging in forms of individual resistance to remain on the streets despite the criminalisation of their activities; and organising to engage in advocacy and mutual assistance. The obstacles that these strategies have faced and the limited success that they have experienced are highlighted. Finally, it explores how presidential elections—the primary democratic process that street vendors are still able to participate in—still provide brief periods of opening political space by describing how the 2016 elections allowed vendors to escape repression and return to the streets of Kampala, and how the repression of street vending resumed shortly after the elections were over, all but eliminating the gains that vendors were able to make.

### **Street Vending and Democracy**

The repression of street vending is a common feature of urban politics in Sub-Saharan Africa and the Global South more generally.<sup>9</sup> Following colonial understandings of urban order and neoliberal notions of modernity and development,<sup>10</sup> state officials, often with the support of an expanding urban middle class and formal businesses, commonly seek to remove vendors from city streets through arrests, harassment, the confiscation of goods, large-scale evictions and formalisation campaigns.<sup>11</sup> These efforts are justified through arguments about economic efficiency, competition, revenue maximisation, aesthetics and urban order, suggesting that street vendors have no place in modern, well-functioning cities and urban development processes.<sup>12</sup>

The relationship between street vendors and the state is not static over time, however, but rather characterised by ambivalence, fluctuation and uncertainty<sup>13</sup> as it frequently alternates between various forms of repression, neglect, inclusion and support.<sup>14</sup> In certain circumstances, street vendors have demonstrated the ability to play an active role in this relationship by exercising political influence in ways that allow them to remain on city streets. This influence is derived from the disconnect that can exist between the regulatory capacity and regulatory intent of a state;<sup>15</sup> even when a state has laws that regulate street vending and possesses the necessary capacity to enforce its laws, it may lack the willingness to do so if enforcement does not logically follow from

the political calculus faced by its officials. Cross's work on Mexico City, for example, explores how officials tasked with implementing laws governing street vending often seek vendors' support for personal advancement within a hierarchical single-party structure, highlighting how poor state integration can create a gap between policymaking and enforcement.<sup>16</sup> Similarly, Holland describes politicians' unwillingness to enforce laws as 'forbearance', a form of redistribution to the poor that serves as an alternative to inadequate welfare provision, and claims that enforcement depends on whether social programs exist to provide alternative means of support and whether politicians depend on the urban poor for votes.<sup>17</sup> In settings where street vending plays a major role in urban livelihood provision, democratic systems with competitive elections and inclusive decision-making processes incentivise politicians who value political office more than enforcement to make broad-based appeals to the urban poor in an attempt to gain their support. Taking advantage of the opportunity for mutual benefit, politicians and voters enter into what Tandler terms a 'devil's deal' in which votes are implicitly or explicitly exchanged for protection.<sup>18</sup> While the incentives that produce such an exchange do not hold under all electoral conditions,<sup>19</sup> it is clear that they allow street vendors to exercise a degree of political influence that is disproportionate to their socioeconomic marginalisation.

Perhaps counterintuitively, therefore, democratic institutions and processes do not necessarily accompany the rule of law, but can instead create a situation in which laws that target large segments of the urban poor remain unenforced. It is by taking advantage of their power as voters that street vendors are best able to minimise enforcement and assert their right to trade on the streets. This situation, however, makes them vulnerable to periods of political and institutional transformation.<sup>20</sup> De-democratisation, by transforming the incentive structure that politicians face and removing the political leverage that vendors can exercise as voters, represents a particularly acute threat.

### **Street Vending and Human Rights**

International human rights law provides no explicit protections for the right of street vending. Nevertheless, vendors are subject to the more general rights outlined in human rights treaties, most notably the International Covenant on Economic, Social and Cultural Rights (ICESCR). Article 6 of the ICESCR recognises the right to work, including 'the right of everyone to the opportunity to gain his living by work which he [*sic*] freely chooses or accepts'.<sup>21</sup> While

street vending does not constitute formal employment—work that is fully taxed and regulated by the state—it serves as one of the only realistic forms of income generation for the urban poor when states cannot or will not take steps to promote formal job creation. Article 6, furthermore, makes no reference to the formality of the ‘work’ that it describes. It is this right to engage in productive economic activity that street vendors seek to protect and that is constantly threatened by state repression. More generally, street vendors receive few protections for a broad range of economic and social rights by the Ugandan state, including the right to social security (Article 9), the right to an adequate standard of living (Article 11), the right to health (Article 12) and the right to education (Article 13), tying their access to these rights to their independent income generation. It is the primary contention of this article that political rights—specifically the right to participate in politics, outlined most notably in Article 25 of the International Covenant on Civil and Political Rights (ICCPR) as the right ‘to take part in the conduct of public affairs’ either ‘directly or through freely chosen representatives’—provide an essential foundation for economic and social rights for street vendors in Kampala.<sup>22</sup> When these political rights are realised, vendors are able to assert their right to engage in their economic activities; when they are not, this ability greatly diminishes.

While international treaties may provide a legal or normative framework for conceptualising the rights of street vendors, they remain far removed from the realities that vendors experience in their efforts to assert their rights in their daily lives. Uganda, like most states, has signed and ratified both the ICESCR and the ICCPR. For street vendors, however, this is largely inconsequential. The existence of formal institutions and legal protections is far less important than how rights are asserted and respected in everyday contexts, meaning vendors must continuously negotiate their rights with politicians, state officials and other interest groups in a highly contentious and constantly evolving political environment. Political rights are crucial for allowing vendors to participate in these negotiation processes because they allow vendors to leverage their power as voters when claiming the right to participate in their activities. As democratisation strips away vendors’ political rights, it forces them to adopt new strategies for asserting their rights that experience little success in the face of diminished state responsiveness and heightened state repression. Without the right to engage in their economic activities, street vendors have few other means of alleviating the conditions of extreme poverty in which they live.

## **The Economics of Street Vending**

At its core, street vending is defined by a clear labour market failure: when high labour supply driven by rapid urbanisation and population growth coexists with low demand for low-skilled labour, limited opportunities for formal employment force jobseekers into informal income-generating activities. Trading on the streets is often an obvious livelihood source for those who lack formal employment due to its low entry costs, its minimal capital and skill requirements and the access it provides to potential customers. Despite the socioeconomic exclusion that street vendors face, however, their activities can be intricately tied to the formal sphere and highly dependent on local and national patterns of supply and demand.<sup>23</sup> As Teltscher notes, product and capital supply provide crucial linkages, and the access that vendors have to each can have a major impact on the success of their activities.<sup>24</sup> In Kampala, street vendors typically sell small amounts of agricultural and/or manufactured goods, the former often purchased directly from producers or intermediaries during deliveries into the city and the latter obtained from wholesalers, who in turn acquire their goods from domestic and international producers. Some street vendors even purchase goods from formal businesses or other informal traders to resell at a higher price in more desirable locations. Most are severely constrained by a lack of access to capital due to prohibitive interest rates and collateral requirements imposed by formal banks, private moneylenders and even microfinance organisations, limiting potential income growth in a trade that is already defined by high degrees of poverty and precariousness.

Formal-informal linkages also exist on the demand side. Street vending serves as an invaluable source of low-cost goods and services for a broad range of urban residents in Kampala, particularly as lower business costs mean vendors are able to offer customers lower prices, allowing them to enjoy a competitive advantage over their formal rivals and giving them a general appeal. Customers of street vendors are not just the urban poor, meaning wages earned in formal employment can directly enter the informal sphere. Some formal businesses even purchase goods from informal vendors for resale, meaning the passage of goods between the formal and informal spheres occurs in both directions. This demand exists due to a lack of low-cost goods in the formal economy, making street vending an important if underappreciated link in the supply chain of small businesses that seek to maximise their profit margins.

This interconnectedness means that street vendors can be deeply affected by fluctuations in the formal economy. On the supply side, rising prices for the goods that vendors buy force them

to raise their own prices, making them less competitive and their goods less affordable for poorer customers. On the demand side, underperformance in the formal sphere in terms of growth, employment or wages can impact the informal economy by reducing customers or disposable income. As this article demonstrates, however, it is not merely economic change that can threaten vendors' livelihoods. Political transformation, although seemingly far removed from the everyday concerns that vendors face, can be just as consequential.

## **Methodology**

Research for this article was undertaken in Kampala during two phases in 2015, and consisted primarily of semi-structured interviews with present and former street vendors, politicians, civil society workers and other informal traders.<sup>25</sup> A total of 37 current or former street vendors were interviewed for this project, many on more than one occasion, and an additional 97 people were interviewed in a broader study of the politics of informal vending in the city. Interviews were often complemented by spending extended periods of time with street vendors in order to further understand their activities, experiences and responses to repression, including when and how certain strategies are used, what they specifically entail and what effects they have. Documentary analysis was also employed to clarify, expand on and fill in certain gaps of information collected during fieldwork, and involved both the study of national and local legislation concerning street vending as well as a comprehensive search through the archives of the country's two largest daily newspapers, *New Vision* and *The Daily Monitor*.

Research for this article was conducted in two locations in Kampala. The first was the city streets of Nakasero, which makes up a considerable portion of Kampala Central Division and is, with major government buildings and the city's Central Business District, the city's political and economic centre, and Kisenyi, an adjacent built-up area to the southwest of Nakasero. Both are prime areas for street vendors in Kampala and, particularly Nakasero, places targeted by authorities in their efforts to remove vendors from the city's streets. The second fieldwork location was Usafi Market in Katwe, an area that is immediately south of the eastern portion of Kisenyi. Although Usafi is a market, it is considered here because it was established by street vendors and the KCCA as a site for street vendors to relocate to in order to comply with the KCCA's ban on street vending. It is the only market in Kampala that was set up for this purpose.



## **De-democratisation and the Repression of Street Vending in Kampala**

The evolution of democratic institutions and processes has been a defining feature of Ugandan politics under the NRM. After coming to power in 1986, the NRM gradually introduced a series of decentralisation and democratisation reforms as a means of securing its legitimacy and building its popular support across the country, culminating in the adoption of a new Constitution in 1995,<sup>26</sup> the introduction of regular presidential and parliamentary elections in 1996 and the establishment of a hierarchical local government structure that was codified in 1997.<sup>27</sup> The political self-interest that drove these reforms ensured that they were always designed and implemented in ways that would further the NRM's monopolisation of power and either abandoned or reversed as necessary. Most notably, the Movement system of 'no-party' democracy that was outlined in the Constitution and the 1997 Movement Act effectively created a one-party state,<sup>28</sup> while the eventual introduction of multiparty politics in 2005 occurred as a broader trade-off that eliminated presidential term limits and strengthened executive power.<sup>29</sup> The NRM's time in power has also seen the proliferation of extensive patronage networks, the personalization of political power around Museveni and targeted efforts to undermine independent and oppositional groups.<sup>30</sup> Still, as the experience of Kampala demonstrates, the decentralisation and democratisation reforms introduced by the NRM allowed for a level of genuine political participation and competition, particularly at the local level, that was unprecedented in the country's post-colonial history. This, however, would prove to be temporary.

Street vending in Kampala is inseparable from the city's politics.<sup>31</sup> The KCC had the power to regulate street vending under the country's Trade (Licensing) Act of 1969, and reaffirmed its apparent commitment to do so as late as 2006 with the passage of the Local Governments (Kampala City Council) (Maintenance of Law and Order) Ordinance. Both pieces of legislation mandated that street vendors must possess a valid license granted by the local authorities, allowing the KCC, in theory, to control and limit commercial activities on the city's streets.<sup>32</sup> In practice, however, the KCC's regulatory powers were inconsistently exercised and often neglected, and became, like so much else in the city following the decentralisation and democratisation reforms adopted by the NRM, highly politicised. The NRM's reforms, culminating in the 1997 Local Governments Act, gave the KCC significant power and autonomy to manage the affairs of the city while also placing it under the control of locally elected officials, creating a deeply divided political landscape in which the NRM and the opposition were in constant competition. This presented

street vendors with a unique opportunity: since local politicians often cared more about partisan battles and remaining in office than policy formation and implementation, it was possible for street vendors to exchange the political support they could offer for favourable treatment from self-interested officials.<sup>33</sup> This is precisely what they did. While harassment and occasional evictions still took place, vendors were able to use their political influence to limit the KCC's regulatory ambitions and remain on the streets. Street vendors may have lacked *de jure* rights to engage in their activities, but Kampala's competitive political environment allowed them to guarantee *de facto* rights as an important urban voting demographic.

The opposition quickly established itself as the main political force in Kampala following the NRM's reforms, winning the four mayoral elections held under the KCC and dominating city council positions. The central government, however, proved unwilling to surrender control of the country's largest city and political and economic centre to the opposition, and in 2011, it disbanded the KCC and introduced a new local government body, the KCCA. In contrast to the KCC, the KCCA is structured in a way that invests significant political power in centrally appointed technocrats rather than locally elected politicians, taking away the connection between local government policy and popular support that street vendors had previously been able to take advantage of.<sup>34</sup> The impeachment of Erias Lukwago, the popular opposition Lord Mayor, in 2013 shifted power away from elected officials even further. In an effort to establish its legitimacy, the KCCA immediately began implementing ambitious development and urban governance plans aimed at transforming Kampala into a 'modern', well-ordered, well-managed city. Street vending, a practice seen to embody the very chaos and disorder that the KCCA sought to eradicate and to stand in the way of the new local government's plans for the city, was quickly banned in September 2011 as the KCCA chose to exercise the regulatory powers that the KCC had long neglected.<sup>35</sup> Street vendors, lacking the channels of influence that they had enjoyed under the previous city government, were unable to alter the KCCA's decision.<sup>36</sup>

The effects of the KCCA's ban on street vending have been both serious and significant. There were an estimated 8,500 street vendors in Kampala when the practice was criminalised;<sup>37</sup> this total has since declined by perhaps 80-90%.<sup>38</sup> Street vendors who have continued to operate in Kampala despite the city's ban face arrest by the KCCA. The scale of these arrests has been considerable: in just one three-month period from January to April 2013, for example, 633 people were arrested and charged for street vending in Kampala.<sup>39</sup> Vendors are often unable to afford

legal representation, and the courts that vendors are tried in are run by the KCCA, causing some to question their accountability and impartiality.<sup>40</sup> Although it is difficult to verify exact numbers, critics claim that hundreds of vendors or more are in prison at any given time after being tried in KCCA courts.<sup>41</sup> The fines that accompany arrests can also be extremely burdensome, and can, for such a poor segment of the city's population, be virtually unaffordable. One street vendor interviewed for this project recalled being arrested, fined 500,000 Ugandan shillings (UGX)<sup>42</sup> and sent to prison for six months, where 'they treat you like any other prisoner, like a thief or a murderer or that kind of thing' just for engaging in the unregulated sale of goods on the city's streets.<sup>43</sup> When he was released, he returned to street vending because he 'had no option'; no other means of livelihood support were realistically available.<sup>44</sup> In 2013, the KCCA also began arresting the customers of street vendors for supporting an outlawed activity and undermining eradication efforts.<sup>45</sup> Even when street vendors are not arrested, they may still have their goods confiscated, a punishment that can be quite severe since the costs of acquiring new goods to sell can be high, particularly in relation to often meagre profits and savings.

The criminalisation of street vending has had a significant impact on the livelihood strategies of a large segment of the urban poor in Kampala. Income acquired through street vending usually provides for no more than basic subsistence, and the costs incurred in dealing with state officials through fines, the loss of goods and lower sales due to a climate of fear have depressed already low profits. Vendors commonly face food insecurity and limited access to housing, and many live in the slums that house approximately 85% of the city's poor population<sup>46</sup> or simply sleep on the streets. Poor government service provision means that vendors also need to pay for things that might, under different circumstances, be free or more affordable, including transportation, healthcare and education. School fees, which are charged for all levels of education, are a particular burden for vendors, many of whom are single parents, as the inability to pay can perpetuate extreme poverty by forcing children to leave school, after which they commonly enter the informal sphere due to a lack of alternative means of livelihood support.

The repression of street vendors has been particularly harsh given the role of the state in producing and sustaining informal economic activity through poor economic management. Not only has the government failed to ensure that formal job creation keeps pace with rapid population growth and urban migration, but it has also, by adopting large-scale liberalization reforms that do not prioritise employment, failing to provide adequate protections for the urban poor and

exacerbating geographic developmental divisions, greatly contributed to the conditions that allow urban informality to flourish. This fact has not been lost on many who have criticised the KCCA for its treatment of vendors. Lukwago has castigated the government for adopting ‘draconian’ policies as a substitute for its failure to aid the country’s manufacturing and agricultural industries as well as the unemployed, and says that street vendors ‘have nowhere to go’ because the government ‘has not developed alternatives’.<sup>47</sup> ‘The reason they do their business is a breakdown of economic policy’, Lukwago claims, so the ban ‘is not really about street vending’, but rather the fact that the government ‘has no real policy to help the urban poor’.<sup>48</sup> One street vendor complained that the government would rather put vendors in jail and confiscate their goods than give them jobs or aid their businesses. ‘This is what it’s like in Uganda’, he complained. ‘It’s like we are not Ugandans.’<sup>49</sup>

### **Responding to Repression**

The de-democratisation of Kampala that occurred with the introduction of the KCCA has severely restricted the ability of street vendors to assert their right to engage in their economic activities. The competition between local politicians with control over policy formation and implementation that existed under the KCC was significantly reduced, leaving vendors without the avenue of influence that they had long taken advantage of. Unable to exert political influence, street vendors have been forced to respond to repression in other ways. These can generally be classified into three categories: efforts to co-operate with the KCCA; the employment of individual resistance strategies to remain on the streets despite the ban; and attempts to engage in further organisation. Such actions have met with limited success and are often motivated by desperation or necessity, and have consistently been confronted by further state power, highlighting the reality that, in the absence of favourable political circumstances, street vendors face increasing vulnerability and marginalisation.

### ***Co-Operation***

Street vendors who have complied with the KCCA’s ban have left the streets of Kampala. Many have left the city altogether and returned to the countryside, where they had originally migrated from in search of better economic opportunities that now no longer exist. The state, for

at least one segment of the urban poor, has thus been able to use its coercive power to stem or even reverse the predominant trend of urban migration.

The KCCA's position is that street vendors need not return to the countryside, or even give up vending. Its solution is instead for street vendors to relocate to the city's markets. When announcing the ban in 2011, it claimed that it had identified over 8,000 spaces in 69 markets around Kampala that the city's 8,500 street vendors could move into.<sup>50</sup> Street vendors could still sell their goods in the city, but would just have to do so in designated areas. This plan, however, has notable flaws. Most obviously, the fact that market vendors, unlike street vendors, have to pay fees for the use of market space means that moving to markets would entail new and continuous costs for street vendors. In Owino Market (the largest in the city), for example, access to the least expensive market space costs 8,000 UGX per month; since street vending is a low capital activity and profits are small, such fees, while modest, are burdensome and can even make market vending difficult to afford.<sup>51</sup> These costs also mean that important divisions exist between market and street vendors, since, like other traders, some market vendors view street vendors as a source of unfair competition. Markets in Kampala have their own internal hierarchies as well, along with significant problems surrounding ownership and development. Their lack of appeal to street vendors is therefore understandable.

Similar problems have characterised the primary attempt by street vendors to co-operate with the KCCA. Knowing that street vending would be outlawed under the new city government, leaders of some of the largest street vendors' associations in the city joined together to request that a new market be created in Kampala to accommodate the vendors who would be evicted from the city's streets. Their request was granted by Parliament, and the KCCA entered into an agreement with a company called Safinet Uganda Ltd., owned by Omar Nasoro Ssekamatte, to establish a market for street vendors on a plot of land in Katwe, close to a busy traffic junction near the Pan African Freedom Square that links the southern part of the city with Kampala's Central Business District. The market was to be named 'Usafi', and the new association duly adopted the name 'Usafi Vendors Association'.

Usafi Market opened on February 4, 2013.<sup>52</sup> It has been plagued by problems ever since. Vendors at Usafi Market may be free from the harassment that they would have faced on the streets and able to trade their goods in a well-organised market, but they are having difficulty accessing the customers that they need to sustain their businesses. Problems caused by a lack of customers

were initially compounded by the excessive cost of rent at Usafi Market. Safinet originally charged 120,000 UGX per month for rent, a high amount in relation to both vendors' income and comparable rates at other markets.<sup>53</sup> Usafi Vendors Association tried to get the rent lowered, arguing that vendors could only afford to pay 10,000 UGX per month.<sup>54</sup> Ssekamatte, however, ignored their pleas; in the words of one respondent: 'He said it was a business. He wanted to make profits.'<sup>55</sup> According to another, his attitude was 'if you can afford it, you stay. If you can't afford it, you move out.'<sup>56</sup> These costs have forced vendors to raise their prices, making them less competitive. Without the ability to offer low prices or easily access potential customers, vendors lose the very advantages that make street vending a viable livelihood strategy. Usafi Market may provide shelter from the repression that vendors face on the streets of Kampala, but for many, it also makes vending economically unsustainable.

The high cost of rent led to conflicts between vendors and Safinet. The KCCA eventually intervened, first by reducing rent to 80,000 UGX per month in June 2013, then by taking over the management of the market in January 2014 and finally by purchasing the market from Safinet in April 2015.<sup>57</sup> The KCC had sold the lease to the land to Ssekamatte in early 2011 for 110 million UGX; the KCCA reacquired the lease for 39 billion UGX.<sup>58</sup> Upon purchasing the market, the KCCA reduced the rent charged to vendors to 6,500 UGX per month. This, however, could change; as one respondent warned: 'it's just the beginning. Just wait.'<sup>59</sup> The KCCA also suspended the Usafi Vendors Association, an act that members felt robbed vendors of their 'voice' in the market.<sup>60</sup> In August 2015, the chairperson and spokesperson of Usafi Vendors Association were arrested for leading a demonstration against the KCCA's reallocation of market stalls.<sup>61</sup> The KCCA instead oversaw elections for representatives from all of the zones in the market, but in December 2015 introduced a new, unelected interim leadership that did not include these zonal leaders. The KCCA has promised future elections, but at the time of writing these have not yet taken place.<sup>62</sup>

The problems that vendors have experienced at Usafi have caused some to question whether they have benefited from relocating to the market. Summarising this sentiment, one respondent declared: 'we thought we would get relief, but we didn't get what we hoped for.'<sup>63</sup> Before the ban on street vending, another reflected, 'we would get by for ourselves, without begging. We would pay for school fees, we would pay for housing. But now, even with Usafi Market, we are not making enough.'<sup>64</sup> 'It's a waste of time coming here', one respondent admitted,

so some vendors have left the market and returned to the streets.<sup>65</sup> Those who have returned to street vending, and those who never abandoned it in the first place, further undermine Usafi by selling similar goods for less money in more accessible locations, illustrating how the market has further divided and increased competition between vendors.<sup>66</sup> They also undermine the market in another way: originally planned to accommodate 10,000 vendors and able to hold about 5,000 when it opened, Usafi Market may have only held over 1,000 people shortly after it was purchased by the KCCA.<sup>67</sup>

The fact that so many street vendors have left or refused to relocate to Usafi reveals much about the market's problems. Street vendors in Kampala face constant harassment by the KCCA, with arrests, extortion and confiscations all common occurrences. While vendors are not completely free from harassment at Usafi, working conditions at the market are certainly better than they are on the streets. And yet, because of high costs and few customers, many vendors choose or are forced to sell on the streets instead. Doing so, however, comes with significant challenges.

### ***Individual Resistance***

The KCCA's ban on street vending means that vendors who remain on the city's streets are forced to adopt strategies that allow them to do so. Political influence is not an option given the structure and operation of the KCCA, and neither is direct confrontation since the KCCA, in the words of one NGO worker, has the 'support of the government coercive machinery'.<sup>68</sup> Instead, street vendors rely on certain individual resistance strategies that allow them to avoid, survive or otherwise cope with repression.

A common strategy for street vendors is to bribe the KCCA's enforcement officers, offering money in exchange for being left alone and allowed to continue to sell their goods. The primary risk that comes with this strategy is that vendors may not always have enough money to pay a bribe, particularly if they pay one officer only for another to demand one later. Evasion is another strategy that vendors commonly employ. If vendors see an enforcement officer approaching, they will often conceal their goods and walk away, or at least try to appear as if they are doing something other than street vending (such as merely loitering). Small groups of street vendors may co-operate in evasion efforts by alerting each other when enforcement officers appear. Some vendors also sell at times when enforcement is low, such as during the evening or at

night, and/or avoid areas of the city where enforcement is heaviest, particularly near the major businesses, government buildings and hotels in the Central Business District. These adjustments can even be good for business for reasons other than avoiding repression; selling in the evening, for example, gives vendors access to the many people in the city who are returning home from work at the end of the day, while many areas just outside of the Central Business District have extremely busy streets and no shortage of potential customers.

The use of similar strategies to counter state repression has received a considerable amount of attention in the literature on street vending.<sup>69</sup> For some,<sup>70</sup> street vendors can be seen to engage in a form of ‘everyday resistance’ that, following Scott, may not constitute outright confrontation—and indeed, directly avoids it—but nevertheless resists the application of power.<sup>71</sup> By responding to repression by remaining on the streets, street vendors employ a practical means of asserting their rights and seek to insert themselves into a system of development from which they are actively excluded. If urban space is, in the words of Setšabi and Leduka, ‘an embodiment of relations of power and powerlessness’, vendors challenge their marginalisation by refusing to vacate the spaces that they depend on to support their livelihoods.<sup>72</sup> Their very presence raises fundamental questions about who and what public space is for and how the city should be properly developed and managed, illustrating two seemingly contradictory views of Kampala: one, held by the KCCA, a large share of the city’s traders and members of the growing urban middle and upper classes, that Kampala should strive to be an aesthetically pleasing, decongested, well-ordered ‘modern’ city with an effective government that acts to regulate economic competition and ensure security; and another, held by certain segments of the urban poor and those who operate in the informal economy, that the city should accommodate and provide opportunities and viable livelihood strategies for all of its residents, not just those who adhere to narrow and exclusionary understandings of development and urban governance. Street vendors constitute a segment of the urban poor that is seen as unwelcome in, and even an obstacle to, a modern urban landscape and economy; by remaining on the streets, they reject their exclusion and insist on benefiting from the economic opportunities the city has to offer.

It is important, however, not to romanticise street vendors’ resistance strategies. Despite the forms of bribery and evasion that they employ, street vendors who have continued to operate in Kampala following the criminalisation of their activities commonly face arrests, fines and the confiscation of goods, all of which, as described above, have serious livelihood effects. The



physical and material costs of street vending are now significant, and individual resistance strategies do little more than provide temporary relief from coercive state power. Far from allowing vendors to assert their right to engage in their economic activities, they merely provide vendors with a brief reprieve from the worst effects of repression without spurring any structural change. To more meaningfully challenge the forms of exclusion that they face, vendors instead rely on a third strategy: organising. Here, too, their efforts have significant limitations.

### *Organising*

Scholarly and policy literature regularly emphasises the potential for and achievements of organisation in the informal economy.<sup>73</sup> The International Labour Organization (ILO) encourages organisation in the informal economy while emphasising the role that formal sector unions can play in such a process, and has published a number of studies on the topic.<sup>74</sup> Several scholars have articulated similar positions.<sup>75</sup> The experiences of street vendors in Kampala, however, demonstrate the extent to which the success of organisation efforts depends on the political conditions in which these efforts take place.

The KCCA's ban on street vending has significantly altered the organisational landscape for vendors in Kampala. The organisations that street vendors formerly relied on for various forms of support have mostly disappeared because their leaders feared or experienced harassment or cooperated with the KCCA, primarily in the establishment of Usafi Market, leaving no large groups to oppose the KCCA's ban or speak against its treatment of vendors who remain on the streets.<sup>76</sup> Attempts by vendors to form new organisations of any size have faced major obstacles. Since street vending is now an illegal activity, it is difficult for groups of street vendors to gain legitimacy and recognition, and fear of arrest acts as a powerful deterrent. Given the charged political environment that exists in the city (and in the country as a whole), some street vendors are concerned about being seen as participating in 'anti-government' activities.<sup>77</sup> Under the KCCA, street vendors who wish to organise face little chance of influencing policy and a high chance of further repression. In such a situation, a lack of organisation is understandable.

Street vendors who wish to organise also have important practical concerns. In August 2013, the Ugandan Parliament passed the Public Order Management Act, which bans unauthorised public political discussions involving more than three people.<sup>78</sup> As a result, vendors (like all other Ugandans) who plan to hold public meetings, rallies or demonstrations require official approval

that, given their political status, is obviously not forthcoming. Some respondents stated that when they try to find a place to hold a meeting, they get scared when asked about the meeting's purpose, reflecting the climate of fear and intimidation in which organisation has to take place.<sup>79</sup> It can be difficult to organise meetings given that street vendors generally work all day, after which they are often tired, stressed and busy with other obligations (such as caring for dependents). Even when meetings do take place, people often voice common concerns, such as difficulties arising from a shared condition of poverty, that have no obvious solutions.<sup>80</sup> The fact that vendors are so focused on earning a living, and that doing so entails competition, also serves as an impediment to co-operation. One respondent stated that street vendors might be able to 'get a politician' if they organised effectively, but stated that 'it is very difficult to come together and form an organisation, because everyone is always on his business' and not thinking of the benefits of co-operation.<sup>81</sup> Given how the KCCA is structured and operates, however, even if street vendors were able to 'get a politician', the effects would likely be limited.

There have been some attempts by outsiders to organise street vendors. The National Union of Informal Economy Workers' Organisations (NUIEWO) brings together already existing street and market vendor organisations to collectively advocate for vendors' rights and provide various forms of aid. It is affiliated with StreetNet, an international NGO based in South Africa that provides financial and technical support as well as assistance with training, logistics and advocacy.<sup>82</sup> The fact that NUIEWO is made up of existing organisations rather than individual members, however, means that it depends on these organisations to exist in the first place. Another organisation, Platform for Vendors Uganda (PLAVU), recruits both individual informal vendors and organisations in its efforts to improve vendors' representation in policymaking and provide programs that improve vendors' livelihoods. It, too, faces significant challenges. Street vendors, even when interested in organising, are often sceptical that progress can be made, and may fear that the organisation will just take their money and abandon them. Questions surrounding how the organisation will be able to combat repression are particularly pertinent given the KCCA's commitment to eradicating street vending and its lack of responsiveness to input.<sup>83</sup> The opposite of political exclusion is a problem as well; the leader of PLAVU claims NUIEWO has started working too closely with the government, compromising its ability to champion the concerns of vendors, and professed his desire to avoid being co-opted in the same way.<sup>84</sup> The organisation also struggles with resources, which is understandable considering that its members are generally poor

and have little money to contribute.<sup>85</sup> This, along with the political environment in which it operates, makes progress extremely difficult.

More generally, any organisations that wish to assist street vendors in Kampala must contend with an increasingly restrictive environment for civil society organisations that operate in Uganda. According to a report released by Human Rights Watch in 2012, the Ugandan government has ‘deployed an array of tactics to intimidate and obstruct the work of NGOs’ since 2010, including ‘closing meetings, reprimanding NGOs for their work, and demanding retractions or apologies, as well as occasional resort to threats, harassment, physical violence and heavy-handed bureaucratic interference to impede the registration and operations of NGOs.’<sup>86</sup> Organisations whose work focuses on ‘sensitive’ issues surrounding governance and human rights that are seen as ‘threatening to undermine the regime’s political and financial interests’ have been particularly targeted.<sup>87</sup> In March 2016, Museveni signed into law the Non-Governmental Organisations Act, which places all NGO activity in the country under the regulation of the central government.<sup>88</sup> Human Rights Watch has expressed concern about the implications that the NGO Act will have for freedom of association, particularly due to its reference to the ‘special obligations’ of NGOs, including the provision that groups must not ‘engage in any act, which is prejudicial to the security and laws of Uganda’, as well as its criminalisation of the failure to register civil society activity with the government.<sup>89</sup> This environment acts as a significant deterrent for any civil society efforts to assist street vendors.

Despite the optimism surrounding the ability of formal unions to assist organisation in the informal economy, unions in Kampala have not shown any interest in organising street vendors. Like many others in the formal sphere, unions view street vendors as a source of unfair competition.<sup>90</sup> The fact that street vendors are self-employed, and therefore lack the employer-employee relationship that unions are generally structured around, complicates matters further. While unions, with their significant resources and established channels of political communication, may have the potential to assist street vendors, the differences between the two in this case seem, at least at present, to be insurmountable.

In general, most of the street vendors interviewed for this project were unaware of any organisations, at any level, that they were able to join and that worked to advance their interests. The organisations that existed under the KCC have mostly disbanded or been co-opted, and little has emerged to take their place. Rare attempts by street vendors to organise have been almost

entirely unsuccessful, while civil society groups that work with vendors face major problems of their own. It is the introduction of the KCCA, with its repression of street vendors and their organisations and the fact that it does not rely on external input and support, that has so dramatically altered the organisational landscape for street vendors in Kampala. With so few opportunities for organisation left, the ability of street vendors to assert their rights has been greatly limited.

### **Street Vending and the 2016 Elections**

While street vendors in Kampala have suffered from the closing of political space that occurred with the introduction of the KCCA, the local and national elections that take place every five years still offer the possibility that political space may briefly open on a regularly recurring basis. The 2016 elections were the first in Kampala since the introduction of the KCCA. This is of course significant since the KCCA is far less dependent on electoral support than the KCC given the degree to which it is controlled by the central government and unelected technocrats. This does not mean, however, that local elections are entirely irrelevant, and more significantly, they roughly coincide with presidential elections, during which candidates compete for political support and President Museveni frequently resorts to populist appeals in his quest for victory in a city that has long been dominated by the opposition.<sup>91</sup> Museveni's electoral interests are not enough to allow vendors to remain on the streets indefinitely, but when they become relevant, they are something that street vendors are ready to take advantage of.

Street vendors in Kampala have a history of taking advantage of favourable circumstances, no matter how rarely these may arise. In the past, changes to the potential costs and benefits of street vending have caused large numbers of vendors to return to the city's streets, most notably during a strike by shop owners (which increased potential business) and when the KCCA suspended all of its operations following Lukwago's impeachment due to the treatment of its staff by the public (which reduced repression).<sup>92</sup> By opening up political space, elections even more dramatically alter the political circumstances of street vendors. It is during these times that street vendors are able to transcend the everyday resistance that they engage in to remain on the streets and instead, following Bayat's critique of Scott, proactively make claims to advance their own interests in a way that is fundamentally offensive.<sup>93</sup> Simply remaining on the streets and avoiding harassment by the KCCA is generally the most that street vendors in Kampala can strive for; during

periods of exception, however, street vendors may have the opportunity to make certain gains that improve their livelihoods as active encroachment takes the place of bribery and evasion in the struggle for public space.<sup>94</sup> These periods are invariably followed by further repression that eliminates most, if not all, of the gains made by vendors and returns them to their previous position. Nevertheless, such times give a certain degree of dynamism to the otherwise relatively balanced equilibrium that characterises the relationship between street vendors and a repressive local government.

A cycle of enforcement can therefore be seen to exist around elections. The repression of street vendors is greatest when electoral concerns are less relevant, then diminishes during election periods before sharply increasing again once elections are over. Street vendors interviewed for this project reported lower levels of repression as early as July 2015, and many returned to the streets in the months leading up to the elections despite warnings by the KCCA not to do so.<sup>95</sup> In May 2015, the KCCA began closing off Luwum Street in the city centre on Sundays in order to set up a temporary market for street vendors, a move that many attributed to the upcoming 2016 elections. Like Usafi, however, the Sunday market has significant problems. The KCCA, which runs the market, charges vendors a fee of 10,000 UGX for a space, making it too expensive for many, and a rule banning the sale of food acts as a further restriction. Traders at the Sunday market generally sell large amounts of goods—usually clothing or accessories—suggesting that they are not poor street vendors. In fact, many actually come from other markets in the city. The Sunday market does have one unexpected benefit for vendors, however: the KCCA officers that run and police the market are taken away from their usual duty of patrolling to city’s streets, reducing enforcement for vendors who do not relocate to Luwum Street on Sundays.<sup>96</sup>

The NRM’s efforts to gain support in Kampala proved to be unsuccessful. In the general elections held on February 18, 2016, Kizza Besigye, the main opposition candidate, won Kampala with a total of 334,919 votes, more than doubling Museveni’s total of 157,098.<sup>97</sup> Museveni was re-elected by a strong national majority, but this was his worst performance in the city in his five electoral victories since 1996.<sup>98</sup> Less than a week later, on February 24, Lukwago was re-elected as Lord Mayor of Kampala with 75.5% of the vote, an increase of over 11% from his previous victory in 2011.<sup>99</sup> Lukwago again framed himself as a champion of ‘the aspirations of the people’ and criticised the ‘repressive policies initiated by [the] government where a handful benefit’ at the expense of the majority of the city’s population.<sup>100</sup> The NRM similarly performed poorly in the

KCCA council elections, losing the majority it had won in 2011 by winning only six council seats while Besigye's Party, the Forum for Democratic Change (FDC), won 19, the Democratic Party (DP) won two and three were won by opposition-leaning independents.<sup>101</sup> It also failed to win a single city division mayoral seat. Still, true power within the KCCA remained in the hands of the body's centrally appointed technocrats, making the NRM's poor performance in local elections embarrassing but not particularly costly.

On February 21, following his defeat in the city but before the KCCA elections, Museveni suggested that he may have performed so poorly in Kampala due to the KCCA's treatment of street vendors. The President did not express opposition to the ban on street vending, but did express his apparent displeasure with the fact that the evictions were carried out before a viable alternative for vendors to trading on the streets could be established.<sup>102</sup> Street vendors apparently took these statements as a sign of support from Museveni, and returned to the city's streets in even larger numbers.<sup>103</sup> The apparent amnesty, however, did not last, and street vendors were evicted by the KCCA on March 11 after the electoral cycle had concluded in an exercise that was known as 'restoration of trade order and sanity'.<sup>104</sup>

Despite these evictions, large numbers of vendors remained on or returned to the streets of Kampala. On October 19, Beti Kanya, the new Minister for the KCCA, issued a directive that vendors must leave the streets voluntarily or be forced out by the local government.<sup>105</sup> Facing evictions and renewed harassment by the KCCA, street vendors appealed to the President to come to their aid.<sup>106</sup> Given the tacit support that he appeared to offer them in the run-up to the elections, vendors' hopes that he would again intervene in the city's politics on their behalf are understandable. With the elections over, however, Museveni declared his support for the evictions on November 2, stating that the presence of street vendors harms revenue collection from the city's shops and impedes the flow of traffic.<sup>107</sup> The only support he offered was to order the KCCA and city divisions to establish new locations where vendors could sell their goods and instruct government authorities to provide vendors with financial assistance to help them relocate to markets.<sup>108</sup> As usual, the support that street vendors received came mainly from the opposition in the city. Lukwago criticised Kanya's eviction directive, arguing that she should stop targeting poor vendors and instead respect the decisions made by the KCCA's political wing.<sup>109</sup> On October 24, KCCA councillors held a meeting to address the issue of street vending in Kampala in which they unanimously voted to allow vendors to operate on certain city roads in the evening,<sup>110</sup> but this

resolution was ignored by the technocrats that hold the true power in the local government.<sup>111</sup> The KCCA began its large-scale evictions the next day in an operation that was, in the words of the *Daily Monitor*, characterised by ‘bloodshed and bullets’.<sup>112</sup>

The 2016 elections may have caused a slight opening of political space in Kampala for street vendors to take advantage of, but this was short-lived. The repression of street vendors has resumed, and there is no evidence that the KCCA will change its policies on street vending. Its structure and operation give it little reason to do so.

## **Conclusion**

De-democratisation has had a profound effect on the rights of street vendors in Kampala. As the central government’s reassertion of power in the city has robbed vendors of their ability to take advantage of a competitive political environment, they have been forced to find new ways to assert their rights. In doing so, they have faced significant obstacles and experienced limited success. Vendors who have relocated to Usafi Market have struggled with the high cost of rent and few customers, a combination that makes it particularly unaffordable and unattractive, while the KCCA’s takeover of the market has robbed vendors of adequate representation. Given the problems that have plagued Usafi Market since its creation, it is unsurprising that many vendors have either returned to the city’s streets or refused to relocate in the first place. Yet continuing to operate on Kampala’s streets is hardly a preferable alternative. Bribery and evasion only offer a precarious existence in which the threat of arrests, fines or the confiscation of goods is both constant and all too real, and even the slightest setback could have catastrophic livelihood effects. Efforts by vendors to continue to organise have been limited by state coercion and co-option, practical limitations and the reality that such efforts come with high costs and few potential benefits. Elections provide some relief from repression and new opportunities to occupy public spaces, but as the events following the 2016 polls showed, these are temporary as periods of openness are invariably followed by renewed repression.

Street vending no longer serves as an attractive source of livelihood support for a particularly poor segment of the Kampala’s population, leaving those who had come to rely on the activity increasingly marginalised and unable to improve the conditions of extreme poverty in which they live. Street vendors, unfortunately, have become casualties of political machinations beyond their control, from the central government’s takeover of the city to the KCCA’s efforts to

establish its legitimacy by implementing a form of development in which street vending plays no part. Without another period of political reform that restores the city's democratic processes and institutions, it is difficult to envision their fortunes improving.

The experiences of street vendors in Kampala underlines the degree to which economic and social rights can be fundamentally rooted in political rights. When vendors were able to participate in the city's democratic decision-making processes, they were able to assert their right to engage in their economic activities; since de-democratisation stripped away their political rights, vendors have been forced to find new ways of asserting their economic and social rights that have seen little success. Their exclusion from local politics has precipitated a broader exclusion from economic life in the city. The arguments presented here have implications far beyond Kampala, suggesting a fundamental relationship between political rights and economic and social rights for marginalised groups in the context of de-democratisation more generally. Further consideration of this relationship points to valuable avenues for future research. Comparative analyses of the effects of de-democratisation in states that undergo similar political transitions would allow for crucial insights into the interdependence of rights of the poor more generally, as would comparisons of states with different institutional landscapes, histories of conflict, levels of development and political, economic and social fragmentation. Since street vendors operating in cities have a particular relationship with state power due to perceptions of their activities in the context of urban development, it would also be rewarding to consider the impact of de-democratisation on vendors outside of major urban centres or on other prominent informal economic activities, including transportation, waste picking, domestic work and employment in manufacturing, construction and resource extraction. The ways in which vendors' marginalisation is compounded by gender, ethnic or religious divisions, as well as the potential for various forms of organisation and external assistance, also merit further consideration in the context of political transformation. Each of these avenues promises to provide important practical lessons for the defence of the rights of the urban poor.<sup>113</sup>

The experiences of street vendors in Kampala highlights how inclusive political processes and institutions are an essential prerequisite for the realisation of a broader range of rights that are particularly crucial in the absence of formal employment opportunities and other forms of state support. It is for this reason that de-democratisation presents such a serious threat to the urban poor, and why it is particularly important for human rights researchers and practitioners to



understand the dynamics of political exclusion and work to prevent its potentially catastrophic consequences.

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## Notes

<sup>1</sup> Common arguments for and against street vending are outlined in Ray Bromley, 'Street Vending and Public Policy: A Global Review', *The International Journal of Sociology and Social Policy* 20, no. 1/2 (2000): 1-28.

<sup>2</sup> Freedom House, 'Freedom in the World 2017: Populists and Autocrats: The Dual Threat to Global Democracy', 2017, 1.

<sup>3</sup> Ibid, 10.

<sup>4</sup> The most important example of this work is John C. Cross, *Informal Politics: Street Vendors and the State in Mexico City* (Stanford: Stanford University Press, 1998). Also see: Veronica Crossa, Veronica, 'Resisting the Entrepreneurial City: Street Vendors' Struggle in Mexico City's Historic Center', *International Journal of Urban and Regional Research* 33, no. 1 (2009): 43-63; and Peter K. Mackie, Rosemary D. F. Bromley and Alison M. B. Brown, 'Informal Traders and the Battlegrounds of Revanchism in Cusco, Peru', *International Journal of Urban and Regional Research* 38, no. 5 (2014): 1884-1903.

<sup>5</sup> See, for example, Robert Gay, *Popular Organization and Democracy in Rio de Janeiro: A Tale of Two Favelas* (Philadelphia: Temple University Press, 1994).

<sup>6</sup> For an introduction to literature on political opportunity structures, see: Doug McAdam, John D. McCarthy and Mayer N. Zald, 'Introduction: Opportunities, Mobilizing Structures and Framing Processes – Toward a Synthetic, Comparative Perspective on Social Movements', in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures and Cultural Framings*, ed. Doug McAdam, John D. McCarthy and Mayer N. (New York: Cambridge University Press, 1996), 1-20. For significant works on political opportunity structures, see: Doug McAdam, *Political Process and the Development of Black Insurgency, 1930-1970* (Chicago: University of Chicago Press, 1982); Sidney Tarrow, *Strangers at the Gates: Movements and States in Contentious Politics* (New York: Cambridge University Press, 2010); and Charles Tilly, *From Mobilization to Revolution* (Reading: Addison-Wesley, 1978).

<sup>7</sup> Economic and social rights are defined here in reference to the International Covenant on Economic, Social and Cultural Rights. Articles 6-8 surrounding the right to work, to have favourable working conditions and the right to organise are particularly relevant here, as are Articles 9 and 11-14 surrounding the right to social security, the right to an adequate standard of living, the right to health and the right to education. See 'International Covenant on Economic, Social and Cultural Rights', 1966. As this article demonstrates, street vendors in Kampala are guaranteed few of these rights.

<sup>8</sup> See note 4 above.

<sup>9</sup> This is a widely studied phenomenon. See, for example: Marianne Morange, 'Street Trade, Neoliberalisation and the Control of Space: Nairobi's Central Business District in the Era of Entrepreneurial Urbanism', *Journal of Eastern African Studies* 9, no. 2 (2015): 247-269; Francis Musoni, 'Operation Murambatsvina and the Politics of Street Vendors in Zimbabwe', *Journal of Southern African Studies* 36, no. 2 (2010): 301-317; Sally Roever, 'Informal Trade Meets Informal Governance: Street Vendors and Legal Reform in India, South Africa, and Peru', *Citiescape* 18, no. 1 (2016): 27-46; Setšabi Setšabi and Resetselemang Clement Leduka, 'The Politics of Street Trading in Maseru, Lesotho', *Urban Forum* 19, no. 3 (2008): 221-241; Kate Swanson, 'Revanchist Urbanism Heads South: The Regulation of Indigenous Beggars and Street Vendors in Ecuador', *Antipode* 39, no. 4 (2007): 708-728; Crossa, 'Resisting the Entrepreneurial City'; and Mackie, Bromley and Brown, 'Informal Traders'.

<sup>10</sup> See, for example: Morange, 'Street Trade'; and Setšabi and Leduka, 'Politics of Street Trading'.

<sup>11</sup> See note 9 above.

<sup>12</sup> Bromley, 'Street Vending'.

<sup>13</sup> Setšabi and Leduka, 'Politics of Street Trading'.

<sup>14</sup> See, for example: John C. Cross, 'Street Vendors, Modernity and Postmodernity: Conflict and Compromise in the Global Economy', *International Journal of Sociology and Social Policy* 20, no. 1/2 (2000): 30-52; and Caroline Skinner, 'The Struggle for the Streets: Processes of Exclusion and Inclusion of Street Traders in Durban, South Africa', *Development Southern Africa* 25, no. 2 (2008): 227-242.

<sup>15</sup> This distinction is made in Miguel Angel Centeno and Alejandro Portes, 'The Informal Economy in the Shadow of the State', in *Out of the Shadows: Political Action and the Informal Economy in Latin America*, ed. Patricia Fernández-Kelly and Jon Shefner (University Park: Pennsylvania State University Press, 2006), 23-48.

<sup>16</sup> Cross, *Informal Politics*.

<sup>17</sup> Alisha C. Holland, *Forbearance as Redistribution: The Politics of Informal Welfare in Latin America* (Cambridge: Cambridge University Press, 2017); Alisha C. Holland, 'Forbearance', *American Political Science Review* 110, no. 2 (2016): 232-246.

<sup>18</sup> Judith Tendler, 'Small Firms, The Informal Sector, and the Devil's Deal', *IDS Bulletin* 33, no. 3 (2002): 1-14.

<sup>19</sup> Michael G. Donovan, 'Informal Cities and the Contestation of Public Space: The Case of Bogotá's Street Vendors, 1988-2003,' *Urban Studies* 45 (1) 2008: 29-51.

<sup>20</sup> See, for example: Happy M. Kayuni and Richard I. C. Tambulasi, 'Political Transitions and Vulnerability of Street Vending in Malawi', *Theoretical and Empirical Researches in Urban Management* 4, no. 3 (2009): 79-96; Liam Riley, 'Operation Dongosolo and the Geographies of Urban Poverty in Malawi', *Journal of Southern African Studies* 40, no. 3 (2014): 443-458; and Graeme Young, 'From Protection to Repression: The Politics of Street Vending in Kampala', *Journal of Eastern African Studies* 11, no. 4 (2017): 714-733.

<sup>21</sup> Quoted from 'International Covenant on Economic, Social and Cultural Rights', Article 6.

<sup>22</sup> Quoted from 'International Covenant on Civil and Political Rights', 1966, Article 25.

<sup>23</sup> For influential structuralist accounts of the relationship between the formal and informal sphere, see: Alejandro Portes, Manuel Castells and Lauren A. Benton, eds., *The Informal Economy: Studies in Advanced and Less Developed Countries* (Baltimore: Johns Hopkins University Press, 1989); Caroline O.N. Moser, 'Informal Sector or Petty Commodity Production: Dualism or Dependence in Urban Development?' *World Development* 6, no. 9/10 (1978): 1041-1064; and Alejandro Portes and Richard Schauffler, 'Competing Perspectives on the Latin American Informal Sector', *Population and Development Review* 19, no. 1 (1993): 33-60.

<sup>24</sup> Susanne Teltscher, 'Small Trade and the World Economy: Informal Vendors in Quito, Ecuador', *Economic Geography* 70, no. 2 (1994): 170-171.

<sup>25</sup> Given the illegality of street vending and the harsh repression vendors face, I have intentionally kept certain details about research subjects, sites and schedules vague to protect the identities of those involved. Doing so has not, I believe, in any way compromised the integrity or clarity of the contents of this article.

<sup>26</sup> 'Constitution of the Republic of Uganda', 1995.

<sup>27</sup> 'Local Governments Act', 1997.

<sup>28</sup> 'Constitution of the Republic of Uganda', Chapter Five, Article 70, Section 1; 'Movement Act' 1997. Also see Human Rights Watch, 'Hostile to Democracy: The Movement System and Political Repression in Uganda', 1999.

<sup>29</sup> Michael F. Keating, 'Can Democratization Undermine Democracy? Economic and Political Reform in Uganda', *Democratization* 18, no. 2 (2011): 415-442.

<sup>30</sup> For an overview of political power in Uganda under the NRM, including decentralisation and democratisation, see: Giovanni Carbone, *No-Party Democracy? Uganda Politics in Comparative Perspective* (Boulder: Lynne Rienner Publishers, 2008); Joshua B. Rubongoya, *Regime Hegemony in Museveni's Uganda: Pax Musevenica* (New York: Palgrave MacMillan, 2007); and Aili Mari Tripp, *Museveni's Uganda: Paradoxes of Power in a Hybrid Regime* (Boulder: Lynne Rienner Publishers, 2010).

<sup>31</sup> A detailed analysis of the politics of the street vending in Kampala is provided in Young, 'From Protection to Repression'.

<sup>32</sup> 'Trade (Licensing) Act', 1969, Sections 16-19; and 'Local Governments (Kampala City Council) (Maintenance of Law and Order) Ordinance', 2006, Part IV.

<sup>33</sup> For a comparable situation, see Cross, *Informal Politics*.

<sup>34</sup> The structure of the KCCA is outlined in 'The Kampala Capital City Act', 2010.

<sup>35</sup> Taddeo Bwambale, 'Govt Orders Vendors Off Streets', *New Vision*, September 2, 2011. Street vending is commonly framed in such terms. See, for example, Setšabi and Leduka, 'Politics of Street Trading'.

<sup>36</sup> This contrasts with the phenomena described in Tom Goodfellow and Kristof Titeca, 'Presidential Intervention and the Changing 'Politics of Survival' in Kampala's Informal Economy', *Cities* 29, no. 4 (2012): 264-270. Also see Gina

M. S. Lambright, 'Opposition Politics and Urban Service Delivery in Kampala, Uganda', UNU-WIDER, Working Paper No. 2012/51, 2012.

<sup>37</sup> Taddeo Bwambale and Juliet Waiswa, 'City Vendors Told to Vacate', *New Vision*, September 1, 2011.

<sup>38</sup> Author's estimate based on fieldwork.

<sup>39</sup> Farahani Mukisa, '1,000 People Charged with Breaking City Laws', *Daily Monitor*, May 9, 2016.

<sup>40</sup> Group interview, Usafi Vendors Association, 18 July 2015.

<sup>41</sup> This claim was made by several respondents during fieldwork.

<sup>42</sup> During the fieldwork undertaken for this project, the value of the Ugandan shilling fell from approximately 2855 per USD to 3663 per USD.

<sup>43</sup> Interview, street vendor, 17 August 2015. During fieldwork, the value of a US dollar fluctuated between approximately 2850 and 3650 Ugandan Shillings (UGX).

<sup>44</sup> Ibid.

<sup>45</sup> Farahani Mukisa, 'Kampala Street Buyers Face Arrest – KCCA Says', *Daily Monitor*, August 25, 2013.

<sup>46</sup> World Bank Group, 'The Growth Challenge: Can Ugandan Cities Get to Work?' Uganda Economic Update, Fifth Edition, Report No. 94622, 2015, 47.

<sup>47</sup> Interview, Erias Lukwago, 10 August 2015.

<sup>48</sup> Ibid.

<sup>49</sup> Group interview, street vendors, 3 March 2015.

<sup>50</sup> Bwambale and Waiswa, 'City Vendors'.

<sup>51</sup> Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015.

<sup>52</sup> Kiyaga, Abdu, 'Mixed Reactions as Usafi Market Opens', *Daily Monitor*, 5 February 5, 2013.

<sup>53</sup> Interview, moneylender, Usafi Market, 10 July 2015.

<sup>54</sup> Interview, Usafi Vendors Association Member, 10 July 2015.

<sup>55</sup> Group interview, Usafi Vendors Association, 18 July 2015.

<sup>56</sup> Interview, moneylender, Usafi Market, 10 July 2015.

<sup>57</sup> Pau Kiwuuwa and Julie Waiswa, 'KCCA Reduces Fees for Usafi Market Stalls', *New Vision*, June 11, 2013; Taddeo Bwambale, 'KCCA Takes Over Usafi Market', *New Vision*, January 4, 2014; and Juliet Waiswa, 'Government Pays Off Usafi Market', *New Vision*, April 8, 2015.

<sup>58</sup> Ibid.

<sup>59</sup> Interview, moneylender, Usafi Market, 10 July 2015

<sup>60</sup> Group interview, Usafi Vendors Association, 18 July 2015.

<sup>61</sup> Lawrence Mulondo, 'KCCA Officer Pins Usafi Market Leaders', *New Vision*, September 22, 2015.

<sup>62</sup> Amos Ngwomoya, 'KCCA, Usafi Vendors Bicker Over Leadership', *Daily Monitor*, March 23, 2016; and Kampala Capital City Authority, 'Usafi Market Gets New Leadership', December 18, 2015, <http://www.kcca.go.ug/?jsp=news&t=USAFI%20MARKET%20GETS%20NEW%20LEADERSHIP&sec=87#.VyS87vkrLs0>.

<sup>63</sup> Group interview, Usafi Vendors Association, 18 July 2015.

<sup>64</sup> Ibid.

<sup>65</sup> Interview, moneylender, Usafi Market, 10 July 2015.

<sup>66</sup> Interview, Usafi Vendors Association Member, 10 July 2015.

<sup>67</sup> Farahani Mukisa, 'New City Market to House 10,000', *Daily Monitor*, January 11, 2013; and Lawrence Mulondo and Juliet Waiswa, 'KCCA Demolishes Usafi Market Stalls', *New Vision*, June 11, 2015.

<sup>68</sup> Interview, Uganda National NGO Forum spokesperson, 17 August 2015.

<sup>69</sup> Alex B. Asiedu and Samuel Agyei-Mensah, 'Traders on the Run: Activities of Street Vendors in the Accra Metropolitan Area, Ghana', *Norsk Geografisk Tidsskrift – Norwegian Journal of Geography* 62, no. 3 (2008): 191-202;; Joyce N. Nduna, 'The Struggles for Survival of Street Traders in Umtata, Transkei, 1980-89', *GeoJournal* 22, no. 3 (1990): 315-319; Griet Steel, 'Whose Paradise? Itinerant Street Vendors' Individual and Collective Practices of Political Agency in the Tourist Streets of Cusco, Peru', *International Journal of Urban and Regional Research* 36, no. 5 (2012): 1007-1021; Crossa, 'Resisting the Entrepreneurial City'; Musoni, 'Operation Murambatsvina'; and Setšabi and Leduka, 'Politics of Street Trading'.

<sup>70</sup> See, for example, Musoni, 'Operation Murambatsvina'.

<sup>71</sup> See, in particular, James C. Scott, *Weapons of the Weak: Everyday forms of Peasant Resistance* (New Haven: Yale University Press, 1985).

<sup>72</sup> Quoted from Setšabi and Leduka, 'Politics of Street Trading', 223. Also see Alison Brown, ed., 2006. *Contested Space: Street Trading, Public Space, and Livelihoods in Developing Cities* (Rugby: ITDG Publishing, 2006).

<sup>73</sup> See, for example: Naila Kabeer, Ratna Sudarshan and Kirsty Milward, eds., *Organizing Women Workers in the Informal Economy: Beyond the Weapons of the Weak* (London: Zed Books, 2013); Ilda Lindell, ed., *Africa's Informal Workers: Collective Agency, Alliances and Transnational Organization in Urban Africa* (London: Zed Books, 2010); and Ilda Lindell, ed., special issue, 'Between Exit and Voice: Informality and the Spaces of Popular Agency', *African Studies Quarterly* 11, no. 2/3 (2010): 1-189.

<sup>74</sup> See, for example: Pong-Sul Ahn, ed., 'Organizing for Decent Work in the Informal Economy: Strategies, Methods and Practices', International Labour Organization, Geneva, 2007; International Labour Organization, 'Decent Work in the Informal Economy', International Labour Office, Geneva, 2002; Shirin Motala, 'Organizing in the Informal Economy: A Case Study of Street Trading in South Africa', SEED Working Paper No. 36, International Labour Office, Geneva, 2003; and International Labour Organization, 'Trade Unions in the Informal Sector: Finding their Bearings: Nine Country Papers', Labour Education 1999/3, No. 116, 1999.

<sup>75</sup> Christine Bonner and Dave Spooner, 'Organizing in the Informal Economy: A Challenge for Trade Unions', *International Politics and Society* 2 (2011): 87-105; Dan Gallin, 'Propositions on Trade Unions and Informal Employment in Times of Globalisation', *Antipode* 33, no. 3 (2001): 531-549; and Bishwapriya Sanyal, 'Organizing the Self-Employed: The Politics of the Urban Informal Sector', *International Labour Review* 130, no. 1 (1991): 39-56.

<sup>76</sup> Interview, leader of local NGO for informal vendors, 23 February 2015; and group interview, street vendors, 3 July 2015.

<sup>77</sup> Group interview, street vendors, 24 February 2015.

<sup>78</sup> 'The Public Order Management Act', 2013.

<sup>79</sup> Group interview, street vendors, 24 February 2015.

<sup>80</sup> Ibid.

<sup>81</sup> Interview II, street vendor, 17 August 2015.

<sup>82</sup> Interview, NUIEWO founder, 7 March 2015.

<sup>83</sup> These were the primary concerns, along with those surrounding financial assistance, raised in group interview, PLAVU recruitment meeting, 26 February 2016. They were also raised in: group interview, street vendors, 24 February 2015; and interview, leader of Platform for Vendors Uganda, 23 February 2015.

<sup>84</sup> Interview, leader of Platform for Vendors Uganda, 6 March 2015.

<sup>85</sup> Interview, leader of Platform for Vendors Uganda, 23 February 2015; and interview, Platform for Vendors Uganda organiser, 26 February 2015.

<sup>86</sup> Human Rights Watch, 'Curtailing Criticism: Intimidation and Obstruction of Civil of Society in Uganda', 2012.

<sup>87</sup> Ibid.

<sup>88</sup> 'The Non-Governmental Organisations Act', 2016.

<sup>89</sup> Human Rights Watch, 'Curtailing Criticism: Intimidation and Obstruction of Civil of Society in Uganda', 2012, 617-618. 'Special obligations' are outlined in 'The Non-Governmental Organisations Act', 2016, Section 44.

<sup>90</sup> Interview, leader of Platform for Vendors Uganda, 23 February 2015.

<sup>91</sup> For examples, see Goodfellow and Titeca, 'Presidential Intervention'.

<sup>92</sup> Juliet Waiswa, 'KCCA Shutdown: Vendors Back on Kampala Streets', *New Vision*, November 29, 2013; and Innocent Anguyo, 'Vendors, Hawkers Reap Big Amid Traders' Strike', *New Vision*, June 29, 2013.

<sup>93</sup> Asef Bayat, *Life as Politics: How Ordinary People Change the Middle East* (Amsterdam: Amsterdam University Press, 2010), 51-60; Asef Bayat, 'Un-Civil Society: The Politics of the 'Informal People'', *Third World Quarterly* 18, no. 1 (1997): 53-72.

<sup>94</sup> Bayat refers to 'the quiet encroachment of the ordinary'. See Bayat, *Life as Politics*, 43-65.

<sup>95</sup> Lawrence Mulondo, 'KCCA Warns Traders Against Street Vending During Campaigns', *New Vision*, November 13, 2015.

<sup>96</sup> This description is based on time spent at the Sunday market as well as information provided in several interviews.

<sup>97</sup> Edris Kiggundu, 'Musisi Doing a Great Job – Tumwebaze', *The Observer*, March 2, 2016.

<sup>98</sup> Edris Kiggundu, 'Lukwago Win Bad for Museveni, Musisi', *The Observer*, February 26, 2016.

<sup>99</sup> Derrick Kiyonga, 'Lukwago to Fight for Rule of Law and Accountability', *The Observer*, February 29, 2016.

<sup>100</sup> Quoted in *ibid.*

<sup>101</sup> Yasiin Mugerwa, 'A New Dawn for KCCA?' *Daily Monitor*, June 12, 2016.

<sup>102</sup> Kiggundu, 'Doing a Great Job'; and Kiyonga, 'Lukwago to Fight'.

<sup>103</sup> Amos Ngwomoya, 'KCCA Orders Vendors Off Kampala Streets', *Daily Monitor*, March 2, 2016; and Abdul-Nasser Ssemugabi, 'Call it a Mess but Downtown Kampala is a Vendors' Goldmine', *Daily Monitor*, March 10, 2016.

<sup>104</sup> Peter Busomoke, 'KCCA Forces Vendors Off Kampala Streets', *New Vision*, March 11, 2016.

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- <sup>105</sup> Godfrey Ssali, 'Minister for Kampala Kanya Kicks Out 'Illegal' Street Vendors', *The Independent*, October 19, 2016.
- <sup>106</sup> Farooq Kasule, 'Vendors Petition President Over KCCA Harassment', *New Vision*, October 30, 2016.
- <sup>107</sup> 'Vendors Must Leave Kampala Streets- Museveni', *Daily Monitor*, November 4, 2016.
- <sup>108</sup> Ibid; and 'Government Plans Relocation Package for City Vendors', *Daily Monitor*, October 23, 2016.
- <sup>109</sup> Damali Mukhaye, 'Lukwago Tells Off Kanya Over Eviction of Vendors', *Daily Monitor*, October 20, 2016.
- <sup>110</sup> Amos Ngwomoya, 'KCCA Councillors Gazette Some Roads for Street Vendors', *Daily Monitor*, October 25, 2016.
- <sup>111</sup> Amos Ngwomoya, 'Minister Kanya Rendering Us Irrelevant – Councillors', *Daily Monitor*, December 16, 2016.
- <sup>112</sup> Amos Ngwomoya, 'Museveni Tasks KCCA to Create More Markets', *Daily Monitor*, October 28, 2016.
- <sup>113</sup> Several of these topics have been addressed in the rich literature on informal economic activity outside of the context of de-democratisation. See, for example, note 73 above.