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*Development, Division and Discontent in Informal Markets: Insights from Kampala**

Abstract: This article explores the recent history of Owino Market in Kampala, Uganda to analyze the constraints to agency that exist in the informal economy. Detailing conflicts over market management and development in Owino, it argues that agency in the informal economy must be understood in reference to the economic divisions that exist within the informal sphere and the political divisions that characterize urban governance. The interaction of the two, as Owino illustrates, can severely circumscribe the ability of informal vendors to act in ways that allow them to participate in urban development. In this case, ongoing efforts by the ruling party and executive to monopolize power in Kampala solidified and politicized internal market hierarchies defined by vending location and ownership and employment status, leading to conflicts that threatened the majority of vendors' livelihoods and the viability of their economic activities. For many in the informal economy, these structural constraints to agency may be impossible to overcome.

Keywords: Market development; informal economy; agency; Kampala; Uganda

The political economy of urban informality in the Global South is emerging as an invaluable site of critical enquiry (Banks et al. 2020). The ability of those who engage in the informal economy to exercise agency despite their marginalized status has long been debated. For some, informality represents a form of 'adverse incorporation' (Meagher and Lindell 2013) into a hierarchical market system defined by exploitation and unequal inclusion (Moser 1978; Portes et al. eds. 1989; Portes and Schauffler 1993) that offer the urban poor few opportunities to influence their socioeconomic fortunes,. Despite continued interest from some in the forms of 'adverse incorporation' that define the relationship between formal and informal economic activities (Meagher 2018; Meagher and Lindell 2013), this approach has largely declined in prominence. More optimistic treatments of agency have taken their place. The first of these is the neoliberal view, advanced most notably by de Soto (1989), that informality is itself a result of the agency of the poor that manifests as entrepreneurship and disengagement from the state in response to state predation and economic

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mismanagement. It has gained a significant amount of traction (Bromley 1990; Maloney 2004; Sparks and Barnett 2010), and its influence can be found in the understanding of informality as a result of a combination of voluntary “exit” and involuntary “exclusion” presented in an influential publication by the World Bank (Perry et al. 2007). For others, this agency can even serve as a key impetus for economic liberalization (Tripp 1997).

Alternative positions that ostensibly challenge neoliberal interpretations of informality have since come to prominence. The first is that agency can best be expressed through organizational efforts that challenge marginalization by empowering and representing the interests of informal workers (Eaton et al. eds. 2017; Kabeer et al. eds. 2013; Lindell ed. 2010), a view that underpins the International Labour Organization’s (ILO) commitment to the promotion of organization in the informal economy as a means of securing basic rights and decent working conditions (Ahn ed. 2007; ILO 2001; ILO 2002a; ILO 2019; ILO 2002b). The second maintains that those in the informal economy are able to undertake individual, uncoordinated actions to encroach on public space to engage in livelihood activities in ways that contest systemic forms of political, social, economic and physical exclusion (Bayat 2010; 2000; and 1997). Both are part of a broader tradition that stresses the ability of marginalized groups, in Africa and throughout the Global South, to employ a variety of methods—including protest (Branch and Mampilly 2015), clientelism (Gay 1994) and everyday resistance (Scott 1990; and 1985)—to advance their interests despite their unequal incorporation into dominant power structures that leave them otherwise vulnerable.

Although vastly different in their normative underpinnings and policy implications, neoliberal champions of informality and those who place their faith in either the potential of organization or

the everyday resilience of the poor nevertheless share a common approach to agency in the informal economy. Both, in different ways, stress the ability of informal workers to act in ways that allow them to insert themselves into development processes from which they are otherwise excluded.

This article serves as a cautionary note to optimism around agency in the informal sphere. Conceptualizing agency as the ability to act in ways that allow them to participate in urban development, it builds on two alternative approaches to agency in the informal economy by highlighting the importance of placing informal workers in their proper economic (Rizzo 2017; 2013; and 2011) and political (Cross 1998; Holland 2016; and 2017) context in order to understand the circumstances that shape their actions and influence, to a considerable degree, their socioeconomic trajectories. In doing so, it argues that a combination of economic divisions within the informal sphere and political divisions in urban governance can significantly limit the agency of market vendors. It is therefore crucial to return both the economic, with the concrete hierarchies it entails, and the political—and the institutions, power structures, competing interests that it consists of—to understandings of the political economy of informality and, by extension, the agency of those who engage in it.

This paper seeks to offer an analysis of the economic and political forces that interact in specific informal markets by exploring the modern history of Owino Market in Kampala, Uganda.ⁱ According to one 2009 estimate in *New Vision*, one of the country's leading newspapers, Owino had 50,000 vendors, and was 'the biggest open market in Uganda and possibly in East Africa' (Mugisa et al. 2009). Issues of market management and development have long been central to the

politics of Kampala (Gombay 1994; Goodfellow 2020; Goodfellow and Titeca 2012; Lindell and Appelblad 2009; Monteith 2015; Titeca 2014), providing an ideal environment in which to study the structural barriers that constrain vendors' agency. This article primarily focuses on the period from late 2007, when the Ugandan government adopted the policy that vendors should lead market management and development processes, until 2014, when a court order regarding the ownership of Owino Market offered an official—if incomplete—resolution to the market's conflicts. In doing so, it illustrates how an increasingly restrictive political environment dominated by the ruling party and executive and internal market hierarchies determined by vending location and ownership and employment status came to define the agency of vendors in Owino and fundamentally shape the dynamics of their inclusion in—or, for most, exclusion from—urban development. As an economically dominant group in Owino successfully advanced its claims to lead market management and development due to its ability to take advantage of state intervention and establish strong ties with the ruling National Resistance Movement (NRM) and President Yoweri Museveni, a large share of market vendors of lower economic status lacked the same ability to insert themselves into political power structures and, as a result, saw their livelihoods threatened.

The remainder of the article is divided into six sections. The first explores agency in Kampala's informal economy and elaborates on the approach adopted by this article, while the second presents this article's methodological approach. The third section offers an overview of market vending in Kampala. It first details the politics of informal markets, outlining how privatization and later conflicts over market management and development were fundamentally shaped by questions of political power in the city, and then examines how internal economic divisions surrounding vending locations, ownership status and employment status led to diverging views on market

management and development. The fourth section analyzes the recent history of Owino Market, tracing disputes over market management and development that emerged following a failed privatization process. The lessons that Owino Market has for understanding the agency of informal vendors are explored in section five before conclusions are offered in the final section.

Agency in Kampala's Informal Economy

Urban markets are a particularly valuable context in which to analyze agency in the informal economy. Their informality becomes manifest in three ways. First, given the difference between *de facto* and *de jure* control of valuable urban land, the structures that exist on it and the status of those who occupy it are deeply precarious. Access to land titles, the endorsement of leadership claims and the approval of and support for market development plans thus become deeply political and highly contested. The threat of displacement is ever-present. Second, markets are primary sites where informal economic activity takes place, as not only are vendors in Kampala liable to pay standard taxes and adhere to business regulations, but they must also collectively pay market dues and ground rent, the collection of which is often contested and deeply politicized. Enforcing registration and collection have been increasingly used by both the local and national government to combat informality and promote formalization.

Finally, and of crucial significance, markets must be viewed as informal as that is how they are governed by the state. As the state has the ultimate authority to define formal economic activity and the laws and regulations that govern it, it also, by extension, classifies informal economic activity and renders it illegitimate through the same processes. This classification, in practice, is often made ostensibly rather than in accordance with a technical assessment of legal and regulatory

compliance, reflecting significant assumptions about urban development that can have major implications for the lives of market vendors. Informal markets are, as this article illustrates, sites of extensive and almost ubiquitous state power as manifest in regular political interference and extensive patronage. The informal economy does not exist outside of the scope of the state; indeed, its origins and historical trajectory cannot be understood independently of state power (Young 2019).

The agency of market vendors in Kampala has received previous scholarly attention. Much of this has focused on an unpopular market privatization program that transformed market politics from the mid-1990s, and particularly throughout the 2000s, that is described in more detail below. The privatization of market management, Lindell and Appelblad (2009) maintain, significantly undermined existing market associations, which they illustrate by contrasting Park Yard Market, where vendors responded to a takeover by an external private company with non-co-operation and ultimately unsuccessful appeals to government authorities, with Nakawa Market, which was taken over by a credit co-operative controlled by and run in the interests of shareholders in the market. But vendors were not without any avenues for political action. As Goodfellow and Titeca (2012) illustrate, market vendors have been able to induce important interventions by Museveni on their behalf, including to overturn market privatization, as the President has pursued electoral support and sought to undermine the opposition-led local government in a context of multipartyism and decentralization. Goodfellow elsewhere (2013) frames the resistance to market privatization in the city and the riots that this occasionally entailed within a ‘politics of noise’ (Goodfellow 2013, 437) in which such overt contestation becomes a dominant form of political engagement (Goodfellow 2013). The argument that the President strategically intervenes in the city’s markets to further his

political goals is echoed here and was commonly made by interview respondents both within and outside of Owino Market.

Two significant developments serve as critical departure points for this article: the market privatization program that has featured prominently in existing analysis was followed by major internal conflicts over issues of management and development in which interests became significantly more fragmented; and the central government's takeover of the city in 2011, in which the opposition was largely removed from decision-making processes, transformed market politics and the political environment in which market vendors, state officials and indeed the President himself must act. More recent treatments of the city's markets touch upon each of these. Surveying the recent history of two markets in the city, Nakasero and Shaulyiako, before the introduction of the new city government, Lindell and Ampaire (2016) suggest that market vendors have been able to undertake a broad collection of actions, including riots, establishing political ties, forming new types of organizations and engaging in legal battles in pursuit of their goals, and have experienced considerable success in doing so. Importantly, they also recognize some of the economic divisions that exist within markets and acknowledge the risk that some of the developments they describe favour wealthier vendors. Monteith's (2016) analysis, of Nakasero Market, in contrast, includes the period following the introduction of the new local government, which eventually assumed control of the market. While vendors, he contends, have been able to exercise agency as they have engaged in struggles over the management of the market, this has been limited by external political and economic interests. Goodfellow (2020) too has recently used the politics of markets in Kampala to illustrate how both market vendors and politicians engage in various forms of "informal politics" in an environment of formal institutional change, and, also

focusing on Nakasero Market, usefully highlights how the end of privatization led to the expansion of ruling party power and benefited a group of “elite” vendors before the eventual takeover by the city government.

A more limited vision of the agency of market vendors in Kampala is offered here that is rooted in the analysis of the interaction of economic and political structure. In Owino Market, internal conflicts since the end of privatization have allowed President Museveni to secure his power through the favourable treatment of a certain segment of vendors whose management and development plans reflect a common position at the top of the market’s internal economic hierarchies. The agency for those who have taken advantage of the President’s actions has come at the expense of others who lack political influence and whose positions on issues of market management and development reflect their economic marginalization.

Work beyond Uganda highlights how divisions within the informal economy can constrain agency. Valuable insights have been offered into how competition between traders, which can be exacerbated by economic liberalization, can increase fragmentation (Meagher 2010b; Sanyal 1991); how racial, ethnic, religious, age, gender and wealth divisions undermine co-operation and representation (Lindell 2010); and how organizations can reproduce existing power structures and serve narrow rather than collective interests (Meagher 2010a, 105-120). States are often unresponsive to the needs of informal vendors who are part of the urban poor and, if they do not ignore their interests altogether, regularly employ manipulation, co-option and/or repression to silence an often uniquely vulnerable segment of society.

This article builds on the contributions offered by two approaches to the political economy of informality in its treatment of agency. The first centres on a critical analysis of economic structures. This is exemplified by Rizzo's work (2017; 2013; and 2011), which emphasizes the importance of addressing fundamental questions of ownership patterns and relationships to capital to understand the significant structural impediments that informal workers face. For Rizzo, approaches to agency that celebrate the ingenuity of the urban poor and frame informality in terms of empowerment while ignoring the structural constraints it imposes fail to adequately place the urban poor in their proper economic and social context. Issues of class, ownership, the social relations of production and economic organization are central to Rizzo's understanding of agency, serving as a valuable corrective for treatments of the informal economy that fail to account for its internal divisions, dynamics and role in urban economic life. As the structuralist approaches to informality and the concern with adverse incorporation outlined above suggest, informal economies can be understood within the context of broader capitalist hierarchies and systems of production and exchange. It is necessary to understand how these hierarchies also play out within the informal economy itself and the role of the state in both shaping them and giving them political significance.

The second approach to agency in the informal economy that this article therefore builds on is concerned with the significance of the political environment in which informality takes place. Cross' work (1998) presents perhaps the earliest notable example of this approach, highlighting how street vendors can take advantage of poor state integration and the competing incentives faced by state officials that accompany a disconnect between the design and implementation of policy surrounding the governance of informality. Clientelistic forms of political protection are a common

feature of the politics of informality (Crossa 2009; Lindell 2008). The notion that competitive elections can also be crucial for either limiting the enforcement of laws against those who engage in informality (Holland 2016; and 2017) or for facilitating the success of their organizational efforts (Agarwala 2013) further highlights the importance of institutions in either facilitating or constraining agency.. The impact that institutional change can have on agency has been explored in Kampala in the context of the central government's takeover of the city (Lindell et al. 2019; Young 2018; and Young 2017), a line of enquiry that is expanded on here through an analysis of the city's markets.

This article adopts Rizzo's critique that work on the politics of informality is often hampered by a 'political economy blindness' in which '[f]undamental questions such as how an economic activity is organized, who owns what in it, and its social relations of production, go either totally unaddressed or are skirted around.' (Rizzo 2013, 293). It is equally important that work on informality is not silent about the forms of political power that define the informal sphere. It is therefore also necessary to explore how political processes, institutions and power constellations facilitate or constrain certain forms of agency and to ask who benefits from these, how and why these change and what political economy arrangements they represent and reinforce. This article examines the constraints to agency placed on market vendors by the economic and political environment in which they are forced to act, paying particular attention to how deep divisions within the informal sphere and in urban governance can fatally undermine efforts to participate in development. Agency is fundamentally contingent, and the ability of the urban poor to exercise agency is fundamentally contingent on the ubiquitous hierarchies, forms of power and systems of

exclusion that define daily life and are, at their core, shaped by the interaction of economic and political structure.

Methodology

This article reconstructs the modern history of Owino Market to explore the agency of its vendors. Fieldwork was undertaken in 2015 as a part of a broader study of the politics of informal vending in Kampala in which 134 respondents were interviewed by the author, including 23 market leaders, members of market organizations, unaffiliated vendors at Owino, local and national state officials, civil society workers and street and market vendors throughout the city. To complement interview findings, brief exploratory surveys of an additional 52 vendors in Owino—and 76 in two other major markets in the city—designed by the author and administered by two research assistants, with a third involved in translation, were carried out. These focused on identifying respondents according to a range of indicators, including employment status, vending location, ownership status, average profits, involvement in market associations and other political activities, and were intended to further trace the internal market hierarchies and divisions that emerged as significant during interviews both within and outside of Owino.

Additional material came from exploring the digital archives of Uganda's two largest daily newspapers, *New Vision* and *The Daily Monitor*, both of which are based in Kampala and offer extensive coverage of the city's politics and markets. These records served to complement and fill in any gaps left by the narratives constructed from interview responses, allowing for a more complete picture of the evolution of Owino Market, and the politics of market management and development in the city more generally, to emerge. Relevant constitutional and legal documents

were also analyzed to understand the governance of informal markets in Kampala and the evolution of the state under the NRM at the local and national level.

Informal Markets in Kampala

Informal markets are central political, economic and social institutions in Kampala. In a city with over 1.5 million inhabitants and 414,406 households as of 2014 (Kampala Capital City Authority (2017), there were about 72 informal markets in 2015 (Kampala 2016), five of which have, or recently had, at least 10,000 vendors – Owino, Park Yard (23,000) (Mugisa et al. 2009), Nakasero (more than 10,000) (Monteith 2015, 59), Nakawa (more than 10,000) (Lindell and Appelblad 2009, 401) and Kisekka (more than 10,000) (Mukisa 2014), with both Kisekka and, as acknowledged below, Park Yard experiencing displacement due to demolitions. Many rely on markets as a crucial source of income or for access to low-cost goods and services. In 2009, for example, *New Vision* estimated that the two largest markets in Kampala, Owino and Park Yard, alone attracted 200,000 visitors a day (Mugisa et al. 2009). Agricultural goods, foodstuffs, textiles, clothing, accessories, mechanical parts, electronic items and other household goods are all widely available at markets in the city, as are services ranging from sewing to vehicle repairs.

Informal markets in Kampala are inseparably tied to the city's formal economy. The supply of goods and capital provides crucial linkages : vendors acquire the goods that they sell and the money that they require to fund their activities from both formal and informal sources (Teltscher 1994). The formal economy is also an important source of demand, either directly as formal businesses might rely on markets as a source for goods and services, or indirectly as income earned in formal activities, either as wages or business profits, is spent in markets. In line with structuralist

interpretations of informality (see, for example: Moser 1978; Portes et al. eds. 1989; Portes and Schauffler 1993), informal markets thus effectively subsidize low formal incomes by allowing businesses and employees to access goods and services that would otherwise be too expensive, making them central to, but firmly at the bottom of, local, national and sometimes international capitalist hierarchies. They also contribute to local government revenues through the payment of market dues, ground rent and the trading licenses that vendors are supposed to purchase, a fact that makes them a prime target for political manipulation and conflict.

The evolution of informal markets in the city has been fundamentally shaped by the currents of Uganda's post-independence history. Conflict, instability, economic liberalization and, more recently, rapid urbanization and population growth have all contributed significantly to the proliferation of informal economic activity in Kampala as the formal economy has suffered through extended periods of inadequate growth, crisis or collapse (Young 2019). But just as these broader trends have fuelled the growth of informal markets, so too have the politics and economics that have come to define markets fundamentally shaped efforts by vendors to demand inclusion in urban development processes. Each is explored here in turn.

The Politics of Market Ownership and Development

It is possible to divide the modern political history of Kampala into two distinct periods. The first is defined by the twin processes of democratization and decentralization, the second the de-democratization and re-centralization of political power in the city as earlier reforms were abandoned or reversed. After coming to power in 1986, the NRM sought to secure its position and establish its legitimacy by implementing a broad range of reforms that, while ultimately designed

and implemented in a way that led to the effective creation a one-party state under the NRM's firm control, nevertheless empowered local governments across the country.ⁱⁱ By 1998, the Kampala City Council (KCC) was controlled by elected politicians who had considerable authority to direct local affairs. As local elections were consistently won by the opposition, the central government—particularly President Museveni himself—began directly intervening in local politics in order to undermine the KCC and starve it of the resources that it needed to function (Goodfellow and Titeca 2012; Lambright 2012; Young 2017).

Informal markets served as a major source of revenue for the KCC. Due to its weakened financial situation, however, it began issuing contracts for revenue collection in markets in the mid-1990s (Makara 2009, 301-304), and in 2002, introduced a broader market privatization program that involved granting extensive leases to wealthy outside investors. The process was heavily influenced by officials in the ruling party and marred by patronage and major irregularities. Privatization faced widespread opposition from market vendors, leading to extensive protests and efforts to lobby the government to have the policy overturned. Sensing an opportunity to position himself as a champion of the urban poor and increase his popularity amongst a group that was largely seen to support the opposition (Goodfellow and Titeca 2012), the President instructed Kahinda Otafiire, the Minister of Local Government, to stop selling market leases to private investors in April 2007 (Kato 2009), and in September 2007 the central government adopted the policy that all vendors who own shops or stalls in a given market should join their market association, which would then be given priority in the allocation of market tenders and free, if they so chose, to enter into partnerships with external investors for financial support (Mwanje and Nakakande 2007).

The central government's efforts to regain control of the city from the opposition culminated in the introduction of a new local government body, the Kampala Capital City Authority (KCCA), in March 2011. In contrast to the KCC, the KCCA is largely under the control of centrally appointed technocrats in both its structure and operation, essentially excluding elected officials from the design and implementation of local government policy. Its introduction has marked a dramatic shift in political power in the city (Young 2018; and 2017). The KCCA has since implemented ambitious development plans for the city as a means of pursuing its legitimacy, a major feature of which involves regaining control over markets—in line with the KCCA Act (Third Schedule, Part A, Section 1) as well as the 1942 Markets Act (Article 1, Section 1) and the 1997 Local Governments Act (Second Schedule, Part 3, Section 1)ⁱⁱⁱ—and transforming them into highly functional and aesthetically pleasing modern shopping centres, improving trade conditions and significantly boosting the KCCA's revenue as a result (Kampala Capital City Authority 2014: 34). These efforts clearly violate the President's policy that vendors should manage and develop their own markets, and are particularly notable given the extent to which Museveni dominates Ugandan politics and the level of control exerted over the KCCA by the central government. Not only does Museveni appoint both the Executive Director of the KCCA and the KCCA Minister, but both explicitly represent the central government and the latter has the power to overrule any decisions made by the KCCA that are not in line with central government policy ('The Kampala Capital City Act', Part III, Article 19; and Part XI, Article 79). The reasons for this apparent contradiction are likely rooted in political self-interest: as the KCCA seeks to regain control the city's markets, the President can continue to present himself as a champion of the urban poor by publicly advocating

on behalf of vendors' rights to manage and develop their own markets (interview, civil society representative, 17 August 2015). This is an opportunity that Museveni takes full advantage of.

Market vendors in Kampala must therefore navigate a complex political environment in which state actors compete for the control of informal markets as a means of strengthening their political power in the city. For some, this provides the opportunity to exploit political divisions and gain invaluable support for their own market management and development ambitions. For others, however, it entails an increase of state control and marginalization.

The Economics of Informal Markets

The economic divisions that exist within informal markets in Kampala are equally profound and consequential. Three axes of difference are particularly significant: typologies of vending locations, ownership status of vending locations and employment relations among vendors:

1. *Vending Location*: between vendors who operate in lock-up shops, stalls and open spaces.
2. *Ownership Status*: between vendors who own and those who rent their vending locations.
3. *Employment Status*: between vendors who are self-employed with no employees, those who employ others and those who are employees.

It is remarkable that these axes of difference have been identified in other sectors of the informal economy, such as transport (Rizzo 2017; 2013; and 2011), as reproducing the capital/labour/rent

relation that is foundational to capitalism. The divisions around different spaces, among owners and renters, and among employers and employees, reflect and further entrench firm economic hierarchies. Vendors who operate in lock-up shops generally have more wealth, higher incomes and greater influence over market affairs than those who operate in stalls, while both are above those who trade in open spaces. Similarly, vendors who own their vending locations have a higher status than vendors who rent, and vendors who are self-employed or employ others have a higher status than vendors who are employees. These hierarchies underlie the complex power dynamics that exist within markets.

These economic hierarchies are particularly important because the resources at a vendor's disposal determine his or her ability to participate in and benefit from specific market development projects. Major market development projects are viewed by some vendors as an opportunity to improve working conditions and incomes, but are seen by others as a threat to already precarious livelihoods due to the various costs they involve, particularly mandatory contributions to reconstruction, displacement during the rebuilding process and higher rent once the new structure is complete. Such projects are likely to be led and supported by wealthier vendors, particularly those who own shops and stalls and who can afford to pay for, and will benefit from, market development, and more likely to be opposed by poorer vendors, particularly renters who operate in less expensive market spaces.

The fact that vendors may oppose a particular development project, however, does not mean that they are opposed to the concept of market development itself; indeed, interview and survey respondents regularly indicated a desire for market development. Conflicts instead surround

disagreements between vendors about what form(s) development should take and whom it should benefit. What constitutes development for wealthier vendors does not necessarily constitute development for poorer vendors who are excluded due to what are for them prohibitive costs, so what opponents of specific projects usually want is for market redevelopment to be designed and implemented in a way that is more inclusive. In Kampala's markets, "development" is itself an open and contested concept that all parties interpret and seek to influence in accordance with their economic position.

Owino Market

Owino was founded in 1971 when 300 vendors left Nakasero Market due to overcrowding, and now covers approximately eight acres between Nakivubo Place Road and Kafumbe Mukasa Road in an area immediately south of Nakivubo Stadium. Owino itself has since become overcrowded, causing some vendors to leave and establish the adjacent Park Yard Market in the previously unoccupied space that surrounds Nakivubo Stadium. A series of fires at Owino and Park Yard Market in February 2009, July 2011 and April and December 2013 caused considerable damage to the markets' goods and physical infrastructure, significantly harming vendors' livelihoods. The KCCA demolished Park Yard Market in February 2017 after declaring it illegal (Atim and Miyule 2017; Mukisa and Ssenkabirwa 2014); Owino's status as an officially recognized market, however, has saved it from a similar fate and allowed it to continue to thrive. Still, it remains subject to the pressures of urban development in the city.

The recent history of Owino Market illustrates the deleterious effects that economic and political divisions can have on agency in the informal sphere. The remainder of this article recounts this

history as a means of highlighting the considerable constraints that vendors face in their efforts to exercise agency, and in doing so, considers what lessons can be drawn from the experiences of vendors at Owino for the agency of informal workers more generally.

Conflicts over Market Management and Development

Following the end of market privatization and the official adoption of the policy that vendors should be able to manage and develop their own markets, the lease for Owino Market was granted to the St. Balikuddembe Market Stalls and Lock-Up Shops Owners Association (SLOA) in 2010. SLOA wasted little time in beginning to implement its plans for developing the market. Its original plan was to build a six-storey structure on the site of the current market at a cost of 120 million USD (295.71 billion UGX), with its approximately 10,000 members each contributing 405.80 USD (1 million UGX) (Ssempijja 2010). This later grew to a ten-storey shopping centre, with the first three stories reserved for current vendors and the next seven open to new tenants that the updated facilities would attract. Construction was to take place in stages over three years so vendors were not displaced, and was to cost 200 million USD (492.85 billion UGX). The organization's directors claim that its vision is for all current vendors to own a stall in the redeveloped market. In order for this to happen, however, vendors either have to make their 1 million UGX contribution to redevelopment or, after the new market is built, purchase a stall at a price that is not yet determined and will depend on the ultimate cost of construction.

SLOA quickly came to face significant opposition from within Owino Market. Significantly, SLOA—now, for reasons explored below, named St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited (SSLOA)—is a company rather than a market

association, meaning that it has shareholders in whose interests it acts and is not necessarily open and inclusive. The company claims that anyone who owns a shop or stall in the market can become a shareholder for 3.09 USD (10,000 UGX) a share, but based on its own estimates, about 80% of the vendors in Owino market are renters rather than owners, meaning the list of potential shareholders is limited to only about 10,000 vendors. It is unclear, however, if this is true; since SSLOA is a limited company, critics say that it has no more than 155 shareholders,^{iv} and that SLOA misled vendors when collecting money for redevelopment by suggesting that contributions to redevelopment were actually share purchases. Regardless of which of these claims is accurate, SSLOA openly represents owners of vending spaces in the market. The vast majority of about 50,000 vendors in Owino market do not own a vending space. For this reason, they cannot become shareholders in SLOA and thus have no direct influence over its activities. This division and the exclusionary nature of SSLOA raises significant doubts about the company's ability to represent Owino's vendors as well as its right to manage and develop the market on their behalf.

Dissatisfied with exclusionary structure of SLOA (as it was then still known), a group of vendors led by John Bosco Kivumbi formed a rival co-operative known as the St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society (SOPTVC) 'to fight for vendors' rights' and demand inclusive management and development processes (group interview, 8 August 2015). If SLOA represented the collective interests of wealthier owners of market shops and stalls, SOPTVC would champion those of vendors who did not sit at the top of the market's obvious economic hierarchies. In December 2009, SOPTVC obtained a court order blocking SLOA from taking over the lease to the market, and in February 2010, SLOA and SOPTVC arrived at a consent agreement under which the two groups would merge and jointly manage the market. In March

2010, both were violated when SLOA was awarded the lease to Owino Market. The directors of SOPTVC asked to be given control of a two-acre section of the market to develop independently of SLOA, but their request was not granted (Nakaayi 2009). Disagreements between SLOA and SOPTVC continued, and in March 2011, SLOA obtained a loan from DFCU Bank for which the bank requested the title for the market as collateral. SOPTVC again accused SLOA of violating both the December 2009 court order and the February 2010 consent agreement in obtaining the lease, for which the directors of SLOA added the word “Space” to the company’s name, changing it to SSLOA. The bank ultimately accepted a different land title as collateral due to delays in acquiring the lease from the KCC (Nakaayi, 2011).

SOPTVC accuses SSLOA of hiding the true costs of a stall in the redeveloped market, which it estimates will be close to 30,879.05 USD (100 million UGX) for a ten-by-ten foot space. Again, regardless of which of these claims is accurate, even 308.79 USD (1 million UGX) is a significant amount of money for many market vendors, particularly those who do not own shops and stalls – that is, groups that are unable to become shareholders in SSLOA. For them, securing a stall in the redeveloped market a remote prospect. SSLOA’s directors admit that not all vendors will immediately be able to afford space in the newly developed market, but suggest that while ‘they can’t come on board at once’, they will eventually be able to raise enough money for a stall (group interview, 4 August 2015). This, however, seems unrealistic, and many vendors who currently earn their living in positions at the bottom of Owino Market’s economic hierarchies are at risk of being left behind by SSLOA’s ambitious plans. It is not their interests, however, that SSLOA is designed to represent.

SOPTVC opposes SSLOA's development plans, which it views as too costly and contrary to the interests of the majority of vendors in the market. Given SSLOA's conduct (and similar experiences at other markets), SOPTVC's leaders came to believe that the policy of awarding market leases to vendors was implemented improperly and with little accountability, and that as a result it has been hijacked by individuals who seek to manage and develop markets in a way that is self-interested rather than to the benefit of market vendors as a whole. Markets, the leaders of SOPTVC insist, primarily exist for those who cannot afford rent in the city's shopping arcades, so if they are transformed into nearly identical structures that are similarly unaffordable, they will end up losing the very quality that sustains them and allows them to provide crucial livelihood support for a large segment of the city's urban poor. With no affordable market space available, vendors would be forced to find alternative sites to trade their goods or, if none were available, adopt a new form of economic activity or leave the city altogether.

The position of SOPTVC is clear: 'Markets should be owned and governed by the government', and '[i]f there is any redevelopment, it should be done by the government, because vendors can't afford it.' (Group interview, 8 August 2015). Markets, SOPTVC holds, are public assets and should be managed as such in a way that prioritizes all of the vendors who occupy them rather than small groups of owners, and the government is best positioned to undertake such a task. The leaders of SSLOA reject the idea that the government should control markets, and argue that rent is significantly higher in markets that are owned by the KCCA. Godfrey Kayongo Nkajja, the leader of SSLOA, has also accused SOPTVC of 'being used by politicians and other rich people in town who are plotting to grab the market land and build arcades' (Kiyaga 2011). The leaders of SOPTVC, in contrast, point to the experience of Shauri Yako Market, where an attempt by vendors

to develop the market ‘failed’ and the market is now owned by a wealthy ‘tycoon’, and claim that SSLOA has brought in outside investors (mainly ‘foreigners’) for financial backing (group interview, 8 August 2015). Each therefore accuses the other of failing to act in the interests of the market’s vendors. Each, however, has a different segment of vendors in mind given the extent to which they represent different interests within the market’s economic hierarchies. In Owino’s internal conflicts, the interests of wealthier vendors who own shops and stalls appear difficult to reconcile with those of the majority of vendors who do not.

Political Interference

Both SSLOA and SOPTVC sought political support for their respective causes. Kayongo continues to be the chairperson of SSLOA, and since the company officially holds the lease to Owino, can claim to be the *de jure* chairperson of the market itself. He is also the head of Kampala Joint Market Vendors Association (KJMVA), a group that unites many of the market associations in the city. Most significantly, Kayongo was also named the official Presidential Advisor on Markets, making him Museveni’s chief source of information on matters concerning informal markets in Uganda. It is a position that, in January 2014, came with a monthly salary of over 1,104.93 USD (2.79 million UGX) (Kaaya 2014). The leaders of SOPTVC believe that Kayongo used his position to exert improper influence in order to secure the lease to the market, compromising the fairness of the tendering process. They also believe that Kayongo regularly portrays events in the market in line with his own personal interests, making it difficult for the President to get an accurate picture of what is actually happening in Owino; this is not merely a partisan sentiment, but one that is shared by vendors who are not aligned with either SSLOA or SOPTVC. In fact, interview respondents both within and outside of Owino Market frequently expressed the idea that by

appointing him as a Presidential Advisor, Museveni effectively co-opted Kayongo, who no longer represents the interests of market vendors. Kayongo himself has abandoned all pretense of political impartiality and has become an outspoken advocate of the NRM, campaigning for the ruling party during elections as a part of Museveni's efforts to stir up support amongst market vendors.

While SSLOA enjoys the support of the President, SOPTVC, in contrast, sought the backing of the KCCA. The association's position that markets should be owned and managed by the government rather than vendors made the KCCA a natural ally, and the two have been on the same side in conflicts surrounding the management and development of Owino Market. In December 2011, SOPTVC led a boycott against paying market dues to SSLOA, claiming that only the KCCA had the right to collect money from vendors (Kiyaga and Ssenkabirwa 2011). The KCCA, SSLOA and SOPTVC attempted to resolve their disputes in a meeting in January 2012 where, according to the leaders of SOPTVC, the parties reached an agreement to form a new group to manage the market that would be led by a chairperson from the KCCA and three representatives each from SSLOA and SOPTVC. SSLOA, however, reneged on the agreement, claiming that it had sole ownership of the market, causing the KCCA to take over Owino, with the support of SOPTVC, in March 2012 (Kiyaga 2012). The KCCA's control of the market, however, quickly met with major opposition from within the government. In May 2012, the Kampala District Land Board (KDLB) overturned its offer to lease Owino to the KCCA and ordered that the market be returned to its vendors (Mwanje 2012a). Museveni backed the KDLB's decision, with his Press Secretary commenting that 'whoever does not realize that Museveni always sides with the ordinary people, makes a big mistake.' (Mwanje 2012b). Shortly thereafter, the Solicitor General informed the KCCA that vendors had the right to manage Owino (Waiswa 2012b), and the Inspector General

of Government (IGG) repeated the order that the market be returned to SSLOA, claiming that the lease was valid held a valid lease for the market (Waiswa 2012a). In 2014, SSLOA obtained a court order to take over the market lease from the KCCA.

What the chronicle of this dispute shows is that Owino's internal conflicts became a proxy struggle between the President, with his position that markets should be owned by vendors, and the KCCA, with its ambitions to improve revenue collection and oversee urban development. Both SSLOA and SOPTVC were able to seek political support to further their own causes surrounding the ownership and development of the market, and able to provoke major interventions by their political allies for their own ends. Led by Kayongo, SSLOA secured the continuing support of the President, who both ordered the lease to be given to SSLOA after the KCC's attempt to privatize the market and backed the KDLB's decision to overturn the KCCA's lease offer after the local government tried to take over Owino. SOPTVC was similarly successful in encouraging intervention by the KCCA, even if these interventions ultimately failed to overturn SSLOA's management claims and development plans. According to the leaders of SOPTVC, protests against SSLOA had the explicit goal of provoking government intervention. These actions caused the KCCA to pursue mediation in January 2012 and to take over the market in March 2012. After the KCCA's authority over the market was undermined, however, attempts to provoke intervention were less successful.

SSLOA appears to have effectively seen off all major challenges to its leadership. The KCCA lost its struggle with SSLOA over control of the market, which is perhaps not surprising considering that the company enjoys the support of the President, and leaving SSLOA free to begin its long-

awaited development project, the cost and scale of which has steadily increased since it first acquired the lease to Owino Market in 2010. In 2015 SSLOA announced that it had found an investor who would provide 400 million USD (1.38 trillion UGX) toward a new 10-year reconstruction plan that is to be undertaken in two stages: in the first, lasting three years, a market where vendors can relocate to during reconstruction is to be built; and in the second, lasting seven years, Owino is to be rebuilt as a 13-storey structure that will accommodate over 40,000 vendors in 14,000 shops and lock-ups as well as an open space floor. The financier of the project has been granted a 20-year lease. SSLOA has reached an agreement with Ketz International, a Canadian construction company, to carry out the first phase of the project (Mukisa 2015).

Lessons from Owino Market

The conflicts surrounding ownership and development that define the modern history of Owino Market provide crucial insights into the structural impediments that circumscribe the agency of informal vendors. Three are particularly significant.

First, the divisions that exist within markets have fundamental economic roots. These roots can be obvious, particularly when they surround patterns of ownership; in Owino, SSLOA is exclusively controlled by and represents the interests of the (at most) 20% of vendors who own shops and stalls in the market. Ownership patterns can reflect levels of capital accumulation: owners are likely to have higher incomes than renters, and indeed may derive some of their income by renting out their market space(s) to tenants. Notable economic hierarchies also exist around vending locations, with the occupants of lock-up shops above the occupants of stalls and both, in turn, are above the occupants of open spaces, and around employment relationships, with employers and the self-

employed above employees. Because these hierarchies are so intricately tied to wealth, income and power differences within markets, they are also tied to vendors' views on what forms market development should take and what interests it should prioritize. When poorer vendors are excluded from market decision-making processes, their views are not adequately represented.

Compounding these issues is the fact that development also serves as a useful pretext to serve self-interested goals. Ownership and management claims are strengthened and given a degree of apparent legitimacy if they are justified as serving development, allowing individuals and groups to gain control of valuable pieces of land under a useful pretense (interview, civil society representative, 17 August 2015). It is not only private investors who 'hide behind the notion of development' (interview, local opposition politician, 10 August 2015); groups of vendors also make developmental claims to advance their positions within a market and to impose their own visions of market transformation. Conversely, arguments about development can also serve to delegitimize internal dissent; vendors in Owino complain that when they try to alert the government to the market's problems, the leaders of SSLOA deny that these problems exist and convince the government that the group is leading the development of the market.

Second, while conflicts over the ownership and development of Owino also reflect political divisions that define urban governance. Market privatization was the result of continuous efforts by the central government to undermine the opposition-led KCC by starving it of the resources it needed to properly function, and privatization was successfully contested by vendors who were able to take advantage of the divisions that existed between the central government and the KCC to appeal to the President for support. Museveni, seeking to increase his own personal popularity

at the expense of the opposition, acceded to these appeals in order to portray himself as the champion of market vendors in the city (Goodfellow and Titeca 2012). The President's subsequent policy that vendors should have the right to manage and develop their own markets has exacerbated the divisions that exist between vendors, and the President and the KCCA have been able to manipulate these divisions to promote their own interests, which are, for Museveni, minimizing opposition support while improving his personal popularity amongst vendors, and for the KCCA, managing markets to improve revenue collection and fulfilling developmental ambitions. In Owino Market, the President and the KCCA provided support for two groups with competing management and development claims. With the support of the President, SSLOA was able to secure its control of Owino and proceed with a market development plan despite significant opposition. SOPTVC used the support provided by the KCCA to oppose SSLOA's control of the market and plan for market development, but its efforts proved unsuccessful. Divisions between, on the one hand, the central government and the KCCA, and on the other, different groups of vendors, therefore feed into each other: competing vendors' groups seeking support for their management and development claims strengthen the positions of both the President and the KCCA, while competition between the President and the KCCA allows some groups of vendors to further pursue their claims.

Finally, it is important not to confuse agency for some vendors' groups with agency for market vendors more generally. The ability of one group to exercise agency can directly infringe upon the ability of another group to do so as well; the ability of SSLOA to lead market management and development, for example, is directly detrimental to SOPTVC. Also of particular significance is the fact that market vendors are not only divided by competing ownership and management claims,

but also between those who actively support claims and those who do not. Crucially, the majority of vendors interviewed and surveyed for this study were not involved in any market associations, offering many reasons for this lack of involvement: that neither SSLOA nor SOPTVC has done anything to benefit vendors; that market leaders cannot be trusted; and that groups' agendas are difficult to understand. The 'state machinery' that exists in markets in the form of the political ties of vendors' groups, such as those between SSLOA and the President, also acts as a major deterrent because it means that vendors who openly oppose a politically powerful group can face exclusion from access to certain financial opportunities in the market or even from the market itself (interview, civil society representative, 7 March 2015). Similarly, participation in demonstrations carries the obvious threat of police repression. Such risks threaten the already precarious livelihoods of many poor market vendors, making the costs of involvement in market conflicts unappealingly high. Still, the fact that such a large share of vendors fails to support any organizations again raises the question of who has the legitimate authority to represent vendors in issues of management and development. It also suggests that vendors' organizations are not necessarily vehicles for agency, but can reinforce existing hierarchies and advance certain interests that in fact limit the agency of a large share of vendors in a market. This may be a broader failing of organizations in the informal economy (Lindell 2010; Meagher 2010, 105-120). A group such as SSLOA that is run by and consists of a small share of market vendors who own shops and stalls and is imposing a development plan that many vendors find unaffordable can be viewed in such a way. These groups can be oppressive, exclusionary and threaten vendors' livelihoods, significantly limiting rather than promoting agency.

Conclusions

The agency of informal vendors in Owino Market is fundamentally constrained by the economic and political structures in which they must act. The extensive economic hierarchies that exist in markets surrounding vending location and ownership and employment status influence, to a considerable degree, their interests and positions in the conflicts that surround market management and development. These divisions, in turn, are reified and politicized by an external political environment that is dominated by the President and the NRM, allowing a certain segment of vendors to gather support for their own management and development claims, potentially at the expense of the livelihoods of vendors who are lower down in the market's economic hierarchies. For this latter group, avenues for agency are effectively limited. With few opportunities available to participate in urban development, their economic and political marginalization looks set to continue, and may, perhaps be compounded by major development plans that could prove detrimental to their already precarious livelihoods.

If trading in Kampala's markets becomes no longer economically viable, both vendors and their customers will suffer. Market management and development processes must become more inclusive if they are to prioritize the needs of the urban poor. Unfortunately, the deep divisions that characterize Kampala's markets make this type of change highly unlikely. Shifting political dynamics may one day provide opportunities for a large share of market vendors to attract support to secure livelihood improvements, but these will necessarily be contingent and temporary.

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ⁱ Owino Market was officially renamed St. Balikuddembe Market in October 2001 (Namutebi 2001). It is still commonly referred to by its original name, however, so the former is used here.

ⁱⁱ For an overview of democratization and decentralization under the NRM, see: Carbone (2008); Lambright (2011); Rubongoya (2007).

ⁱⁱⁱ The Local Governments Act devolves the administration of markets to city divisions. See Second Schedule, Part Five, Section (B). The 2005 Constitution (Amendment) Act placed Kampala outside of the national local government structure. See 'Constitution of the Republic of Uganda: Amended by the Constitution (Amendment) Act', Chapter Two, Article 5, Section 2.

^{iv} Goodfellow similarly claims SLOA has a maximum of 50 shareholders. See Goodfellow (2012), 169.