University of Southampton

FACULTY OF SOCIAL SCIENCES

School of Social, Economic and Political Sciences

Understanding the Causes of Crime amongst the *Bayaaye* of Kampala (Uganda)

The Role of Context

by

Silvester Kewaza Bukenya

ORCID ID 0000-0001-5961-8655

Thesis for the degree of Doctor of Philosophy

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Abstract

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Theories of crime have focused almost exclusively on research, data and ideas generated by global north sociologists. This has led to a focus on the problem of crime as it manifests itself in America and Europe. The philosopher Richard Rorty refers to this as the "conversation of the West" (Bernstein J, 2008). This conversation and intellectual context have largely shaped both the method and focus of criminology. Problems however arise when research findings are generalised to non-western settings. *Bayaaye* is a general term that refers to a group of young people in Kampala (Uganda); who are referred to as 'common criminals'. To a large extent, Uganda did not experience the contexts that generated western data and theory. The cultural experiences, modes of transition into adulthood, routines and socialisation spaces of young people in Uganda; substantially differ from those of the global north. Using an ethnographic approach, this study explored the causes of criminality amongst the *Bayaaye* within their unique 'Kampala markets' context. By examining the contexts that gave rise to current criminological theories, the study tries to determine their relevance with regard to the *Bayaaye*. A sample of 105 *Bayaaye* was chosen for the study; using a snowball approach. Responses from a final cohort of 65 respondents were considered and analysed. Historical works of criminology were examined as a basis for the analysis and interpretation of results.

Keywords: 1. *Bayaaye 2. Criminological theory 3. Contextual analysis*

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Research Thesis: Declaration of Authorship

Silvester Kewaza Bukenya

Title of thesis: Understanding the causes of crime amongst the *Bayaaye* of Kampala (Uganda): The role of Context

I declare that this thesis and the work presented in it are my own and has been generated by me as the result of my own original research.

I confirm that:

1. This work was done wholly and mainly while in candidature for a research degree at this University.
2. Where any part of this thesis has previously been submitted for a degree or any other qualification at this University or any other institution, this has been clearly stated.
3. Where I have consulted the published work of others, this is always clearly attributed.
4. Where I have quoted from the work of others, the source is always given; with the exception of such quotations, this thesis is entirely my own work.
5. I have acknowledged all main sources of help.
6. Where the thesis is based on work done by myself jointly with others, I have made clear exactly what was done by others and what I have contributed myself;
7. None of this work has been published before submission.

Signature: **Silvester Kewaza Bukenya**..... Date:11th/June/2025

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Definitions and Abbreviations

AIHW …… Australian Institute of Health and Welfare

BIEAC … British Imperial East African Company

EAU…… East African Union

GDP……Gross Domestic Product. It is an indicator of the market value[1] of all the final goods and services produced in a specific time period by a country

KCCA…… Kampala City Council Authority. A body responsible for the management of Kampala City.

KIBUGA……Luganda word for the 'City'. Originally used to refer to the Kabaka's (King of Buganda) official enclosure.

LUGANDA… Official language of the Baganda the largest tribe of Uganda

LEYD…… Labour Employment and Youth Development

NLFS…. National labour Force Survey

ONS ……. … United Kingdom Office for National Statistics

SWAHILLI… The official Language of the Eastern Africa region of which Uganda is part.

UNDESA…… United Nations Department of Economic and Social Affairs

UNDP…… United Nations Development Programme. A body with offices in Kampala, responsible for monitoring the United Nations programmes in Uganda.

UBOS…… Uganda Bureau of Statistics. A body responsible for conducting the National Population and demographic survey every three years. It also audits Government programmes.

UNFPA…… United Nations Population Fund

UPF ……. The Uganda Police Force. This body changed its name from Uganda Police Service (UPS); in 2017; to depict the additional responsibility of fighting against terrorism and aggravated crime.

UPE……. Universal Primary Education. It refers to the free education offered to all primary school going pupils. It is one of the major millennium development goals (MDGs)

Chapter 1 General Introduction

This chapter gives the background to the three-year work of listening to; and understanding the criminality of the *Bayaaye;* which is the focus of this thesis. The first section defines and describes the *Bayaaye;* while the subsequent sections introduce the capital Kampala; as well as, the country Uganda. The social and economic settings of the *Bayaaye* are also discussed in this section. This introductory chapter therefore lays the foundation for the whole thesis and puts it in context.

It is midday and the scorching sun is bearing down upon the shanty Kampala suburb of *Nakasero*. Voices of young men and boys; talking in a mixture of *Luganda, Swahili* and *slang;* echo in the shallow alleyways winding through the dilapidated structures that surround huge high rises. One of the alley ways, opens into an open space; that is marked by a furore of activity: with traders and vendors exchanging all sorts of merchandise; much of which, is littered on the market floor.

As soon as I step out of a narrow corridor into the open market, I am mobbed by a group of young men; enticing me to listen to their stories about all sorts of deals and get-rich-quick schemes. One of them grabs my hand and pulls me away from the group towards his kiosk. In the process, I find I have to jump over other sellers' merchandise to my utter dismay. Others keep running infront of me; displaying samples of what they have in stock. I observe that the same experience happens to numerous other people, who happen to walk through the markets of Kampala. It is an experience that escalates into a crazy and carnivore-like atmosphere the more time one spends in the market environment. I eventually reach *Mukasa*'s Kiosk; selling barbeque meat (*Muchomo)* and roast plantain: one of Uganda's favourite foods. The smoke from his *sigiri* (local stove) rises with the dusty winds of the market and hovers all over the place with its characteristic steak-smell.

A young man of average height; clad in a checked shirt with unkempt hair, with dusty feet tucked into undersized sandals; stays put. A closer look and as he turns over his *muchomo* on the *sigiri;* his story comes afore: "I am Mukasa Fred. My friends here call me 'commando". Why do they call you so? I asked. *"It is because I am the best at outwitting the police. I am 'un-arrestable'; you see, this kiosk here is not supposed to be in this place and I do not pay any taxes; but I do have a 'sense of smell' for the police. I fold it up before they can approach*" he answered. Mukasa went on uninterrupted: "*I dropped out of the village primary school six years ago due to lack of school fees*," says the 22-year-old. "*I had no option then, but to run to the city and get something to support my mother and seven siblings"*. Mukasa is one of the *Bayaaye* this research is about and his story is typical. He started as a street child and ended up becoming a

Muyaaye. He was sent to live with a distant cousin after his parents could no longer afford to look after him. He however found himself unwanted.

Tired of being beaten and starved, he ran away to the streets of Kampala to seek survival. Mukasa was then only 13, frightened and alone. As the conversation gained momentum, he added: *"The hardest part of living in the city is the constant violence and bullying. On occasion one can try to look for decent work, but gangs of 'Bayaaye' come and threaten you; or worse, take your money away. I had no future. The only option I had was to join them."* During the course of gathering information for this work, I regularly came back to Mukasa and his 'gang' several times. Members of the 'gang' kept introducing me to their other friends and to the inner workings of their life. By spending time with them; observing and listening to their stories; I gained a deeper understanding of the reasons why they found themselves in that particular situation. Some of the activities *Bayaaye* engage in include dubious street behaviour, swindling for a living and the occasional misuse of alcohol and drugs. They are characterized by a failure to settle within the three frameworks of marriage, education and work.

Previous sociological research in Uganda focused more on the problem of street children and youth sub-cultures that developed especially during the war periods; than on the constraints imposed by the political and social structures on their existence and transitions. This focus was partly brought about by the fear and intimidation unleashed by the state on researchers that dared to question and challenge social policy. Much current literature on Uganda; therefore, does not differentiate between the reasons that young people give for '*becoming';* as opposed to '*being'* offenders. To correct this anomaly, the thesis looks at the offending behaviour of the *Bayaaye* parallel to their transitions. It also looks at the phases of offending both as indicators of the temporary nature of their offending; and also, as markers of the different phases of the *Bayaaye* lifecycle. This helps to explore the dynamics of integration, interdependence, age and power; in their transition to responsible adulthood. The thesis therefore looks at the *Bayaaye* as being in the process of negotiating the transition to adulthood in an increasingly confusing and complex world.

1.1 Definitions and descriptions

The word '*Mu-yaaye'* (plural: *Ba-yaaye*) etymologically derives from the word '*njaaye*'; which is the Luganda term for Marijuana. The term therefore originally referred exclusively to those young men who had the reputation of smoking marijuana and engaging in criminal activities in Uganda. According to Obbo (1991), the word '*Muyaaye*' originated in the 1880s during the reign of king *(Kabaka)* Muwanga II of Buganda. It was used to refer to young men from the *Kyaggwe* County of southern Uganda; who smoked marijuana *(Njaaye*) and got involved in criminal activities and

anti-social behaviour. Such behaviour included: truancy, rebellion against their teachers, parents and civil leaders; and the search for illegal ways of earning a living. Their particular activities are technically referred to as Bayaaye-*ism (Buyaaye)*.

The English word 'lumpen' which refers to a 'degraded lower class,' gives a near approximate description of the *Bayaaye*. In Kampala however, the term *Muyaaye* has no class connotations: even a young person from a high class background can become a *Muyaaye*. The *Bayaaye* are also neither a political group nor a distinct social class. The *Bayaaye* can also be considered as part of the thousands of unemployed young people who migrate from the rural countryside into Africa's sprawling cities. In Uganda, the *Bayaaye* phenomenon is the unique expression of this demographic migration phenomenon.

The *Bayaaye* survive within the grey economy of the capital; and although characterized by occasional encounters with the law; they are generally out of reach of state control; and exist in spaces beyond the parameters of formal socio-economic activity. In a constant struggle for access to material things and resources; the *Bayaaye* employ a range of survival techniques that constantly drift between illegality and legality. *Bayaaye* mainly make their living from places that bring a lot of people together, especially within the city's market places, and the sprawling taxi and bus stations within Kampala. The *Bayaaye* are easily noticeable: forming street crowds, so different from those visible in major European cities. In London for example, crowds tend to follow a distinct rhythm and direction usually marked by haste. In Kampala, not all follow that rhythm. This group of young people keeps moving from one place to another; sits down in shades and corners of the market places, and stares at both moving traffic and pedestrians. They gather in hoards at the slightest street spectacle: in form of a fight, quarrel, or incident of arrest of a thief; or any other law breaker. No one seems to know or even care *how,* or *where* they live.

The *Bayaaye* are involved in other seemingly legitimate activities including the washing of cars, the touting of items for sale: from fruits to clothes, up to second hand car spare parts. In an effort avoid paying taxes, some traders trust the *Bayaaye* with commodities to sell on the 'black market' at a commission. Given that they do this illegally; they always play 'hide and seek' with the police and the tax authorities. In addition to selling street goods; the *Bayaaye* therefore also act as brokers of property for sale especially, plots of urban land. Where such legal activity is conducted, it is usually used as cover for other illegal ventures. The *Bayaaye* wait for their 'victims' at the corners and entrances to the market buildings; from where they gain a good view of the approaching traffic and pedestrian shoppers. Many *Bayaaye* volunteer to guide customers around the shops, and also "do deals", as they call it: guiding errands and procuring

difficult to find items; for those shoppers who are not conversant with the inner workings of the city. To use the words of Matza. S, (1964), the *Bayaaye* can be described as a group that keeps 'drifting in and out of crime'. They survive at the interface of being law-abiding citizens and criminality. The *Bayaaye* belong neither to the rural villages from where they come; nor to the city to which they migrate.

Existing at the interface of tradition and modernity, they are thereby characterized by rootlessness: uprooted from the villages, and unrooted in the city. The *Bayaaye* somehow endure in the city; living in an existence characterized by uncertainty and fragility. They prefer to live within the proximity of the comforts of the city; which, they nonetheless, cannot afford to access legitimately. As I speak to Mukasa, a group of other young men crowd around me, and on listening to the trend of the conversation; *Muwanga*, one of the *Bayaaye* from Owino market shouts at the top of his voice: *"We somehow eat, somehow sleep and somehow live; what has this got to do with you? If we leave the city; will you look after our families?"* The lack of stability causes the *Bayaaye* to constantly feel in danger and fear; inspire of the apparent callousness with which they interact with the general public. The situation above is also compounded, by the scarcity of opportunities for regular employment.

Towards the last half of the 20th century; the definition of crime broadened to include the potential for crime (Young, 2012). Social control methods have hence started to predominantly focus on young people; anticipating their criminal behaviour, rather than simply reacting against it (Furlong, A., 1990). Brown (1998) also argues that in every society there is an on-going focus on the perceived threat to social instability posed by disorderly young people who are unregulated and undisciplined.

Even though incidents of criminality are concentrated within a specific minority of young people, the politicization of young people's crimes in Uganda; as well as media attention on them, tends to make their criminality seem more pronounced (Ferrell, 2009). A closer look at the penal code of Uganda (2024/1950, cap.120) reveals that crimes like pickpocketing and antisocial behaviour; in which the majority of *Bayaaye* are engaged, are at the bottom line in level of seriousness; compared to typical 'adult' crimes. Offending activities by the *Bayaaye* in Kampala, therefore, tend to be low profile and opportunistic; inspite of the disproportionate attention paid to them by the media and the criminal justice system.

The *Bayaaye* tend to cluster in groups defined by the activities or 'disguised unemployment' they are engaged in. What happens to one; usually becomes the concern of all. As my conversation with Mukasa continues, the curiosity of those around us grows and the noise from the crowd increases. They all seek to ascertain whether their colleague is not in any kind of trouble with the law. Pointing towards me; Mukasa promptly assures them: "*this is my spoilt brother 'from the*

classroom'....no trouble": he tells them off. The *Bayaaye* groups do not therefore seem to be 'criminal gangs'; in the traditional sense of the word; and as can be found in several cities of Europe.

Apart from a few, young women in Uganda do not want to carry the stigma of being called '*Bayaaye*.' *Nalwanga* (24) is a young woman who drives a taxi on the Ntinda - Kampala route.

When asked if she was not worried about mingling with the '*Bayaaye*' within the taxi park; she replies with clarity: *"I have to survive; and I am determined not to become a burden to my family by sitting in the village.''* She goes on to describe her encounter with the *Bayaaye* by adding: *"it is better to drive my own taxi; than hiring these boys who can cheat the owner of a few thousand shilling and run away from the city; thinking that they are very rich, only to crawl back when all the money is gone."* Therefore, due to the cultural and social stigma attached to female delinquency in Uganda, young women and girls in Kampala are rarely referred to as '*Bayaaye*' even as they occasionally get involved in similar activities. This explains why this study focused exclusively on young men. The rate of rural-urban migration in Uganda, is also higher for boys than it is for girls (Maia &Gray,2020). Unlike boys, girls traditionally tend to stay attached to their village homes until they get married; or get jobs in the city after completing their education.

The youth development policy of Uganda (2021) considers young people homogeneous, and disregards the unique and diverse contexts of their transitional progression into adulthood. The policy also disregards other situational factors like education level, family status, and urbanity links. Only the nomadic and disabled youth are given a special category. Due to their circumstances, these are deemed to be in need of special interventions. The policy considers the aspect of gender disparity only marginally; and only in relation to the cultural practices that are prejudicial to women empowerment. The policy is therefore largely silent about the *Bayaaye* as a group with unique social characteristics; within the broader youth category. This thesis has therefore duly addresses this critical omission.

My interest in the *Bayaaye* was a result of my professional engagement with delinquent young people both in prisons and the community; within Uganda and the United Kingdom. It was also a result of a personal encounter with one of my relatives; whose life and family were severely disrupted by his constant drift in and out of crime. Through him, I was able to meet numerous other young people who were vagrant in the city of Kampala. I was particularly interested in understanding the emotional, physical and psychological problems that kept driving them towards delinquency.

1.2 Why *Bayaaye*?

The *Bayaaye* constitute the bulk of the city's petty criminals and thereby comprise one of Kampala's biggest social problems (KCCA report, 2021). They neither have adequate accommodation nor employment and are stereotyped as 'illiterate', 'idlers', 'loiterers', 'unemployed', 'foul mouthed,' 'dishonest'; and as the dregs of society (Nsimbi, 2011). In reference to the '*Bayaaye*'; and in response to complaints from the public about theft and harassment; Kampala city council authority (KCCA) has decided several times to clear the markets and streets of what it refers to as "undesirable elements'' (KCCA report, 2021, p.25).

Wyrod's (2004) work of twelve months threw alternative, but useful insights about the nature of the *Bayaaye*. Unlike this research however, Wyrod's ethnographic and anthropological study was more focused on describing the *Bayaaye* as a 'group'; with special reference to their masculinity, inequality and tribulation.

He points out how one of the main factors that propagated the aids epidemic in Uganda; was the issue of male privilege and how official control methods were focused on encouraging men to 'zero graze'; in order to reduce on the number of sexual partners.

Much of Wyrod's study involved making ethnographic participant observations and interviews of over 100 residents of Kampala. He spent time with the *Bayaaye;* apprenticing at a local carpentry workshop; while volunteering at a local Aids clinic. Wyrod describes *Rafik* as a typical *Muyaaye*: with limited education and coming from a modest background; but nonetheless, dating a woman of higher education and a steadier employment. This kind of relationship became a threat to *Rafik's* masculinity in the eyes of others. Low paying work was therefore continuous source of difficulty for many young men in *Bwaise*.

Wyrod (2004) connected the AIDS epidemic in Kampala to economic insecurity. He alluded that many men like *Rafik* turned to *Buyaaye* and casual sex; as the only way of enacting manhood. The Aids epidemic created conditions where young people like *Julius* and *Rafik* felt their inadequacy and took on other sources of masculinity to respond to this condition. In his analysis, Wyrod makes an illustration of the various ways in which the AIDS epidemic affected the three aspects of work, authority and sexuality amongst men. He analyses how economic, material and biomedical conditions disrupted the manner of men's reliance on masculine ideology. AIDS for him, altered the ways in which masculinity is currently lived in Kampala.

This thesis focused on those *Bayaaye* who congregate in Kampala's three main markets; namely: *Nakasero, Kissekka,* and *Owino (St Balikuddembe)*. *Owino* is also the biggest outdoor market in East-Africa. Since these young people migrate from different parts of Uganda into the

city; it is hoped that the conclusions and recommendations of this thesis will be largely applicable to *Bayaaye* found in other towns of Uganda.

1.3 Why Kampala?

41% of Uganda's urban population lives in Kampala; giving the city a population of 4.4 million dwellers as by the year 2024. The city was founded by Captain Lugard in 1890, as the headquarters of the British Imperial East Africa Company. Central Kampala is surrounded by 11 sprawling slum towns; of which *Kisenyi* is the largest; and has the highest rate of crime currently estimated at 18% of the population (Uganda Annual Crime Report, 2023).

Owino market is found within this particular slum area. The majority of slum dwellers here mainly live in single room houses locally known as *Muzigo* (*room).*

In addition, Kampala is built on a number of hills; originally seven in 1962, but have within the last four decades grown to 48 in number (see Appendix *Fig.1)*. Swamps and valleys intersperse these hills; to give Kampala its own characteristic beauty. Traditionally, the *Baganda* are the indigenous inhabitants of Kampala. Unlike the *Yoruba* and the *Fulani* of West Africa, the traditional *Baganda* did not live in villages; or closely grouped clusters of dwellings. The traditional capital (*Kibuga)* was a homogenous settlement centred at wherever the King of Buganda (*Kabaka)* held court. The earliest records show that since the time of King Muteesa the first in 1856; the *Kibuga (city)* has always remained concentrated in a small area of central Buganda known as *Mengo hill;* which is astride the shores of L Victoria.

Gutkind (1963), a foremost primary historian of Uganda's colonial period; gives an estimate of the population for the city at the turn of the century; as varying from 10,000 to 70,000 inhabitants; and extending over 20 square miles in size: from *Makerere hill* in the north east, to *Kabowa* in the south. This can be compared to its great expansion today; to reveal an over 30% increase in size and population over the last 60 years. For a long time, Kampala was regarded as both a European and Asian town. The British protectorate government run its administration on principles of racial segregation that were just shy of full-scale apartheid. While the British community were chiefly enrolled in administrative jobs; the Indians were entrenched in commerce and trade; while the indigenous Ugandans were strategically relegated to casual labour. The majority of Africans therefore, held a low socio- economic profile within the city. As casual part-time labourers; a large number of the African population commuted between the city and the nearby villages. By the late 1962 however, just before independence; the few Ugandans in top civil service positions; and in commerce and industry; started to reside within Kampala.

The Buganda agreement of 1900 introduced a new system of land tenure in Buganda by which the land on which Kampala stands today became *mailo land*: owned by private land lords while making everyone else a tenant. Some *Baganda* who wished to protect and guard their land from being encroached upon by the expansion of Kampala demanded for a repeal of the land laws. At the same time, some landlords privately wished the city boundaries to be extended to include their land; so as to give them an opportunity to lease land at a profitable rate to the state. The King of Buganda had the majority ownership of this land. The outstanding characteristic of the city *(Kibuga)* was originally the lack of a proper development policy; and a lack of essential civic services. This was because; being in the hands of private landlords, neither the central government nor the Kampala city authority (KCCA) had any control over its development.

This has over the years; led to some areas particularly those occupied by the wealthy, to develop into attractive suburbs e.g. *Lungujja, Namirembe* and *Busega;* while areas like *Kisenyi, Mulago, Kagugube,* and *Nakulabye;* where the majority of casual workers lived; developed into slums. By the year 2025, however, recent developments within various parts of the city; have led to the emergence of newer and modern housing estates; with apartments and flats for middle income earners.

Despite the advances made however; the city is still not well equipped to deal with a rapidly expanding population. The proliferation of slum dwellings has in turn had an effect on the number of marginalized and socially excluded young people. It can however be argued, that the numerous slam dwellings in Kampala; are an effect rather than a cause of exclusion, disenfranchisement, and marginalisation. The population of the city is now four times that of Uganda's second largest town: Jinja.This population increase is one of the challenges facing Kampala: making it an urban centre with the greatest number of social problems in Uganda. Many of the young people growing up in the slums eventually become *Bayaaye*. Kampala currently also; has the highest concentration of big markets, social amenities, educational institutions; and a growing number of industries. In addition, the city has several large hospitals and recreational facilities. All these amenities are attractive to young people migrating from the villages.

The historical works of Southall and Gutkind (1957); Rigby (1971); Gutkind (1963), Parkin (1969), Solzbacher (1969), the UN Report (2023 and recent Kampala city council authority (KCCA) reports; all offer descriptive accounts of the historical city; including an analytical discussion of the various problems and conflicts encountered during its phases of expansion. For the purposes of this study, Kampala refers to all the areas included under the territorial boundaries of the city as duly constituted by 2020.

1.4 Aims and Scope of the study

This study is a descriptive, analytic and ethnographic study of the *Bayaaye*. It examines how external environmental and social background factors are jointly or individually associated with their criminality. The study is also intended to seek and develop a meaningful explanation of criminal behaviour in the context of the market situations in which the *Bayaaye* find themselves. The findings of this study indicate the lines of research that might be pursued in order to increase knowledge; as to the basic problems of juvenile crime and criminality facing Uganda today.

At the start of the study, the Initial questions that came into my mind were:

i) What factors contribute to the *Bayaaye's* state of life?

ii) To what extent do the *Bayaaye* feel part of their society and community?

iii) To what extent does the attitude of older people towards *Bayaaye* make them feel excluded and discriminated against?

iv) To what extent do the *Bayaaye* want to take responsibility for their situation?

When I embarked on this study however, I specifically decided to focus on the criminality of the *Bayaaye;* and try to find out whether current criminological theory can fully explain their situation especially within their specific Ugandan-African context. I wanted to rely on the perspectives of the *Bayaaye* themselves to examine, supplement; and extend existing literature with regard to what inhibits or influences offending behaviour amongst them.

Given below were the main research questions:

1. What are the *Bayaaye's* views and experiences about offending in all its different phases i.e. onset, maintenance and desistance?

2. How can the reasons *Bayaaye* give for involvement in criminal activity contribute to the development of social policy for young people in Kampala?

3. What specific issues arise from their lifestyle; that can contribute to the growth of a specifically African criminology?

The main objective of this study was to gather information with three main perspectives:

a) To *listen* to the Bayaaye's own stories and interpretation of their own situation; and relate it to the possible factors underlying their delinquency.

b) To obtain primary and secondary empirical information on their social backgrounds and context of their lifestyle.

c) To find out, if any rules operate among the *Bayaaye* themselves; in relation to their way of life; and see how these rules link to criminological theory as interpreted within the context of an African post-colonial society.

The Thesis therefore contains the views and voices of 65 *Bayaaye*. It explores their understanding of; and justification for their offending behaviour.

The thesis sets these views within the context of current criminological theories and how these theories can be used within this specific Ugandan context. The thesis gradually moves from being exploratory to being interpretive.

Since 2019, the Uganda police force (UPF) has recorded a series of serious crimes including murder and armed robbery; that are committed by groups of young people that operate in groups akin to criminal gangs. *Kifeesi* is one nickname given to a section of these criminals. These have been reported to reside and operate mainly in the Kampala suburbs of *Kamwokya*, *Kisenyi, Kibuye, Nakulabye, Najjanankumbi* and *Bwaise*. Some members of these hard-core criminal gangs have self- reported as having links to certain sections of the Uganda security agencies; forging an interplay of political and personal crime. In several instances, security agencies officially ask leaders of criminal gangs to act as informants on matters of crime. One particular gang leader that has been used by the internal security organisation (ISO); belonged to a notorious gang known locally as *Kifeesi*. Some of the older *Bayaaye* do subscribe to these gangs; that committee petty crimes with violence. Such crimes include the snatching of mobile phones from unsuspecting pedestrians and the following up of people at banks and ATM machines. Sometimes they douse their victims with chloroform; before taking their property or beat them up to unconsciousness and escaping into the large city crowds.

Several of these gangs engage in other activities like Boxing, consumption of illegal drugs and gym-related activities. There have been reported incidents of serious fraud schemes carried out by these gangs; the most notorious of which is the '*black dollar'* and the '*forged land title'* scams. Some of the *Bayaaye;* who fail to desist from criminality; do eventually "graduate" into these serious crime gangs. The criminality exhibited by these gangs cannot be adequately explored here; alongside that of the *Bayaaye*. It will require another study altogether to explore this type of criminality in depth.

Socio-political context of the study

The Bayaaye that participates in this study grew up within the socio-political climate of the last three decades. This climate was characterized by civil wars and political strife in Uganda. All the 65 respondents in this study come from back-grounds that are likely to impact on their opportunity for stable employment, social identify and the acquisition of legitimate income. The overall assumption underlying the thesis is that; an effective and contextualized criminology of the *Bayaaye* in Kampala could emerge; only when the effects of structure on their lives are considered alongside those of their subjective agency; and within their situated context of the markets.

The 1970s of Idi Amin's reign as President of Uganda; were a turning point for many young people; who became increasingly disenfranchised by the harsh downturn of the Ugandan economy. At the departure of the Asian community from Uganda in August of 1972; many, who had got used to being mentored by the Asian businessmen; and who had got used to getting odd jobs from the Asian traders; were left with fewer and meagre prospects.

The political and social destabilization of the 1960s; and the civil wars of 1973-1979 (various insurgencies & the Tanzania war against Idi Amin); 1981-1986 (the Luweero civil war); and 2002-2010 (Kony & Lakwena wars), forced many to migrate to Kampala in search of opportunities. At the dawn of the 2020s, the 2021 UNDP 'Poverty status report' published on 9th February 2023, showed that over 3.7 million children were living in absolute poverty in Kampala alone: representing 57 per cent of the total children population in Uganda.

According to Apollo Nsibambi (2005): a political scientist and former prime minister of Uganda; the prevalence of wars, followed by an increase in class polarization and social inequalities; eventually led to an increase in absolute poverty and insecurity in the city. His analysis seems to fit well; with what the *Bayaaye* in this study say about their situation. Since the end of the civil wars in 1986, Uganda's economy has nonetheless had an average yearly growth of more than 6% (World bank report, 2022). The country also, presently registers a GDP growth rate of 4.65% per year (World bank report, 2022): making it one of the most rapidly developing countries in East Africa. However, symptoms of this growth are only visible in major towns and cities. As a result, young people from rural communities have been flocking to Kampala in search of a better life. The relative demographic and regional level of participation in this growth; therefore, needs further investigation and analysis.

1.4.1 Uganda: A country profile

Uganda is a landlocked country with Kampala as its capital. This city is located on the northern shores of Lake Victoria; the largest fresh water lake in Africa. The country shares borders with Kenya (933km) to the east; the Democratic Republic of Congo (765km) to the west; South Sudan (435km) to the north; and Tanzania (396km) and Rwanda (169km) to the south (See Appendix *G)*. Uganda's total population now stands at 46.3 million: with the proportion of males and females being relatively the same: at 23.3 million each. About 57% of this population is between 0 and 18 years, while 78% is under 30 years: making it a country with one of the youngest populations in Africa (World Bank report, 2022). The figure shown below tries to give a picture of Uganda's current demographic situation at a glance. This demographic information lays the background; to the exposition to follow in the literature review and analysis sections of the thesis.

Corroborating the above, the findings of the World bank report entitled: '*The State of Uganda's Population'* released in 2021 by the Uganda population secretariat revealed that; Uganda had one of the youngest populations in the world at the time; with over 78 per cent of these below the age of 30 years. The report also showed that; similar to most developing countries; young people in Uganda face multiple challenges ranging from: unemployment, low life expectancy; especially due to the HIV/Aids epidemic; poverty, delinquency, and political violence. Even in the presence of compulsory universal primary education (UPE); the slow pace of national social transformation has made it harder for young people to access viable business and employment opportunities.

The 2021 NLFS report from the Uganda Bureau of statistics showed that around 100,000 young people in Uganda were being released annually from tertiary institutions into the job market; only to compete for about 12,000 available jobs. This state of affairs has led to over 70 per cent of them being outside the job market (UNBS report, 2023). Given the challenges precipitated by the covid pandemic, this percentage must have increased by today: 2025. Since young people constitute the highest and fastest growing proportion of Uganda's population, there is therefore a need to understand the dynamics and complexities that characterize their existence. This thesis contributes to that effort.

A key study entitled: '*Lost opportunity: gaps in youth policy'' (2020);* by major organizations working in Kampala and surrounding areas; led by Action-Aid, showed that; unemployed young people were likely to become a source of great instability: "unless the Uganda government planned for them early enough" (AAIU, 23).

The study was carried out amongst 1100 youth; sampling 100 respondents from the selected 11 districts. The districts included amongst others: *Masindi, Katakwi, Pader, Zombo, Nakasongola, Buvuma, Kampala, Kotido* and *Wakiso*. 1.6% of the respondents in the above study; were found not to be in any form of employment and the majority self-reported as town dwellers. The report also pointed out how youth unemployment in Uganda was the highest in Africa.

The same study above further found out that 12% of all young people in Uganda; aged between 12-30; were experiencing absolute poverty (i.e. lacking food, shelter and clothing); with higher poverty rates among those 12-17 years old; as compared to the 18-30 year olds. These factors were demonstrated to have reduced their ability to form stable families which in turn negatively impacted the pace of national development.

Another 2021 comprehensive report entitled: *"Out of School Children in Uganda",* drafted by the Uganda ministry of education indicated that about 79 per cent of pupils who do enrol for UPE (Universal Primary Education programme); drop out of school due to lack of school fees; despite the fact that it is a programme subsidised by the government. Other reports e.g. Fungo.R, 2023; have highlighted the lack of adequate feeding as responsible for this high rate of truancy amongst UPE candidates. Coincidentally, a *Uwezo East Africa report* (2021); put the country below its East African neighbours in numeracy and literacy ratings for young people. The report revealed that Uganda had the highest number of children in primary school; who lacked basic reading and counting skills. The same report added that only 33 per cent of primary school children in Uganda do complete their primary education; while 8 per cent of children: of school-going age (between 6 to 15 years); do never attend any school.

One of the officers of Kampala city council authority (KCCA); who participated in this study; mentioned a lack of human and financial resources to invest in education; as the major factor significantly contributing to the poor learning outcomes for young people. He went on to add that programs to deal with the *Bayaaye* phenomenon; are more focused on laying crime prevention strategies; than on listening to the solutions proposed by the *Bayaaye* themselves. Yet, it is apparently not possible to develop effective programs for the *Bayaaye* without understanding the reasons behind their delinquency and propensity for criminality. There are currently no effective social work interventions carried out for the *Bayaaye* by the city authorities. Any meaningful analysis of their situation is further complicated by the lack of sufficient data on their activities; and political interference in some cases. The effect of their activities on the city therefore remains only partly unravelled. Youth Programmes run by the ministry of Labour, Gender and Social Development; do also fall short of demonstrating any long-term effectiveness.

As a consequence of insufficient documentation and rudimentary interventions; the impact of poverty, exclusion and deprivation on young people in Uganda remains inadequately understood by both the policy makers and development partners. Even though there is disparity in the way poverty at the household level impacts the various members; previous national analyses of poverty and exclusion indicate that young people are often either 'invisible' to analysts; or simply mentioned as 'dependants', 'burdens' or 'outliers'; when some attention is given to variables pertinent to their lifestyle. Young people are for example usually considered 'deprived'; when their parents are poor; and 'well off"; when their parents are 'well -to-do'. This lack of national attention on young people's independent and exclusive *agency*; largely reflects the difficulty associated with youth as a transitional category: overlapping with childhood and adulthood. This notion will be discussed further in later sections.

1.5 Lay-out of thesis

This sub-section, describes the contents of every chapter and section of the thesis. It also explains the logical progression of the thesis: from beginning to end. Chapter I describes the physical environment and history of Kampala. Some of the problems arising from the city's development are also discussed; with special reference to the market areas. Chapter II introduces the theoretical context of the thesis: bringing out themes and issues that emerge from the study; in relation to criminological theory. Chapter III is a literature review of some of those sociological and historical works; that give both back and foregrounds to the development of criminological theory in the global north; while giving a context to the criminality of the *Bayaaye*. Chapter IV describes the methods used in the gathering of pertinent information and data. The probable weaknesses arising from using these methods of study are discussed; together with a narration of the steps taken to minimize their bias. Chapter V is a discussion of the methodology used in the study; followed by an analysis of the results. Chapter VII is the general discussion; followed by a general conclusion in Chapter VIII.

Chapter 2 Theoretical context and emergent themes

This chapter introduces the main themes that emerge from the study and are relevant to the thesis. These themes will be again discussed in depth within the literature review and analysis sections; within light of current criminological theory. The chapter starts with a brief narration of some of the main works carried out in the past about young people in Uganda; and then progresses to introduce the major theoretical issues that coalesce; with particular reference the *Bayaaye*.

2.1 Previous research

The majority of relevant studies about youth crime have largely focused on young people from within the global north, e.g. Young, 2008; Webber, 2007; Furlong, 2012; M, Mistrett, 2021; and, Muncie and Goldson; 2015. Because of the scarcity of published studies on youth criminality in Uganda; the pertinent studies that have foregrounded this particular research were therefore largely undertaken in Europe and North America.

However, the situations in which these studies evolved; have no exact equivalent to the Ugandan context. Nevertheless, there are certain basic contextual similarities; that form a useful basis for critical analysis and comparison. It is these similarities that make conclusions from these studies applicable; to a significant extent, to the *Bayaaye* in Uganda.

At the start of the last five decades, sociological research on Uganda e.g. Clifford and Mackay (1954, 1971); focused more on the 'problem' of *street children* and *youth sub-cultures* that developed in the turbulent post-independence period of 1962-1972; and how these affected the country's economy; than on the constraints imposed by the political and social structures of the time on youth existence and transitions. Instead of stressing how young people related, or failed to relate to mainstream norms; these works tended to put emphasis on the subcultural idiosyncrasies of the youth. This approach was partly precipitated by the intimidation unleashed by the state; on social researchers, who dared to question and challenge social policy.

Those studies about young people that were not politicized; focused more on problems accruing from structural constraints; than on their potential (e.g. Kibuuka,1971; Kayiira,1976, and various *Action Aid* publications). They therefore tended to treat young people like passive victims of an unfair socio-political; and economic structure. This thesis endeavors for the first time to look at the *Bayaaye* as active negotiators and participants in their own social world; and as rational actors engaging with the adverse structural terrain.

Starting with the early work of Cliff MacKay, of 1954; there is some general historical literature about how young people in Uganda start, maintain and eventually desist from offending. This includes Mushanga's (1987) work on the *Naggulu remand home* for juveniles; and Kibuuka's (1968) work on unemployed youth in the town of Jinja.

M.R. Farrant's 1970 study about young city boys in Kampala; was groundbreaking. Situations and contexts have however changed so much over the last 50 years; to make the conclusions of this study relevant to this thesis. Farrant's study focused on young people in Kampala; in light of them being *vendors* and *errand boys* for the Asian and British expatriate community in the city. In the process of carrying out these duties, they did engage in acts of dishonesty. Another work by Stan Frankland of 2007; is a brief anthropological study. He looks at delinquent young people in Kampala; as drug dealers; who survive by selling drugs to the expatriate community.

Frankland focused mainly on *marijuana* and heroin; and explored how the user-dealer relationship was being transformed over time. Frankland however, did not explore the causes and context of this particular young people's criminality. Nonetheless, his anthropological study laid a background to understanding; how the activity of selling drugs provided a unifying identity for the young boys that participated in his study; and how they obtained 'moral' strength from one another through this activity. Though Frankland's study did not explore other delinquent activities apart from the selling of drugs, it adequately highlighted the tendency of the boys to form clusters defined by a common activity. Kibuuka's work of 1971; mainly focused on young people in Uganda's prisons. He made a quantitative analysis of the number and frequency of particular crimes committed by young people in Kampala. He based his analysis on the police and court records of the time. Unlike the above works; this current study seeks the views of the *Bayaaye* themselves and bases itself on these to make conclusions about the relevancy and explanatory strength of current criminological theory.

In his work *Kulyenyingi* (1974); the author Nsimbi, links the origins of the *Bayaaye* as a social phenomenon, and the word *Muyaaye;* to the effects of the Idi Amin era of the 1970s on the social and political landscape of Uganda. Evidence however suggests that this term and group behaviour go back to the days of King Mwanga of Buganda (1885-1889). *Bayaaye* certainly gained prominence in the 1970s as a group of youth that came to the city Kampala: fresh from the countryside. They mainly worked as hustlers within Idi Amin's *magendo (*black-market) economy. Nsimbi portrays the *Bayaaye* to be more of a national moral pathology; than a collection of individuals with criminal tendencies. However, Nsimbi also mentions how these urban youths celebrate their urban resourcefulness.

The *Bayaaye* of the Idi Amin era have partly evolved into the *'Ghetto youth':* a group that is bent on not only rough living in slums; but also on the production of artworks like reggae music. These *ghetto youths* have of recent become a significant political block in Uganda.

The purpose of this thesis is also not to explore the activities of the "Ghetto youth", but to unravel the criminality of the "Bayaaye" in the original manifestations of the term.

A few other relevant and major studies in west, south and central Africa do exist. These primarily focus on African respondents. Such studies include historical studies by Clifford,1961; Kibuuka, 1972; Mushanga,1975; and Aldershot, 1997. The majority of these studies are however mainly in form of personal views and anthropological anecdotes. They were also carried out in the immediate post-colonial period. On the other hand, the criminological institute in Cairo has a number of valuable investigations carried out. Unfortunately, much of the literature here is in Arabic and inaccessible to non-Arabic readers. It was therefore not possible to include these in this study. Several other studies carried out on young people in Uganda e.g. Agostino, 2007; Kibuuka, 2011; and Igbinovia, 1985; have focused on them as offenders than as victims.

Respondents in these studies were therefore largely drawn from prison and other incarcerated samples. This approach ignores the fact that young people can also be victims of structural injustices. This thesis gave the *Bayaaye* the opportunity to participate as both offenders and victims of social structures. This work does not embrace; or cover all the types of juvenile offending as explored in the various works of criminological literature. This work is an attempt to throw light on the *Bayaaye*: a special category of young people in Kampala.

2.2 The concept of 'young person' in Uganda

The term 'young person' is used extensively in research, policy and legal contexts; to refer more to the '*public behavior of young people'*; than to their *essential nature* (e.g. ONS, 2021; UBOS, 2022; UNDP, 2022). This probably explains why there is no universal consensus about both the *descriptive* and *essential* meaning of the term. Whilst in the United Kingdom for example; the term refers to people between the ages of 15 and 25 (ONS, 2021; Jones, 1995; Muncie, 2007); to those between the ages of 12 and 24 in Australia (AIHW, 2021; Cunneen and & White, 2002); in Uganda and much of Africa, the term is used differently: it brings to the fore the notion of 'delayed adulthood' (Hayford & Furstenberg.,2008). While the United nations specifies the age range of 15-24 (UNDESA); and the commonwealth youth program considers 'youth' as between the age range of 15 and 25; in Africa, the definition of 'youth' is governed by the different laws and policies of the different nation states.

These policies are intended to address the unique challenges and constraints that young people face in each particular region.

Some of the policies therefore seem to contradict each other. In Uganda for example, both boys and girls can only get married at 18 years of age (Miranda.G., et.al,2022). While in Uganda the official ages of 'youth' are 15-24; the Kenyan youth development policy (KYDP, 2019) mentions 18-34 as the official ages of youth. In Tanzania it is 15-35 years (LEYD, 2007); with a minimum voting age of 18 years. The emergency of the East African Union (EAU) as a unified political and social block; is focused on ironing out these gerontological discrepancies; and come up with a common youth policy that covers the whole region. It therefore follows that discourses around gender and age in Uganda; carry both pragmatic and political dimensions which must be considered when referring to a particular group of young people like the *Bayaaye*. It also shows how age can be relative (Suchi, 2019). Some African traditions hardly recognise 'youth' in terms of biosocial age. In several of the African countries the transition from childhood to adulthood happens with the onset of puberty (Ginsberg et al., 2014). The African Youth Charter (2022) however defines a young person as one between the ages of 15 and 35. Section 2 of the national youth council Act (2012) of Uganda; defines a young person as one between the ages of 18 and 30. This thesis will focus on this functional definition.

In order to match all international aggregate definitions; a recent World Bank report (2024) therefore stretches the notion of 'young person' to cover the age range of 12-35 years. Underlying these essential definitions of a 'young person' are the fundamental socio-legal parameters of marital consent, child labour, criminal responsibility and voting rights; whose benchmarks also vary between societies.

Societal expectations and responsibilities in Uganda; also determine who, when and how the status of childhood or adulthood can be achieved and lived. One factor therefore, that poses a serious policy obstacle; is the fact that Ugandan women in several communities do not have a significant *youth identity*; even as falling within a well-defined biological age bracket. This affects the gender disparity amongst the *Bayaaye*. With marriage, women and girls are traditionally perceived to have moved from childhood to adulthood; when they assume child bearing responsibilities and start managing households. Girls therefore make a transition from one social role to another without necessarily transiting from one biological age bracket to another. When unmarried, the traditional community views women as 'children' who can neither address elders nor participate in democratic processes. After marriage, young Ugandan women customarily *belong* to their husbands. They are then no longer youth; but adults; however, inspite of the assumed instrumental 'adulthood'; they can hardly freely participate in elective politics or take on office roles; as they remain under the control of their husbands. Many

young Ugandan women require the 'permission' of their husbands to participate in elective politics and business. It therefore follows that due to the responsibility of managing their households; married women are customarily considered adults; even as they are still considered to be 'young'; in terms of biological age and policy. The above makes it difficult to draw up policy that is uniform for all the *Bayaaye* given the complexity that emerges when biological age, gender roles and customary practices intersect. The concept of 'youth' in Uganda can be criticized for segregating and problematizing young people. This problematisation and segregation is usually more social and intentionally political than sociological. The concept tends to exclude the wider political and social environment of which young people are a part. In this respect; Dungey (2019) argues that the term 'youth' has led society to view young people as a group in *deficit*; and in need of constant control and training. It is therefore a term whose use as a social category has become limited and stigmatizing; turning young people into 'folk devils' (Cohen,1972; Hall, 1979). The *Bayaaye* can considered to be a specific face of this trend.

In their analysis of the evolution of youth sub-cultures in Europe; Muncie& Goldson (2006) and Franklin, et.al, (2011); assert that the turning point in the shift in public attitudes towards young people was precipitated by the murder of *James Bulger* of *Merseyside* in 1993 (*The independent*, 12th Feb.1993).

The murderers of this two-year-old were two ten year olds. These writers affirm that the above incident fundamentally changed the perspective of the community about childhood. A parallelism exists with the shift in attitude towards childhood and youth in Uganda; largely brought about by the military culture of using children as 'child-soldiers' especially during the wars of the 1980s. The media for example reported how the war-lord: Joseph Kony (of the Lord's Resistance Army) in northern Uganda; and Yoweri Museveni of the NRA (National Resistance Army); used teenagers between 1981-1986; to commit atrocities; and encouraged them to get involved in criminal activities 'that shocked the nation' *(Uganda Review*, 2020). The above incidents undermined the idea that children are 'contented and cute' (Franklin, 2002); and of childhood as a time of innocence or the 'best years of one's life' (James& Prout,1997). Incidents like the murder of *Bulger* and the activities of child soldiers in Uganda, have therefore done violence to the adult notions of childhood as 'innocence;' which have always filled literature since the renaissance period (Brown, 2005).

Within the last few decades, the legal status of young people in Uganda has significantly changed. In the early 1990s; young people were considered to be victims of traditional adult domestic cruelty and 'discipline' (Nsibambi, 2010). They were then a generation in need of protection. The decade of 2010-2020 however saw the emergence in Uganda; of young people

viewed as unruly 'villains' and from whom the community has to be protected (Cohen, 2011). By the middle of the 2020s; this perspective has evolved into seeing them as 'political insurgents' to be incarcerated by the criminal justice system. Matza (1964); argued that there was a strong correlation between *powerlessness* and *drift*; and consequently delinquency. He asserted that when delinquent young people are 'pushed around'; they develop a mood of fatalism; which in turn renders them irresponsible.

In Uganda, such powerlessness is manifested in the way the police use their 'stop and search' powers with impunity; under the 1950 crime and disorder Act laws of *'idol and disorderly' section 168 -1, c* (repealed on 03/12/.2022 by the Kampala constitutional court); and the public order management Act, 2013. They sweep the *Bayaaye*; off the streets of Kampala; without giving them a chance to explain themselves. The Act gives the police powers to disperse groups of young people from the streets of the city and 'deport' them back to the rural areas; if they have no proof of meaningful employment. Such state action has however undermined the rights of the young to freedom of expression and movement within their country. It has also intensified their social exclusion and marginalization. 'Youth' as a stage of growth; therefore, becomes in this particular Ugandan context; a time of maximum powerlessness in comparison to any other stages.

Rose (2021) examines the masculinities performed by young Zimbabwean men; in a political space characterised by post-colonial restrictions; and highly complex globalised contexts. The work manifests an interplay between the 'modern' and the 'traditional'. In such contexts, the majority of young people are both economically and politically marginalised.

She argues that, young people in Africa use a variety of strategies to respond to the monopolisation and domination of politics by the older generation. These strategies include subverting gerontocratic Zimbabwean masculinities; as well as drawing on the global manifestation of such masculinities. *Bayaaye* in Uganda also do navigate such strategies. This not only involves navigating the restricted political terrain, but also participation in criminal activities. Some of these activities are related to political activism. It also involves the use of social media technologies and the new communication capabilities to foster engagement and civic activism. These strategies are also informed by global trends through which the *Bayaaye* engage in non-traditional political participation dominated by the virtual space.

2.2.1 Transitions as rites of Passage

In his anthropological work, Genpep (1960) was the first to note the essential universality of the rites of passage; which are critical landmarks in human life present in all cultures: essentially

the same and differing only in detail. He highlighted three factors common to the rites of passage:

i) *Separation:* this signifies the detachment of the individual from a set of earlier cultural norms or an earlier particular point within the social structure.

ii) *Margin:* This is an intervening "*liminal*" period where by the ritual subject's characteristics are ambiguous and have no specific allegiance to the past or future state.

ii) *Aggregation:* This happens when the ritual subject attains a stable state once again; and his obligations and rights in comparison to those of others are reinstated. This stage consummates the passage.

Since the 1980s, the term 'youth transitions' has been much used to explain the fragmented and extended period that young people go through before achieving full adult status (e.g. Coles,1995; and Chisholm, 1993). These processes are distinctly celebrated as 'rites or stages of passage' (Althaus,1997). Much research however, tends to categorize the various phases of youth transitions in terms of chronological age i.e., 'Childhood (0-14); Youth (15-24) and Adulthood (25+). This categorization is for example used by Laird (2021); Muncie (2007); McGuire (2004); and Jones (1996). It is typical of global north criminological typology. Coles (1995); relying on global north statistics, also mentioned the main *transitional pathways* as emphasized by the sociologists of the last 20 years as:

i) *School to work* i.e. Transition from full time training or education to a full time job

ii) *Domestic* i.e. Transition from biological family to family of destination.

iii) *Housing*; i.e. a Transition from parental to personal residence.

These `transitional stages are therefore often signaled by events such as; leaving school, departure from parental home, getting married, having children and getting a job. In the absence of alternative frameworks of categorization, these phases can also be used; heuristically, as markers of distinction. The term `*transition to adulthood'* therefore brings to the fore; the notion that; young people make one transition 'from childhood'; following a singular trajectory; and that adulthood is a clearly defined status: a destination at which one 'arrives'. The difficulty in using these transitional stages is that their meaning is not necessarily consistent across all youth cohorts. The stages are also not always significant markers of change; and are most often transitory, reversible; and therefore impermanent. A one-dimensional approach to youth transitions; therefore, fails to consider their dispositions and immediate contextual circumstances.

The traditional youth -adult demarcation may therefore not be relevant to young people in Uganda: not only due to recent changes in factors contributing to social mobility; but also due to the significant difference between global north and global south societies; with regard to the perception of what is meant by the notions of adulthood, dependence and self-sustenance; and the processes leading to their achievement. In several global north societies, marriage and child bearing are for example no longer interconnected. Likewise, homemaking no longer necessarily implies marriage; and education no longer necessarily leads to work (Bertolini et.al, 2021). This is, nonetheless to a lesser extent; also true for young people in Uganda.

The negative stigma attached to pre-marital sexual relationships and child bearing; is still prevalent in many Ugandan cultures (UNFPA, report,2020). The relationship between education, training and prospects for employment; is also much weaker. A recent media report; based on a survey carried out by the *MasterCard foundation* for example indicated; that only 12.86% of Uganda's graduates do get into formal employment (*The Daily monitor*:7th May, 2025). This can be compared to the overall average East African unemployment rate of 4,74% across all employable categories; within the same period (www,stata.com/Africa).

Unlike young people in global north contexts, young people in Uganda do traditionally embrace a lengthy *liminal status;* within which they are neither child; nor adult (Juarez, et al,2013). In this stage, society excludes them from adult responsibilities; while at the same time offering them no children's rights (Nsibambi, 2020). Transition to adulthood in Uganda; as elsewhere in much of Africa, also involves functional cultural processes that extend over considerable periods of time. The details of these traditional processes can be explored through anthropological studies that are beyond the objectives of this thesis.

Global north researchers generally consider the period of 'youth' to be a time of distancing oneself from school and family; and of thereby forging new identities and attitudes (Muncie, 2007; Lakes, 2007; Lauri, 2021). In Uganda however, independence from one's family is a gradual process (Mulumba, 2021). In her general analysis of a 'risk society'; Marie (2021), also describes also harder it has become; in post-modern societies; to describe and explain the nature of young people's behaviour in terms of fixed; *spatial* and *temporal* categories. These are categories symptomatic of postmodernism and its corollary: globalization. With the advent of post-modernity and globalization therefore; youth transitions in Uganda; have become more fragmented and deregulated. The boundary that traditional society placed between childhood and adulthood; has become more contentious and less pronounced. The traditional global north fixed categories of 'youth' and 'adult'; therefore, fail to capture the complex nature of young people's behaviour and existence in Uganda. Farmer and Hyman (2021) also argue; that the linear and one dimensional view of young people especially regarding the different phases of

their lifecycle; does not give due attention to the social roles, context, relationships and location; that integrate them within the wider society.

Woodman and Wynn (2011) point out the current tension between 'transitions' and 'cultural' perspectives in youth studies; which impacts on our understanding of the experiences of young people The two perspectives have therefore led to the stratification of 'youth studies' into two strands. The 'cultural' approach focuses on the small scale and ethnographic study of young people; while emphasizing local expression based on their agency; within short time frameworks. The 'transitions' perspective however; tends to favor large scale analyses of the lives of young people within a structural and sometimes longitudinal framework.

Cultural representations can change with time; while the structural conditions of economics, inequality and social exclusion remain static. The life phases can in this context be imagined in various fragmented ways while the underlying structural constraints remain constant. This thesis looks at the *Bayaaye* more from a 'cultural' perspective.

2.3 Youth transitions in a Ugandan context

Bertolini (2021); puts emphasis on the three main transitional stages of growth which can be identified in the lives of young people; as already mentioned in earlier sections; i.e.,

a) The school to work transition (end of education and entry into the labour market)

b) The Housing transition (departure from parental home) and

c) The domestic transition (setting up one's own home).

This model presupposes a linear trajectory between the stages; yet as already discussed the stages are in reality intertwined and interdependent.

To get a home one requires to earn; and good earnings usually come with good education. Many times the young person needs to first work in order to earn and support an education.

Singerman (2007) and Honwana (2012); argue that in several societies, the transition to adulthood can be delayed due to adverse socio- economic conditions. Young people undergoing delayed adulthood might therefore experience being suspended in the state of what they refer to as '*waithood*'. A 12-year-old child soldier; a child labourer; and an AIDS orphan do all assume adult roles. The converse is true for a 45-year-old man who is still unmarried and unemployed (Honwana, 2013). According to Durham (2004); the process of imagining and remaking 'youth'; is often dynamic and contested. Power, agency, and the moral configuration of society lie at its centre. She refers to this combination as the "grounds and forces of sociality"

(P.234). The traditional processes of initiation do reproduce culturally constructed age distinctions; that assign to young people the various cultural and social identities. Young people today; in much of Africa, become adults by going through western style education; gaining election rights and becoming taxpayers; which can now be considered the contemporary rites of passage (Aguillar, 1998b).

Traditionalists can dispute these new modes of maturation as a basis for becoming of age; and deem them contradictory to African values. In line with Davies (1991); it can be argued that the term '*youth agency'* no longer refers to the ability of young people to act independently, but also denotes the idea of *'self-authoring*'. It is a process whereby they constantly produce their novel selves; in addition to self-reimagination.

Therefore, young people in Uganda can remain active contributors; and creators of cultural and linguistic content; while at the same time remaining agents of globalisation. Discursive constructions of youth in Uganda have assumed a variety of changing meanings over time. These changes have been dependent on variations in the socio-political landscape. While in the pre- independence period and its immediate aftermath young people were for example referred to as a *'promising generation';* they have been labelled as a '*lost generation*' 'in the post-independence era. Since the 1970s; with the rise of Idi Amin and subsequent dictators; young people have been seen as political saboteurs at the forefront of revolutionary tendencies; fighting for a transition to democratic governance.

The process of criminalising the political participation of the youth in Uganda; is one that currently needs to be addressed. The current symbiotic relationship between the *criminalisation of politics* (especially through officialised corruption and graft); and the *politicisation of crime* (especially characterised by the incarceration of young political actors); needs further research and analysis. Plans for the transition to adulthood as exhibited in Ugandan traditional society; followed age-old cultural practices; rituals, taboos and mores; that were largely orally transmitted from one generation to another; through tribes, clans, and families.

In modern Uganda however, supportive structures to guide young people in the transition to adulthood are almost non-existent. Ugandan traditional patterns; that up to now used to govern the transitions and relationships between family and work (labour); and the social relations that used to ensure smooth processes of socialisation; are all largely collapsing (Nsibambi, 2013).

Jones (1996) mentions the transition from *dependence* to *independence* as one of the factors characterising the lifecycle. This is however rarely mentioned in criminological literature on youth transitions; it however has strong relevancy in understanding the *Bayaaye*. It has already been mentioned in earlier sections for example; how it traditionally takes longer for young

people in Uganda to become independent from their parents. Within late modernity, young people's transitions are also expected to be neither predictable nor linear (MacDonald, 2011).

Transition to adulthood in postmodernity; has become more cyclical, prolonged and fragmented (Shildrick, 2007). Young people are increasingly becoming more proactive in negotiating; and making sense of and defining their own transitions. In this respect, Barry (2001) argues that inspite of the role of social structures in determining the manner of transitions; personal agency and responsibility have come to guide the transitional experiences of young people today.

2.3.1 'Age versus crime' graph considerations

Following from the above, research emanating from the global north indicates that the proportion of young people in a population; is an important factor in understanding the nature; and level of crime in a particular society (Marvel,1990 and Krahn et al.,1986). This follows from the predictions of the *age-crime curve*, whereby young people (12-18); are presumed to commit more crimes than the rest of the age groups within a given population. Blumstein et al. (1988); Farmington, (1986) and Steffensmeier et.al.(1989); suggested that there is a strong and invariant relationship between the level of crime and age. The '*level of offending*' curve thereby starts in the early teens, reaching a peak in the mid- to late-teens; and then declines rapidly over time. Interpreting the crime graph for specifically European men; Farrell, (2002) also contended; that offending rapidly rises from the early teens; peaks at the years of 17-19; and then shows a decline in the late 20's. Several other gender specific empirical studies by global north criminologists; also show a pattern revealing how convictions peak at 18 for Males; and 14-15 for females (e.g. Flood-Page et al. 2000; Jamieson et al., 1999, Graham & Bowling, 1995 and Mendel,2023). Wilson&Herrnstein (1985) also argue that the size of the population of young people correlates positively with the level of crime in society.

The assumptions above may however be challenged; if we consider that young people in Uganda and Africa in general; tend to face more arrests; and do have their crimes recorded by law enforcement agencies more often; than those of adults (Uganda Crime report, 2022; Muncie & Barry, 2006). The curve is thus a manifestation of how official offending data is disproportionately focused on the adolescent age range. In addition to the above, the process of criminalisation; which is driven and defined by an *adult -value –system*; tends to label youth actions as deviant by default. In his work on age and crime, Farrington et al. (2009) argue that the age- crime curve predicts the time of offset and onset of youth offending; but only within the context of how it is interpreted.

The curve normally relies on the number of *juvenile offences* committed in a given youth population, rather than the total number of *juvenile offenders*. In this way, the curve ignores the fact that there is a normally high rate of recidivism prevalent amongst this age group. For Farrington et al. therefore, the age-crime curve ends up; in effect, predicting *recidivism* rather than *criminality*. The curve is also based on recorded crime statistics; rather than the total amount of crime within the community. It therefore generally ignores *the dark figure of juvenile crime*.

Uganda's total population currently stands at 42.35million (as by 2022); of which 77% are below the age of 30. This population is increasingly becoming younger; with the proportion of children (under 18 years) having exponentially increased from 51% in 1969; to 56% in 2002; and up to 64% by the year 2019.

The proportion of elderly persons (65 years and above) on the other hand; decreased from 6% in 1969 to about 5% in 2020 (Uganda Census, 2022). A survey of police records in Kampala show that between the years 2010 and 2021; the number of convictions per 1000 of population had its peak at the age of 26 years for men; and 22 years for women (KCCA, 2021, Uganda Crime report, 2022). The self-reported peak age of offending for the *Bayaaye* in this study is 23 years. These figures for Uganda reveal a discrepancy with the 'official' Eurocentric age-crime graph predictions. Kampala police records for the year 2022; also show that the number of young people recorded for offences has been relatively stable for the last five years. Such a trend should be understood within the context of the fact that the number of 18-30 year olds within the urban population was 38,000 in 2022 compared to 25,000 in 2017; an increase of 13% in five years (Uganda Crime Report, 2022).

The age crime curve as envisaged in a global north analytical framework does not therefore fully conform to Ugandan settings. The proper link between youth transitions in a Ugandan perspective and the age crime curve predictions hence needs further exploration. The *Bayaaye* tend to become independent from their parents at a later age in life; than their counterparts in Europe. This is partly due to the kinship and clan system that governs property ownership. A young person does not get a piece of land until the death of his parents. At the death of the parents, property in Uganda is customarily shared out between the children (*Uganda succession Act; Chapter 268*).

As long as the parents are still alive, the whole family remains dependent on the parent as provider of both land and status. This is in line with Durkheim's prediction; that traditional

societies governed by mechanical solidarity, do have greater control over an individual than societies governed by organic solidarity (Poggi, 2000). Wilson's (1986) assertion that the level of crime in society positively correlates with the size of young people's population therefore has to be evaluated within the light of available evidence.

2.3.2 Cultural, Transitional; or a Generational approach?

Wynn &White (1997) and Nokukhanya (2021); argue that researchers on youth delinquency should view young people as any other age groups in society; with the same conventional goals. If *Bayaaye* are to be looked at from this perspective; it can be argued that the resistance they show towards the ideals of main stream society constitutes more of a struggle for inclusion than a rebellion. This view would also imply; that the *Bayaaye* do not form any distinct subculture different from that of the 'markets'; but are part of the same market 'culture'; though at the 'wrong' end of that cultural continuum. This lays the background to the discussion about which approach can best help to understand the *Bayaaye* and their lifestyle.

A purely '*cultural*' approach to the study of the *Bayaaye;* would recognise that the 'sub-cultural' context of the Kampala markets is important in exploring and understanding the causes of their criminality. This would in turn lead to the proposal of measures that are culturally appropriate. On the other hand, a *'transitions'* approach would focus on the specific structural-cultural conditions that constrain or enhance their transition to adulthood. In order to avoid being trapped in the middle ground; between a 'transitions' approach and a 'cultural' approach; this thesis draws on insights from Bourdieu's (1992) concepts of *habitus* and *multiple iterative identities*. Under this conceptual framework; identity is always made and remade through processes of change and repetition; while the subject positions his agency within a specific historical –structural context.

Given that the *Bayaaye* are situated within the specific structural context of Uganda's socio economic conditions, the market places act as spaces within which they live out their multiple identities. Current authors describe how the advent of late modernity has brought about the individualisation of young people's experiences; and how they now encounter contexts that are more mixed and varied (Furlong et.al., 2011). Given that 86.70% of Uganda's population is still traditionally rural (World Bank report, 2021) the context within which the *Bayaaye* live out their lives cannot be described as distinctly *pre, post or late* modern. In line with Cote, s (2000) and Riele's (2004) analysis; there has been a multiplication of the number of possible pathways of transition to adulthood.

In Uganda these new pathways; marked by contingency and rapid change; now run parallel to, and challenge the traditional 'rites of passage' (Kibuuka, 2001). The introduction of new forms of

western education, economic survival and social recognition; underlie this emergence (Nsibambi, 2011).

Inspite of the above, while the boundaries of '*childhood', 'youth'* and *'adulthood'* have become more indistinct and transitory in many of the global north countries (Furlong, 2013; Muncie, 2001), they are still more distinct in much of Africa (Agozino, 2005). This implies that the notion of 'transitional phases to adulthood' is still meaningful as a conceptual tool with regard to understanding the *Bayaaye*; even as its utility has diminished elsewhere. On the other hand, Furlong (2011) proposes the use of '*social generation'* as a defining term to replace the '*transitions'* (MacDonald, 2011) and '*cultural*' (Ferrell,1995) approaches to research on young people. The use of this concept would according to Furlong (2011); help to understand young people within the context of both their specific material and subjective conditions; and thus integrate both the 'cultural' and 'transitional' approaches (Wynn and Woodman, 2006).

Specific socio-historical circumstances and conditions as already mentioned in the introductory chapter; do have particular relevance to understanding young people like the *Bayaaye*. These have created circumstances under which the *Bayaaye* have come to acquire a distinctive 'consciousness'; and a set of shared experiences, feelings, thoughts and modes of behaviour (Pilcher; 1994). Even as distinctive transitional and cultural approaches can be successfully applied to their study, it is still possible to use a *generational approach* to understand their concerns; by identifying a distinctive generational consciousness that applies to their situation. Terms like '*generation X'* (Heather, 2013) or '*baby boomer'* (Formann-Brunell, 2009) or *Millennials* (Gossett &Winter, 2016; Milkman, 2017); have for example been used in popular literature to identify the uniqueness of particular groups of young people. With this approach, it would be possible to see the *Bayaaye* as a particular generation with a unique subjectivity situated within a particular socio-political and historical context.

Such a generational approach would take account of the role of both cultural and structural forces in their lives. *Omulembe Omutebi* (The Mutebi generation) is a generational term used currently in Uganda to refer to young people born during the reign of Ronald Muwenda Mutebi: King of Buganda since 1993. The *Bayaaye* of today can therefore be referred to as the *Batebi*.

The *Mutebi generation* can be described as one that has had the experiences of the peak of the Aids epidemic in Uganda; between the years 1994-1999. The majority of them have therefore grown up as AIDS orphans. It is also a generation that has had the experience of only one national leader in the form of Mr Yoweri Museveni who has been president since 1986 up to now.

They are a generation that was educated under the free universal primary education; which was introduced in Uganda in January of 1997. UPE (universal primary education) is a policy that saw

a radical diminution in the standards of primary school education in Uganda. They are a generation that has witnessed the most radical political upheavals in Uganda; that ushered in a new constitution in 1995; to replace the old constitutions of 1980,1967 and 1962 respectively. It is a generation that has seen the greatest crack down on youth political activity; especially, between the period: 2020 - 2025. Many young people are still in prisons on account of political activism. Others have become informants of the state. It is a generation that has seen the enactment of the draconian anti-homosexuality Act (2023). On the technological front; it is a generation that has witnessed severe terrorist events not only internationally (e.g. the September, 2011 terrorist event in New York); but also locally especially the July, 2010 bombings in Kampala; that killed over 74 people. On the technological front; it is a generation that has witnessed the emergency of the internet (1996) and a plethora of its products; especially the mobile phone; which has become a household asset in Uganda; inspite of the extreme poverty in large parts of the country.

Durham (2000 &2004) puts emphasis on the relational characteristic of the term 'youth' when applied in an African context. Given that age organises young people's progress into generational relationships; as well as into responsibilities and various social rights; she suggests that the term should be used as a '*social shifter*', i.e., having no absolute significance; but deictically taking on its meaning depending on the one using it to describe a particular group of people. Using the *deictic* and *shifter* model; is useful in recognising the nature of discourse concerning complex youth identities. It helps to recognise youth identity as pragmatic, relational, and part of a contested historical and shifting social *habitus*. The term 'youth' in this context, positions a young person within a variety of social attributes which include not only age; but also knowledge, responsibility, dependence and independence, authority; as well as rights. The different *fields* of engagement constantly reconstruct the term and reposition the young person into different modalities.

This thesis therefore ponders the question whether the *Bayaaye* can be described; and studied, as a '*social generation'* (Furlong, 2011); a post-modern '*cultural manifestation'* (Ferrell, 1999); or as a '*transitional phase'* to adulthood (Macdonald, 2012). The generational approach accepts that there can be; what Manheim (1952) referred to as 'intergeneration class units'. This is whereby young people fall within those generational patterns that fit their situation, status and context. This approach also carries with it variants of *labelling;* whereby the notion of *Bayaaye* would reveal the negative attitude of the people of Kampala towards this group of young people; as already mentioned in the introductory chapter. The social *generational* approach can therefore expose local variants; and help to understand how the nuances of class, race, time and place; impact on the appreciation of structural and contextual factors in the lives of the *Bayaaye*.

It can therefore be used as a useful framework of analysis; if integrated with the pertinent aspects of the *cultural* and *transitional* approaches.

2.4 The concept of 'Adulthood' in Uganda

In order to appreciate the meaning of the term 'youth' in Uganda; it is important to also briefly describe what adulthood; its corollary, entails. This will help to locate the *Bayaaye* within a distinct parameter. Although there exist discrepancies regarding the age at which *adulthood* is attained, as discussed above; it is generally accepted to be a stage at which individuals are expected to be supportive of themselves and of others; generally, through employment. Drawing on young people's views, Thomson & Holland (2002) identified two models of adulthood: i) *A relational model*: that stresses care for others and responsibility, and; ii) *The individualized model*: that stresses autonomy and the feeling of maturity. They argue that people experience one or both of these models; during the process of maturation. Some undergo these experiences at an earlier biological age than others.

Desistance literature puts much emphasis on structural factors like relationships and employment; as preconditions for stopping offending. Relevant research however demonstrates; that these factors are also important in giving a meaningful understanding of the transition to adulthood (e.g. Stephen & Squires, 2003; Maruna, 2004 and Evans, 2002). The key factors which participants in this research identified with adulthood; rhyme with those mentioned in literature: having a home of one's own, parenthood, and stable employment. The importance accorded to these factors depended on the respondent's age and social class. The majority of the *Bayaaye* in Uganda neither have stable employment; nor stable relationships; nor a home or family of their own. Inspite of this, they are identified as 'adult' by virtue of their calendar age.

In Uganda and much of Africa, adulthood comes as a social contract that is defined by historical, cultural and personal contexts.

It is a stage that is attained more as a result of a personal endeavor rather than a result of public policy (Agozino, 2009). Gilligan (2012) suggests that the phases of 'childhood', 'youth' and 'adulthood' should be renamed: '*dependence', 'independence',* and *'interdependence'*. He argues that it is currently misleading to identify adulthood more with the 'separateness' of individuals; than with their 'connectedness' to others. The *Bayaaye* are a mixture of young people who are explicitly independent; and those who fall between the category of being *independent adults* and *dependent youth*; irrespective of their age. This raises the question whether the *Bayaaye* can truly be called 'young' following Gilligan's typology.

2.5 The liminality of the *Bayaaye*

Turner (1991) defined *social structure* as an arrangement of 'statuses' that involves the institutionalization of relationships and groups. He therefore argued that a *liminal phase* is characterized by principles and individuals; that are not only on the margins of the social structure; but who also 'occupy its lowest rungs and do fall through its interstices'. Cloward and Ohlin (1961); and later Goldson & Muncie (2009), considered the stage of adolescence; to be one in which the youth are marginalized as they transit into adulthood. The same assertion is made by MacDonald et, al, (2019) in their analysis of youth transitions.

The concept of *liminality* would consider that the *Bayaaye* are a category of 'young people in transition'. Current criminological theory has however not yet fully addressed offending as part of the process of change and transition to adulthood. Nonetheless, there are some researchers like Muncie (2011); who look at young people's offending as a series of interconnected actions in space and time; directed at a desired outcome. With regard to the '*Bayaaye'* who took part in this study, the transition to adulthood involves a degree of both integration and interaction with not only the rural traditional aspects of Uganda; but also the urban environment of Kampala: to which they have migrated. In line with Muncie (2007) and Goldson's (2004) analysis of youth transitions; offending for the *Bayaaye;* can therefore be viewed as a transitory period of experimentation in the search for social, personal, and economic goals.

Combining the analysis of the '*Bayaaye* transitions' with a critical and contextual analysis of criminological theory; can help to gain a deeper understanding of their experiences. Although one would expect a uniform and logical progression from one stage of growth to another; there are apparent disjunctions between theories that explain the onset of offending; and those that explain the process of desistance. Available evidence seems to suggest differences in the way these stages are lived out in different cultures (MacDonald,2011; Shildrick et.al, 2013). In Uganda today, supportive structures to guide young people in their transition to adulthood; that tradition and culture used to provide; are getting eroded by the onset of modernism and globalization.

These structures determined and clearly defined the process of this transition. According to Barry (2002), without supportive structures; young people are left suspended between the two phases of '*protected children'* and '*autonomous adults'*. Jones (1996) and later Hokanson & Golden (2020); mention the transition from dependence to independence as one of the factors that characterize the lifecycle. These factors are however rarely mentioned in criminological literature on youth transitions. They are nonetheless much relevant in Uganda where it traditionally takes longer for young people, especially girls; to get independent from their

parents. Within late modernity, young people's transitions are expected to be neither linear; nor predictable. Transitions in postmodernity are more *cyclical*, *prolonged* and *fragmented*.

The '*dependence* to *independence'* framework therefore empowers young people to give individualized narratives that rhyme with the postmodern perspective. It is such narratives that can help to interrogate the global north linearized approach to transition. Young people are also increasingly becoming more proactive in negotiating, making sense of; and defining their own transitions. In this respect, Barry (2001) argues that inspite of the role of social structures in determining the manner of transitions; personal agency and responsibility do guide the transitional experiences of young people today.

For many young people in Uganda, traditional patterns that up to now used to govern the transitions and relationships between *school*, *family* and *work*; and the social relations that used to ensure smooth processes of socialization are collapsing. Life course trajectories have also become less predictable and more varied. The period of dependence on parents; the globalization and restructuring of the economic forces; and the decrease in opportunities to become independent adults; have all interacted to affect young people's family relationships, friendships, educational opportunities, choices and opportunities; leisure activities; lifestyles, and participation in the labor market. Wynn and white (1997) and Nellis (2023); therefore, argue that researchers on youth delinquency should view young people as any other people in society; with the same conventional goals like other age groups. While Larner (2017) adds that the resistance shown by young people to the ideals of main stream society; constitutes more of a struggle for inclusion than a rebellion.

Given that the majority of the *Bayaaye* start offending after their years of adolescence; they neither fit the profile of *'adolescent limited'* offenders nor that of *'life course persistent'* offenders; as theorized by Moffat (1985). As will discussed later in the analysis section of this study; several *Bayaaye* do stop offending after a relatively short period of time. Their offending cannot therefore be described as a long life process; that progresses into distinct criminal careers. In Uganda, critical moments in youth transitions may happen at the age of 16, 18, 25, 30 or even later. Many of the young people however; never transit into a stable and responsible adult lifestyle; and thereby end up as *Bayaaye*.

Others remain in the care of their parents; sharing the parental home until these parents pass away; while they, in turn; inherit these homesteads. The discrepant ages of *onset* and *offset* of offending in Uganda call for a contextualization of criminological theory; especially as developed within global north perspectives. This includes for example Moffat's theory (1985) of 'adolescent limited offending' and other theories; that base their conclusions on the age-crime curve. Relying on existing literature and basing on testimonies from the *Bayaaye*; this thesis

attempts to address the phenomenon of youth transitions from a Ugandan perspective. It sets out to discover how the *Bayaaye* manoeuver through this transition period; within their market contexts.

2.6 Understanding the Uganda youth policy

In this section, the thesis interrogates Uganda's current youth policy and demonstrates how it mediates the realities of modernity and tradition in planning for youth development in an increasingly globalizing world. The Policy has a direct re-relation to what can be done to address the challenges faced by the *Bayaaye*. The policy also demonstrates that the Ugandan government and civil society are to a certain extent; much aware of the aspirations, needs and demands of the *Bayaaye* in a rapidly changing world. This interrogation helps the thesis to explore the stand of the Uganda Government on issues that affect the *Bayaaye*; as a basis to draw more accurate analyses and conclusions.

The policy report mentions several other critical areas that include; the environment, economic empowerment, youth participation, HIV and AIDS, the arts, culture, gender, reproductive health; and family life. The report presents engagement in agricultural productivity as the main potential solution to many of the problems faced by the young people. Other sectors which the report urges the youth to get involved in include; tourism and mining. The policy report presents Ugandan culture as one of those facing 'dilution' from the forces of globalization. The term 'culture' is hereby used to refer to the national values that are composed by the collective of the diverse Ugandan cultures.

Uganda currently has a total of 56 main cultural traditions that are referred to as 'tribes' in sociological terms (Nsibambi, 2018). These tribes are mainly organized into three main ethnic groups: 1. The BANTU in the central & south, 2. The NILOTICS of the north and 3. The SUDANIC peoples of the north east, and the north west of the country. The *Bantu* are the largest inhabitants of the capital Kampala, and the majority of the *Bayaaye* belong to this group. The policy acknowledges the globalizing influence on indigenous culture as particularly damaging and destabilizing to the lives of the young people in Uganda (p.24).

This Uganda National Youth Policy was adopted in 2001. It has guided engagement with the youth for the last 22 years. The policy mentions youth unemployment as a policy area of priority. The framework facilitates the meaningful involvement of young people in development activities

and therefore responds to the various problems and needs that they face. The report mentions five key priority areas: *healthcare, education, sports, creative arts, jobs* and participation in *decision-making processes*. It defines youth as "all young persons, female and male, between the ages of 12 and 30 years" (p.15). Uganda currently has more than three quarters (78 per cent) of its population below the age of 35; and proportionally has one of the youngest youth population in the world. This youth population is projected to double in the next 25 years.

The report emphasizes that foreign cultures, the media and modern technology; have all combined to adversely affect the once established specifically Ugandan cultural practices that gave stability and meaning to the young (p.20). The outcome has been that over the years; young people in Uganda have lost their identity. The policy report does not however, provide any information in detail; about which cultural practices have specifically been affected and in which way these globalizing influences have been harmful. By deploring the change of 'once established practices' as damaging; the report seems to suggest that 'established practices' are a fixed national legacy which should be 'deposited' with the next generation in their 'pure' form; and that these practices should be protected from any outside influence even as they can be changed internally.

A third possibility suggested; is to accept change brought about by practices that come from foreign cultures; in as long as they can affect traditional society positively. The question would however remain as to who decides what is acceptable; or harmful; in determining the content of a modern and postmodern Ugandan culture. Local cultural practices like female genital mutilation (FGM) (as practiced by the *Sabiny, Pokot, Kadam, Tepeth, Sebei* and *Samya* tribes of northern and eastern Uganda; even as the Ugandan *Prohibition of genital mutilation Act, 2010* made it illegal) and early marriages; are some of those that harm the health of the young. These are traditions with a content of criminality; that have nonetheless pre-existed modernity and the process of globalization. They are however embraced by the *Bayaaye*. The extent to which these traditions will resist transformation; is beyond the limits of this thesis.

The national youth report also mentions that cultural identity is "inherited, fixed and defines a person as part of a cultural community" (p.19). It is a view that perceives culture as imposed on individuals who cannot however reciprocally shape it even as it shapes their identity. The report nonetheless suggests that this identity can be lost. The report blames the process of globalization for 'imposing new cultural norms that conflict with national values' (p.26). This implies that new values and norms are not willingly accepted by the young people. The report does not mention whether the education given to the youth benefits them in terms of solving their problems. The role that educational institutions play in the lives of the young is also not well articulated. The report however puts a cursory emphasis on the role of educational

instruction in providing citizenship education and a sense of responsibility to the youth; and the general development of character (p.28). This prepares them to embrace obligations towards the country; towards constitutionalism; and to respect established cultural values. The policy report mentions the importance of the youth in participating in all social, political, cultural and economic aspects of the country; and in getting involved in leadership positions. The extent to which this preparation translates into concrete life situations; remains to be evidenced by more research.

The traditional perceptions of gender and age are rapidly evolving in Uganda. This is one of the main reasons why the policy report has had to be constantly updated over the past twenty years; to respond to this change. There is however tension between advocacy for cultural transformation on the one hand; and revisiting the 'glorious old days' on the other. The report advocates for a mechanism to prepare young people to fulfil their roles in society and suggests that this can be done through the strengthening of traditional community and family structures. These structures provide traditional education and prepare the young for community life. The report also advocates for regulating the media; to calm down its effects on the youth (P.19). The extent to which the power of the media can destroy traditional values needs also more exploration.

New globalizing tendencies have over the years undermined the role of elders in running communities; by affirming the independence and self-determination of the young. As a consequence, young people are increasingly being seen by adults; as *rebellious* and in need of guidance; even during the exercise of their *agency*. There is a tendency for adults in Uganda to for example; consider that young people are 'adopting values' that are contrary to what are considered to be 'national values and principles'. It is worth asking why youth would choose to follow a 'wrong' path; and why such a path should be considered 'wrong '. The report admits that societal attitudes are responsible for the perceived lower status of the young; resulting in limited youth participation in the political and economic spheres. The report therefore acknowledges the role of the cultural perception of age; in regulating societal relations in Ugandan society today.

2.7 Postmodernism and the Cultural approach

Much research about youth transitions; which developed in the 1980s and early1990s (e.g. Archer,1995; Bourdieu, P. 1990; Giddens, A. 1984); emphasized the overriding role of *structural constraints* at the expense of *individual characteristics* and *personal agency*; in the causation of youth delinquency and criminality. Such research focused more on the structure-agency debate; and tended to be overly deterministic. However, Miles (2000) argues that 'the tendency

to adopt a structural perspective on youth transitions has been counterproductive, primarily because of its failure to prioritize the actual views, experiences, interests and perspectives of young people as they see them; in favor of discussions and analyses; most commonly of trends in employment and education patterns.'

Postmodernism suggests that because of the diverse range of possibilities available to young people today; it is not helpful to explain youth transitions using linear structural models (Young, 2022). Due to the rapid changes taking place within cultures; and the contingency of paradigms, it is no longer necessary to relate 'youth' to a particular 'youth culture' or to any category of static characteristic of age; gender, class, or race.

Within this perspective, the role of agency in young people's transitions would seem more pronounced than that of structure. According to Nsibambi (2011); there is evidence to suggest that in Uganda, much offending by young people is obscured by state and policy makers; in order to undermine the role of structural inequalities in society and the failure of the welfare state. A look at the recent Uganda National Crime Report (2021) reveals a wide discrepancy between *reported* and *unreported* crime amongst young people; with unreported crime showing a higher prevalence. This partly demonstrates a deliberate effort by the state to minimize the general level of youth crime. In such situations, the state tends to favour research that tries to explain the process of adolescent development by divorcing it from the role of structural factors (Chauke, 2021).

The fragmentation of traditional, cultural and social stability has also led several African researchers to start shifting the attention away from the role of structural factors in the causation of youth delinquency; towards the role of the new freedoms; whereby young people construct their own biographies (Holland et al.,1999).

Adverse structural factors in Uganda however, are increasingly setting the parameters within which young people have to exercise their agency; in the transition to adulthood (Badeja et.al ,2011). Youth models that emphasize the role of deterministic social structures; see young people as making transitions in a unidirectional way; towards a *magical moment* that confers adulthood (Bates & Riseborough, 1993). This approach ignores the fact that constant reversals and back tracking happen at any stage of growth. It also fails to recognize that with the advent of postmodernity, youth transitions have become agency-led, uncertain and more cyclical.

The concept of '*individuation'* and its collorary; *'individualization'*, put the individual at the center; and factors such as social networks; gender, and class; become peripheral. Given that post modernity with its risks and ambiguities, has eroded the certainties associated with traditional society; in Uganda and much of Africa, this process of 'individualization' is gradually

replacing African traditional social cohesion (Agozino,2009). The above implies that in the face of structural constraints, young people now have to personalize their life aspirations and resolve their own problems (Cote, 2002). A continuity with the deterministic explanation of youth; that emphasizes the role of *structure* at the expense of *agency* therefore remains important (Cohen & Ainsley, 2000; Mago.S,2011). In this respect; Furlong & Carmel (1997) argue that over-emphasizing individualization at the expense of structural change would be a mistake. Such an emphasis would ignore the inevitable impact of social structures on individual responsibility and self-determination. Both individualization and dependency on structure have to go hand in hand. Social structures do support; and give meaning to the processes of individuation and individualization.

If the 'individualization' of young people has brought about a situation whereby the role of agency in youth transitions is more pronounced as Beck (2020) suggests, then it would be reasonable to expect that the *Bayaaye* would vary greatly in the timing of their transitions: depending on each one's aspirations and capacity. Given that the age-crime graph, suggests a certain overall continuity and regularity in the timing of young people's transitions; the *object* and *destination* of one's transition; is then what remains questionable. If the *Bayaaye* are a young people in transition, the unique nature and direction of this transition; as compared to their counterparts in the Global north; then becomes more distinct. Wyn&White (1997) and Mago (2018); argue that the reliance on individualization by developmental theories of crime; legitimizes the marginalization of young people. It institutionalizes age; and socially constructs and controls it within fixed historical and cultural contexts.

In this respect, this thesis regards the transition to adulthood for the *Bayaaye;* to be more of a personal challenge than a result of public policy and social structures. This study therefore highlights the shortcomings of previous research on Ugandan youth; that did not *listen* to their views; but put emphasis on an analysis of the role of structural factors. This research gives primacy to the *Bayaaye's* narratives; and it is these that form the basis for the subsequent analysis and literature review.

MacDonald (2021) asserts that research on transitions has to explore what he refers to as '*alternative careers'*. These careers may include what he refers to as 'fiddly work'; or criminal careers. In the analysis section, the thesis will explore what alternative careers the *Bayaaye* can embrace in their transition from criminality. In addition, research on youth transitions has tended to ignore the cultural identities of young people; as they embrace the process of change. Miles (2000), argues that current concepts used in literature on transition cannot therefore adequately explain the biographies of young people like the *Bayaaye*. These biographies tend to

be too individualistic and diverse; and reveal the fact that more than being a chronological phase, youth is above all a *lifestyle*.

Available studies indicate that adolescents who share multiple contexts of disadvantage and advantage; are more alike with regard to offending (Vazsonyi & Pickering, 2000; Kim & Kim, 2008; Steyn et al., 2010; Webber, 2009). The finding by Walker et al. (2007) that the homogeneity of adolescents with regard to offending increases with the number of ecological settings they share; is therefore key to contextual comparative research amongst young people. The next chapter examines and challenges some basic assumptions of criminological theories largely generated within global north contexts and relates these to the delinquent behaviour of the *Bayaaye* within a Ugandan context.

Chapter 3 Literature review

This chapter is divided into three main sections. The first section focuses on a discussion of those criminological theories that seek to explain individual criminal motivations and behaviour. The second section focuses on what is known about street youth and their offending; in relation to the *Bayaaye*. The third section explores the concept of desistance still in relation to the same subjects.

An attempt is made in this *first section* to make a review of those historical studies that have been carried out; and can contribute to an understanding of the uniqueness of the context that generates the deviance of the *Bayaaye*. An exploration of the nature of their motivation to offend; is also attempted here. This review has been limited to those previous investigations that are relevant to the aims and objectives of this particular study. Emphasis is put on historical and primary studies; including those of Merton, Shaw & MacKay and Durkheim.

Davis (2016) argues that abstracting and theorising are not neutral processes: "theory is a selective rendering of the world, as it categorises reality in selective ways" (p.34). According to Young J. (2012), theoretical models and perspectives compete; each having its own intellectual history; and each flourishing with powerful contextual support and research. In addition, Katz and Young (1988) argue that the explanatory and exploratory variables built into statistical research models cannot be autonomous, constant; distinct over time, or have identical meaning for any two contexts; countries or societies. It is therefore possible that new types of criminality hitherto unknown, can come to the fore; as traditional modes of deviance explored by earlier theories; get replaced by those uncovered by more relevant theories (Woodiwiss, 2017).

The possibility of a general theory of crime

No main criminological theory currently explains all the complexities of crime (Williams & Marilyn, 2015). There also exists a tension between an integrated approach to the explanation of crime, and the explanations offered by singular theories. In addition, under certain conditions; some theories demonstrate greater explanatory power than others. It therefore follows that although maintaining its disciplinary integrity; criminology has not yet succeeded in developing a "one-size-fits- all" approach (Akinsola,2010; Blasdell, 2015; Einstadter & Stuart, 1995).

Few studies have tested or examined in different racial groups; the predictions of Hirsch and Gottfredson's (1990) general theory of crime (Ward et.al, 2015). Although consistent support has been found for this *general theory of crime*, empirical investigations to date; about low self-control; have mostly included Caucasian participants and respondents from the United States

(e.g., Cullen et al., 2008; Longshore & Turner, 1998; Cullen, 2011; and Longshore et al., 1996). In the few studies that have included participants from other races, the sample size has been relatively small; making it impossible to make separate analyses by racial group. Such studies include: Burton et al. (1998), Gibbs & Martin (1998) and Gibbs & Dennis (1995). Several other studies have either exclusively focused on African American adolescents; or adults from the general population (Hayward and Morrison, 2012).

Early work by Longshore et.al, (1999) was also inconclusive. It only provided some evidence that there is empirical support for the concept of *self-control*; which underpins the general theory of crime. His study was based on data gathered from incarcerated African American youth and adult offenders; who were part of the Philadelphia Treatment Alternatives to Street Crime (TASC) program (Vazsonyi & Crosswhite, 2004). Not many other confirmatory studies have been conducted in other contexts. Other analyses by race; for example, that of Arneklev et al. (1993) and Vazsonyi et al. (2001); were not completed. Although the 'General theory of crime' asserts that low self-control should predict criminal behaviour in all cultural, racial, and national groups; it is arguable therefore, whether it satisfies the conditions for a criminology that can apply *in all places* and *at all times*. According to Sunstan, (2019); if self-control can explain crime in all contexts and situations; then the need for contextual cross-cultural research becomes obsolete.

The '*integrated theory of crime'* perspective which is historically proposed and supported by; Messner et al., 1989, Menard & Morris, 2012, Thomas et.al,1996, Jefferey,1959; and Coleman,1987; seeks to synthesize the traditional themes of *control*, *learning*, and *strain*; into a comprehensive new paradigm. However, this perspective has also not succeeded in explaining away the causes of deviance in *all* cultural groups. A gap therefore remains in literature with regard to the racial and cultural dependent aspects of both the general theory of crime; and other theories. To resolve this requires a focus on the process of theory creation and construction; as opposed to the search for answers from only quantitative measurements and analyses (Wagner et.al, 2015).

The uniqueness of the Bayaaye context. There is evidence to suggest that each theory of crime became popular only when a particular set of circumstances coalesced; that made such reasoning seem logical. Colonialists, living in highly superstitious societies for example attributed crime to the power of demons (Boydell & Brewer, 2018). Kostas, et al (2015) also argue, that at the height of the slave trade in the 18th century, those who learned from social Darwinism that natural selection determined where each individual fell within the social hierarchy; the explanation that people became poor and criminal because they belonged to 'inferior genetic pools'; seemed plausible. Bentham Jeremy (1748-1832) and the *classical*

school of thought also maintained that individuals committed crime out of '*free will'* and *rational choice* (Schofield,2021; Piza,2021).

However, there is evidence to suggest that their emphasis on *freewill* was influenced by their desire to protect 'Individual rights' against the absolutist and fascist states of their time. Basing therefore on an anomaly within a European socio-political context; the classists laid the foundations for the contemporary *rational choice* and *deterrence* theories of crime (Clarke,1993). These remain dominant in criminological discourse. Becker (2019) argues that many of the legal reforms that were inspired by Bentham and the classical school theorists after him; were later incorporated within the Euro-American system of criminology, law and government. Right realist theories of crime which emphasize the idea that crime is caused by individual choice; with external factors playing a minimal role; do also owe their genesis to the classical school. These also emphasised the role of situational and environmental techniques of crime control; that make it harder for individuals to *choose* to commit crime.

Within the 1970s, classical theory gradually gave way to biological positivism. This tries to explain the causes of crime in terms of *inborn attributes*. It was a fundamental shift from the theological explanations of crime; to those provided by the objective sciences: especially biology. The influence of Darwin's works on the development of criminological theory in the global north is therefore unquestionable. Such works include; *Origin of species (1859*), *The descent of man (1871)*; *The expressions of the emotions in man and animals (1872)* and *On Lombroso* (1835-1909). In addition, the social Darwinism of the early 20th Century made it plausible to trace criminality to some form of biological incapacity. This part of the 20th century contemporaneously saw the height of global north imperialism and colonialism; with the slave trade as one of its unintended consequence. Deterministic Darwinism therefore achieved prominence; not only because of the social and political climate of the time, but also in part, because of the fact that evolutionary biology; especially in the form of Darwinism; had become the most fashionable science of the late 19th Century and early 20th Century (Bryant and Christopher, 2023).

Responding to the 1980s explosion of biological discoveries; including the birth of the first cloned animal: "*Dolly the sheep"* in 1984; a number of criminological works founded on the assumptions of biology; were made. These included works by researchers such as; Mednick et al. (1987) and Wilson & Herrnstein (1985). New biosocial theories also emerged; focusing on the relationship between the mind and the body; and how the latter affected the function of the former. Wilson and Herrnstein (1985) for example conducted studies amongst American subjects; that linked *low IQ* to *criminality*. The life-course; also known as the 'developmental criminology' perspective; that emerged in the 1980s, is also rooted within this biological

context. This perspective tries to explain how the roots of criminality can be traced to childhood experiences (Farrington, 2005).

Upheavals due to failed imperialist policies in northern and southern Italy laid the foundation for the emergence of *fascism* (Scala, 2008). This context influenced the thought processes of the "fathers" of criminology. One of them Enrico Ferri (1856-19) for example; with his emphasis on psychological characteristics; seems to have sympathized with fascism (Martin and Blinkhorn, 1999). Likewise, the French sociologists Gabriel Tarde (1943-1904) developed the *theory of imitation*. This theory contends that people commit crimes because of 'a tendency to imitate certain behaviour' (Joseph, 2001). In his development of this theory, there is evidence to suggest that Tarde embraced the fascist ideologies of the time which portrayed crowds as 'inferior organisms' that acted 'irrationally' (Farrington, 2005). He also considered that crimes like *arson*, *homicide*, *drunkenness;* and *political assassination*; originated from within the nobility and the circles of the wealthy; from where they spread among the common people; who tended to *imitate "their superiors"* (Ward, 2015). This interpretation by *imitation theory*; laid the foundation for the development of the *social learning theories*.

Both Tarde's and Lacassagne's ideas on crime; reflected France's political and social context of the time. They also mirrored the development of French colonialism and the beginning of the *third Republic*. Likewise, there is evidence to suggest that Emile Durkheim's work had its roots especially within the French and the industrial revolutions of the 19th century. This was a period of dramatic social and scientific changes. The old agrarian world in which farmers and herders lived with simple and common interests; was rapidly giving way to a more complex; urban and technologically sophisticated social system (Alexander, 2005). With the increasing division of labour; that separated individuals into occupational specialities (Sumner, 1982: Ramuntsindela, 2007); the sense of family and community were all being dismantled. Durkheim therefore argued that as western society modernised; a great emphasis was being placed on 'achieving industrial prosperity' without the corresponding attention on the restraining of people's appetites for success (Brown, 2013). He asserted that this deregulation led to situations of *'anomie'* (Alexander, 2005). Durkheim therefore described 'anomie' not simply as "normlessness"; but as the collapse of social solidarity itself. This collapse implies the destruction of the fundamental bonds of society; such that in the absence of forces to regulate and integrate members into society; individuals were left to self-regulate (Einstadter and Stuart, 1995).

The upheavals that concerned Durkheim in France were repeated on a larger scale in the United States a few decades later. During the early years of the 20th Century, and especially after the first world-war; the forces of technological change accelerated the rates of industrialisation and

immigration in North America. It is therefore also apparent why the Chicago school in the same era; identified immigration and urbanisation as the major forces of social change; behind the rise in social disorganisation; and consequently crime.

The *social disorganisation theory* (Shaw et al.,1969) emerged within the background of the Chicago ecological approach. It focused on the importance of the urban setting as a factor determining delinquency rates. Shaw and Mackay's research considered the concentric zones of the city: focusing mainly on the "*zone of transitions*". Relying on Burgess's earlier *theory of the city* (Burgess,1966); they therefore developed a theory that gave an explanation for why urban neighbourhoods differed in their levels of crime. The same theory also illuminated how people learn to become offenders (Cote, 2002b).

The extent to which the mechanisms at work within the 1960s social networks of Chicago and Seattle; are similar to those currently at work in African cities like Kampala, has to be ascertained. In addition, the notion that residential areas provide major ecological settings that indirectly shape the observed differences in adolescent offending; is one of the foundations of contextual criminological research (Freidrichs,2007). However, problems arise when the conclusions drawn are applied to adolescents in settings other than those within which the original research was carried out. Schools and homes; could for example be such alternative areas that are not part of the urban context in which all the major theories were tested and developed. 'Other settings' could also imply 'other countries' other than the United states or Europe. Since the majority of young people in Uganda especially the *Bayaaye*; do originate from rural settings; and, are not as urbanised as their global north counterparts; it remains questionable how ecological theories; that are offshoots of the Chicago legacy, can be effectively applied to their context.

It is also plausible to argue that the Chicago brand of sociology shaped Sutherland's thinking about crime. Most of his theorising represented an attempt to extend and formalise the insights found in the writings of Shaw & McKay; and other Chicago school researchers. He for example built on Shaw and Mackay's observation that delinquent values are transmitted from one generation to the next; to sustain his theories. His assertion that social groups are arranged *differentially*: with some in support of criminal activity and others organised against such behaviour; also shares the same background. Hence, Sutherland simply substituted *social disorganisation* with *differential social organisation* (Braithwaite, 2022) to describe the process through which delinquency is learnt; and to augment the concept of *differential association*.

Even though the Chicago theorists emphasized that criminal behaviour is learned through association; they had little to say about precisely how this acquisition of anti-social conduct occurs. For Sutherland (1974), any young person may come into contact with definitions that

are either favourable; or unfavourable to the violation of the law. He therefore concluded that as a consequence; individuals embrace; or desist from crime; depending on which definitions are stronger in their lives.

In proposing their version of *social learning theory,* Akers & Sellers (2004b) attempted to specify the mechanisms and processes through which criminal learning takes place. Sampson (2002) however, rightly observes that Akers et.al provided little systematic analysis of the structural *origins of criminal values* and learning: they only made an observation about the way social location differentially exposes individuals to learning environments conducive to criminality.

The term 'collective efficacy', in particular; refers to the extent to which a community can control the behaviour of its individuals and groups; in order to achieve an orderly and safe environment (Pinchak et, al.,2022). 'Collective efficacy' operates through an agreed system of informal controls and norms. The questions to be asked here therefore, include the extent to which the collective efficacy and neighbourhood effects; hypothesized to operate in America's urban settings; do explain the intricate and unique social networks of Uganda's rural and urban settings. Instead of extrapolating the conclusions of studies carried out in Chicago and its neighbourhoods onto Uganda's market contexts (where the *Bayaaye* operate); it is important to first examine and expound in the next section; on the unique nature of traditional African social networks and how they impact on the criminality of the *Bayaaye*.

Bayaaye and Control theories

The containment theory proposed by Reckless (1960); with its emphasis on '*self-factors'*, and Ivan Nye's (1950) *family focused theory* of social control; were also offshoots of the Chicago school. Nye suggested four modes of social control; combining regulations and integration, which were all reminiscent of Durkheim's conceptual framework. These modes include: *direct control, internalised control, indirect control* and *social control* (Nye, 1958; Shola T, 2021). It is therefore apparent that *containment theory* followed the Chicago school approach in a way that was very Durkhemian. It took a historical focus: considering what was an apparent increase in crime and delinquency; as a product of the onset of the 'modern world'(Moyer, 2001).

Although Uganda does not share the various historical, social and political contexts that gave rise to control theories in general; and containment theory in particular; as outlined above, these theories can help to explain the criminality of the *Bayaaye;* but from the latter's own perspective. The factors that for example *pull* or *push* the *Bayaaye* towards crime; do differ from those that affect young people growing up and living within global north contexts. The modes and methods of social and psychological controls that these two groups of young people experience do defer. Nevertheless, the theories offer a framework within which the

emergence and prevalence of crime amongst the *Bayaaye* can be adequately analysed and understood.

Merton (1938) and the 'Bayaaye'.

Merton's 1938 *strain theory* made much sense for those who experienced the social barriers of achieving the American dream in the 1960s. For Merton (1938), the widespread ambition for success inevitably led to an ironic consequence whereby; 'the cardinal American virtue of *ambition* promoted the cardinal American vice of *deviance*'; and this precipitated a culturally induced strain (Cote, 2002b; Bernburg,2000 and Agnew, 2012). The disjunction between cultural and social structures; placed many, especially the disadvantaged; in the position of desiring unreachable goals. Merton therefore argued that the cultural emphasis on success diminished the power of institutional norms to regulate behaviour (Calhoun, 2010; Hay, 2003). Merton thereby located the roots of crime and deviance within the very fabric of American society: just like the Chicago theorists before him. However, while the Chicago school stressed the criminogenic role of the city and of the subsequent conformity to criminal cultures, Merton stressed the criminogenic role of conformity; to the universal and conventional cultural goal of material success. However, like Durkheim; Merton rejected the notion that the origin of crime lay within an individuals' mind or physiological disposition.

Many of the various subcultural theories of the 1950's and 1960s subsequently borrowed heavily from Merton; and, have been conceptualised as a reaction to Merton's original anomie/strain theory. Strain theory has therefore undergone substantial revision over time**.** Many of its critics have however gone ahead to propose alternative theories and perspectives that simply strengthen, or transcend Merton's perspective; without going back to re-examine the primary data and context that influenced Merton's analytical framework. Robert Agnew's (2001) *general strain theory* for example, argued that crime and delinquency were an adaptation to stress; whatever the source of that stress could be (Mears, 2013). Agnew did not adequately analyse the source of the stress.

One can also question the attempts of Cohen (1955) and Cloward and Ohlin (1966) to explain the *mechanisms* that underlie delinquent subcultures; without explaining their *content*. In order to propose his control or (bonding) theory, Hirschi (1969) also first pointed out how Merton's theory did not fully explain conformity. On the other hand, Miller (1958) had earlier on pointed out; before proposing the '*lower class culture' theory'*; how Merton's theory assumed the existence of a common American culture. In laying a foundation for *labelling theory,* Becker (1963) also first mentioned how Merton's theory ignored social control; while Quinney (R. 1980b), in proposing *conflict theory*; mentioned how Merton's theory overlooked the crimes of the powerful and wealthy.

Given the discussion above; one can legitimately question whether Euro-American youth subcultures can be similar in composition, to those of the *Bayaaye;* and whether the impact of *'strain'* on the *Bayaaye* of Uganda; and their response to it, can resemble that of young people in the global north.

It is therefore important in this respect; to re-examine the data and context that formed the basis and foundation of Merton's analysis; in light of the Ugandan experience; if strain theory is to be used to explain criminality amongst the *Bayaaye*.

Bayaaye and environmental theories of crime

Significant criminological literature, especially of the *ecological school* has pointed out the importance of locality in the emergence of criminality (MacDonald et. al. (2001). Environmental criminology owes its origins to the ideas developed under the Chicago school. It also encompasses; the *social disorganisation* perspective. This perspective tries to explain why, and how the structural disadvantage of particular residential areas can have an effect on the propensity of the residents to offend; or get involved in criminal activities (Sampson et al., 1997). *Routine activity theory* (Clarke, 1993); and the *Situational Action Theory* (S.A.T) of crime causation (Wiskstroom et al., 2012); all outline the different ecological settings that may provide the motivations and opportunities for offending; in diverse contexts.

Felson & Clarke (1998) developed *routine activity theory (R.A.T)*; partly as a criticism of the prevalent ideological politicisation of conventional criminology. They thereby chose to link crime to the mundane or "everyday" features of society; and not to the structural and political 'evils' of society (Cote, 2002b; Schneider, 2005). They argued that crime could be explained meaningfully without implying any major underlying social or cultural factors. Cohen & Felson (1979) had argued that a key reason for the rise in crime at the time; was that at the onset of the second world war and a few decades after, the United States and Europe experienced a major shift in routines: there were then more activities carried out *away from* homes; leading to unattended houses; with no *guardianship* during the day. These houses in turn became *suitable targets* for burglars (Hulsman,2013). During the immediate post war period, the probability that one would come in touch with *motivated offenders* also increased; as the frequency of people's movements between *leisure activities, schools and work*; escalated. For Cohen therefore, property crimes were not primarily a result of economic deprivation; but a consequence of increased opportunities for crime; in form of the post war abundance of concealable, removable, available, enjoyable, expensive, durable and portable goods (Cohen&Felson, 1979). In addition, the mobility of their targets; enhances *opportunity* as a main motivational factor for the activities of the *Bayaaye*. Cohen and Felson therefore theorised that *prosperity* could bring about *higher*, rather than lower *crime rates*; due to the expansion of the number of attractive

targets available to motivated offenders (Carroll& Weaver, 1986; Foster&Holleman, 2012). This was contrary to much criminological thought of the time. Although Uganda did not fully experience the upheavals of the first and second world wars as did Europe; there has been a dramatic shift in the *routines of young* people; as the country struggles to embrace capitalism and modernity.

There has been a huge demographic change from rural to urban settings. These changes; and the processes underlying them have an impact the nature and genesis of young people's criminality. Associated with these changes; new types of crime have come to the fore; as traditional and rural modes of deviance get replaced. Yet, it can be argued that given that the changes taking place in the social and existential lives of young people in Uganda; and the forces generating them have different historical contexts from those of the global north, the appreciation of criminological theory and its applicability to them; also ought to differ. Market areas in Kampala contain a collection of numerous valuable items with low guardianship. These would motivate the *Bayaaye* into crime; but under different mechanisms.

Although *routine activity theory* and environmental criminology (P. Brantigham & L. Brantigham, 2021) may explain why and how the *Bayaaye* engage in criminal acts, it does not provide a historical context to this criminality; the same way it does in the case of young people in the global north. The wars and upheavals that have taken place in Uganda in the last 15 years; have not exposed any technologically advanced and valuable goods to steal; neither have they brought about a lack of guardianship over any significantly valuable properties; as the case was in America and Europe during the first and second world wars. Crime pattern theory proposes that crime happens at the convergence; in space and time, of *offender* and *victim*. In this convergence; the *crime attractors*, *personal paths* and *awareness space* of both offender and victim; are critical (Short, & Brantigham, 2010; Felson & Clarke, 1998). This theory therefore brings out a space-time nodal structure; that takes care of those factors that can predict the time, place and situations; where crime is likely to occur. However, this structure presupposes the architectural and social layout of a typical global north town.

A 'specifically Ugandan' micro-version of routine activity theory; that relies on the movements of traders, merchandise and the *Bayaaye;* within the market areas of Kampala; can therefore be developed. Such a theory would replace the threefold nodal movement within a global- north built environment; between *home*, *recreation* and *work* place; as proposed by P. Brantigham and L. Brantigham (2008). The *Bayaaye* neither have any permanent residential addresses; nor do they have fixed recreation centres. Many of them are either out of work or engaged in transient activities; while holding elusive friendships. The environmental criminological analysis of Brantigham is therefore inadequate to explain the criminality of the *Bayaaye*. Relying on the

results of the interviews with the *Bayaaye*, it is possible to come up with an alternative model of crime *probability densities* within the markets. This would replace the Brantigham global north *home-work-friend-leisure* model; with a "*city-street-shop-vendor*" nodal analysis. Such an analysis fits the Kampala markets and the activities of the *Bayaaye*.

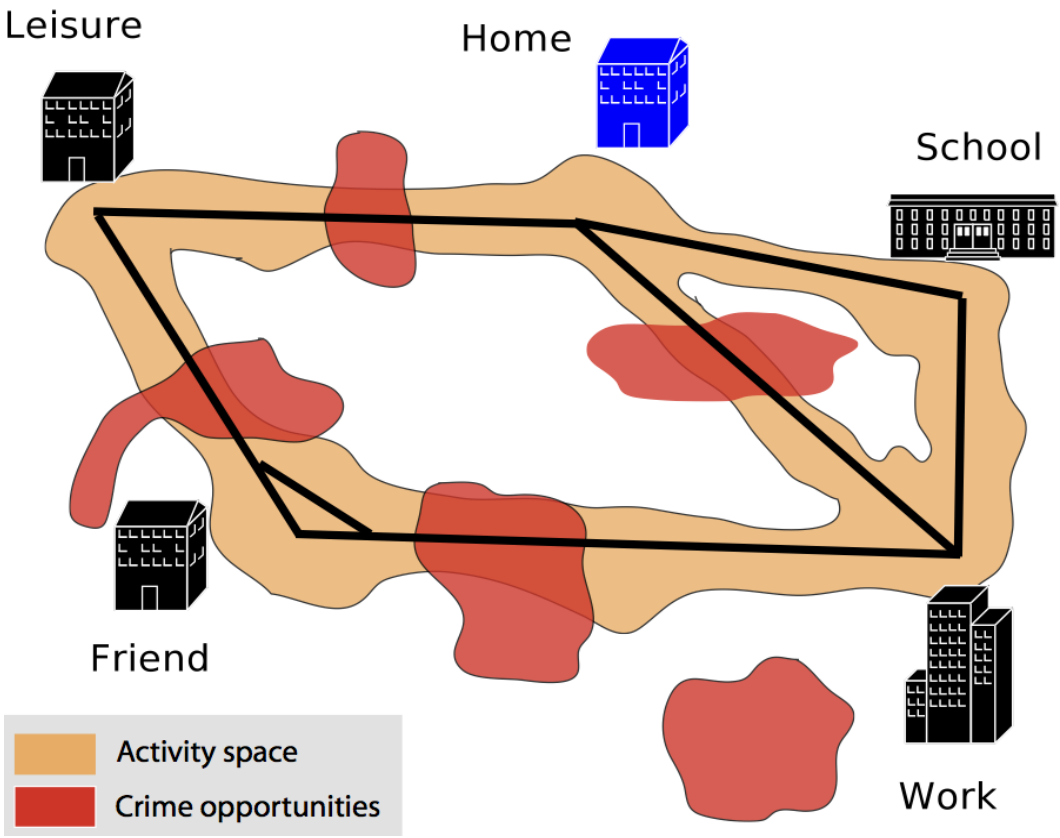

Figure 1: Global -north crime pattern model (A space limited probability distribution

Figure 2: Owino Market space -Kampala

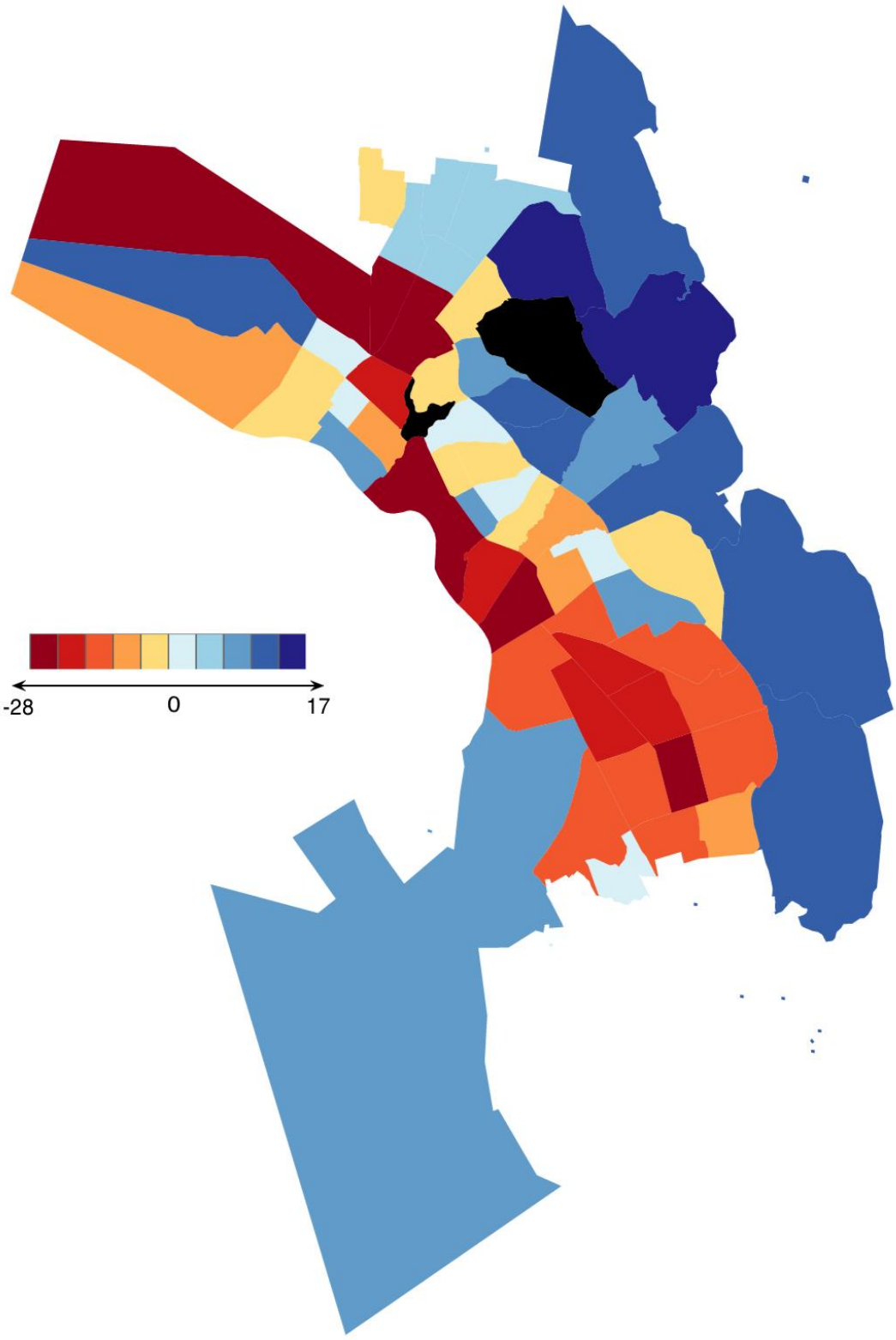

Figure 3: A Kampala market crime Pattern (A time limited probability distribution of crime)

The *time limited* crime pattern above; is an alternative to the *space limited* pattern proposed by traditional global north environmental criminology. The former is based more on *crime incident densities*; than on the '*permanent crime activity'* location nodes of *home, work, leisure* and *friends*. Clusters of *Bayaaye* move around the market areas without any defined permanent

location. The convergence in space and time with their victims therefore follows no specific predictable pattern. Vendors and buyers fill the wide street-like corridors of the markets; while others fill the space under the roofed shelters. It takes about an hour to walk from one end of the market to the other. The density of vendors and buyers increases as one approac hes the market centre; where one can "hardly breathe" or move without brushing onto other people. Unlike the global north crime pattern: that is more fixed and predictable (fig.5); the pattern above is 'time limited: 'the *crime probability densities can* change within the course of the day and the week. Sunday sees the time of lowest crime activity; when the shops and businesses are closed. Saturday sees the highest activity; while the weekdays show moderate activity.

The absence of guardianship (police) and the ease of access to victims also determines the crime probability densities; which keep changing as the *Bayaaye* play roulette with the mobile security agencies. Further research is needed to introduce the use of *computer simulated crime maps;* to trace the change of crime density patterns within the markets: per hour, per day, per week, per month and per year. These maps would follow the movements of the *Bayaaye* while linking them to the incidents of reported crime. Inspite of the high numbers of vendors and pedestrians, some parts of the markets nearest to the centre; do have some of the lowest crime incidents. The reason for this is because; this is where the administration offices and police stations are located. Nonetheless; incidents of crime increase with the density of shops and businesses; where both the *Bayaaye* and their victims converge the most.

The incidence of historical capitalism and Marxism in African societies; differs much from that elsewhere; in nature, intensity and effect. While European feudalism for example eventually gave way to the distinctive capitalist classes of the *bourgeoisie*, the *middle class* and the working class (*proletariat)* (Satgar, 2019); in Uganda, feudal lords; and a bourgeois political class still coexist with the proletariat, without any distinctive business middle class. This leads to a large disparity in the quality of life. Criminological theories that emerged through a Marxist-capitalist analysis of Euro-American societies; might as a result not be fully relevant to a Ugandan context; where the dynamics of class relations are different. The labelling theories that developed in the late 1960s and 1970s; were largely a response to the attempts of the criminal justice agencies in the United States to define and control crime.

The *water-gate scandal,* the Vietnam war and the civil rights movement; all laid bare government incompetence in tackling racism, sexism, and class inequality. This context led many to lose trust in big government; and, the state faced a legitimacy crisis (Cullen, 2011). By the 1970s, such feeling created a context that nurtured the ideas of labelling theorists; who blamed the state for the problem of crime. Lemert (1951) and Hills (2003) for example showed how deviant careers gradually evolved through the process of labelling and processing by the American

criminal justice system. Due to the prevailing social experiences, it then made sense to many criminologists and policy makers; to for example label disadvantaged groups as delinquent. Huge prison systems like Attica, were opened to handle '*these groups'*; though they achieved the opposite result of simply driving these 'offenders' deeper into crime (Khomotoso, 2018).

Radical, critical and conflict criminology eventually developed as a logical offshoot of the labelling perspective (Williams & Marylin,1994; Hadjimatheou, 2016). The trajectory of 'labelling' and exclusion in Ugandan communities takes on a different perspective. In Ugandan traditional society, young people are labelled as 'delinquent' or 'deviant'; not as a result of an exclusionary mechanism arising from the workings of big government or capitalist forces. *Fatalism* and the traditional belief in destiny; and the deities, have always meant that individuals belonging to certain tribes and clans can be labelled deviant primarily because of their family origins or their relationship with the after-world. "*Mukasa's family are thieves*" is the typical narrative. In much of Uganda; crime is considered to run through families. Some families are considered cursed; criminogenic and eccentric; because their ancestors did something that annoyed the deities; or they themselves were cursed by their parents.

In Uganda, the rise of military dictatorship as well as a capitalist and modernizing post-independence oligarchy; has reinforced *exclusion* as a means to limit political participation. The *criminalisation* of young people's *political participation* by tyrannical regimes especially between 2006 and 2021; is a new manifestation of the labelling perspective within a Ugandan context. The transformation of the capital Kampala in demographic and urban terms has helped to increase the size of the middle and lower classes as well as to create new spaces of socialization. This context makes also possible; the adoption and reinterpretation of new theories of social control.

It is important to explore in this *second section;* the decision making processes of the *Bayaaye*; in their settings and circumstances of the streets and markets of Kampala. There is also need to focus on the subjective foreground conditions; that help the *Bayaaye* to make a transition from an *unmotivated* state; to one of determination to act. Research by Jacobs, Wright &Topalli (2003) concluded that the decision making processes of street criminals are mediated, activated and shaped by a sense of; and, allegiance to an urban street cult. 7

Basing on the answers given by our respondents, it is evident that *Bayaaye* are not a street cult. However, respondents showed that their decision to engage in criminality was governed by the interaction between perceived particular needs and desires; and, perceived opportunities.

In their work on robberies, Wright et al. (2006) explored the pursuits and cultural values that mediate the crime of street robbery in the United Kingdom. The aim of the study was to

understand the socio –cultural context; within which British robbers carried out their offences. They put focus on the situational dynamics; and the self-indulgence which the offenders participated in the crime. The study found out that rational decision making models are limited in explaining the nature of street crime; because they seem to oversimplify highly complex processes (Wright and Decker 1994). They also fail to fully address how offenders; like the *Bayaaye*; do make decisions in their real-life circumstances and settings.

Following from the above, it is for example possible to suggest that rational choice theories cannot adequately answer questions about '*bounded rationality*'. Given that the rationality of offenders is always bounded and limited; insofar as it does not take account of all the circumstantial information available; one would wonder what these *limitations* or *boundaries* consist of. Because they pay little attention to the wider cultural context in which offences are committed; while overemphasizing the *objective properties* of the offence; and its *immediate circumstances*; rational choice perspectives fall short of answering such questions adequately. Rational choice theorists have therefore largely ignored the fact that offenders come to a decision to offend; with a series of background cultural commitments and pursuits. Such pursuits are critical to our understanding of the decision making processes of the *Bayaaye*.

Lofland (1969) however argued; that the omission mentioned above is significant; because, actual offender decisions are shaped by; and imbedded within what he refers to as an offender's *socio –cultural matrix of evaluation*. Any potential rewards and risks are always inevitably evaluated; with reference to the cultural values and symbols; that bear meaning to the potential offender. In the case of the *Bayaaye*, the market areas provide that cultural context. It is unlikely that individuals like the *Bayaaye*; who seek to maintain an epicurean lifestyle centred on criminality; will for example consider legitimate employment as a solution to the immediate need for cash. Moreover, disciplined subordination to employers would always compromise the special value they place on their 'reputation' for toughness.

In the same way, offenders who seek revenge; or who are motivated by the need to express anger; might find conspicuous crimes like back-yard burglary; unable to fit within; or serve their intent and purpose. Very few realistic alternatives would exist in such a context. This indicates; that there exists a social psychological context; within which street criminals seek to commit crimes.

The above reason explains why street crimes and *Bayaaye* offences can seem so irrational; given that they can potentially incur lengthy prison sentences; that do not compare with the 'little cash' netted by the offenders. Their offending behaviour can therefore be described as one that is effected out of desperation. Desperation leads offenders to be too focused on the satisfaction of their immediate needs e.g., to 'restore personal honour', 'keep the party going',

'exact informal justice', or 'dissipate anger'. Decisions made in such emotional states can hardly be considered rational. Amongst the *Bayaaye*, it was found that the decision to commit a street robbery involved no advance planning; and generally emerged out of a desire to 'keep the party going' (*Mukasa*: respondent).

Bottoms & Wiles (1992) therefore argued that decisions to offend; are embedded in an ongoing process of human existence. This process is mediated by the prevailing subcultural and situational contexts. Drawing parallels with the *Bayaaye,* research on street robbery in the United Kingdom has disproportionately focused on financial motives than on the more rational elements of the criminal act. In their research, Morrison & O'Donnell (1996) interviewed 88 incarcerated armed robbers; about their decision to offend. Most robbers were found able to make calculations of potential rewards prior to the robberies; and also prioritised targets in a way that they thought increased the volume of returns; while minimising the risk involved. Respondents were also found to have engaged in risk reduction strategies that minimised the chances detection.

In his study on English street robbers, Matthews (2002) found that the acquisition of cash was the main motivator amongst professional robbers. They needed money to finance their high expenditures. The researchers however hesitated to describe this in terms of rational choice theory. Other factors were found that mitigated the robbers' rationality. Such factors included being drunk on drugs before the robbery. Young mature robbers akin to the *Bayaaye*; were also found to spend the proceeds of crime on leisure pursuits and luxury goods; than on subsistence. All this behaviour counteracted the notion that they were rational actors.

Unlike commercial robbery or burglary, street robbery; which identifies more with the activities of the *Bayaaye;* is rather different. Street robbery is more opportunistic and targets individual victims than organisations or big premises. It is also enacted in a less predictable environment of the open walk ways, drive ways and of the markets. The motivations for the two types of 'robbery' can therefore be expected to be different. The cultural elements of the offence are more pronounced with street robberies (Smith, 2003). Smith found that street robberies especially as committed by groups of young offenders; served the purpose of enhancing the reputation and status of the culprits. *Reputation* and *status* are also some of the reasons given by the *Bayaaye* respondents for getting involved in criminality within the market areas.

The criminal acts of the *Bayaaye* can therefore a;so be seen as *cultural* pursuits in which the *immediacy* and *thrill* of the offences; take precedence over the *costs* and *rewards* involved.It is therefore important to visualise the *Bayaaye* as situated within the context of the *markets' culture* in particular; and an *urban street culture* in general. These 'cultures' place great emphasis on hedonism and spontaneity. Most; if not all human behaviour; is motivated by *need*.

It therefore follows that it is possible that *anyone* of whatever age and circumstance; can become a *Muyaaye;* in the face of a lack of alternatives to resolve basic needs. Nonetheless, a state of 'need' is a subjective one. It reflects an individual's pursuits and cultural commitments; existing within a particular socio –cultural context.

It follows that needs that motivate the *Bayaaye* into action; cannot be adequately understood outside what Lofland (1969) referred to as the '*needy individual's matrix of evaluation'*. This implies that financial need is a constant that is fuelled by the anomic desire for material possessions and unmitigated spending habits. On the streets; cash is quickly spent on the misuse of drugs, alcohol and status enhancing items like expensive trainers (Shover,1996; Wright & Decker, 1994). In this respect; Katz (1988) argues; that the carefree spending by street criminals can be considered an end in itself. It represents their disdain for the pursuit of a more permanent financial and existential security.

In his work on street criminals; Skolnick (1966) mentioned what he referred to as a '*perceptual shorthand'*: developed over years on the street by an offender This *shorthand* helps offenders to know exactly what they want; when they see it. This vast experiential knowledge obtained over time; is very useful, especially in situations where decision making is *bounded* by risk; the pressure of time and uncertainty. It also helps to bring about the clarity necessary to carry out brash offences; with minimal delay, and maximum efficiency (Jacobs, 2000). The dense atmosphere and path networks of the markets of Kampala; help the *Bayaaye* to be well connected; and to receive inside; and timely information about potential targets. This information enables them to have a broader predatory horizon; and thus be able to target victims outside of their immediate *awareness space*. Even in this context however, opportunities most likely remain transient; making it important that offenders are always in a state of readiness to strike. Bennett & Wright (2021) referred to this as a state of '*alert opportunism'*. One of the *Bayaaye* called Kityo; had this to say: *"I asked Mukasa to give me a phone call whenever he saw an opportunity he could not handle alone"*.

Spontaneity and openness to illicit action characterises street cultures; of which the *Bayaaye* are a part. Both offenders and victims can never know what is next; with certainty. This uncertainty is part of the 'thrill of crime' that most likely attracts those living outside the law. One of the main admissions of the *Bayaaye* during the interviews was that 'no one could ever have enough money'(Kityo).

The above in effect meant that the *Bayaaye* were self-enclosed in a system of behaviour; that kept sowing the seeds of further offending (Wright & Decker 1994). Uncertainty can also force the *Bayaaye* to get involved in committing offences induced by circumstances that are not of

their own making. It is a context in which they might not be able to make choices of their own; other than to go with the flow of unfolding events.

For many of the *Bayaaye* who participated in this study, a combination of *moralism* and *fiscal concerns* was mentioned as one of the main motivators for criminality. The convergence of the two seems to determine the manner and intensity of the offences committed. Street culture is also characterised by localised relative deprivation; whereby, *those haves*; are much resented by the *have nots*. Drawing from *neutralisation theory* (Matza,1964); some *Bayaaye* consider those who are well off as having obtained their wealth illegally; and hence *deserving* to be 'dispossessed'. *This rationalisation* makes the commission of crimes 'easier' to contemplate. It is a rationalisation that is mixed with the psychological defence mechanism of *projection*. It is not the purpose of this study to delve into the deeper meanings of these defence mechanisms.

This research has therefore explored the phenomenological background of the *Bayaaye* and the context in which their decisions to offend are made. The background conditions of the respondents helped me to understand why the Bayaaye ended up in the situations in which they were. These *background* conditions do not however; fully identify the *foreground factors* that operate at the moments offences are committed. In this context, Katz (1988); argued that there is a *magical process;* whereby offenders are irresistibly drawn into crime by emotional and sensual dynamics. This process may not always be dependent on the contemporaneous social conditions or events preceding the crime.

However, the foregrounding of offending is integrated with more than just the sensual and emotional states. It is also intertwined with the prevailing socio –cultural context. Offences committed by the *Bayaaye* as revealed in the interviews; are generally non-violent; yet they retain the elements of calculation and planning; associated with the rationality and instrumentality; typical of violent crimes like burglary or homicide. Their rationality however, remains bounded as already mentioned above.

There also exists historical literature on offender decision making; that focuses on the offence of street robbery (e.g. Shover 1996, Wright & Decker, 1997a, Conklin 1972; Feeney 1986b and Jacobs & Wright, 1999). This literature is however of little help when it comes to explaining lower profile criminality like that of the *Bayaaye*. This literature on the whole; suggests that the main motivating factor for street offenders; is a pressing need for drug money and the ease with which stolen items can easily translate into cash.

Yet according to the respondents, the *Bayaaye* appear less motivated by financial desperation; even as their criminality represents an indirect way of addressing monetary problems. Factors that motivate the *Bayaaye*, as revealed in the interviews; seem to go beyond these. Their

criminality grows out of broader pursuits and deeper commitments; that involve offender networks, opportunism; combined with idiomatic pressures from the street and market culture of Kampala.

This *third section* explores the notion of desistance in relation to the *Bayaaye*. Desistance from crime refers to *the ongoing process of stopping* one's involvement in criminal behaviour. Rather than being an isolated event; desistance is a gradual decline in criminality over time: usually occurring after a person reaches 'adulthood'. Despite the large body of literature on the topic of desistance; deviance and crime; our understanding of the *background* and *foreground* factors underlying desistance; remains contested. This is further complicated by any efforts made towards contextualisation. There exist empirical, methodological, theoretical and policy issues; linked to desistance; that need clarification; before the process of desistance can be adequately understood; especially as it manifests amongst groups like the *Bayaaye;* whose criminality is largely *liminal*. Laub & Sampson (2001); and Farrington & Blumstein (2003); have specifically mentioned how very little is known about its causal processes.

One of the most established criminological facts is the association between age and crime; whereby aggregate crime rates are theorised to peak in early adulthood and then gradually drop off thereafter. An age –crime curve for Uganda's *Bayaaye* has been provided earlier on in this thesis. This graph corroborates this assertion. Very little consensus however exits regarding the cause of the decline in offending rates; with the increase in age (Maruna ,2001).

In their longitudinal study about juvenile offending; Hirsch and Gottfredson (1983,1990) contended that the factors that predict the onset of delinquency; are similar to those that predict persistence *in;* and desistance *from* crime. They also asserted that all these parameters are behavioural manifestations of one basic underlying construct: criminal propensity. In addition, Akers (1985); also argued to the same effect; that the onset of delinquency is foregrounded by the same factors that foreground desistance. It was however Farrington et.al (1990) who seemed to disagree with this assessment. In his work on youth offending trajectories, Farrington came to the conclusion that the correlates; and causes of the *onset* of a criminal career; differ from those of *persistence* and *desistance* from crime. Uggen & Plivian (1998) referred to this relationship as *asymmetrical causation*. Others researchers like Westerkamp & Kerner (1994); have however made a dichotomy between *late* and *early desistance*. They argue that the causal factors that underlie the two stages are different.

The asymmetrical causation of desistance is of substantial importance especially with regard to the analysis of its manifestation amongst the *Bayaaye*. With regard to policy implications, understanding the predictors of desistance amongst the *Bayaaye* can be helpful in setting up intervention efforts after onset.

If the predictors of desistance are for example similar to those of onset; then it would be possible to make long term and accurate predictions about the process. This thesis is not specifically about the process of desistance. It mainly focuses on understanding the causes of crime; or the factors that determine the onset of offending amongst the *Bayaaye;* which can in turn help to make predictions about their road to desistance.

Chapter 4 Methods

This chapter discusses the actual field work done and the methods used to gather information; with particular focus on the experiences and views of the *Bayaaye*. The section explores the issues that emerged from conducting the study; including a discussion of the ethical considerations and participant characteristics. The main formal interviews were conducted from the beginning of July 2013 to the end of August 2013; inside the three major markets of Kampala.

On the 15th of July, 2013; I held an initial meeting with the head of the social services department of Kampala City Council Authority (KCCA); regarding the research project. She supported the idea that the thesis focuses on a class of young people who belong to a group commonly known as *"Bayaaye''*. The proposed field work was to explore the nature of their criminality; through observing and listening to them. Due to the time constraints facing the study; the fieldwork was to focus on those *Bayaaye* who operate within the three principal markets of Kampala: St Balikuddembe (*Owino)*, *Nakasero* and *Kisekka*.

4.1 General overview

I interviewed two categories of respondents: 1. Those who were well known to the market traders; and, 2. Those who self-reported as *Bayaaye*. All the interviews lasted between thirty minutes and an hour. In order to accommodate those *Bayaaye* with a low or no education at all; all interactions were done in the main local language known as *Luganda*. The direct speech within the main text of the thesis is therefore a direct translation from *Luganda*.

Many of the *Bayaaye* felt 'flattered' by the attention paid to them by the research. Others like Ssekandi (22 years); gave this reason for participating willingly: *"We have to clear our names. You have to tell people that we are not Bayaaye: we are just looking for survival"*. In this respect, if the *Bayaaye* therefore had any interest in my research; for some, it was a chance to put their 'record straight'.

4.2 Recruiting participants

The details below explain at greater length the process I used to recruit the respondents and how I handled matters of consent, data protection, confidentiality and feedback. I did not find it difficult to establish rapport with the *Bayaaye*. In order to blend in well with them; I remained sensitive to their ways of thought and lifestyle. It was however difficult sometimes to understand their local acronyms without first making an inquiry about their hidden meanings.

I put focus on identifying those young people whose lifestyle closely matched that of the *Bayaaye*. I first identified potential participants through informal interactions with people in the three markets of *Kisekka, Owino* and *Nakasero*. These included the market leaders, the traders, the vendors and other young people. The market leaders are highly respected by all who access the markets. Having initial rapport with these leaders helped me to easily access; and gain the confidence of the *Bayaaye*. I initially had informal contact with 25 young people whom the market leaders had identified as 'problematic': (8 in *Kisekka* market, 6 in *Nakasero* market and 11 in *Owino* market). These agreed to be formally interviewed. They in turn helped me to identify 105 other respondents through a snowball method. Of the 105 respondents contacted, 30 refused to describe themselves as *Bayaaye*. For these, I recorded only their basic demographic information; that included occupation, origin and age. I did not proceed with any in-depth 'conversations' with them. I therefore decided to focus on the 75 respondents who were comfortable with identifying their lifestyle as that of *Bayaaye*.

Shopkeepers, vendors and traders; tended to exhibit a *love-hate* disdain for the *Bayaaye*. When I for example turned up at Sserwanga's (30) shop and asked him about his work he had this to say: "*Those boys are a nuisance here in the market…though they can be helpful if one wants to 'beat the system'…but I never want to be in their company*". Opio (26), a car mechanic shouted from afar: *"we have come to learn how to live with the Bayaaye in our midst. I just make sure that I lock up my workshop when I am away and I always follow up on my orders. …you never know here who turns out to be a Muyaaye"*.

4.3 Procedure

The steps below were followed in conducting the interviews. I designed an interview framework; listing the topics and questions to guide the '*conversations'*. Questions were drafted in such a way as to enable respondents give answers that reflected their actual experiences. The interview schedule was intended to compile the demographic and offending histories of the *Bayaaye;* in order to come to a greater understanding of the nature of their criminality.

The schedule also served the purpose of developing a dialogue [conversation]; that elicited an understanding of the processes they go through at the onset, maintenance and desistance stages of their offending.

I initially started with 15 main questions; but as the inquiry progressed, other questions kept emerging; until I had a total of 26 questions; reflecting 5 emergent themes (*see Appendix I)*. Only brief notes were recorded during the interviews. Immediately following an interview, these notes were then elaborated upon by the researcher. Since a lot of extra information surfaced

during the interviews, at the end of each day; I analyzed the information gathered; ironed out any discrepancies and sifted out the relevant points and any similar responses. The overall results of my analysis were discussed with those respondents who were still available. This gave them a chance to challenge any perceptions that they thought were inaccurate. The latter procedure was intended to make the process more participatory and objective. At the end of this study however, none of the participants disagreed with the final report.

Only surnames are used in the transcripts and the text of the thesis; in order to protect the identity of the participants; and all who were referred to in the 'conversations'; In this way, the characters referred to cannot be identified. In Uganda, a surname without a corresponding first name does not carry much meaning; since so many people can share the same surname. In order to avoid any possibility of linking narrated events back to the participants or individuals concerned, the focus was placed on the meaning attached to the events mentioned; than on their historical context.

Because of the unique nature and complexity of their situation; which is tied up with their age and social background, conversing and listening to the *Bayaaye* was the best way to engage with them. Given that young people hardly get a chance to be listened to; when they talk about their experiences in detail; such qualitative interviews can as well be *cathartic* (Barry, 2022). One young man at the end of the interview stated: *"talking about my life has been useful to me. .....It is helpful to talk about things...you know; without bottling it up inside"* (Kawooya, 23).

As an excluded group, the *Bayaaye* rarely get an opportunity to discuss their offending except with the police; for reasons to do with arrest, court appearance or imprisonment. One expressed the same feelings: *"No one has ever sat down with me and just talked or asked me about my life. The only interviews I have ever had; have been at the police station and for electoral registration"* Lubega (28). In addition, it is uncommon for young people to have their views sought; most especially in traditionally patriarchal societies like Uganda. By directly engaging with the *Bayaaye*, this research challenges this traditional paradigm.

4.4 The Conversation process

By way of self-introduction; and following the guidelines of the University doctoral ethics committee, I informed the respondents at the start; that I wanted to listen to what they had to say about their *'work'* in the markets. I interviewed only those young people who were known to be present in the market areas more regularly; and who were not only pointed out by others; but who also self-reported as *Bayaaye*.

At the start of each particular conversation; a respondent was verbally briefed about the nature of the study; and what the interview process would involve. An information sheet; and consent form were given to the respondent to sign ***(****see Appendices I&J).*

Participants gave consent both in written and verbal form; each according to their preference. The consent form was constructed in such a way that it provided a script to the oral consent where this was appropriate. The majority of respondents however decided to give verbal consent.

Over the course of 3-4 hours with short breaks, a series of questions guided by an interview schedule were discussed. This involved a reflection on the respondent's life experiences. A participant was expected to answer questions according to his understanding; and no one was forced to give answers beyond his or her experience. The fact that participants were able to withdraw consent at any time of the study was made clear at the start of each conversation (interview).

At the conclusion of each interview, a respondent was informed that it had been completed, and asked whether he was still happy for the recorded information to be used as part of the research. A local point of contact in each market was established; for the participants to refer to, if they decided at any later date that they would prefer to withdraw their consent. An opt -out form was given and explained to every participant. I also left my contact details with the respondents so that the opportunity to withdraw consent was accessible to them all time.

The initial conversations played the role of pilots. They enabled me to iron out any issues of style and content; and to test out my line of questioning and general logic of the conversations. Those who got interviewed first; gave me feedback with regard to how I could make the interviews more meaningful, 'user-friendly', and understandable; without compromising the quality and integrity of the research. As a result of their suggestions, only slight changes were made to the wording of the questions. I altogether held discussions with 65 *Bayaaye*. On average, each conversation lasted between 5 to 15 minutes. In order to accommodate the majority of the *Bayaaye* with a low or no level of education; all conversations were done in *Luganda;* the main local language of Kampala. The direct speech within the main text of the work is therefore a direct translation from *Luganda*. The cooperation and willingness of the respondents were necessary; to achieve the aims and objectives of the study.

One of the market leaders warned me at the beginning of the field study; that the *Bayaaye* would lie to me; not necessarily out of intent but 'out of habit'. One of the market vendors called *Nalwadda (31);* and well acquainted with the subject remarked: *"If you ask the same boy the same question on three different occasions, you are most likely to get three different answers."*

Given that the *Bayaaye* do carry out their activities in the city's markets illegally; it was expected that some of what they said had to be treated with caution. In fear of revealing too much about themselves; they could deliberately tell half-truths.

This problem was made worse by the fact that Uganda has got no viable national database from which basic demographic information about citizens can be obtained. The national and district data available is also in aggregate statistical terms. I therefore had to rely on the truthfulness of the respondents; with regard to such personal details.

It was not uncommon for many of the older respondents to pronounce themselves younger than they actually were. Twenty-year olds could for example identity themselves as teenagers. This is probably due to the fact that as one matures; the level of 'shame' attached by society; to being a *Muyaaye,* increases. Several times; it was however possible to challenge this wrong self-identification; by nagging the concerned respondent to state their true age. This attitude was also shown with regard to other demographic characteristics like occupation and marital status.

Some researchers suggest that interviewers should experience the world of the respondent, for any meaningful interviews to happen (e.g. Brewer, 2020; Rubin, 2005). Others propose that such an experience is not necessary; as long as the appropriate skills have been employed by the researcher (e.g. Herber, 2014; Chamaz, 2016). My prior acquaintance with the *Bayaaye;* through my brother; was useful in helping me to understand their context; without prejudicing my analysis of their responses. Like any *grounded theory* research (Glaser & Strauss, 2018), conversations became more detailed; as the number of respondents increased. The initial interviews enabled me to iron out any issues of style and content; and to test out my line of questioning and general direction of the conversations.

My interest was in the *Bayaaye's* personal perceptions of their social and support networks; as well as their attitudes to conformity and offending. Even though noise from loudspeakers, shoppers and vendors was a hindrance to audibility; distractions of memory on the side of the respondents was the greatest hindrance. To overcome this difficulty, I decided to use both open and closed questions. These were drafted in such a way as to enable the respondents to focus on reflecting on their experiences. Some of the *Bayaaye* would keep signing on and off the interview; whenever someone called them for 'a deal'. This behavior led some conversations to last longer than others. During the conversations; meaning was made of any verbal and facial expressions of the respondents.

The informal market atmosphere was also conducive to the breaking down of any barriers between the interviewer and the respondents.

The first part of the interview focused on introducing myself to the respondents and the purpose of the research. I also underlined at this stage what was expected of both interviewer and respondent. This part also focused on eliciting factual information about static factors like age, marital status, education and employment; and experience of offending.

I also stressed at the start of every interview; that I was seeking the 'advice' of the respondent on the situation of the *Bayaaye*; and that it was more of a 'conversation' than an 'interview'. I made an effort to make the process a frank and open discussion about the respondent's offending behavior and experiences.

The second part involved seeking the opinions of the respondents and their value judgments. This involved more in-depth, semi-structured questions; seeking the respondent's perceptions about the following issues:

a) Own understanding of offending

b) Frequency and type of offending involved in since start.

c) Advantages and disadvantages of offending at start and continuity.

d) Factors that hindered or facilitated the involvement in offending.

e) Any significant events and outside factors; and their impact on offending behavior.

Respondents were asked to record a timeline of the number and type of offences they remembered to have committed since onset; and the number of times these were recorded by police. Secondly, respondents were asked to group the offences in a way that made sense to them; e.g. 'for fun', 'out of anger' or 'for money'. This helped to elicit from the respondents; a possible understating of the rationale behind their involvement in delinquent activities. A respondent was also asked to state what they thought was their level of involvement in offending; with '*low*', '*high*', and '*medium*' as the defining categories.

Lastly, respondents were asked to mention any individuals or events that they thought were significant to the onset, continuation and offset [where applicable] of their offending. These are events or people; that they thought significantly affected their actions, behavior or thinking. It was not uncommon that some of the respondents could feel shy or embarrassed about discussing their life history. The assurance of confidentiality; and the freedom to opt out of the conversation; offset this embarrassment.

The interviews were conducted at the respondents' pace. The semi-structured approach helped to direct the conversations away from topics that respondents considered uncomfortable.

In the event that the participant was distressed or distracted; especially within the chaotic market environment, the opportunity to move to another topic, take a break, postpone the conversation to a future occasion; or withdraw from the process; was always offered. The questions asked enabled the participants to choose the reference points in their experiences; that they felt comfortable talking about.

After every conversation, I debriefed the respondents to find out whether the interview did not have any negative effect on their feelings; especially after the exploration of stressful issues. None of the respondents however expressed any stress or discomfort after the 'conversations'. I was aware of the need to find the balance between open-ended and closed questions; as well as the proper use of probes, prompts and encouragement. I was also aware that in the course of a semi-structured interview, a respondent (especially a young one) could occasionally be distracted; or get off the topic completely. I was also aware of the importance of not using leading questions; of listening closely to the respondents; of not repeating questions that had already been asked; of probing when necessary; of not being judgmental; and, of not asking vague or insensitive questions. All these skills helped to get rid of any distress or discomfort; that could arise on the side of respondents.

Paper records were kept to a minimum during the study. Any papers used were kept locked up when not in use; or while being transported. I offered participants the opportunity to receive a summary of the findings after the study. Although some respondents asked for a copy of the questionnaire; to take and answer the questions from home, I resisted this option because it was difficult to ascertain whether the respondent would answer the questions himself without a friend doing so for him. I also wanted to make meaning of any verbal and facial expressions of the respondent. The informal market atmosphere was however conducive to the breaking down of any barriers between the interviewer and the respondents.

4.5 Ethical considerations

During the course of the conversations; crowds of *Bayaaye* within the markets could gather around the one being interviewed and kept ‘chipping’ in. This sometimes tended to reduce the formality of the process. In such cases, I could ask the respondents whether they were comfortable continuing the conversation under such circumstances. If they said ‘No’, then we could shift to another location within the market. On the other hand, in many cases; given that the market places are scenes of chaos, noise and frenetic activity; it was relatively easier to carry out these conversations without drawing any undue attention from bystanders. On occasions, I could ask the respondent to identify a place where we could sit or stand within the market. This was relatively easy for the respondents since they all knew the market very well.

In the context this research was proposed to take place; the question of what constitutes informed consent also became important. The low level of literacy of the market populations; a general lack of experience and knowledge about *research* activities; and the low sense of 'respondent rights' in relation to perceived authority figures; can all impact on the meaning of 'informed consent'.

Channels to make a complaint, seek representation or advocacy were not available to the *Bayaaye*. This could have limited their opportunity to make active decisions in relation to their involvement. For this reason, the semi-structured interview process itself, chosen for this study; encouraged the participants to question the researcher as part of their decision-making process; and to address any perceived power differentials between I and them. I was sensitive to this state of affairs and endeavored to make the participants clearly aware of their rights as respondents.

There was a risk that instances of law breaking would be disclosed during the course of the 'conversations' with the *Bayaaye*. The respondents were however advised at the outset that details of any such incidents could not be kept confidential. They were also advised that they were under no obligation to give the specific detail of any offence they committed in the past or any offending behavior they thought they could get involved in. In line with Leibrich's study on offenders (Leibrich, 1992); I told the respondents; that it was possible to inform me of 'how they robbed a bank without identifying which bank it was'. Informing me however; that they would rob a named bank the next day, would put me in an ethical position of informing the authorities about it. I however stressed it to the respondents that I was only an academic researcher and not a police detective and would not use any information given to incriminate them.

4.6 Secondary sources

In order to increase the dependability of the information provided by the respondents, I consulted secondary sources in addition to direct observation. I also consulted the current demographic data published by the Uganda National Bureau of Statistics (UBOS); the Kampala City Council Authority (KCCA); and records of youth arrests held at the Kampala Central Police Station (CPS); for areas covering the 3 main markets. A lot of useful information about the *Bayaaye* was also obtained from the local and national media houses i.e. *Bukedde*, 'The *RedPepper*' '*The New vision'* and *'The Daily monitor'*. Information obtained from these sources provided a context to the study at the analysis stage. Secondary data was also useful in verifying the self-reports of the research participants.

The Kampala Central Police Station (CPS) keeps a record of all arrests made in the city for any offence. Offenders' records are kept and filed in paper folders: i) alphabetically ii) by location iii) by offence type iii) by frequency of arrest and iv) by age. In the general files I accessed however, motivations and the circumstances surrounding these offences; are not recorded. Such details are kept in the personal files of each offender. For purposes of this research, I did not require to access the circumstantial details of the arrests and offences because:

i) Such information obtained under duress; when someone has just been arrested, may not always be truthful. ii) Such information includes the personal, prejudicial and legal considerations of the recording officer.

Crosschecking with the police records ensured the authenticity of the information given in the 'conversations. Unlike elsewhere, it is relatively easier to access such records about third parties in Kampala without making an official information request application. There were those whose offending did not feature in the official records. Given that SROs [self-reports of offending] are always more credible than those of non-involvement (Farrington, 2001: Home office report), I did consider the *Bayaaye self*-reports to be reliable. The purpose of accessing police records was also meant to complement the narratives and memories of the respondents; regarding their offending behaviour: especially the type and frequency. According to Farrell & Bowling (1997); there is always a possibility that respondents are tempted to intentionally imbue their previous lives and experiences with positive innuendo; when in front of a third party. Other factors that may affect self- report data from personal narratives may include: poor respondent recall, level of rapport with interviewer; and the level of willingness of the respondent to cooperate (Guttorm et.al, 2021). Different sections of this report have explained how each of the above factors were minimised. It took me three months (12 weeks); to complete the whole field-work; from negotiating with the gatekeepers and gaining access to the respondents; to returning to the United Kingdom.

4.7 Limitations of study

The difficulty of accessing and getting information from a suburban market environment in Kampala; cannot be underestimated. There were the ethical considerations of confidentiality and data protection. This was especially apparent at times when market vendors crowded around me; in order to listen in to what other respondents were saying. Some could bend over the shoulder with a 'mobbing' effect, to listen in. There was also the need to exercise diplomacy with the market leaders; especially with regard to access to the relevant market population. As explained above, there is a lot of skepticism about any activity that has to do with seeking people's opinions; because of the intense political polarization within the marketplace in

particular, and the whole country in general. This meant that the research had to be conducted in a 'politically correct' manner. The Ugandan government is sensitive to initiatives that do expose its neglect for the social welfare of young people.

There was a need for resilience and persistence; especially with regard to the covert and uncertain nature of the *Bayaaye*. *Bayaaye* tend to be in constant motion; due to the diversity and uncertainties of the 'activities' they carry out in the market; many of which keep distracting their attention. On many occasions, I had to take trouble to complete a conversation in time; as the respondents kept being distracted.

For a few others, I had to come back the next day to complete the interview. The attrition rate was however very low. It was nonetheless possible to maintain a fixed number of participants all the time. Some who were selected at first; ended up not being useful and dropped out of the study at halfway point; while others joined later on and proved very useful. More and deeper information was obtained as the study progressed; which meant that the initial participants had a different experience of the study from the last cohort. Although this is in line with the grounded theory approach; and qualitative research, it meant that more information could have been obtained from the first participants. Without limiting the participants number to 65; the study could have progressed indefinitely.

Due to Uganda's cultural practices; that restrict the liberty of young girls, the majority of the *Bayaaye* are male. This implies that conclusions from the study can more accurately be generalized to young males; at the exclusion of females. This leaves open the question of how young delinquent females would fare under similar circumstances. Since the study used a phenomenological approach; that focused on exploring the *Bayaaye's* personal experiences; it may not be possible to accurately generalize the conclusions of the study to wider populations of young people in Uganda. The credibility of the findings and their transferability were therefore dependent on the truthfulness of the participants and the interpretations of the researcher. The findings will however be useful in gaining a deeper understanding of the challenges that face young people in the inner cities of Uganda.

It is possible that what the respondents shared of their experiences; could as well be more of what they thought the interviewer wanted to hear; than what they had actually experienced. Because the *Bayaaye* consider one's length of stay in the city and experience of the markets an asset, there tended to be an upward adjustment in the amount of time spent in the city in the course of the conversation. This being an ethnographic and qualitative study; emphasis was put on paying attention to the meanings behind the stories told, rather than their accurate detail.

The difficulty of accessing and getting information from a suburban market environment in Kampala cannot be underestimated. There were the ethical considerations of confidentiality and data protection. This was especially apparent at times when market vendors crowded around me in order to listen in to what a respondent was saying. Some could bend over the shoulder with a 'mobbing' effect, to listen in.

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Chapter 5 Methodology and analysis of results

5.1 Justification for the study

Little research has previously been done on the criminality of the *Bayaaye* and yet in the words of Nalwadda; '*they are of greatest concern to the Kampala city council authority (KCCA)*'. The scanty existing research about their lifestyle is basically quantitative and focuses on drawing conclusions from secondary data. The *Bayaaye* have at best been studied under the generic term of 'young people' without attention being given to their specific situation. Secondly, prior studies have focused on the *Bayaaye* as *objects;* and not as *subjects* within their own context and situation. The kind of *listening* and *giving a voice* to the *Bayaaye;* through the use of an ethnographic approach; as provided by this study; is the first of its kind in Uganda. According to recent estimates, the *Bayaaye* cost Kampala city Authority 500 million Uganda Shillings ($70,000 dollars) in lost tourist revenue, per quarter (UBOS, 2022). The city council also spent the equivalent of 100,000 dollars per quarter in struggling to put the *Bayaaye* off the streets; and through the criminal justice system (KCCA Annual report, 2021).

5.2 Purpose of study

Some of the *Bayaaye* eventually desist from offending; while others drift into more serious crime after getting in touch with hardened criminals in the city. This thesis does not focus on the process of *desistance* that some of the *Bayaaye* may eventually embrace. Such a study requires a longitudinal approach which is beyond the time framework and scope of this thesis. This research tries to expose the reasons for the *Bayaaye's* tendency to criminality; and explores the explanatory power and relevancy to their context; of criminological theory developed in Western settings.

5.3 Respondent backgrounds

5.3.1 General background

In a special way; I wanted to focus on those *Bayaaye* who were still involved in offending regardless of whether their behaviour had come to the attention of the police or not.

a. Participants were between the ages of 18-30. This age range falls within the definitions of a 'young person' in Uganda. At the analytical stage; participants were further categorised by:

ii. Age: (18-25, 26-30),

iii. Gender: (Male/Female),

iv. Level of education: (Schooling/out of school)

v. Employment: (Employed/non-Employed) and

vi. Marital status: (Single/married).

b. All respondents were chosen from the 3 main market areas of Kampala of: *Kisekka, Nakasero* and *Owino*.

5.3.2 Specific background

a) *Origins*: None of the 65 respondents came to the city before their 14th birthday. 21 of those interviewed had been in Kampala for more than 2 years, while 16 had been living as *Bayaaye* for over five years. 28 had been in this lifestyle for less than 2 years. In 1970, Farrant carried out a baseline study of street children in Kampala. Whereas only 20% of Farrant's boys reported to have been born in and around Kampala (Farrant, 1970); the majority (65) of the respondents, at the time of this study were migrants from the villages to Kampala.

b. *Occupation of Parents*

Given that in Uganda children both adolescent & youth; initially take on the home occupations of their parents; knowing the occupation of the parents was necessary; in order to understand the home background of the respondents; and the environment in which they grew up before escaping to the city. Respondents were therefore divided as regards to the occupation of their parent.

a) Origins

None of the 65 respondents came to the city before their 14th birthday. 21 of those interviewed had been in Kampala for more than 2 years, while 16 had been living as *Bayaaye* for over five years. 28 had been in this lifestyle for less than 2 years. In 1970, Farrant carried out a baseline study of street children in Kampala. Whereas only 20% of Farrant's boys reported to have been born in and around Kampala (Farrant, 1970); the majority (65) of the respondents, at the time of this study; migrated from the villages to Kampala.

c. *Occupation of Parents*

Given that in Uganda children [adolescent & youth] initially take on the home occupations of their parents; knowing the occupation of the parents was necessary.

It helped to understand the home background of the respondents; and the environment in which they grew up before escaping to the city. Respondents were divided as regards to the occupation of their parent.

Table 1: Parental Occupation of mother

Occupation (Mother)	**No. of Respondents (65)**
Tailor	05
Housewife	15
Teacher	10
Rural farmer (mainly subsistence)	24
Business woman (All types)	11

Table 2: Parental Occupation-Father

Occupation (Father)	No. of respondents (65)
Army	06
Mechanic (motor and bicycle)	08
Civil servant	08
Builder	05
Businessman	12
Farmer(Cultivator)	17
Politician	09

Combined with other demographic factors about their educational background, cultures and place of origin; the figures above show a varied home background of the *Bayaaye*.

b. *Living Arrangements*

None of the respondents lived with both parents and only 11 lived with one. Only 11 claimed to be war orphans. 32 claimed to have run away from their parents in the village to come and live with 'friends' in the city. More than half of the respondents were however found to live with close relatives: cousins, brothers and other distant relatives; in accordance with the extended African family structure. Many of the above relatives mentioned above never come to know that the person they stayed with is a *Muyaaye*; with no definite work in the city; since many of the *Bayaaye* are reluctant to reveal facts about their lives to relatives.

"*I stay in Katwe (a slum town south of Kampala) with my Auntie; who is a midwife…. every morning I smarten myself and come to the market. I have done this for the last 8 years. I always tell her that I am a 'car salesman'…she does not know that actually every morning is a 'gamble' for me. I take anyone insisting to see my office; to the offices of one of my big 'clients' and pretend it is my own*" (Kawalya, 28)

The greatest number of *Bayaaye* stay within the Kampala suburbs of *Kibuli, Katwe, Ndeeba, Kisenyi, Makindye, Kaleerwe, Nakulabye* and *Zzana*. From here, they commute every morning into the city markets. These suburbs coincide with the low cost; and most socially excluded regions of Kampala. Preliminary findings indicate that two factors determine the residential pattern of the *Bayaaye*:

i. In the first place, a new *Muyaaye* has to be inducted into the life of the city by someone who has been a resident for some time. This is usually a friend or a relative.

ii. Secondly, the *Bayaaye* were found to form clusters and friendships related to the main type of illegal activity they engaged in.

Residential patterns thereby emerge based on the two factors above. These patterns also seem to explain the relative differences in type of activity; and way of life amongst the *Bayaaye:* with one group putting more emphasis on one particular offence type than another. However, there is as yet no evidence to suggest that any sophisticated 'gang' or 'postcode' related criminal activity exists amongst the *Bayaaye* of Kampala; as is probably typical of deviant young people in Euro-American cities. Although violent gang related crime exists in Kampala; it is outside the scope of this current study.

It is apparent that there are several *transient* subgroupings to which each *Muyaaye* has some affinity. These are usually centred around one boy; who is more respected by others. This one acts as a spokesperson for the group; before the city authorities and the police. *Residence*, *origins* (village), *friendship* and *activity;* seem to form the basis of these subgroupings. These factors however often overlap. A great number of the respondents have for example pointed out that their best friends were their neighbours; and conversely, neighbourhood affinity was the cause of their friendship.

c. *Formal Education*

The majority of the respondents were school drop outs; who had attended school for less than five years. Apart from the 19 who claimed to have been sent out of school for truancy and other disciplinary matters; the majority of respondents claimed to have dropped out of school; due to lack of school fees and war.

Because compulsory universal primary education (UPE) in Uganda was introduced only nine years ago; the majority of older *Bayaaye* either did not complete primary education; or never had one; while the majority of the younger *Bayaaye* have had access to primary education. I met with 6 respondents who still attend school but still come to the markets to 'deal'; without the knowledge of their teachers. Their school ID's and last school report revealed that they skipped school mainly on Fridays. This is a particularly busy day in the city; with the streets congested with people. The likelihood of 'hitting the right target' for the *Bayaaye* dramatically increases on this day. Kaggwa; one of the *Bayaaye* claims: '*'I would like to go back to school as soon as I get enough money*.'' Asked whether he could still cope with the school discipline; Kaggwa added: "*I can always find my way around the school rules''*. The lure of quick money and modern city life seems to entice these young people out of school. The school report for Peter; one of the *Bayaaye* stated: *"Peter is an impossible child. He is always absent and not interested in school at all."*

e) Earnings

Respondents for this study claimed that they were in the city because it offered them opportunities of earning quick money. I asked two questions about their income: "On a typical day, how much money do you earn?" and "Do you know how much money you earn every week?". Both questions were difficult for the respondents to answer partly because; many said that they usually spend all they earn right away on food, fancy clothes, cinema, football matches, gambling and leisure. At night time, the *Bayaaye* flock to cinema halls located within the shanty slums of Kampala. A typical cinema hall in a Kampala suburb is a wooden structure with pieces of wood stuck in the ground for viewers to sit on. A single 22" TV screen is used to show the films. A skilled translator of English; usually narrates the film tracks in *Luganda*. The majority of *Bayaaye* congregate into these 'video halls' from evening until midnight.

Within these shanty halls; they the *Bayaaye* forge new relationships; make contacts and get to hear of 'new deals' in town. A few of the *Bayaaye,* who have nowhere to stay for the day; spend their nights in these halls. Asking Lwanga about their most favourite films he had this to say: "we prefer action films with some violence and fighting." Asked why, he added; "*Because these types of films reflect the kind of life we also live and we get some tricks of survival from them"*. Other *Bayaaye* with better means do frequent night clubs.

Information obtained from one of the market leaders confirms that the *Bayaaye* earn between 20,000/= Ug (£5) and 60,000/= (£15) a week on average. One can however be 'lucky' and get a 'deal' that can earn him much more than that. There have been incidents where a *Muyaaye* obtained a life's savings worth in just one day. In such cases, some decide to buy houses, buy fancy cars or simply squander the money and then continue with the delinquency cycle.

Others are arrested and end up within the criminal justice system. Several respondents for this study spoke of dreaming of an occasion when they would 'make it in one day'; without having to struggle much. Lusse (22) had this to say: "*I also want to be like my friend Kato. He came from the village with nothing; but is now a millionaire*". When I pressed him to explain how that could be possible, he answered: "It is all about *kuyiiya* (juggling the mind)".

These preliminary findings showed; first of all, that to exist as a *Muyaaye* in Kampala can probably be more 'remunerative' than most jobs; which are out of reach of most young people in Uganda. When these *Bayaaye* go back to the village therefore; driving fancy cars and in trendy outfits; they tend to act as 'role models' for their 'less fortunate' friends in the village. The vicious circle of a delinquent lifestyle is therefore propagated as the more successful '*Bayaaye'* go back to the rural areas to recruit more young men for the city. Further discussion will however indicate that many rural young men also do consider themselves 'more successful'; from a Ugandan traditional and cultural stand point.

Leadership

The majority of respondents affirmed that leadership and respect within the *Bayaaye* were informally assumed. Those who had spent more time in the city; and had more knowledge and experience of its workings; were more respected; and tended to assume leadership naturally. Ten of the *Bayaaye* connected respect and leadership to physical strength. Others simply asserted that there were no leaders at all in their groups. This indicates the possible *fluidity* of relationships amongst the *Bayaaye*; that keep changing according to the challenges of the time and place. Yiga (23), one of the boys; had this to say: "*We cannot have a leader because we are not recognised as a group; everyone fends for himself*".

Since they tend to have no clear leadership, the urgency to enforce any agreement between the *Bayaaye;* never arises. Instead of 'rules'; they have behavioural guidelines. These are impromptu; and their observance or non-observance is situational; and ad hoc. In this respect, open competition for customers is to a certain extent restricted by the only 'law' that operates among the *Bayaaye*: *"the personal customer (target of crime) is referred to as 'omulimu gwange'* ('my job'). *no one is expected to interfere in another's 'job' unless invited for assistance by the owner.... fights break out amongst us because of such interference"* Muwanga (31).

Some quarrels amongst the *Bayaaye* occasionally escalate into serious brawls; that get the attention of law enforcement. Sometimes injuries happen to those involved; accompanied by the destruction of property. The possession of un- licenced guns in Uganda is illegal. Uganda has strict laws regulating firearms, as outlined in the *Firearms Act of 1970* under which; possession of licensed weapons remains the privilege of the elite.

Findings from this study show that quarrels amongst *Bayaaye* in Kampala rarely involve gun violence; as is the case in several other big cities**.** Their criminality is also not related to firearm posession.

5.4 Rationale for methodology

The research questions below were central to the study:

i. What are the *Bayaaye's* views and experiences about the *beginning*, *continuity* and *stopping* of offending?

ii. What is the relationship between the reasons given for offending at these different phases?

Because of the marginal status of the *Bayaaye* in matters that affect them; I decided to seek their voice and opinion as already indicated earlier on. The interviews were therefore in the context of a *conversation* with the *Bayaaye;* about what mattered to them within their context. This is in line with Franklin (2002) who asserts that the voices of marginalized groups are crucial in gaining a deeper understanding of the dynamics that form both the foreground, and background of their response to marginalization. According to Butters (2020), fieldwork requires a flexible approach that is based on attentiveness to the respondents' views; and what they see as forming the gist of the problem in their context.

In this way, this study highlights the three shortcomings of previous research on Ugandan youth i.e., failure to listen to their views; reliance on secondary data alone; and, simply focusing on the structural and positivistic 'causes' of their criminality. Many of the *Bayaaye* felt 'flattered' by the attention paid to them; while others like Ssekandi (22 years); gave this reason for participating willingly: "*We have to clear our names. You have to tell people that we are not Bayaaye - we are just looking for survival"*. In this respect, if the *Bayaaye* therefore had any interest in my research; it was meant to 'straighten' their image.

5.5 Findings and analysis

The report and analysis of the research findings are a reflection of the *Bayaaye's* views and experiences. The analysis bases on the linkages between offending, transition and Bourdieu's outline of capital; to interpret the respondent's answers. All these will help to direct the literature review and conclusions from the thesis.

5.5.1 Analytical Framework

This section explains how I made sense of what the respondents expressed. The presentation and analysis of the findings draws on insights from counter colonial criminology (Biko,2018); Drift theory (Sykes &Matza's, 1958), the youth justice framework (Muncie, 2009); and the theoretical concepts and insights of Pierre Bourdieu (1979): especially that of capital accumulation. These insights are used to explore the *Bayaaye's* experience of the three phases of offending i.e., *onset, maintenance* and *desistance*.

Primary analysis focused on the three main phases of offending (*onset, maintenance,* and *desistance*); and the three main stages of growth (*child, youth* and *adult)* of the respondent. Secondary analysis looked at the reasons given by the respondents for being at the stages they were at; within the framework of *Bourdieu's concept of capital accumulation*. Relying on Bourdieu's concept of capital; and by linking the phases of transition from childhood to adulthood; to the phases of offending; comparisons can be drawn between the various levels of capital accumulated as one transits to adulthood; and any changes in offending behaviour; that occur over time. Respondents were encouraged to speak about all the three phases in parallel i.e. start/onset, maintenance and desistance; whenever they could. Almost all respondents had had an experience of the first two phases of onset and maintenance.

A knowledge and understanding of their age; also made it possible to establish contextual linkages between the offending phases and the stages at which they were within the lifecycle: of childhood, youth, and adulthood. As already mentioned in the introduction, the term *Bayaaye* covered by definition; all the different phases of offending; and all the different stages of the life cycle. I paid particular attention to the *Bayaaye* between the ages of 18-22 and those at 28-30; because of the anticipated characteristics of these two groups. At the lower end (18-22) were found the majority of starters and persisters; while at the upper end (28-30); were the majority of those moving towards desistance; and for whom the transition to adulthood had occurred; or was about to occur. These latter were found to have more concise and accurate descriptions of their experiences and perceptions.

Bourdieu puts emphasis on the contextual and fluid nature of social relations; especially with regard to the reciprocal appropriation and accumulation of capital. Bourdieu's concept of *capital*; and his emphasis on structural inequalities; helped me to analyse the *Bayaaye's* phases of offending and transitions to adulthood side by side. The analysis looks at both the dynamic processes of change and continuity; within the particular Ugandan socio-cultural environment. Bourdieu's concept of *capital* has been used to highlight the relationship between the phases of offending and transition to adulthood; that the *Bayaaye* go through within their own particular Ugandan context. Bourdieu's concept of *field* explains the notions of childhood,

youth and adulthood. This is in as far as these phases form a system of social relations connected with age-status relations of power within Ugandan society.

In the context of the *Bayaaye*, Bourdieu's (1946) concept of *field* reveals what he refers to as an unequal distribution of capital. The analysis tries to show how the sources, forms and level of capital accumulation vary with each transitional phase. This variance depends on the value that the holders of the capital; and those who contribute towards, or restrict its accumulation place on it. In Bourdieu's terms; and basing on the redistribution of capital, *Bayaaye* offending can be viewed as a manifestation of '*heterodoxy*' at a lower age bracket; which gradually changes to '*orthodoxy*'; as they approach adult desistance. The progression of young people through fields of transition; the internalisation of new values and norms; and the accumulation of various forms of capital, can result into the modification of their *habitus* (values and norms); and their movement towards 'orthodoxy'. From both a structural and agency point of view; the *Bayaaye* can access the sources of capital depending on the ease with which they transit to adulthood.

Table 3 below shows the different ways in which young people in general can accumulate capital using conventional means. By using this framework to analyse the findings of the field work amongst the *Bayaaye*; the argument of this thesis is that this same capital can be accumulated through unconventional means.

Table 3: Potential Sources of Capital accumulation applicable to the Bayaaye.

Type of Capital	**Childhood /Onset**	**Youth /Maintenance**	**Adulthood /Desistance**
Economic	Parental Home	Own Income	Property especially land, cattle or Employment.
Symbolic	Dependence on Nuclear Family, &friends	Independence: Reputation, market &other friendships	Interdependence: Own Children, family, Clan or tribal
Cultural	First born & Heir; Going to school.	Skills acquisition, Qualifications, &Traditional capabilities e.g. Black smiths, local brewers, agriculture, building construction	Clan/family leadership roles, further education, 'large family' chief

Type of Capital	Childhood /Onset	Youth /Maintenance	Adulthood /Desistance
Social	Friends; Nuclear and extended family.	Peer group, Relationships	Own family; wider social networks, Clan& tribal responsibilities.

5.5.2 Categorising the data

Data categorisation was the first stage of the analysis. Kabanda et.al (2023) argue that categorising unstructured qualitative data seems to undermine the very reason why that approach is adopted for the research. They add that any such categorisation done by the researcher; can predetermine and influence the interpretation for the text. Yet, any meaningful explanation and interpretation; cannot be carried out prior to the categorisation and structuring of the data. For categorisation, I divided the interview schedule into specific headings; covering the details about personal background and the stage within the offending and life cycles; at which the respondent found himself.

To the above was added the respondent's perceptions of change; and of the criminal justice system. Further categories arising from the findings include a consideration of risk and protective factors.

With regard to reasons given for offending; *personal, practical, relational,* and *financial* categories emerged as the key organisational categories common to each offending phase. These same categories emerged as key in Bourdieu's theoretical framework based on his concept of capital (1977; 1986). Bourdieu's four types of capital: *economic, social, cultural* and *symbolic* matched and explained well the four categories above; chosen to organise and make sense of the data for the thesis,

5.5.3 Respondent characteristics

The characteristics below are basic indicators of the various contexts for the 65 respondents: of which 56 are men and 09 are women.

Table 4: Age of respondents

Respondent	**18-22**	**23-26**	**27-30**	**31-34**
Male	05	13	21	18
Female	00	03	07	08
TOTAL	05	16	28	26

Fewer female respondents, were within the upper end of the age bracket. Table 4 (Above) therefore implicitly reveals how Ugandan cultures protect girls from becoming independent; more than boys. This may explain why there are very few girls who are *Bayaaye*.

The majority of the *Bayaaye* for this sample were however found to be within the higher end of the youth age bracket. This reveals how 'delayed adulthood' in Uganda may affect the time at which the offending phases (*onset, maintenance* and *desistance)* do occur. Given the unique characteristics; that the age crime curve assumes with the *Bayaaye*; it is difficult to apply Moffit's (1997) '*adolescent-limited offending'* theory; to their context; without first making an adaptation to his theoretical framework.

ii. Living arrangements

Table 5: Living Arrangements of respondents

Respondents	**Living with parent (s)**	**Living with partner**	**Living Alone**	**Living with 'Friends'**	**Homeless (living on streets)**
MALE	03	09	15	21	08
FEMALE			04	05	
	03	09	19	26	08

Table 5 (above) shows the housing status of the respondents at the time of the study. The evidence suggests that the majority of the *Bayaaye* were living with friends residing in the city. This is followed by the number of those living on their own. Results showed that it was the majority of newcomers to the city who lived with friends. With time, they obtained independent accommodation and started living either on their own; or with partners.

iii. Age of onset

Table 6: Age of Onset

Onset Age	MALE (N=56)	FEMALE (N=09)	TOTAL N=65
8-12	01	00	01
13-16	12	00	12
17-20	16	03	19
21-24	27	06	33

Table 6 (above) shows the self- reported age at which respondents started to offend. The responses to the question about the onset of offending were solely based on the memories of the respondents.

Respondents were asked to mention their first time of offending; and the circumstances surrounding the first offence; depending on their own beliefs and attitudes. Answers therefore reflected their own definition and understanding of what 'offence', 'right', and 'wrong' meant. As already mentioned, the responses reflect an age crime graph that is more skewed to the right in the case of Uganda. It also brings to the fore the issue of delayed adulthood.

iv Previous offences.

Table 7: Average number of Previous offences

Number of previous offences	1-4	5-8	9-10	10+
MALE	15	11	22	08
FEMALE	07	00	02	00
TOTAL OFFENDERS	22	11	24	08

The number of previous offences shown in table 7 (above) includes both recorded and non-recorded offences. Some respondents did not disclose non-recorded offences. On the whole however, the average number of previous offences was 9. Given that respondents would be more inclined to refrain from reporting; than to disclosing offending behaviour, this average

could be higher. The above average for the *Bayaaye* sample is however higher than the national average of previous offending by delinquent young people (18-30) in Uganda; which falls at 4 recorded offences per person (Uganda national crime survey, 2012). This higher than national average figure not only suggests a more persistent pattern of offending; but also reveals the extra focus that the police puts on the *Bayaaye;* and their extra visibility to the Uganda criminal justice agencies. The five most common types of offending reported were: *anti-social behaviour (Idol and disorderly)*, *drug (marijuana) possession*, *theft, common assault*, *shoplifting* and *financial impersonation; or obtaining money by false pretences (conmen)*. The above offences were also the commonest; according to the most recent crime statistics (Uganda national crime survey, 2012).

5.5.4 Drifting into crime-The onset of offending

'I thought that no one cared……I did not think there was anything much for me at the time. I was just by myself at first. Then the wrong crowd came by; older fellows…. It was a big act for me…my ego was up in the roof '(Lwanga, 22). Criminological literature suggests that a criminal career has a beginning, a career stretch and an end (Muncie, 2008; Farrington, 1997). I asked the respondents to explain their perceptions and experiences of their start and continuity of offending.

The purpose of this was to highlight the process of change within the *Bayaaye's* own offending histories; and thereby understand the reasons for their involvement in crime from their own perspective. The explanations and reasons given for offending; in the different phases; are interpreted in the context of the four categories chosen by this thesis: *monetary, personal, relational* and *practical;* which correspond to Bourdieu's four types of capital: *symbolic, cultural, financial, and social* capital. They all bear risk and protective characteristics.

In this thesis, *practical* reasons for offending refer to the external or structural factors like employment, family status and education: these correspond to *cultural* capital. *Personal* factors refer to the individual emotional and psychological needs of the Bayaaye; and correspond to *symbolic* capital. On the other hand, *relational* reasons for offending refer to interactions the *Bayaaye* might have with other young people and society in general; and these correspond to *social* capital. Financial or monetary reasons for offending refer to the need to get money for specific purposes. Such purposes include specific ones like drugs purchase or general purposes like 'survival'; and all these correspond to *financial* capital.

Respondents mentioned various factors that they said influenced their decision to start offending.

5.5.4.1 Reasons for onset of offending

Appendix D summarises these responses. Some respondents mentioned more than one factor.

(i) *Relational factors*

Respondents pointed out relational factors as most critical in the commission of their initial offence. Many of the *Bayaaye* for example mentioned being influenced by their siblings in their decision to start offending: '*me and my big brother. …. The two of us cooperated like a team; you can imagine that with that unity; we could fearlessly do anything*' (Kamya, 23). Respondents also mentioned the pressure to be seen as 'part of the crowd' or as sociable; to have influenced their decision to offend. This group of respondents felt the need to gain a sense of identity through belonging to a group.

In the literature review, differential association theory (Sutherland, 1970) has been discussed in the context of Uganda; to highlight how both African traditional and modern group dynamics; can pull or push *Bayaaye;* to or away from criminality: '*When I had seen what my brothers were doing, and the kind of monies they were getting easily; I said to myself, I'll do so as well'* (Mukwaya, 30). "*At first, I always said to myself; why did they do this? I wish I could do the same myself….and then one time in the market, my friend easily got an expensive shiny neckless*.

She told me to look for one myself…. I got the guts and grabbed one from an unsuspecting victim. I was amazed at how easy the whole operation went…." (Namuddu, 26).

Much criminological literature considers the fact that relationships act as both *protective* and *risk factors* with regard to offending (e.g. Morris, 2004; Brynner, 2001). For the majority of the female respondents; having a *Muyaaye* boyfriend; emerged as a critical stimulus to the onset of offending. Relationships were therefore reported to have provided an impetus to the start offending for many female respondents. According to Nakawuka (30), whose boyfriend inducted him into the *Bayaaye* lifestyle: *"our relationship was like a 'training' ground for offending*" (Nakawuka, 30).

Results of the study show that all the women respondents were in a relationship prior to their start of offending: *'I fancied and admired my boyfriend who was a drug dealer…. everybody respected him; and I thought he was cool…. all my friends in turn respected me because I was moving around with him…I enjoyed and wanted the drama…'* (Acan, 29). In this respect, Covington (1985), Nargiso et.al (2013) and Taylor (1993); argue that much drug related offending is induced by partners. However, even when the nature of the relationship changes to being abusive, such offending becomes a mutual interest that keeps the relationship going.

Criminological literature also identifies the 'peer group' as a basic unit of youth lifestyle (e.g., Murray, 2011; Thornberry et.al 1991; Farrington, 1986; Miles et.al, 1998; Muncie, 2009 and Reiss, 1988). Peer groups manifest themselves in various modes in different cultures and situations; ranging from friendships to gangs. Evidence from this study suggests that the *Bayaaye* fall between these ranges: they neither operate on their own, nor do they reflect the blue print of criminal gangs identified by current criminological theory. Coles, (1995) mentions that the concurrent long-time dependence on the peer group; and the extension of the transition period between childhood and adulthood; have seen an increase in the vulnerability of young people: 'if *you do not follow the them, they may think you are an informer…. start isolating you…or even turning against you…the market is both a big and a small place. We all know each other. You cannot hide on your own that much*' (Lwanga, 28).

Literature also suggests that young women tend to seek self- identity through personal relationships more than young men (e.g. Murray, 2007 and Campbell, 1981). The majority of the *Bayaaye* are young men. In Uganda the traditional family structure and the traditional roles of women in society imply that girls leave the villages for cities only because of education or marriage. This consequently makes their likelihood of becoming *Bayaaye* minimal. The fact that girls in Uganda start to offend at a later age than boys, as mentioned above; increases the likelihood that they will already be in a relationship before they commit their first offence. Hence, the majority of women respondents mentioned how they got involved in offending because of their partners' influence.

(ii) *Personal factors*

Respondents also mentioned starting to offend out of fun, excitement and relief from boredom. This is in line with Katz (1988) and Ferrell's (2001) assertions about the essence of the offending experience. The social and economic atmosphere of the Kampala markets makes this 'thrill and excitement' even more pertinent: '*Here in Owino market…it is like a game of cat and mouse…running around the stalls…hiding from the Popi (Police)…It all feels like acting out a film. As we speak now, they are about to come: Sorry; I am going off*' (Lwanga, 19). The above narration also explains the kind of distractive attention with which several respondents participated in this study, as already mentioned.

Several respondents mentioned past traumatic experiences of physical abuse at home as the trigger for their immigration to the city. In Uganda and several African communities, the physical abuse of children by parents; under the guise of 'disciplining' them is still rampant: *'My Dad used to beat me up whenever I came late from school or when I did not finish the work, he gave me to do. My mother tried to intervene; but it did not help…at first, I ran off to my cousin. When*

my dad discovered where I was, I ran away even further away…. to the city…now I have got friends who look after me and I am much happier.' (Opio, 18).

The majority of the women respondents cited depression and anger; resulting from the loss of supporting relatives or from abuse; as the trigger for their involvement in crime: '*I got interfered with when I was only 14…. this has got a lot to do with where; and what I am now…with anger and all that…*' (Nakato, 23). Several *Bayaaye* mentioned the influence of bad childhood memories like exclusion from school, bereavement, domestic violence and divorce; as what drew them towards delinquency. '*From since I was 12; I'd been thrown around….it made me tough'* (Mukasa, 18). 'It *was a terrible childhood….my parents split up when I was 13…my Mum had to leave because she was a punching bag to my dad. Sometimes I could join in to separate them. I now do not give a damn about what happens to me'* (Acan, 22).

Stewart et.al (1994) argue that family bereavement or separation is critical to the development of offending behaviour. MacDonald et.al, (2001) also note how women are more likely to offend than men under circumstances of loss. This is corroborated by Katz (2000) in his *revised strain theory* when he asserts; that childhood abuse increases the likelihood of women offending more than that of men. The gender disparity with regard to personal loss and anger is therefore significant. The assertions above about gender difference are corroborated by the African tradition; which due to its patrilineal structure gives more power to boys than girls. At the death of parents, boys are traditionally the de-facto inheritors of parental property. This leaves girls economically and socially powerless (Nsibambi, 2009).

Although the maturation process is expected to contribute to the movement towards desistance (Holin, 2007), getting older was on the contrary; reported as influencing the onset of offending amongst the *Bayaaye*. This influence however seemed to apply to *lower end maturation* (childhood to youth); than to *upper end maturation* (youth to adulthood). Lower end maturation coincided with increased autonomy and self-identity within society. *'As I was getting older, I preferred doing my own thing. I was neither going out nor doing anything; but I grew nastier at my dad…saying I was not doing this or doing that…until he felt enough was enough….'* (Musa, 31).

(iii*) Monetary factors*

The need for money was mentioned by the majority of respondents; as a major factor in their decision to engage in delinquent behaviour. Consumables, general survival, alcohol and drugs; were given as the major items for which money was sought: '*I didn't have the money to buy in bulk, which is necessary to get a profit when you are dealing. I therefore started to shoplift.*

When my face got known for shoplifting, I stopped and instead started to do house-breaking' (Kaggwa, 27).

Several other respondents spoke of starting to offend in order to access the basic needs of shelter, food, clothing and drugs. Some wanted money as a means of accessing the *status symbols* that their peer groups possessed. Skeggs (1997) argues that in as far as their femininity and bodily language are their only asset; the desire for accessories and clothes become important for young women offenders. Ferrell (2006), stresses how under such circumstances; one's social identity is epitomised by one's 'style'. Sometimes, such 'style' can manifest itself as resistance to the predominant culture (Ferrell, 1995) thereby making offending not only a way of searching for identity; but also a form of resistance.

(iv) *Practical factors*

Several respondents mentioned alcohol and drug misuse as responsible for their offending: '*if I am drunk, I can drive a car, be in breach of peace, fight the police; and may become someone else'* (Mukasa, 23). In Kampala especially in the market areas, the sniffing of *Marijuana* and *banji* has become a common habit; not only for *Bayaaye;* but for street children as well: *'We call it aeroplane fuel. It gives you enough energy and warmth for the cold nights.'.'* (Kabuye, 23). *"When I get a dose of the 'leaf', I feel like coming down. and mind is like telling me to go into a shop and pick something without permission …I also feel as if I am invisible and invincible to everyone"* (Mbaziira, 21).

Low quality drugs are relatively cheap and easy to obtain in Kampala. They are now grown in plenty in villages; only to appear on sale in the city's market stalls. Law enforcement agencies in Uganda have not yet come out strongly to curb it; in spite of its official criminalisation by the state.

In Uganda, the laws surrounding marijuana are complex. While the country has made significant progress in legalizing medical cannabis production and export, there are still strict regulations in place. Uganda legalized medical cannabis production and export through the Narcotics Drugs and Psychotropic Substances Control Act of 2015. However, patients cannot access medical cannabis due to strict prescription regulations. Recreational marijuana use remains illegal in Uganda. Only one company had been granted permission to start cannabis cultivation as of 2022, despite the legalization of medical cannabis production. The Ugandan Ministry of Health approved cannabis exports for medicinal purposes in January 2020, with strict requirements, including a minimum capital of $1 million and $5 million in reserve capital for exporters. In May of 2023, the Constitutional Court nullified the law prohibiting cannabis use, effectively legalizing it. However, the Narcotics and Psychotropic Substances (Control) Act

2023, signed into law in February 2024, allows licensed farming and use of marijuana strictly for medical purposes with harsh penalties for substance abuse-related crimes.

Respondents mentioned the ease with which other offences can be committed relatively easily within the chaotic market area; with a very low likelihood of detection and arrest. This was mentioned as another factor influencing their involvement: '*part of the attraction is getting away with it…once you start thinking that you are not getting caught; you just go on doing the same thing with increasing sophistication*' (Lukwata, 27). However, the above may also imply incompetence on part of the law enforcement agencies: "*Nakasero market has got over 40 law enforcement officers permanently stationed within the market. Yet, inspite of their presence, the Bayaaye continue to be a significant feature of the market and traders continue to be defrauded and to lose their merchandise*" (Lwanga, councillor -Kisekka market).

In his theory of drift, Matza (1964); suggests that certain types of offences are 'easier' for the offenders to commit not because they have an inherent ease in themselves but because of the process of *neutralisation*. To explain this, he considers that the process of neutralisation coupled with '*will*'; prepares the offenders; and makes it more likely that an offence consequently occurs. Respondents mentioned how the negative image and relative poverty of the slum areas where they reside; was a negative influence on them: '*Almost all the people in this place have not got anything'* (Lwanga, 43). If you had been brought up in an affluent area, do you think you would be the same as you are now? *'Not at all. I'd be a completely different person. I think the area has a problem*' (Kasagga, 28). '*There was much nothing else to do here as I grew up. My mum who works in the market tried her best to look after us but there was no enough money to go to places like the cinema. Playing football in the dust is all we could do…. after the football we could be occupied with planning how to survive'* (Muwanga, 26).

(v) *Propensity to conform*

According to Barry (2001a); young people especially teenagers; give greater importance to the advice of their friends than that of adults and family. Asked about friendships; respondents mentioned that the friendships they had were supportive; though some said they were 'working at' friendships. Many respondents suggested that they started offending in the company of friends. This was so not only as a means of strengthening these friendships; but also, as a way of gaining attention and recognition. '*Reputation*' in the market place; was therefore another factor that was considered to be critical for the *Bayaaye*. It seemed to confer self-identity and power: 'Many *of the lads looked at me with amazement; whenever it came to their attention that I had had a scuffle with the police…. they were like saying…wow…. We all do the same…that's cool'* (Mukasa, 21). *"When I am 'dealing,' I get a reputation for selling stuff and merchandise. I feel proud because all the market folk try to get the cheapest from you. They all think you are*

brilliant getting that stuff for them…. but you just don't want the Popi (Police) to come around asking how you got it" (Muwonge, 31).

5.5.4.2 *Decision to start offending*

Many of the *Bayaaye* mentioned how starting to offend was something that 'just happened'. Only 11 respondents suggested that it was an event that they had actively thought through. The latter gave financial rather than relational needs as the main reason. The average age of onset was 22. This age is above the average age (13) predicted by the age crime graph: *'I said to myself… I am going to have to go out to start shoplifting in order to support myself*' (Kaggwa, 28 started offending aged 21). '*It was very much my decision, sure….it was because I had got no job yet… I was put in a position where I could not cope'* (Lwanga, 31 started offending aged 19).

There did not seem to be any significant association between age and type of reason given at the onset of offending: '*My elder sister, always had money and marijuana on her …she was always drunk and it was like from crime that she always got that much money ……the money she got from selling matooke was never that much…so I concluded that I was not going to get any job soon…I needed money…I had a lot of time on my hands…I had also befriended many of her clients…so I needed something to occupy myself while getting some money…breaking the law was very fitting to my situation'* (Ddembe, 26 started offending aged 20).

Some *Bayaaye* stressed relational needs as the reason for drifting into offending. They cited immaturity, '*ignorance of the city'* and friends; as playing a major part in their starting to offend*: 'It just happened that there were only a few of us around…maybe it is because I was just too young, you get my point…. colleagues have got something to do with it…no one would do it if they were on their own*' (Mukasa, 21, started offending aged 18).

'*Friends of mine used to snatch handbags from the people in the market… you see it is so crowded no one can realise what is happening to them…. they could get good cash from those bags on many occasions, I always said no….no…but I was being called coward, chicken etc…and then afterwards I decided I could not take it any longer. Then one day, I just went ahead and dipped by hand in a loose handbag… for the first time…got 5000 shillings note for lunch…. I have never stopped since then' (*Baguma, 27, started offending aged 19*).*

5.5.4.3 *Type of initial offence*

Several authors mention that the age of onset of offending varies with the different types of offending (e.g. Jamieson 1999 and Frechtte &LeBlanc, 2011). The relationship between the two is however not clear; as there is no evidence to suggest that potential offenders choose an offence type depending on their age. It is possible however, that circumstances and other

factors can determine the offence type. Farrington (1997) for example suggests that the age of onset for *shoplifting* (14 in Europe); tends to be lower than the one for *car theft* and *burglary* which stand at 14-15 years of age in Europe. That for sex offences is even higher: at 16-17 in Europe.

These ages can be adjusted to fit the overall context of Uganda; where for reasons already mentioned; the age of onset of offending is more skewed to the upper end of the age-crime curve. Table 9 (page 106) lists the type of initial offences mentioned by the respondents in this study. Shoplifting was mentioned as the most common initial offence for both men (52) and women (05). Theft (house, car and shop burglary) was the second most prevalent; as an initial offence. These findings are in line with the findings of Rutter et. al (2008) and White & Cunneen (2010); which suggest *shoplifting* as one the *most prevalent first initial offence* and the *commonest* offence; for which young people are arrested. Because of the chaotic nature of the markets and the absence of crime control measures like CCTV; shoplifting was also mentioned as the most *convenient* offence. Respondents also reported this offence as offering *immediate gratification* in terms of 'quick results'; with little elaborate planning needed for its commission. The likelihood of a shoplifter being detected in the markets is very low compared to other offences. Penalties on conviction; for shoplifting or the snatching of bags in the city; are also relatively low: carrying a maximum of a community sentence or a fine (Uganda penal code Act,120). All this makes shoplifting more attractive to the *Bayaaye*.

Of recent however, because of the weakness of the law; mob justice in the markets; has turned out to be lethal for the *Bayaaye*: '*We do this at our own risk…it is better for the police to arrest you than be lynched by the mob …. for nicking just, a small pen*' (Mugerwa, 19 years of age). '*Every year, at least three Bayaaye lose their life by being lynched or beaten to death the city mobs…but they never learn their lesson'* said Sekajja (councillor, *Nakasero* market).

The psychology and criminology underlying 'mob-justice' or lynching; as it happens most especially in African communities; are beyond the parameters of this thesis. Nonetheless, vigilantism or mob justice is a traditional way used by groups of people to deal with criminals and high levels of crime; that cannot be adequately handled by the criminal justice system. Even as it carries cultural innuendos in some places; such vigilantism is symptomatic of the failure of official law enforcement (Loqauni,2022). 'Lynch mobs' are a special characteristic of the Kampala criminal justice space. Uganda's citizens sometimes administer 'mob justice' because they tend to have little trust in the law enforcement agencies. The country's penal code addresses cases of murder and assault; without specifically mentioning 'mob justice'. In this instance, Uganda's Penal Code addresses various forms of assault, categorizing them based on severity and circumstances. Section 236 of the Penal Code Act states that assaults causing

actual bodily harm are punishable by imprisonment. Section 237 addresses assaults on individuals protecting 'wrecked ships or property'; while Section 238 provides for punishment of assaults not specified elsewhere in the code, with imprisonment for up to two years. Imprisonment terms vary depending on the severity of the assault and circumstances surrounding the offense. The law also considers aggravating factors, such as the use of weapons or intent to cause harm. Other relevant provisions include Section 15 which allows for the use of force in defending oneself or property, but this defence is subject to reasonableness and proportionality. In this regard, Section 16 permits the use of reasonable force in arresting or attempting to arrest individuals resisting or evading arrest.

According to Ssekandi, the *Bayaaye* themselves usually form the biggest part of the lynch mobs: "*If someone is caught stealing here in the market, I am the first one to beat him up; before the police arrives…these fellows do not know what to do… and are giving us a bad name. They should go back to the village and grow coffee*" (Karoli, 27). The Uganda Police Report of 2022 mentions that in Uganda, 582 people lost their lives as a result of lynching in 2022 alone. This reflects an average of 1.6 deaths per day due to lynching. The law against mob justice exists in Uganda; but hardly anyone is imprisoned for participating in lynching suspected criminals. 'Mob justice' is hardly found anywhere else in the global north. Global north criminology does not therefore address this phenomenon adequately. As mentioned above, it is beyond the scope of this particular study to explore the ramifications of this behaviour; and also beyond the objectives of this particular thesis to explore the nature of these lynch gangs in Kampala.

The fact that a significant number of the *Bayaaye* (sum=32) reported drug possession as one of the offences at onset; seems to go against current global north criminological literature; which suggests that the use of drugs (excluding alcohol and tobacco); *rarely* acts as an initial offence (e.g. Pudney, 2002; Newbury, 2008). This is partly brought about by the differences in places; where such research was carried out.

While drug misuse in global north capitals is much regulated and monitored; with severe sentences attached to its usage, it is not as much regulated in Kampala. The original Narcotic Drugs and Psychotropic Substances Control Act, 2016 of Uganda; was annulled by the Constitutional Court, in June of 2022. In its place; on 22nd August, 2023, the Uganda Parliament passed the Narcotics and Psychotropic Substances (Control) Bill, 2023 (94 Clauses); which now allows the licenced farming and use of marijuana; strictly for medical use, and sets harsh penalties for a multitude of offences related to substance abuse. Such penalties include, a minimum of a three-month imprisonment; or a 1 million shilling (£300 pounds) fine; or both. This penalty can be compared to the English Misuse of Drugs Act 1971 (c. 38) that prescribes a

maximum sentence of life imprisonment for the taking, carrying and usage of Class A drugs; and 14 years' imprisonment for Classes B and C drugs.

Given the *liminal* status of the *Bayaaye* with regard to offending, evidence from this study shows that their drug related offending falls within the lower end. Over the last ten years, market places in Kampala have however seen the proliferation of the illicit trade in *marijuana* and *Bangi*. According to the Uganda Annual Crime Report of 2022; 872 cases of narcotics were investigated; of which 729 cases were taken to Court. At least 1,100 men and 63 women were arrested and charged in court in the same period. The majority of the offenders were between the ages of 19 and 34. Pudney (2002) argues that offending and drug misuse gradually progress from minor to more serious manifestations. In validation of this assertion, respondents in this study; who reported handling drugs, were found to have had minor offences as their initial offence. The level of seriousness of these offences however gradually increased over the course of time; with more mature respondents reporting involvement in higher-tariff drug related offending.

Respondents mentioned alcohol over-use as a common precedent to the offence of assault. Amongst the *Bayaaye*, common assault usually starts amongst themselves as brawls; in which they fight over 'business' misunderstands; and then develops into the more serious convictions for 'breaches of peace', 'vandalism' and aggravated assault on either the police or members of the public: '*A fight breaks out almost every day amongst ourselves….especially when your friend does not keep his part of the bargain….winning a fight among fellow Bayaaye; gives you courage to confront the police or any non-cooperative members of the public without much fear….Fighting amongst ourselves is like training for bigger battles'* (Kiiza, aged 24).

5.5.5 Perceived advantages and disadvantages to offending

In order to elicit more information leading to the understanding of why the *Bayaaye* choose their particular lifestyle, I asked respondents to explain what they thought and recalled; were the advantages and disadvantages of starting to offend.

5.5.5.1 *Perceived advantages*

What respondents thought and gave as the perceived *'advantages'* of offending did not correspond fully with the '*reasons'* given for starting to offend. These are summarised in *Appendix D.* Financial reasons were most commonly perceived as the main advantage in starting to offend. It accounted for more than half of the responses. The few women respondents were twice as likely to cite this as an advantage in starting to offend. *'I don't need to wait for a month to be paid'* (Mukasa, 27). This kind of situation also alludes to the financial

situation of the country where there is no welfare state to care for the jobless young people. For some respondents, money obtained through offending helped them to 'fit in with the city and the crowd', especially for those who had just left the country side: "*I got more self-confidence through 'dealing'. I felt dressing smartly and spending on what I wanted made others think I had enough money.... I could then mix with richer 'clients'*" (Kawalya, 25).

Several respondents mentioned how they got involved in crime as a relief from boredom and as a pastime activity. Notwithstanding the 'cultural criminology' perspective, this was also mentioned in the context of the unaffordability of formal leisure activities: '*Hanging about in the market doing nothing and all that ...when others are working; makes you feel dead.... speed, connections and thinking on one's feet; all make life in the city more liveable'* (Kiwanuka, 19). Just a few respondents saw 'no advantage' in starting to offend. These asserted that they did start to offend because of unavoidable circumstances: '*I saw no advantage in offending. It put me in a worse situation than I was in in the village...but I had to do it'* (Kawooya, 22).

5.5.5.2 *Perceived Disadvantages*

The greatest number of respondents mentioned dealing with the criminal justice system in general, as the main practical disadvantage of continuous offending. Older respondents mentioned court appearance and going to jail as of greater concern. For the *Bayaaye* therefore, the calculation of risk to avoid arrest seems closely associated with the fear of going to jail and loss of freedom: '*Losing your family, social circle and friends, parties, ... that is what it means to fall in the hands of the police'* (Mukasa, 29). This latter finding can be useful for the law enforcement agencies working in the markets. Appendix B summarises what the *Bayaaye* perceived as the main disadvantages of their lifestyle. Greenberg (1979) in this context argues that different ages calculate the cost of apprehension differently. The process of becoming an adult with the corresponding rights and responsibilities; can be strong deterrents to offending. In Buganda traditional culture; where boys are expected to be the de-facto heirs to their fathers, considerations of loss of prestige and trust through offending can be quite high.

In the same regard, in a culture where delinquency makes it harder for young women to get married traditionally, the costs if being a *Muyaaye* can be also high, as already mentioned in earlier sections. The risks of being a *Muyaaye* at a younger age are therefore minimal compared to those associated to adulthood. Several respondents showed a concern for getting a bad reputation within the community and for upsetting their families by starting to offend; especially where these families and communities had been supportive of them. The above concern was most pronounced amongst women respondents: *'I ended up in a lot of trouble and let down my parents as well.....but I am happier now.... Embarrassing my Dad; who is looking after my younger siblings...was sad. But I am going about with my friends'* (Nankandi, 21). Also, '*I like*

getting into trouble…always going away with friends…my parents can no longer trust me. Trust is very important and I have found myself at a disadvantage' (Nakato, 28). However, the majority of the *Bayaaye* tended to value 'reputation' amongst their peers than that within the community and family as already mentioned.

5.5.6 Offending history of respondents: (maintenance of offending)

The interview schedule included questions that explored in detail the maintenance phase of offending amongst the *Bayaaye*. This covered changes in perceptions and patterns of behaviour of the respondents over the course of their offending histories. The answers given also revealed reasons for continued offending at the time of the study. Table 8 (below) shows the self- report data about the offending histories of the *Bayaaye* at the time of the interview.

Table 8: Offending History of respondents

Time (Years) as Muyaaye at time of interview	**MALE n=56**	**FEMALE n=09**	**TOTAL N=65**
1-3	21	06	27
4-6	19	02	21
7-9	10	-	10
10-12	04	01	05
13 & above	02	-	02

At the time of the study, more than half of the respondents had been *Bayaaye* for an average of 4 years. The majority of the women respondents had been in this situation for an average of three years and below. Sixteen of the men had been *Bayaaye* for over seven years.

This implies the greater cultural pressure on young women to leave the city and go back to the village; or get married as they grow older. In many Ugandan cultures, the parents normally suggest spouses for their daughters as soon as they reach adolescence.

5.5.6.1 *Choice of offence*

During the interview, each respondent was asked to complete a timeline of offences and their frequency since he became a *Muyaaye;* to the present day. This procedure of course had the limitations shared by all self-reported offending (SRO, s). Cross checking with the police records

offset this disadvantage as already mentioned. Where discrepancies arose between a self-report and the police record; the respondent was asked to make a clarification; or have the entry altogether removed from the final research report. Table 9 (below) lists the most common types of offending in which respondents were involved; for the duration of their offending histories. Table 9 below gives the range of offences mentioned by respondents.

Table 9: Most Common Offence Type

Type of offence	MALE n=56	FEMALE n=09	TOTAL N=65
Marijuana Possession	12	00	12
Assault (common)	22	02	24
Shoplifting	34	05	39
Burglary	12	00	12
Anti-social behaviour	15	02	17

The most common offences were also found to be the most recorded by frequency; at the Kampala central police station: showing a high level of consistence between official and self-report data. Within the maintenance phase, the majority of *Bayaaye* regarded offending as a necessary way of 'supporting a particular lifestyle'. This contrasts with the 'establishment of friendships' as one of the main reasons for involvement in offending at the stage of onset. This study also found that the majority of respondents had less sophisticated reasons for their involvement in criminality. The majority of the reasons given were more opportunistic and *neutralising*. One of the respondents for example had this to say about his offending: 'In *such a market place like this; where you do not know who is doing what, you assume that everyone is not straight…you just have to fight your own corner in your own way…*' (Bogere, 23).

5.5.6.2 *Nature of offending*

When asked why they committed certain types of crimes more frequently than others, respondents mentioned the 'ease 'with which an offence could be committed; as a major predisposing factor. Hence shoplifting had a higher frequency of occurrence; than any other offence; including fraud, common assault, theft and burglary. It was however found that there was a gradual escalation in the seriousness and risk profile of the offences committed: from lesser offences to riskier activity. This above escalation was found to correspond to the amount of time one had spent as a *Muyaaye:* '*When you start behaving like the Bayaaye, it all keeps escalating…every day you are running away from something else…eventually it bacomes part of you….it becomes like a full-time job…even the police get to know you as 'a regular, in their cells…'* (Ocom, 29).

Some *Bayaaye* expressed a willingness not to get involved in riskier forms of offending usually citing moral reasons: *'I do not break into houses or break people's necks…I just do what I expect of myself'* (Tonny, 27). 'I *think stealing big stuff like one's car is disgusting; because they spent millions to get it. All I need is to survive. Not to hurt people'* (Kawooya, 22). '*there are days when I get angry by what we have done…you know…. like when a friend of mine robbed an old woman of the money she had bought to buy food in the market…. she went back ill…I couldn't do it*.' (Mwebe, 20). The attitude above reflects the general understanding that *Bayaaye* are young people more at the threshold of criminality than at the centre of serious criminality. Matza's (1964) analysis of neutralisation techniques which offenders use to avoid ethical culpability also partly suggests the prevalence of the liminal status above.

During the course of the conversations, some *Bayaaye* went as far as alluding to 'social justice' as a justification for their broader involvement in offending: '*if you're sleeping on the street because you have nowhere to sleep; …. when you have to break into the cars of these corrupt politicians to get a shilling for food…when you snatch a piece of bread from the market stall before they can throw it away…. you know…. It is offending …yes …. but in inverted commas'* (Lubowa, 28). For some respondents therefore; offending was an informal way of accessing their 'fair share' of the country's resources. This allusion to 'social justice' common with young people in Africa; seems to be missing in Matza's (1964) analysis of the neutralisation techniques.

5.5.6.3 *Impetus for continued offending*

Respondents were asked to explain what they considered responsible for their maintenance of offending; or why they continued to offend; from when they started up to the time of the study. Results show that there was a significant difference between the reasons given for starting to offend and those given for the continuation of offending.

The majority of respondents mentioned individual factors like 'being out of control', 'force of habit' or' addiction' as the reason for their continuance of offending. Others mentioned lack of alternative options: *'It is just inside me. I can't get out of the noose… I am now used to this lifestyle….it makes me alive'* (Mukasa, 24). For others, it was the continuous support needed for their nuclear and extended families in the village; that kept them in this lifestyle: '*It is difficult to go back to Mityana (Small Ugandan town) after all I have obtained in Kampala…at least my relatives visit me here asking for support…for food and medical care…. I .am used to having quick money and things to give them….'* (Nanziri, 22).

Women respondents in particular mentioned how the initial *thrill* and *excitement* of the early phases of offending eventually gave way to despondence, miserly; and to a state of '*social equilibrium*'; whereby they neither fit in the village; nor in the city any longer. With time, the city may therefore start to 'disown' the *Bayaaye*; inasmuch as they can also no longer fit in the village. The price to pay by girls for delinquency in Uganda is therefore always higher than that for boys. Becoming *Bayaaye* makes girls lose all expected traditional 'rewards' and responsibilities; and makes them more alienated from both cultural and conventional life. Few of the respondents reported having had any breaks in offending by the time of the study. Those who had had breaks mentioned going to prison (usually for less than a year), getting a temporary job or illness; which forced them to go back to the village for a few weeks or days.

On occasions; when the government sets up special police patrols in the markets to weed out 'criminal elements', many of the *Bayaaye* disappear from the city; only to reappear at the close of such 'operational' periods. We can refer to the *Bayaaye* in this context as '*short term drifters'*; as opposed to what can be referred to as 'long term drifters'. This liminality seems to imply that Matza's drift theory would apply to the *Bayaaye* only as far as it can explain the short term; weekly or monthly; voluntary *drift in and out* of offending. The theory may not explain fully the long term monthly or yearly drift from offending; accompanied by relapse. It may also not fully explain the *involuntary* 'drift' from crime that might take place whenever there is a temporary increase in the situational crime control measures at the markets in Kampala.

The habitual and arbitrary drift in and out of offending by the *Bayaaye;* implies the need to consider all the three phases of offending (i.e. Onset, maintenance and desistance); as part of a unified and continuous process of change; in order to fully understand the story behind the *Bayaaye* lifestyle. A compartmentalised approach to the study of these phases may not yield consistent results.

This study also revealed that the Bayaaye see continuing to offend as a face-saving mechanism: *'If you give up, they will all think that …. I was a coward…. coupled with the uncertainty of life in the village.' (*Yiga, 23). Desistance would in this context imply giving up the hard worn 'reputation' amongst one's peers. '*Such a 'reputation' would no longer be achievable in the village where the Bayaaye are despised as the 'spoilt delinquents' of the city* '(Lwanga, Local councillor-Owino market). For the more experienced respondents, desistance was difficult because of the 'network of customers' they had attained over time and its demands: 'As *soon as I go back to the village to see my Dad; even for one day, my customers keep calling me…. "when are you coming back?" They ask. Sometimes they come to collect me from the village…you see… I have become an encyclopaedia of sorts on all matters of the 'black-market*' (Acaye, 28).

The study found that the changes in personality that occur with the process of maturation; brings about ambivalence whenever contrasted with the 'reputation 'one has to uphold amongst his peers and 'clients': *'I want one day to go back to the village and invest my money in a good project…and possibly become a village chief like my father; but letting down my clients and going back to the village; to kneel down before my poor elder brother… Is a bit too much… for now*' (Badda, 29) Other factors given for continuing to offend included being a 'known criminal', homelessness, drug habits and a continuous need for money: '*At first, without enough money, I was rebelling against the system, then addiction to Marijuana and expensive lifestyle started; the endless need for money then took over…. very hard to let go now'* (Opio, 29).

It was possible for the respondents in the study; to think retrospectively of the factors that led them to start offending. They were however able to distinguish between the different phases of the offending cycle and locate themselves within a particular phase i.e., onset, maintenance, and desistance. Almost all respondents were still within the first two initial phases. An exploration of the phase of desistance was deemed beyond the scope of this study. Some respondents started offending at a younger age (18-24); while others started at an older age (25-32). Those who started at an older age gave more expedient and practical reasons for the start or continuation of offending. The majority of respondents suggested that offending provided them not only with financial support but also with belongingness and other cultural, and symbolic goods in line with Bourdieu's theory of capital.

Many were young people who had migrated from the rural areas to Kampala; and eventually found solace in the markets of *Kissekka, Nakasero* and *Owino*. The money gained from illegal activity is mainly used to acquire 'status' amongst peers; as well as desirable items like alcohol, drugs, clothes and make-up (for women). There was evidence to suggest that several older *Bayaaye* had made a career out of this lifestyle and had gone ahead to acquire properties within the city; that are beyond the means of decent Ugandans of a similar age and background.

Chapter 6 *Bayaaye* and the context of African value systems.

Introduction:

The key to understanding the genesis of *Bayaaye* criminality can be in exploring the way in which they shape their own understanding of realistic expectations, the degree to which goals are internalised and perceived as credible, what they think to be morally acceptable behaviour; and the factors that underlie decisions to opt for criminality or conformity. The criminal justice system of Uganda as it stands today, starts from the presupposition that young people commit crimes because of particular *risk factors*; and desist from crime *because* of certain identifiable, measurable and controllable *protective factors,* to which they find them-selves exposed. Many of these factors have been proposed by global north criminological literature. The argument of this thesis has been that, it is possible that the *Bayaaye* commit crimes *in spite* of such factors. The thesis therefore proposes that in focusing on the measurable psycho-social *protective* and *risk factors*, there is a tendency for criminology to ignore what makes these factors operational in crime causation and desistance. It is important to understand what triggers *risk factors* to become *causal*; and what it is that makes protective factors *protective*.

The thesis therefore suggests that, a *value- based* approach: which focuses on the *Bayaaye* as the *agents* of their own actions, provides a more plausible explanation for the origins of their deviance. It is an approach that would bear resemblance to global north classical criminology; that put emphasis on individual *free will* and *agency*; governed by biological psychodynamic factors; at the expense of external influences. Such a *value-based* approach would put emphasis on the role of an individual agency that operates within the context of a society and a culture; that shape the behaviour of the *Bayaaye*.

6.1 *Bayaaye* and the exercise of agency

Right realism and positivism have given birth to administrative and environmental criminology; with their perspectives of *routine activity, rational choice* and *opportunity;* as the principal determinants of crime. The focus of administrative criminology is therefore on the *act of crime* than on the *offender*. While classical criminology was concerned with the creation of an effective and efficient criminal justice system to curtail potential offenders, administrative criminology is primarily concerned with situational crime prevention focused on what is termed the 'minimisation of risk factors' and the 'strengthening of protective factors' (Dawkins, 2006; Jackson, 2017).

This leaves the offender more of an *object* than a *subject* of his own behaviour. Consequently, such an approach cannot adequately explain *why* offenders like the *Bayaaye* choose to act the way they do. Although *rational choice theory* (RCT) projects the offender as an economic decision maker; who weighs the costs and benefits of his action prior to its execution. This thesis suggests that RCT does not address the decision making process in detail. The theory focuses mainly on the external factors that impinge on the potential offender; to determine the outcome of his decision. Such external factors are normally envisioned within the perspective of the three dimensions of the 'crime triangle': presence of a *motivated offender*, *desirable objects* and the absence of *guardianship* or the *probability of detection* and arrest. In this context, (Clarke, 2003) also argues that; the aim of crime prevention is to make crime irrational by reducing the temptations and opportunities available to the potential offender and making crime unprofitable with painful consequences. From this perspective therefore, crime prevention is about making the slogan 'crime does not pay'; as valid as possible (Lotthotz, 2022).

RCT does not mention the need to address what makes the offender *perceive* events as opportunities for crime; while a non-offender under the same circumstances does not. In a positivist and deterministic manner, rational choice theory pretends to predict what kind of decisions people in particular circumstances will make. These decisions are projected to replicate themselves as long as those circumstances remain unchanged. The first dimension of the crime triangle, of '*motivated offender'* is hence left unexplored and unexplained. Tierney (2019) therefore asserts that, *rational choice theory* does not recognise the link between prior social structural contexts, cultural experiences, identities; and the genesis of criminal motivations. It presupposes a constant global north context. Criminal dispositions and motivations are simply assumed to exist. There is therefore a need to understand *why* the *Bayaaye* as potential offenders come to *perceive* particular courses of action as costly and others as beneficial.

By postulating the presence of a motivational mechanism governed by underlying value judgements; *valid* only *within* the framework of the *Bayaaye* as decision makers, can we arrive at a holistic understanding of why they do commit crimes.More valid conclusions can only be arrived at by exploring the subjective motivations and the *value system* under which they operate, rather than their *circumstance*s. Because of the multiplicity of values however, such a system can only; but be generalizable to every similar act of crime. We may have the same type of crime under similar external circumstances, but the mechanisms underlying their occurrence may be as many as there are offenders or value systems at play.

The fact that offenders always do make rational decisions; as rational choice theory predicts, therefore strengthens the hypothesis that behind every act of deviance is a value system that is rational and valid; within the logical framework and context of the offender.

In other words, deviant behaviour is *always rational* from the perspective of the offender. The implication here is that, crime prevention measures in Uganda, formed on the basis of a monolithic "objective and rational'' criminal justice system formulated in the global north, will always be hardly effective against the criminality of the *Bayaaye*. In this regard, Webber (2007) and Braithwaite, (2022) rightly argue; that although cultural criminology is useful in helping criminology in general; and the criminal justice system to overcome what they refer to as 'narrow technocratic empiricism', it still has to delve deeper into the meaning of culture. Guardianship as a deterrent to crime can also only be relevant in the context of offenders who are set on achieving their goal.

In his exposition of routine activity theory, Felson (1994) stopped short of explaining fully the mechanism behind the motivation of the offender and what makes the offender *perceive* a target as suitable (Adewumi, 2017). Tierney (2019) therefore argues that according to the routine activity model, the increase in crime rates since the mid-20th century; can be attributed to the increase in greater opportunities to commit crime provided by an affluent and increasingly industrialised society: a society that saw an increase in the number of *craved* objects. Yet even then, Tierney fails to explain what makes offenders in an affluent society perceive opportunities as *'opportunities'* for crime or any available objects as '*suitable'* for appropriation.

In addition, global north cultural criminologists affirm that, several criminals are motivated by a desire for excitement, thrill and protest, rather than instrumental gain. This affirmation however, falls short of specifying that, people commit such crimes as a *means* to achieve thrill and excitement as *goals* in themselves (Garland &Sparks, 2000). Those who analyse rational choice theory therefore fail to make conclusive statements about *why* people chose to commit crimes even after a cost benefit analysis has been done; and why they do make that analysis in the first place. Positivists assert that, individuals decide to offend under circumstances beyond their own choosing and these they say; are associated with ethnicity, gender, alcohol and drug dependency, relative deprivation; and social class. What they fail to recognise is that, pertinent *value*s underlie all these factors.

Of course some of these factors like gender and ethnicity are deterministic; but certainly the road to drug and alcohol dependence is not. At some point in life, a young person *chooses* to pursue drugs as a *valuable goal*.

Buganda culture to which the majority of the *Bayaaye* belong; has specific *taboos* and *mores* that characterise its value systems. Many of these values are expressed in form of proverbs. Such values include; unity in action and care for one another (*Ubuntuism*); large families and fecundity as a sign of blessing from the gods; tribal belongingness; and hard-work (usually through manual labour).

Under such a value system, acts of crime can be rationalised as forms of responding to the needs of the family or clan; through "exacting revenge" on enemies and the desire to "redistribute" wealth; than simply as "acts of breaking the law". At a parallel level; not related specifically to the *Bayaaye*; acts of corruption and political violence in Uganda have been occasionally justified in reference to this value system (Igbinedion,2017).

The amount of influence that *relative deprivation* and *social class* have on the choice for criminality; is also contestable (Cerian,2015; Weber, 2007). This is especially pertinent with regard to the *Bayaaye*. This thesis argues that to be *relatively deprived* is a subjective perspective whose ontology is dependent on one's values and life goals. Social class is also a positivistic construct that depends on external arbitrary factors; which in turn serve as criteria for classification. Factors such as; level of income and education; inevitably, have their genesis in a structural value system that idolises economic monetary achievements and knowledge acquisition. Other idols can replace these within alternative value systems. In some societies such as traditional Ugandan society, *class* was for example based on how fearless a warrior one was; the number of grandchildren one had; one's status within the clan; and connection to the royal lineage; amongst others. Traditional *social status* in Uganda is hereby only remotely determined by the amount of money or property one owns; or by one's level of education (Bitek,1979).

Several writers assert that, street culture: typical of disorganised and deprived neighbourhoods, helps to *shape* the offending behaviour of young people like the *Bayaaye* (Kaylen,2013). It would however be more accurate to say, that far from simply shaping such behaviour, street culture is the *structure;* and criminal behaviour is part of the *content* of such a culture. In a way akin to the criminology of emotion, thrill and excitement, Bourdieu (1992) reiterated the truism that; an implicit practical logic and practical sense, coupled with bodily dispositions, characterise the way social agents operate. He discounted the explicit economic and rational criteria espoused by rational choice theory. For Bourdieu, people act according to their "feel for the game'', where by ''feel'' is the *habitus* and ''game '' is the *field*. It can be added here however that, Bourdieu's *habitus* and *field;* are but expressions and part of an operationalized value system intrinsic to the *moment* of action.

It is therefore important to find an explanation as to why the *Bayaaye* decide to exploit the available criminal opportunities, while other young people in Kampala do not. It is also important to develop analyses to explore the apparent changes in motivation that occur within the life cycle of the *Bayaaye* even when their material circumstances remain the same. Young (2002) therefore rightly argued that, positivistic theories of crime focus on offences and the instrumental dimension of crime, and ignore the offender. They fail to make reference to the emotional and visceral aspects of crime. This thesis has shown however that the *content* and *why* of Young's ''emotional and visceral'' also needs to be explored.

The next section considers how *anomie* can result from the disjunction between the aspirations of the *Bayaaye* and those of Ugandan society; consequently, disposing them to delinquency.

6.2 Plugging the gap between Durkheim and Merton

Durkheim argued that a condition of *normlessness* ensues after the regulatory power of norms and values has been severely weakened; leading to *anomie* (Fuchs, 2020). This in one way is an acknowledgment of the role values play in the onset of deviance. He however contends that the likelihood of criminal or deviant behaviour increases when people are *freed* from the constraints of convention and tradition (Clarke, 1976). It is however not clear, what is left to motivate anyone, who has been freed from any values or conventions. This thesis therefore proposes that, deviance and *anomie* amongst the *Bayaaye* occur either as a result of *pursuing* values that are contrary to those of society or of choosing to change from one set of values to another.

Whereas Durkheim attributed deviance to the *weakening* of the regulatory power of norms (Clarke,1976), it is proposed here that, deviance can be attributed either to the *adoption* of new values or the *strengthening* of subversive values. Contrary to Durkheim's explanation, criminality amongst the *Bayaaye* does not occur as a consequence of being *freed* from values, traditions and conventions; but when they *pursue* ideals that appear to be subversive to those of Ugandan society in general. Durkheim was also concerned with the transition from agrarian to an industrial economy; and the implications of this transition for social solidarity and cohesion (Tierney, 2019). In Durkheim, is therefore a reification and idolisation of *communal values* at the expense of *personal-agency*. For Durkheim, norms cannot be individualised: they originate from; and, must be operationalized within a social context. He therefore argues that, even if the moral force regulating people's behaviour is internalised through the processes of socialisation, still, they exist as a "social fact'': an independent structural feature of society (Jones, 2021).

In his other arguments, Durkheim tries to show that pre-modern societies (of which 80% of Uganda still is); are held together by a largely stable and homogenous collective conscience.

This implies shared agreement regarding values and norms. Such solidarity however, is mechanical and lacks the complexity of modern social institutions (Cottrell, 2020**).** Durkheim's main premise was that, in pre-industrial societies, the essentially unlimited human desires are held in check by the generally accepted norms and values; acquired through the socialisation process. This is the key mechanism for social control. Crime can then be said to have been prevalent in agrarian Europe, just because; the desires of individuals could not be completely held in check.

In this context, Durkheim affirms that, industrialisation brought with it rising material aspirations; and a shift towards what he refers to as "individualism and self-seeking egoism" (Turner,1990). The rapid social change associated with this process; completely alters the traditional sources of social solidarity. An anomic situation therefore results because; old values and norms become no longer relevant to the new society; and the socialisation process cannot adjust swiftly enough to cope with the new conditions. In the above assertion, is therefore a realisation that values and norms that govern peoples' aspirations, do change, and, with these changes, comes the possibility of conflict, maladjustment and "deviance''. In relation to the *Bayaaye;* Ugandan society therefore needs new mechanisms of social control to replace old traditional values; that have been overtaken by the process of globalisation. This also implies a constant reappraisal of the social contract, to match the evolution of traditional values and norms.

Durkheim introduces a dichotomy between the individual and society and discounts the collectivistic view of society as a conglomeration of individuals; of their desires, norms and values. For Durkheim therefore, society is a *person*, whose norms and values have to be protected from the *wild and unlimited* desires of its constituent members. In his study of suicide for example, he focused on a comparison of suicide rates among different groups within the same societies; and, among different societies; instead of restricting himself to the individual level (Selvin, 1958). He therefore dealt with people as *aggregates* and not as individuals. This is also probably why he argues that, as a panacea for anomie; industrialised societies require organic solidarity: a collective conscience clustering around certain core values and norms, while still allowing people to develop their identities in diverse ways (Tierney, 2019). The Chicago school likewise, in their study of deviance within urban America, put emphasis on the social structure at the expense of personal agency: and inevitably came up with inconclusive results (Newburn, 2017).For Durkheim therefore, values and norms at the individual or sub - cultural level are non-existent. At that level he only imputes; ''uncontrolled, unlimited desires'' (Turner,1990). This thesis however argues that these "uncontrolled, unlimited desires'' are symptoms of a pursuit of goals, defined by unacknowledged norms and values; labelled as deviant.

This perspective changes dramatically when we consider an alternative view and explore the ontology of society: as *subsisting within* the individuals who comprise it. An extreme expression of this ontology is that *society* does not exist: It exists only in the abstract. Only *individuals* do exist. The norms and values of society are henceforth a mere reflection and reification of the values, desires and aspirations of the particular individuals who make it up. A situation of anomie would therefore ensue, not because individuals have been *freed* from society's values and norms as Durkheim asserts; but either because their particular values are not reflected within the collective *social contract*, or because, they begin to pursue values contrary to those agreed upon in this contract.

What therefore is referred to as *inevitable rule breaking* by anomie theory; is nothing else but the pursuit and expression of values and norms outside the *social contract*. It is also noteworthy, that in situations of rapid social change; which form the context of Durkheim's analysis; there is evidence to suggest that, values and norms evolve; and, *anomie* would result; not primarily because social norms have been weakened in their regulatory power over unlimited desires, but simply because these norms have gradually become irrelevant and *unrepresentative* of the aspirations of the majority.

In an implicit reference to relative deprivation, Durkheim argues that, a well ordered society is one where people feel that what they have achieved or acquired; is commensurate with what they deserve or could reasonably expect (Maguire, 2017). In order to gain contentment with their situation therefore, those dejected in an affluent society, have to make subjective rationalisations; since contentment cannot be measured in absolute terms. Another implication of Durkheim's assertion is that, since subjective contentment is *value-laden*: Durkheim's well-ordered society would therefore be; one, where people acquire what they *feel, think and perceive to* be their ultimate life goals.

From the proposition above; it can be concluded that when the *Bayaaye feel* that what they have is less than what they deserve, a situation of relative deprivation ensues. This thesis however, argues further that what offsets feelings and perceptions of deprivation, are a set of *contextual* values and norms that act as the *Bayaaye's* goals and ideals in life; and as points of reference. Sometimes these norms may rhyme with those of Ugandan society in general, with those of the *Bayaaye* subculture, or with both.

Sometimes these values may conflict with either or both: in which case, the *Bayaaye* are then *labelled* deviant. Durkheim also argues that industrialisation requires *organic solidarity* as the panacea for anomie: whereby, work tasks are allocated on the basis of ability and equal opportunities. He adds that just as happens in preindustrial society; the collective conscience,

while clustering around certain core norms and values, would allow people a degree of leeway, which would provide spaces for diversity and the development of individual identities.

It is significant however, that Durkheim does not situate the origins of the *social contract* within the personal experience of individuals; but rather, within the *collective conscience*. The values and norms of society are simply presented as a reinterpretation and expression of 'wild' human desires, which acquire normative value only within the social context. In order to achieve proper epistemological decolonisation over this matter, there is therefore a need to explore the genesis of the *social contract*, and the process through which societies come to codify their norms and values.

It is plausible to assume that, the unlimited desires of a few (powerful) individuals in society; are what, eventually become law, through an evolutionary; and historical process of: integration, segregation, and reintegration[1]. This reason could explain why social norms are neither universal nor static: they vary with respect to social groups, classes, cultures; and do change with time (Harris, 1983). The practice of *witchcraft* was for example considered a crime in 16th and 17th century England; and witches were burnt at the stake (Curtis, 1980). Today, superstition is not a sanctionable offence. Likewise, in May of 1650, the *Rump parliament* enacted a law in England; which provided for the hanging of convicted adulterers and incestuous individuals; "especially if it was a second offence'' (Roberts, 1982:1). This law was later abolished in 1660. The same argument applies to the practices of *slavery* and *apartheid,* which were abolished by the British parliament in 1808 and 1995 respectively. There is also evidence to suggest that; child sacrifice, female circumcision and mutilation; are still regarded as quintessential cultural values in several societies in the world today including those found in parts of Uganda; while at the same time being vilified and criminalised in many others. The debate regarding same sex relationships raging in the world today, is another example of how the values and norms of a particular culture can; not only evolve, but also be labelled deviant and criminalised in one culture; while being exonerated in another. Uganda has one of the harshest anti-homosexuality laws in Africa: carrying a maximum sentence of death; for the promotion and participation in a same sex relationship (Anti-homosexuality Act,2023). Human rights activists are however challenging this law in the constitutional court of Uganda.

[1] The philosopher Hegel (1770) considers that, society evolves through the threefold dialectic of: *Thesis, Antithesis* and *Synthesis*.

Merton's analysis of the causes of crime operates at two levels: the *macro level*, of the social and cultural structures and their impact on society in general; and the *micro level*; of the impact of disjunctions in these structures on individual members. Merton also rejects the idea that individual biology or psychology can be the basis of explaining criminal behaviour. For Merton therefore; deviance and crime are a bi-product of a society (American), that is built on the promise of equality of opportunity; and which socialises its citizens to believe that everyone and anyone, can achieve success; provided they have the right attitude and do work hard. In this sense, the roots of deviance are hypothesised to lie within the "American dream'' (Newbern, 2017).

In this way, while affirming society and the *social structure* as the primary sources of deviance, this thesis highlights how Merton contradicts himself by asserting the role of *individual agency* in the development of deviance and criminality. At least Durkheim was more consistent in his idolisation of the social structure and near total disregard for the role of the Individual.

In the contradiction above; Merton affirms that people's expectations are inevitably raised by the social structure through the promise of equal opportunities. This leads to anomic situations: especially if these expectations cannot be met in reality. It can however be observed that, a change in one's expectations, in terms of raising them 'vainly': as Merton explains, is not different from the process of reappraising one's cherished values within light of the goals that society exonerates. If we are to reinterpret Merton therefore, we can assert that *Anomie* amongst the *Bayaaye* ensues, when Ugandan society makes them *perceive* that their own goals and values are not worth pursuing. This perception coerces them into abandoning these for a Ugandan version of an "*American dream'*. If an adolescent boy for example growing up in rural Uganda; valuing the herding of cows and building of huts, as the best possible goal to pursue in life; is all of a sudden immersed in a society, where the driving of fast cars and becoming a billionaire is the best possible measure of success; this boy will not only *feel* relatively deprived, but will also start to *perceive* his own traditional goals and values as no longer worth pursuing. He will be coerced into pursuing the unachievable goal of becoming a billionaire; and most likely become 'deviant' in the event of doing so.

Although the social structure of Uganda has official systems that provide legitimate cultural socialisation and the means of achieving personal goals; these structures, such as education; though pretending to be fairly accessible to all; are biased towards a few who have the means to access and get the best out of them. They are also conditioned to focus on the achievement of goals that are not universally accepted as the best possible goals in life. Using a similar example to the above: amongst the *Karamojong* pastoral-nomadic tribe of northern Uganda, numeracy

and literary skills are not the best possible measures of success under *their own value system:* just as being a warrior, owning several herds of cattle or being a village chief is.

In order to deal with contradictions in his analysis, Merton therefore asserts that there is a disjunction between the expectations of *culture;* and those of *social structure*. Merton's answer to this disjunction is to highlight the dichotomy between the *goals* and *means* of the individual; and those of society; and how members try to integrate them through *innovation, ritualism, retreatism* or *rebellion* (Merton,2016). This thesis argues that there is certainly a personal *value base* that can be attached to each of the above modes of conformity and disconformity. However, this disjunction, need not exist if we explore the role of individual agency in relation to that of the social structure.

Merton and Durkheim differ in their interpretation of the role of relative deprivation; in both the reduction and eradication of deviance. For Merton, deviant behaviour will be much less likely with the creation of equal opportunities, since this will reduce relative deprivation; and, individuals will appreciate that what they achieve, is a just reflection of what they deserve. However, Merton does not explain how these equal opportunities can be created and what they will be *for*: given that individuals, subcultures and society in general might have divergent goals. It is also not clear; whether all members of society will be eager to embrace those opportunities; unless they reflect *their* values and what they consider to be the *common good*. A sociology of equitable development dictates that; society creates opportunities in view of the *common good* (Armatya,2021). This common good however; is not always the *good* for each and every member of society. There is evidence to suggest that the values and goals set up by the social structure are used by members as *relative goods* and means: useful only as far as they help them attain what they perceive to be their own *absolute* goals and values. That is why social rules and regulations are adhered to only as far as they are meaningful to the adherent; and, serve as a *means* to particular *ends*. It can be assumed for example; that motorists will always cross the red lights in as far as there are no security cameras or moving traffic to occasion accidents.

In Durkhemian terms therefore, society can shift away from an anomic situation; not through a reduction in relative deprivation; but, through a natural division of labour that is based on meritocratic principles. Durkheim does not however elaborate on the process through which individuals come to *merit* particular functions in society. The social structure sets up goals, and a system of values; which it deems worth achieving. It then coercively initiates members into a mechanism of socialisation and internalisation of these values and norms. Those, whose values rhyme with this mechanism, will achieve "success'' and *merit* recognition. Those whose particular values and goals are not consonant with those of the social structure, will certainly neither be fully socialised; nor ever achieve "success'' and recognition.

A subculture labelled as ''deviant'' will therefore always coexist with the mainstream social structure. Bourdieu (1992:43-45) considered the notion of *symbolic violence*, as typical of situations where a particular class of people, sneers at the values and customs of another class; similar to the way the *Bayaaye* are sneered at in Kampala. In this sense, it can be deduced that Ugandan society is always *symbolically violent* towards what it considers to be a deviant *Bayaaye* class.

The source of deviance for Merton is inequality of opportunity and the resultant relative deprivation; while for Durkheim, its source is rapid social change or, as in the case of anomic suicide; economic crises (Tierney, 2019). Both however failed to give enough credit to the role of individual agency in the development of criminality. Because social rules and regulations are in the main a reflection of the will and value systems of the powerful, deviant behaviour arising from anomie; tends to be linked to the poor and lower sections of society. The fact that statistics and empirical evidence for deviance is focused on an exploration of the *poor and powerless* individuals like the *Bayaaye*; makes them *seem* more deviant. Merton agrees with the position above; when he discounts strain theories which argue that, deviance and criminal behaviour; are the result of something going wrong in society; which in turn puts pressure on people to engage in deviant behaviour (Agnew, 1987). The difference is that, while Merton ascribes criminality to a break down in the capacity of social norms to control desires, this thesis argues that, such criminality is a result of individuals *pursuing* goals defined by "deviant'' values.

Other writers, rejecting the focus on the strain experienced by the individual; have opted for a macro level of analysis, and addressed the strains resulting from a disjunction between culture and social structure: manifested in the weakening of normative social controls. In expounding "*institutional anomie theory*" Messner and Rosenfield (1994) argued; in agreement with Merton; that, American society is inherently criminogenic, because of the excessive emphasis put on material success coupled with a limited opportunity structure (Tierney, 2019). Although the above interpretation can be empirically verifiable, one can go beyond its limits to propose; that, the cultural value placed on material success and possibly education and politics in American society, has usurped the significance of other values which traditionally offer meaning to a big section of American society: a society of diverse immigrants.

From the above, it can be argued that, America, being a nation of immigrants; inevitably has individuals and groups of people; whose cultural values are not defined by material, educational or political success. ''Deviance'' by these groups therefore becomes; not only a way of self-expression, but also a way of implicit fighting *for* recognition; and *against* imposed values. Material success has come to be engraved within the social and cultural framework of many

global north societies. Whereas it is possible to achieve happiness and contentment in many African societies without being materially successful, it is almost impossible to survive or be contented in the US or the UK, for example; without financial or material support. The hegemony of capitalism has raised *money and material success* to the level of an *indispensable good and value*, towards the acquisition of which; all purposeful activity is orientated.

The prevalence of American criminality is therefore not primarily rooted in the lack of opportunities to achieve material success; but, in the suffocation of a kaleidoscope of so many other cultural values which are not only in conflict with each other, but whose adherents have no way of expressing themselves or of pursuing these values legitimately. It therefore follows that, a reduction in anomie; does not necessarily lie in the increase of opportunities and economic growth, since this simply intensifies the cultural value placed on material success at the expense of other values. Tierney (2009) observes that, institutions like religion, the family and schools; should infuse alternative values in society.

The reason for the above is to counterbalance the preponderance of material success. These institutions are however not well placed to do so: since they themselves are a product of the same value-system. They are already compromised to view materialism as an indispensable good. This thesis therefore affirms that, it is not that the *Bayaaye* are intrinsically deviant: It is their values and norms that are not reflected within the prevailing legal framework; leading to them being subsequently labelled deviant. It is in the pursuit of goals defined by these "deviant'' values that subsequently leads them to criminalisation.

6.3 *Bayaaye* and the process of criminalisation

In line with the discussion above; Bayart (1999) argues: "the notions of criminalisation and incrimination are constructs of a specific cultural system which displays certain relativity, while at the same time pretending to Universal application". When the slave trade was at its peak, slave traders were powerful citizens of their respective nations, who influenced legislation in their favour (Moody, 2020). They operated under a value –system that did not enable them to perceive slavery as deviant or wrong. The ownership of slaves was thenceforth regarded as a noble goal to be pursued; "not only for the good of the empire, but also for the good of the natives" (Brace, 2004:44). When the salve trade was abolished by an act of the British Parliament in 1807, the slave traders who had been exonerated as ''heroes'' of their empires, and pillars of their wealth; were immediately vilified as criminals in a significant turn of events. This and other examples lay the foundation for the dynamism of the law making process. Sexi*sm*, anti-Semiti*sm*, ageis*m*, and racis*m*, are some of the *-isms* which provide both implicit and explicit evidence of the complexity that accompanies the evolutionary process of

criminalisation and the *value base* that embodies it. This opens the debate regarding the genesis and operationalization of the notions of *right* and *wrong*; and their relationship to the concept of crime. In this context, an understanding of the true nature of crime would involve an appreciation of the nature of sanctionable acts and the process of criminalisation.

There is a legal distinction between acts which are intrinsically evil- in -themselves (*mala in se),* and acts which derive their criminality from being prohibited -by –law (*mala prohibita).* A value based analysis of the causes of crime, in light of the above description; inevitably raises the following fundamental questions: Can one validly argue that human acts which are *mala in se* are always criminal irrespective of the cultural value- judgments underlying them? Conversely, can one argue that the criminality of an act is dependent on the cultural milieu and value system within which it is carried out? how different is the philosophical notion of *evil* different from the sociological concept of *crime*? Is it not possible that some crimes are 'not evil' while some 'evil acts' are never criminalised?

Beirne and Messerschmitt (1995) spoke of the process of criminalisation; as one where the law is selectively applied to social behaviour through the three-fold process of *enacting legislation*, *outlawing* of some behaviour and then detection and *punishment*. This process always runs the danger of serving the interests of the powerful such that it is the behaviour of the powerless, the poor and those on the fringes of society that is predominantly criminalised and thereby defined as crime. Here seems to lie the roots of the phenomenon of *'white collar crime'*. Heinous acts of dishonesty and selfish adventurism cannot be defined as 'serious crimes' or even punished as such, simply because legislation against them is not concise or strong enough. Cases of aggravated graft and corruption go unabated in Uganda. It includes financial crimes like fraud and money laundering, public sector corruption, and private sector malfeasance. Not only do these acts bring about extreme social inequality, but they also precipitate economic instability and loss of trust in national institutions. Conversely, there is strong enough legislation in Uganda to incriminate and incarcerate any 'pickpocket' in search of a day's meal. *Bayaaye* fall in this category. The process of criminalisation therefore, in the long run, maintains social inequalities by race, age, gender and class; which turn out to be correlates of what is understood to be *crime*. Sutherland (1949) amongst other scholars, therefore advocated for the stigmatisation of *white collar crime*, as a serious crime like any other.

Section 21A of the Anti-corruption amendment Act (2015) of Uganda states:

"*Dealing with suspect property. (1) A person who deals with property that he or she believes or has reason to believe was acquired as a result of an offence under this Act commits an offence and is liable on conviction to a fine not exceeding one hundred and sixty currency points or to a term of imprisonment not exceeding seven years or both*."

A currency point is equivalent to just 20,000/= Uganda Shillings.

Section 64, Article 1 adds the requirement of a confiscation order of any ill-gotten property upon conviction:

"*Where the convicted person has not satisfied the assessment order within a period of six months from the date on which the assessment order was issued, the Director of Public Prosecutions or the Inspector General of Government shall apply to Court for a confiscation order"*

Sakami. A, (2013) describes the difficulty involved in securing convictions against white -collar criminals especially with regard to corruption and graft. The suspects have the capacity to influence the criminal justice system in their favour, still through the use of corrupt procedures. Suspects also have the facilities and capabilities at their disposal to hide ill-gotten wealth from the inspectors. A maximum sentence of seven years' imprisonment is also not such a severe deterrent.

The case above can be compared to the ease with which convictions are easily secured against poor petty criminals like the *Bayaaye* and how these regularly fill more than three quarters of the prison spaces in Uganda (Uganda Prisons Service Statistical Report, September 2023 (See Appendix L).

Section 81 of the *Uganda Penal Code Act (Cap.120)* imposes a maximum sentence of not exceeding four years' imprisonment for the offence of "Petty theft". Non-petty theft carries a maximum sentence of 15 years and a minimum of four years in prison upon conviction. In addition, however, *Section 162 (1)(a) of the Magistrate's Courts Act* authorises a Chief magistrate to pass any sentence authorised by law according to the circumstances and discretion of court. Petty theft is defined as one that involves amounts or values of items of not more than 10 million Uganda Shillings. Another offence connected with the activities of the *Bayaaye* is one described as "Obtaining money by False Pretences". In Uganda, this offence manifests itself in form of staging scams, identity theft, the forging of documents and impersonation. According to criminal appeal precedent no,64 of 2007 (Nakigudde Medina vs Uganda): "*Any person who by any false pretence, and with intent to defraud, obtains from any other person anything capable of being stolen, … commits a felony and is liable to imprisonment for five years"*. It can be ascertained from the above exposition that the severity of sentences; and the probability of conviction for white collar crime still remains low compared to the lower level types of crime in which the *Bayaaye* are usually involved.

In his work on the division of labour, Durkheim (1997) therefore, explains that because of the nature of the criminalisation process, the criminal law; of what he calls *primitive societies* which

were governed by absolute monarchs; was dominated by *punitive* elements; whereas that of more modern democratic societies is dominated by more *restitutive* elements. This lays the foundation for the dynamism of the law making process. It implies that, any definition and punishment of crime will always continually change according to: the culture, values mores morality, place, milieu and understanding of the peoples concerned (Sharpe, 2014). Crime is therefore more likely to be defined differently by different people at different times (Curtis, 2019). Further research into a history of the evolution of crime for every culture is therefore needed. Such research would explore for example how the act of 'killing' has contextually and historically evolved into; '*murder', 'honour killing', 'assassination' or 'capital punishment'*; how and when consensual sex becomes 'adultery', or 'fornication'; and how and when an act of stealing becomes '*robin-hood tax', 'appropriation', robbery, burglary, 'trespass', 'squatting'* or *'confiscation'*.

We can retreat into hobbesian pessimism and argue; that crime is a symptom of human instinctual existence: i.e., acts labelled as 'crime' are simply a manifestation of human nature, as it should be, without (or before) the intervention of the state. Laws define and decide which human acts can be identified as 'crime'.

Studies show that not all communities have always had laws; and that laws came about as a result of social injustices and inequality; and that they evolved as an inevitable consequence of the transition from '*stateless*' to '*state*' societies (Singh,2020). The importance of Thomas Hobbes' work for criminology lies in the fact that it augments the argument about the nature of crime as in many respects; an expression of the values of man in his *natural state of the jungle:* where the basic laws of nature exist un-curtailed[2]. We can then hypothesise; that, deviance occurs when the values of the '*natural man'* clash with those of his '*social self*'.

In this respect, Hulsman (1986), following the left realist tradition of deconstruction, suggested that, the concept of crime should be abolished and replaced by what he refers to as '*problematic situations'*. *Bayaaye* could for example be appropriately referred to as *problematic youth* rather than as *criminals*. Wilson and Herrnstein (2009) also asserted in this regard, that since the word *crime* can be applied to a multiplicity of behaviours in various circumstances, it remains a meaningless category of analysis. It is however difficult to envisage how basic human

[2] Thomas Hobbes in his work *Leviathan* (1651) asserted that, before the coming forth of the social contract, man lived naturally in "the condition of mere nature", a state of perfectly private judgment, in which there was no agency with recognized authority to arbitrate disputes and effective power to enforce its decisions. In this state, each decides for herself how to act, and is judge, jury and executioner in her own case whenever disputes arise—and that at any rate; this state is the appropriate baseline against which to judge the justifiability of political arrangements. John Locke insisted further; in his *Second Treatise of Government* (1690) that this state of nature was to be preferred to subjection to the arbitrary power of an absolute sovereign (Stanford encyclopedia, 2011).

rights can be protected if all legal codes in Uganda were to be abolished. In this context, Thorsten (1938) suggested in his both historical and historic work; that in our study of crime, it would be unwise to limit ourselves to what the criminal law forbids. He argued that, there is no reason why violations of one form of conduct may not be regarded as crime just because they are not defined so by law. This alludes to the conclusion, that all acts engaged in by the *Bayaaye* should be addressed by the criminal justice system of Uganda; in as far as they are *harmful* to the public in Kampala.

Many of their seemingly 'petty 'actions are neither addressed nor defined by the penal code of Uganda; yet they do cause harm to the public nonetheless. Some such actions include the deliberate falsification of sale-by dates on various products which *Bayaaye hawkers* in the market areas. Where these products are nutritional or pharmaceutical, the level of harm to the public can be unimaginable. Nonetheless, Uganda has laws and regulations in place to combat counterfeit goods. Their enforcement amongst the *Bayaaye* is however still inadequate. The *Trademarks Act 2010* provides comprehensive measures relating to counterfeits, making counterfeiting and related activities a criminal offense. Current legislative efforts also include the *Anti-Counterfeit Goods and Services Bill, 2024*, which is currently being fast-tracked by parliament; to curb the proliferation of counterfeit products in the market. This bill aims to protect consumers' lives, prevent revenue and economic distortions, and support legitimate manufacturers.

Proposed penalties for counterfeiting include imprisonment for up to 7 years or fines exceeding 20 times the value of genuine goods. The key stakeholders in this legislative effort include the Uganda National Bureau of Standards (UNBS); which has rolled out an e-verification service called e-tag to combat counterfeit products. This service allows customers to verify product authenticity using a phone-powered traceability system. The Uganda Registration Services Bureau (URSB) compliance and Enforcement Unit also continues to execute court orders to dispose of infringing items, including counterfeit lubricants and products. Likewise, the Parliament of Uganda continues to emphasize the urgency of enacting a harsher law to address counterfeits, citing risks to consumer health and economic stability.

Conclusion

In her study on offending, Maruna (2001) and Kessles (2020) concluded; that desistance can happen only when the perspectives of the individuals involved do change. *Re-integrative shaming* as proposed by Braithwaite (1989) and Bongani (2020); can in this regard; be one of the ways to deter the *Bayaaye* from embracing negative values. It is a process that curtails the marginalisation and stigmatisation of offenders that can accompany the current criminal justice approach in Uganda. Re-integrative shaming can help them to develop a self-regulating

conscience and an ethical identity. It is about bringing the *Bayaaye* to voluntarily acknowledge that they have the capacity to change aspects of their ontological self-concept.

6.4 Bayaaye and the Globalisation process

Globalisation and the restructuring of the Ugandan economy over the last 20 years have all interacted to affect young people with regard to family relationships, educational opportunities, choices, opportunities, participation in the labour market and lifestyles. These changes have shaped the nature and pace of their transition to independence. Globalisation is a phenomenon that started especially within the last decade; and its emergency coincides with the retreat of both European imperialism and western capitalism; which aggressively expanded in Africa within the 18th and 19thcenturies. Imperialism and colonialism had produced the slave trade; whose long term consequences and impact on the lives of many are still felt; not only in Uganda; but also in the rest of Africa. The impact of globalisation on Uganda has primarily been evidenced in its contradictory and uneven outcomes especially with regard to its dynamics, character and overall results. It is important for this thesis to explore the impact of globalisation on the *Bayaaye* and thus localise their experience within a wider context. In his work, Abdallah emphasizes how the World Bank and IMF structural adjustment programs; with their emphasis on privatisation, the curtailment of state expenditure and the fetishisation of market principles; were the harbinger for globalisation (Weru, 2022).

However, while structural adjustment programs (SAPs) brought about economic growth, social stability; some state functionality and access to new technologies in Uganda; they have not helped to abate youth unemployment as well as their marginalisation and exclusion. In this context, the *Bayaaye* have appropriated and refashioned global cultural flows to further their rights, justice, citizenship and survival. Abdullah (2020) therefore argues that the liminal existence of the marginalised youth in contemporary Africa; brings forth a debate about globalisation and its role in the emergency of subaltern subjective existences.

In her work on youth, Lima (2020) also explores how young people in Africa grapple with the different forms of exclusion and marginality which are the main bi-products of globalisation. These are experiences that pull them into crime and violence; as a way of navigating the terms of their existence. In their work on “hybridity”, Hurst-harosh & Kanana (2020) describe the different modes of engagement which young people in Africa use to confront global cultures as they eventually forge their own. In this process, they get new identities in which both global and local aspects intersect. These new identities are then reconstituted to fit the urban contests within which they find themselves. In their analysis and interpretation of the youths’ “everyday “Hurst and Kanana (2020) also argue that the ‘global’ simply complements the ‘local’ but does

not displace it. With the *Bayaaye* however, there appears from this research; to be a totally new identity that does not merely represent a complementation of the *local* by the *global*. They seem to represent the formation of a new *hybridised type of young person*. The question of dialogue with global popular culture; and the agency of urban youth like the *Bayaaye*; can therefore be approached from not only a criminological, but also a political and economic perspective; when the process of globalisation is made part of their context.

The end of the cold war in the 1990s; fuelled by the emergency of the internet in 1996; and the rise of new communication technologies; saw the dawn of a more prosperous, smaller, freer and integrated world (Freidman,2005). The first chapter has already reported how 95% of the *Bayaaye* do own a particular form of mobile phone despite their dire pecuniary situation. This new wave of online global and supranational culture; has also given rise to a faster movement of people, money, commodities, ideas and information all over the world. While globalisation has pushed many out of poverty in Africa, it has also had the direct consequence of pushing many down into poverty and marginality. The *Bayaaye* therefore exist in a context of both marginality and exclusion on the one hand and inclusion within a global culture on the other.

The impact of the current trend of globalisation on the lives of the *Bayaaye* cannot be underestimated. Current estimates show that every month, more than 2000 young people leave the city of Kampala to seek casual jobs in especially Arabic countries like U.A.E, Saudi Arabia and Qatar (*The Observer,* Oct. 6th, 2023).

This labour migration trend has constantly been described as a manifestation of a modern form of slavery, fuelled by private companies that greatly profit from an abundant supply of young and cheap labour (Denison & Gowan, 2019). Many of these young people have lost their lives due to work-related mistreatment fuelled by racism (Denison & Gowan, 2019).

Modernity, tradition and Pluralism

The apparent polarity of 'modernity' and 'tradition' is based on the assumption that tradition resists innovation and change; and the premise that culture is static (Carrillo,2021). In this perspective, traditional institutions and their values can be seen as obstacles to modernisation. However, when cultures are considered to be dynamic, then traditions can be understood to change. In this regard, every society can be considered to be 'traditional' even as they are undergoing fundamental changes (Gyekye, 1997).

Even though colonial rule in Africa formally ended in the previous century, the shadow of colonial hegemony still lies embedded in Ugandan forms of knowing and understanding the world. Knowledge production and everyday relations are still largely informed by European colonial epistemology (Weru, 2022). Porsanger (2011) therefore argues that tradition can be

defined as a process that involves both cultural *continuity* and innovation. This is not simply the transfer of attitudes, practices and beliefs; but a process that cumulatively brings about change that is rooted in the society's understanding of knowledge, space and time. In his work a bout African traditions; Gusfield (2006), argues that traditional society is often itself a product of change. It represents a diversity of values and norms; and does not have a monolithic social structure. New ways of doing things therefore do not necessarily replace old traditions. These manifest as new additions that merely increase the range of alternative ways of action available to the *Bayaaye,* that help to create a syncretic culture. In this context, Bialostocka (2020) argues that historical and cultural contexts can help to determine which new elements to *accept*, *adapt,* or *reject*. It therefore follows that the *Bayaaye* do not conform to the unidirectional character of the cultural, social and economic transformations that the *global north* model of development proposes to be the basic trajectory of the social change process.

This explains the fact that social history especially in the *global south* is not a teleological unfolding, or gradual rise through a progression of hierarchical stages of development; independent of socio-cultural settings (Fass, 2003). Evidence from dialogue with the *Bayaaye* suggests that Ugandan traditional cultures are negotiating their own '*alternative modernity'*; that rhymes with their socio-cultural and economic contexts (Nsibambi,2018). By merging solutions and ideas adopted from a global culture; with elements of local culture, new modalities are emerging in Uganda.

According to Bhabhi (1994), cultural hybridity can develop situations which do reveal the underlying power relations; that give direction to the way the cultural, the local, the global; the hegemonic and the subaltern; and the periphery and centre; all lead to the process of cultural transformation.

Mabele & Krauss (2022) therefore refer to the process of constructing *alternative mordernities;* which involves breaking free from colonial hegemonies; as an example of what they define as a *de-linking* from western modernity through *de –westernisation*. De-Westernisation examines and questions the basis of global north epistemological premises; and demands that the local context is allowed to shape its own modalities, properties and modes engagement. In trying to imagine and expound on other non-western possibilities like that of Uganda, the de-colonial option questions the rhetoric employed by global north capitalist economies. The capitalist system neither prescribes the path, nor the destination to integration between the *global* and the *local;* and therefore undermines the universality of the transformation process and its result. According to Krauss (2020), the process of decolonisation therefore prefers to replace the globalisation discourse with that of what he refers to as *mundialisation*.

Chapter 7 Discussion

In the first place, one would question the *freedom* with which young people in Uganda embrace deviance to become *Bayaaye*. The pressure and role of '*context'* is what is under examination here. As evidenced through the interviews with the respondents, offenders were sometimes found to have been unexpectedly pulled into acts of delinquency through the actions of peers and associates. Given that a particular offender had the option to walk away from such a circumstance induced by an associate, it would be inaccurate to conclude that they lacked *motivation* to embrace deviance. In this way, the *Bayaaye* can be said to enter compromising situations ready to commit offences. Even though the primary decision to commit the offense is determined by the actions of a peer or an associate, the motivation to offend remains personal; even as the potential impact of the consequences is mitigated (Hochstetler, 2001).

To understand why they choose certain types of crimes e.g. pickpocketing, over others; it is necessary to pay attention to the dynamics of the foreground of each offence committed. Doing so, we can see what it is about each particular offence that is attractive to a *Muyaaye*. Psychologists refer to these '*attractants*' as 'behavioural releasers' Nogueira (2006). Observers are compelled by these environmental physical constructs; which orient them(observers) towards them(constructs); forcing them(observers) to react accordingly. After being thus seduced, the offender has less time to weigh the costs and benefits of acting; otherwise the opportunity is lost for good.

Under such circumstances, the offender has no leeway of contemplating alternative ways of action; and it is also, almost impossible to ponder the potential risks involved in the action. Moreover, having successfully got away with the same acts in the past; they remain optimistic about their chances of future success. Repeat victimisation therefore also becomes a constant feature of *Bayaaye* actions. From the offenders' perspective therefore, the act of pickpocketing or stealing for example, then becomes the only possible way of getting what they want there and then.

Research on British street robbers however, highlights the shortcomings of relying on the rational choice perspective to explain criminality; like that of the *Bayaaye*. Rational choice theorists assert that a deliberate weighing of the potential rewards and costs is a necessary antecedent to the decision to offend (e.g. Cornish &Clarke 1986; Clarke &Cornish 1985; Coleman & Fararo, 1992). I have therefore argued that it is possible to explain an offenders' *(Bayaaye*) immediate decision to commit a street crime; by their participation in the street culture of Kampala; which in many ways resembles that of their counterparts in Britain. During

the period following the Second World War (1950-1970), social cohesiveness within the global north was replaced by personal insecurity.

Anthropophagic (assimilatory of the deviant) societies were gradually replaced by *anthropoemic* (exclusionary of the deviant) societies (Young, 2003). In his historical work, Hobsbawm (1994) also refers to the 'Golden age' of job security, stable marriages and high employment in Europe; as contrasted with the divided and insecure society of late modernity that followed it to form the context of control and containment theories of crime.

7.1 Bayaaye and the collapse of African Traditions

7.1.1 The Context of 'control' and 'containment' theories of crime

Post-modernity, just like anywhere else has brought about feelings of not only physical but also ontological insecurity. Young people can now see involvement in deviant acts as an attempt to regain control in an insecure world. It is a world characterised by broken narratives, increasing regulation, political as well as economic instability; and the re-definition of identity (Kibuuka, 2006). In the first decades after independence, the direction of development fundamentally changed in Uganda. Tendencies to social cohesion, integration and cultural homogenization were replaced by counter tendencies toward social fragmentation, polarization and inequality. This has in turn brought about the weakening of the state, the pluralization and fragmentation of social identity, as well as the decline of civil responsibility and restraint in individual conduct (Mamdan, 2013). The African concept of *Obuntuism* (I am because we are &we are because I am) forms the basis of the extended family and clan system in Africa (Tutu, 1999).

Because social cohesion, strong tribal bonds and being accepted by one's own, are a strong mark of self-actualization; offending and other deviant behavior puts at risk these values; together with the traditional bonds of communitarianism. Carroll &Weaver (1986), Hirschi (1969) and Griffin (2010); identify the four types of social bonds i.e., '*commitment'*: which reflects the extent to which a person is bound by society's regular institutions; '*attachment':* the extent to which people feel loved and connected to others; '*involvement':* the extent to which one's regular social and professional activities keep one busy, and *'belief'*: the degree to which people believe they should conform to the laws of their society. The measure of the strength of these bonds amongst the *Bayaaye* have been reflected in their narratives; showing varying degrees of attachment to both the market and society's values.

Cohen (1972) argues, that with the lack of resources for success in new consumer societies; sub-cultures of young people, characterized by deviancy and criminality inevitably emerge. The

emergence of the *Bayaaye* in Kampala can be seen in this same context. In addition, even though Ugandan society is traditionally patriarchal, existing families have become increasingly dependent upon women's dual role as wage earners and housewives; leading to an increase in conflicts, domestic violence, and instances of family breakdown.

Over the years, the centrality of the family as a reproducer of hierarchy has also declined due to an increased participation of women in work; and to a higher proportion of female single parents (Connell, 1995). The Uganda Bureau of Statistics report (UBOS,2023) mentions that between 2020 and 2023, the number of single parents in Uganda; dramatically increased from 20% to about 30%. The majority of these are women between the ages of 18 to 35; and hence fall within the youth bracket. In this context, Hirsch (1983) argued that under harsh economic conditions, the emergence of single parents has often meant isolation and experiences of failure to care for delinquent teenagers. As already mentioned, it is such teenagers who in Uganda's context; eventually become *Bayaaye*.

The dismantling of African traditional ways of identity formation and individuation in Uganda; has led to the presence of a big number of young people struggling to embrace the new forms of self-actualization and self -affirmation. In the absence of proper avenues to achieve these; *anomie,* and subsequently deviance; result, as predicted by Merton and Durkheim (Allan and Allan, 2005). The debilitation of the structures of traditional African communalism and its social values; has therefore created new dynamics of identity formation. In this respect Kaldor (1997) spoke of the *new wars of identity* that beset young people.The weakening of traditional communities has created a disjunction between cultural, economic, and political structures. In a world that is fast embracing post-modernity, the search for stable identities has therefore been transformed into an alternative way of dealing with individual uncertainty, insecurity, and risk.

In addition, since identity formation is linked to self-restraint and the learning of and internalization of communal moral standards and values (Webber, 2009); the formation of a sense of community becomes harder in the face of the fragmenting tendencies of post modernity (Young, 1999). In this respect (Tierney, 2009) argues' that the increased struggle to stand out in an uncertain and competitive world after the old certainties of traditional communalism have been undermined; increases the recourse to aggression as the only way that enables a young person to attract attention, or to alter his status quo. Although Uganda does not share the various historical, social and political contexts that gave rise to the *control* and *containment* theories of crime; these theories can therefore to a great extent help to explain the emergence of the *Bayaaye* in Kampala. They can also offer a framework within which to

understand the prevalence of youth crime in Uganda and how it can be adequately analysed and understood.

7.1.2 Identity and postmodernity

With the advent of globalisation, traditions and cultures which were once distinct from each other; have become more similar. Former modes of belongingness and identity have been superseded by a supra-culture that almost regards all as identical (Ferrell, 1999).

This subsection discusses how this can contribute to the emergence of the *Bayaaye* in Uganda. The strong tribal and clan system in Uganda, to which the *Bayaaye* ascribe, is governed by groups of 'elders' who wield substantial authority over families and groups of people. Delinquent young people in Kampala and other cities; while remaining rebellious; are still dependent on this traditional social structure for identity. Basing on Young's (2003) work on sub-cultures; one can argue that the *Bayaay*e manifest both *counter-cultural* and *subcultural* elements, in as far as they simultaneously owe allegiance to this traditional structure; while at the same time being driven to embrace a postmodern world view. In expounding structuration theory, Giddens (1984) gives a framework within which the power relations and dynamics of control that operate within these traditional family structures work; and their impact on the life choices of the *Bayaaye*

It is therefore reasonable to suggest that *Bayaaye's* tendencies towards criminality are partly a subconscious reaction against the control of traditional structures, which in their perception are keeping them 'backward' (Kato, 21). However, such an assertion has to be backed by more research evidence. Given that the process of identity formation is necessary in the formation of character and lifestyle choices; it would be important to explore the roles of post-modernity and tradition in the lives of the *Bayaaye*. This can be done by exploring further the significance of social bonding and identity formation theories (e.g. Hirschi, 2002, Postmes et al., 2005). The view that there is a mismatch between 'traditional' and 'modern'; results from a Eurocentric conceptualisation of modernity; which does not reflect African realities. It is a view that does not envisage the possibility of uninterrupted continuous traditions.

7.2 *Bayaaye* as a Sub-culture

The term 'culture' has been defined in various ways. Hassan, (2020) has for example defined it as a form of '*meaning'* embedded in human interactions. Lizado (2017) defines it as a *'tool'* used to inform human behaviour. Jaeger & Selznick (1964) defined it as a *'system'* of values and norms that organise a society. In classical anthropological terms, culture is described as 'that

complex whole which includes knowledge, art, belief, custom, law, morals and any other capabilities and habits acquired by an individual as a member of society' Cilk (2020). Culture can therefore be seen as a form of art; exhibiting both instrumental and intrinsic values. Recent sociological studies on African cultures; especially under the context of globalisation; show that culture functions on both collective and individual levels (e.g. Idowu, 2021; Gikandi, 2001 and Price, 2013). Similar studies also show that culture takes on both dynamic and static aspects; and this process is accelerated by the complexities of globalisation. Under this dynamic, Ugandan urban culture has over the years; also acquired different contextual, ecological, economic, socio-political, perceptual and material elements. These elements are beyond the objectives of this thesis to describe in detail.

In her work, Swidler (1986) mentions the three important characteristics that culture acquires when subjected to the inevitable forces of change: 1. *Publicness* (where public symbols act as a system of meaning). 2. *Practices* (styles, and habits that recreate culture and 3. *Power* (which shapes culture while at the same time retaining its essential form). These three are in line with Pierre Bourdieu's (1987) analysis of *symbolic power* and the various forms of capital that characterise the fields of existence that the *Bayaaye* navigate within their cultural *habitus* of the Kampala markets. In line with Bourdieu (1987), the Kampala markets are a *habitus* whose format the *Bayaaye* determine; while their behaviour is in turn determined by its rules. The thesis therefore raises the question as to whether an *international habitus* can eventually emerge under the forces of globalisation.

While cultural *essentialism* considers aspects of culture to be 'objective schemes' that may lead to people being categorised according to established patterns, a *non-essentialist* approach would see any such categorisation as a result of dynamic processes of change which involve people constructing their own identities along the way. Such identities can only be contextual; with values that can hardly be universalised (Badel, 2001). In this respect, it is more accurate to describe the *Bayaaye* as forging a non-essentialist identity. An identity that does not fall in any of the official categorisations of youth in current criminological theory. It follows that, it is difficult to come up with a clear definition of culture; in relation to a marginal and liminal group like the *Bayaaye*.

It is however possible; within the context of their Ugandan culture; to approach their intellectual, emotional, and spiritual characteristics in two ways: 1. From an essentialist view point, where these features can be considered to be finite socio-anthropological phenomena that characterise their way of life. 2. From a non-essentialist perspective that is more dynamic and these features can be viewed as social constructs that the *Bayaaye* have to continuously to negotiate and renegotiate. In this way therefore, any possible '*Bayaaye* sub-culture' can be said

to be both socially constructed; and also exposed to objective validation. The *Bayaaye;* do live in what Pedro (2010) refers to as '*plural worlds'*. While encountering their identity in the world of a globalised culture, they as well negotiate the varied traditional modes of maturation. This is typical of the complex identities of the global south.

One of the earliest studies about subcultures was by B. Lander in 1954. His original objective was to test Burgess' urban concentric zone hypothesis already mentioned in earlier sections of this thesis. He examined the implication of this theory for the criminal behaviour of adolescents in Baltimore. Using factorial analysis, Lander found out that juvenile delinquency was fundamentally more related to either the *stability* of an area or its level of *anomie*; and not specifically to its structural socio-economic conditions. This finding was a major criticism of Shaw and McKay's *cultural transmission theory* already discussed above.

This finding also helps to highlight how instability or anomie; within the market areas; can be a possible cause for the *Bayaaye* delinquency; rather than the structural socio-economic conditions of these markets. In his analysis of young people's criminality; Matza (1964) does not refer to delinquent 'sub cultures'. He only mentions that since mainstream culture is not uniform; any form of deviance amongst young people cannot be in direct confrontation with it. Young delinquents therefore use *neutralisation techniques* to soothe their consciences that put them in a situation of 'drift'. In this regard, committing an offence becomes a matter of circumstances and luck. For Matza therefore, there is nothing special within the subcultural environment that specifically gives guidance and directives to young people's agency. He therefore indicated that the difference between the subcultural deviant and other young people is more apparent than real. He observes that most of the time, deviants behave like other people, only now and then do they have *lapses* from accepted norms. Matza's description fits well the lifestyle of the *Bayaaye*.

This thesis therefore argues that, the western notion of 'criminal subculture' may be of limited value when applied to the *Bayaaye;* especially in trying to understand the origins of their deviancy. Traditional Ugandan culture; with its extended clan system tends to create sufficient stability; preventing the development of alternative sub-cultures with own particular characteristics. As already mentioned (in section 1.3); two thirds of the *Bayaaye* are still dependent on the rural and traditional family structure as reference points. In this respect, Ferrell (1999) concludes that the concept of 'criminal subculture' as developed by Cohen (1955) and Cloward & Ohlin (1960); is of limited value in the understanding *all* young people.

Basing on his historical criminological work in Croydon, Morris (1959) rejected the hypothesis that the over-representation of working -class people within a delinquent population; merely reflects partiality towards the under-classes on part of the police and the whole criminal justice

system. He found that 'legally defined delinquency'; was a social characteristic of the working class; which alludes to the labelling process as later outlined by Becker (1963) and Braithwaite (1989). This raises the question whether *Bayaaye* is just a *label* attached to the activities of marginalised; and 'lower class' youths in Kampala. There is however evidence to suggest that there is a high level of delinquency prevalent amongst high class state officials. These are however not referred to as *Bayaaye;* but as 'white collar criminals' or 'political agitators'.

In a 1959-1964 study; Willmott and Young (1992) interviewed 246 boys of 14-20 years of age living in Bethnal Green (London); using questionnaires and case histories written by the boys themselves. They found that their delinquency fitted in well with other kinds of discontent inside and outside their area. Rejected boys tended to respond with frustration expressed in aggression. They therefore concluded that their delinquency and violence; were a manifestation of their anger at society.

Willmott's findings, confirmed Cohen's subcultural theory of delinquency; which proposed that lower class delinquents were motivated by the desire to *'strike'* at society; rather than *acquire* wealth. However, Willmott was careful to point out that there are some other delinquent activities which cannot be explained by this theory. Even with a change of context, it is possible to see the relevancy of Willmott's analysis to the *Bayaaye* in Uganda. Given that a sizable number of them were former war orphans; who were neglected at the end of the wars, their tendency towards criminality may be a manifestation of their anger towards an uncompassionate political system that failed to compensate for their lost childhood.

The 1959 Nottingham University study of *Radby*; a fictitious name for an English Midland mining town of 23,000 people; was also a systematic investigation into juvenile delinquency in a small town. An attempt was made from the outset to draw a detailed picture of local working class life as differentiated according to subdivisions within their class. The hypothesis was that within working class areas, different standards were upheld and that differences between norms of behaviour contributed to the differential rates of delinquency distribution. It was also observed that the differences in codes of values, habits and standard of behaviour found their reflection in the delinquency patterns.

The markets of Kampala are working class areas and a pattern of class divisions within them is very distinct. The Kampala markets comprise: the *wealthy (wholesale) traders;* who supply goods to smaller retailers; the *vendors*, the *hawkers*; who purchase bits of goods from retailers at a commission; and the *government representatives;* who collect taxes for the Uganda revenue authority.

All these categories are crammed within the high pressured market space and each represents a distinct social-economic category. These categories can further be contrasted with those within the non-market areas of Kampala. There is therefore a need to study in depth how the dynamics of these divisions contribute to the emergence of the *Bayaaye* as a distinct category or class; and the rules governing its interaction with the other classes.

The main assumption of Sutherland and Cress's (1960) differential association theory was that delinquency or criminality is a learned behaviour. This theory proposed that the development of criminality depends on the frequency and level of intimacy of contacts a person has with other criminals. If these exceed contacts with non-criminals, then delinquency is most likely to emerge. Sutherland's theory was however developed from Gabriel Tarde's (1912) theory of imitation. Tarde stated that; 'men imitate others in proportion to the closeness of their contact; and that the waves of imitation move from the lower to the higher social classes' (King, 2016). In light of the above, one can assume that the proximity of the *Bayaaye* to criminals in the city; and to an unregulated social environment in the markets predisposes them to a life of criminality.

The markets of Kampala can be considered to be 'container spaces' (Hayward, 2013); where the *Bayaaye* interact with their peers and learn new tricks that boost their deviance (see Section 5.6). As reported from the field in section 3.2, more than half of the *Bayaaye* had another *Muyaaye* who introduced them into the life of the markets. Many other young men from rural areas became *Bayaaye* after desiring to emulate the lifestyles of their peers who had gone on to the city (see section 5.2). The problem with the above analysis however, is that it is not yet clear whether it is the *Bayaaye* who bring about a criminal environment within the markets; or it is the criminogenic market environment that breeds the *Bayaaye*.

7.3 *Bayaaye*: Simultaneously 'included' and 'excluded'

In order to understand the *Bayaaye*, it is important to explore the issues of *exclusion* and *inclusion* and how these act as motivators for deviance. In his exposition of cultural criminology, (Young, 2003) examined the phenomenon of social inclusion and exclusion; as it manifests itself within the global north. The notion of social exclusion implies the existence of two or more homogeneous classes. The underclass: which is presumed to be inclined to deviance; and the privileged upper-class: which is considered to be virtuous and relatively more stable. Hills (2003) however, challenged this dichotomy by mentioning that these two groupings can actually be heterogeneous within themselves. Under Hill's perspective, Individuals would therefore exist along a scale of being *included* and *excluded* in a variety of degrees, 'similar to a tidal wave movement at a beach' (Young, 2012). In this context, Matza (1964) proposed that delinquent young people like the *Bayaaye;* do not adopt distinctive lifestyles with a permanent moral code.

They rather *drift* in and out of legitimate and illegitimate lifestyles repeatedly. The implication of this assertion is that, there is an overlap between the '*moral*' and the *'deviant'* in their lifestyle. This fluidity is also typical of postmodernism. Although Merton(1937), Durkheim(1994) and Agnew (1985); had all already inferred a clear distinction between the *included* and *excluded,* the fluidity mentioned above would imply that there are no wide-scale disparities amongst people within late modern society(Young, 2003). This would allude to a classless society. Young (2012) however argues; that it is the blurring of these boundaries that forms the foundation for antagonism. This is so, since the problems of unemployment and economic insecurity; are prevalent on both ends of the *exclusion- inclusion continuum* and especially if these notions are viewed from the point of view of relative deprivation (Ferrel and Young, 2008; Nizalova.et. al, 2021).

Available evidence suggests that there is a growing and significant increase in disparity between the urban and the rural; the materially rich and the poor in Uganda (UBOS,2022; UN country report, 2021). Each of these demographic sectors bears distinct cultural and social characteristics as already discussed in section 1.3.

The relative uniformity brought about by the immediacy and unpredictability of postmodernity and globalisation, is thereby eroded by this apparent contrast. Such disparity is not apparent in global north countries where every citizen is assured of accessing the *basic* necessities of life. i.e., food, shelter, clothing and water; as well as free basic education (Kling and Liebman, 2007;Rahman K.S, 2018).

While in much of the western world however, '*cultural inclusion'* concurrently exists besides apparent '*structural exclusion'*; in Uganda, both cultural and structural exclusion do coexist. Here, cultural inclusion is meant to refer to the level of access an individual has; to both the basic necessities of life mentioned above; and to societal amenities, like mobile phones, televisions, cars, and leisure centres; in addition to a sense of *non-discriminatory belongingness*. Structural inclusion is hereby meant to refer to the level of access individuals have to the benefits of capitalism which manifest themselves in form of *affordability* for an above of average lifestyle.

Structural-economic exclusion exists in Uganda in as far as the gap between the rich and poor is distinct even at the basic levels of food, water, shelter, clothing and education. Cultural exclusion exists in as far as the urban, educated elite in Kampala are looked down upon by the rural traditionalists; as *'spoilt'* by global north educational systems and values. In this way, the former are considered 'cut off' from the traditional and cultural templates of recognition and affirmation. Conversely, young uneducated people in rural Uganda do aspire to be part of the new urban global north culture, with its trappings of the relatively easier and more exciting

lifestyles. An inability to access these breeds a sense of exclusion. The process of exclusion and inclusion in Uganda is therefore more complex. The excluded are simultaneously being included; while the included are simultaneously being excluded.

A situation of mutual cultural and structural exclusion exists between the Kampala *urban elite:* who can access the benefits of modern knowledge and amenities; and, the *rural elite:* who hold the key to cultural, tribal and traditional sources of affirmation, recognition and status. It therefore follows that, the traditional static notion of the *excluded*; as a distinct separate group from the *included*, cannot always be sustained in all contexts (Ferrell, 2006). In this way therefore, the *Bayaaye* in the markets of Kampala find themselves caught between the nexus of inclusion and exclusion; that exists between the interface of modernity and traditionalism. They can thereby be considered a generation that finds itself at the crossroads of modernity, postmodernity and tradition.

The interplay between the forces of exclusion and inclusion; is bound to affect the manner and nature of their tendency towards criminality. It is therefore important to explore the nature and mechanisms that underlie this process. It is an interplay that significantly differs from the dynamics of exclusion and inclusion taking place within global north communities; where social mechanisms are both more predictable and uniform.

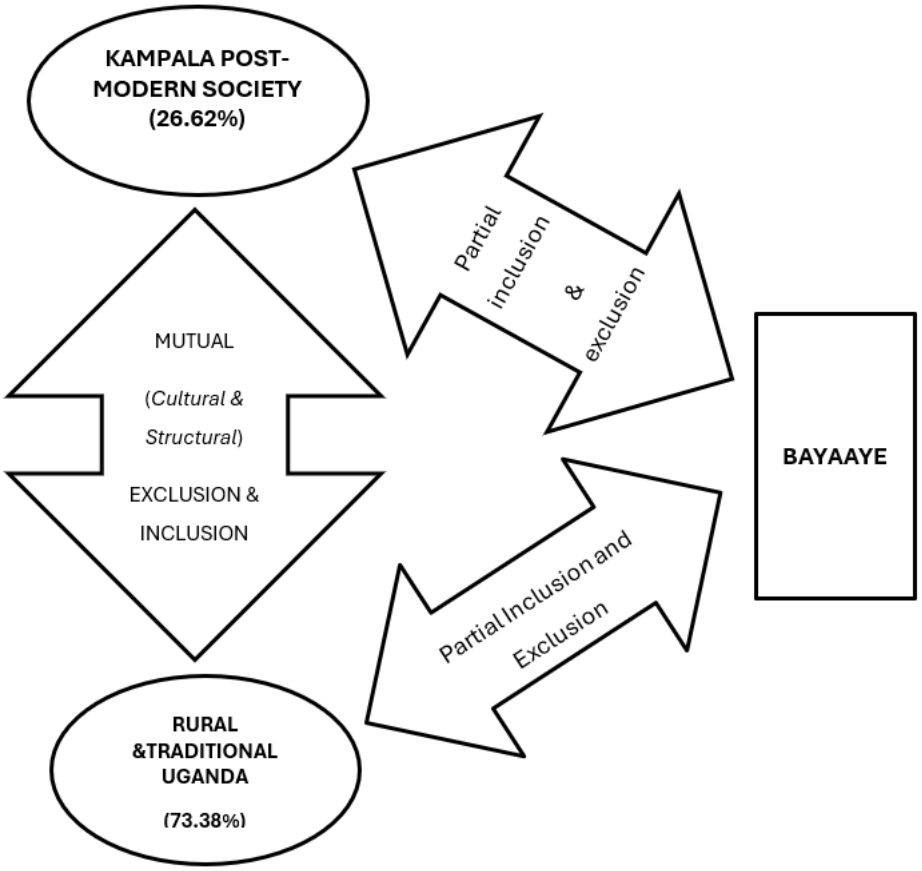

Figure 4: The Dynamics of Inclusion and Exclusion in Uganda

This section has highlighted how the *Bayaaye* face multiple marginalization at the cultural, political and economic levels. However, given that Ugandan society is embracing postmodernism, it can be argued that the *Bayaaye* face more of a crisis of embracing multiple identities; than a lack of identity. Young (2012) speaks of the double humiliation of the 'underclass'; consisting of a sense of being relatively deprived and excluded from the channels of success; and the humiliation that follows it due to the constant threat to their traditional identity. In a society at the cross roads of modernity and traditionalism, such a *double humiliation* is not bound to occur easily since one can shift from one distinct form of identity to another. As already mentioned in section 3.5, it is common practice for the *Bayaaye* to relocate to the 'village' whenever they think they can no longer cope with the pressures and demands of the city. Traditional kinmanship thereby offers a sense of stability in a rapidly changing world.

7.3.1 Capitalism and deprivation

Poverty, which criminology generally considers under the general topic of 'economic risk factors', has received much interest and attention in literature e.g., Gbadebo (2021); Lang, et.al, (2020) and Duri (2021). Pioneer criminologists like Quetelet (1869) in France, Garry (1833) in Belgium; Mayhew (1861) and Morrison (1895) in Britain; also postulated hypotheses about the relationship between poverty and crime. The old schools of criminal sociology, for example; while applying statistical correlations existing between various variables in Europe at the time; concluded that crime was a natural consequence of poverty and misery amongst the masses (Geiss, 1959; Nicotri, 1929). An 1817 report of the House of Commons committee for example attributed the then alarming increase of juvenile crime; to the existence of *poverty and distress* (https://committees.parliament.uk/).The committee observed: "The condition of these poor children is, of all others; the most deplorable. Numbers brought up to thieve as a trade, are driven into the streets every morning and dare not return home without plunder. Others are orphans, or completely abandoned by their parents, who subsist by begging or pilfering; and at night sleep under the sheds; in the streets and market places; when in prison no one visits them" (https://committees.parliament.uk/).

Morrison (1895) concluded in this respect; that 'the economic circumstances of juvenile offenders were so bad; that they could only breed lawlessness and crime'. Other historic studies include that of Thomas (1927); who carried out a scientific investigation of the relationship between crime and economic factors. She for examined the statistics of social phenomena such as marriage, birth, divorce, death, pauperism, alcoholism and linked them to crime. Many of the researchers who have studied the link between poverty and crime have

however tended to be more descriptive than analytical; using the term '*poor'* very vaguely (Young; 2009). The term has therefore lacked a clear definition in its usage and application. Mannheim (1965) historically gave the following below; as the mistakes most frequently encountered in popular definitions of poverty:

a) The economic factor in crime has often been interpreted in the narrow sense of 'poverty'.

c) One-sided political theories have prejudiced the issue.

d) The term has been used exclusively to refer to global north contexts.

e) The term has been treated in a static rather than dynamic manner.

f) Where quantitative approaches have been used, the periods of investigation have often been too short.

g) In case studies, authors have not realised always that certain economic factors such as unemployment; present in one case at one time; may show their effects not in the same way in other cases. The notion of poverty therefore raises the question of *relative deprivation* and its role in the lives of the *Bayaaye*.

While Karl Marx and Engels (1886) saw the problem of crime in economic terms and explained it away as a product of the fundamental conditions of capitalist society; Durkheim generally viewed crime in moral terms (Alexander, 2005; Mueller, 2016). He therefore stressed the inherence of conflict within the very nature of capitalist social arrangements. This he argued, is because it was capitalism that generated the vast differences in standards of living; and gave the *few* at the top so much power; over the *many* at the bottom. Being the source of unjust inequalities, Marx considered capitalism to be at the root of social conflict. It therefore follows that for most theorists; writing in the critical tradition, capitalism is seen as an economic system of inequality; that is criminogenic in its essence (Akers &Sellers, 2014a; Calamunci et.al, 2023).

Over the last two decades, Uganda has swung between the extremes of Euro-American capitalism on the one hand; and Chinese pseudo-communism; in the search for political and economic identity. There was a time in the late 1980s; when a *mixed economy* being championed as the ideal for Uganda. Both capitalistic and communistic extremes however; do bear the negative consequences of wealth accumulation by the powerful at the expense of the poor. The deviance of the *Bayaaye* can also be hypothesised to accrue from these consequences.

7.3.2 *Bayaaye,* Routine activities and *Anomie*.

Criminological research concerning the relationship between crime and societal development, has been much influenced by *the opportunity*; and the Durkhemian theoretical models. The opportunity framework links levels of criminality with patterns of routine activities (Maxfield, 1987; Cohen&Felson, 1979; Clark,1993). This sub-section discusses how the development of Kampala as a city could have contributed to the emergence of the *Bayaaye*. Cohen and Felson (1979) argue that, social crises such as high levels of unemployment, inequality, war and poverty; do not affect the levels of crime per se. During the period after the Second World War for example, the economy and the welfare state in Europe were expanding; at the same time as there was a significant rise in crime. Routine activity theory proposes that the reason for the above was the emergency of a post war prosperous and materially affluent society; which offered relatively more opportunities for crime i.e., 'There was a lot to steal and grab' (Clarke, 1993). Such a situation established the link between anomie, societal development and relative deprivation.

For Cohen therefore, property crimes were not primarily a result of economic deprivation, but a consequence of the post war abundance of expensive, durable and portable goods (Cohen and Felson, 1979). Due to the increase in the number of attractive targets available to motivated offenders Carroll and Weaver, 1986) Cohen and Felson (1979) theorised that prosperity could bring about higher, rather than lower crime rates. In light of this analysis, it can be argued that as Uganda gradually embraces capitalism and modernity; there has been a dramatic shift in the routines of young people. There has also been a significant demographic change from rural to urban settings as mentioned in section 1.5. These changes; and the processes underlying them must have impacted on the choices available to young people and on the nature of their agency.

An analysis of the routine activities of the *Bayaaye;* the *time, place* and the *type* of crimes committed; can lead to a wholesome explanation of the dynamics underlying their lifestyle. This has been attempted in section 6.3 of the thesis. Durkheim asserts that more complex divisions of labour and perceptions of deprivation evolve as the density and size of societies increase (Krohn, 1978; Kalhoun, 2010). In this respect, it can be argued; that the *Bayaaye* phenomenon in Kampala is a symptom of the structural development of the city.

The above assertion however remains challenged by the fact that the *Bayaaye* have been present in Kampala; especially within the markets since the 1970s; before the emergency of intense development; and before there was 'a lot to steal and grab.' This calls for additional explanations for their presence. With an increase in the complexity of society, social integration evolves from mechanical to organic solidarity (Agnew, 2000). While mechanical solidarity; which is typical of traditional and developing societies; is characterised by the collective

conscience, organic solidarity; typical of complex developed communities, is more characterised by impersonal normative systems. Durkheim argued that when solidarity lags behind the division of labour; anomie, followed by massive delinquency; results (Alexander, 2005). Durkheim however, does not go far enough to point out that the nature of *anomie* and the way it affects the members of each type of society; has to vary with the type of solidarity holding that society together.

The kind of anomie for example experienced by the *Bayaaye;* living in a typically traditional society characterised by mechanical solidarity, differs from that experienced by young people in the global north; where organic solidarity holds together a more complex society. Bennett (1997) therefore argues that, while materially and industrially developed societies may experience *anomie* in the Durkhemian and Mertonian sense; young people in societies like Uganda; which are at the cross roads of modernity and tradition; do mainly experience what he refers to as *norm-lessness*.

Merton took up Durkheim's theory of anomie and broadened it. He analysed the dangers inherent in discrepancies between human needs and the means available to satisfy them; and thereby demonstrated in a concrete way; the consequences of the conflict between cultural goals and institutional norms. According to Mannheim (1965) however, lack of opportunity cannot produce anomie on its own; unless it occurs in a society which emphasises equal opportunity for all, without providing the avenues for achieving it.

There have been several historical investigations designed on the basis of Merton's anomie theory including one by B. Lander (1954). Lander's original objective was to test Burgess' (1925) concentric zone hypothesis in Baltimore. He made a statistical study of 8,464 cases of juvenile delinquents and examined the implication of Merton's theory for their criminal behaviour. Using factorial analysis, he found that juvenile delinquency in Baltimore was fundamentally related to anomie, and not specifically to the socio-economic conditions of the area. Lander's finding however, that juvenile delinquency was not specifically related to the socio-economic conditions of an area; was a major criticism of Shaw and McKay's (1942) cultural transmission theory already discussed. It is also a major basis for the understanding of the criminality of the *Bayaaye* within the Kampala market areas. It is important to re-examine the data and context that formed the basis and foundation of Merton's analysis in the light of the Ugandan experience; if strain theory is to be used to explain the criminality of the *Bayaaye*.

Cohen (1954) and Smith (2020) argue that all children of whatever class have problems during their adolescence; but that the problems which working-class children experience during this

stage are more likely to lead them to delinquency. While Cohen's (1954) view was that delinquents come from those adolescents who cannot cope with middle class demands, Cloward and Ohlin (1960) stressed however that delinquents come from those young people who are well equipped to reach middle class status; but are prevented by their social background.

Neither of the two views above however appears to give an all satisfactory explanation to *Bayaaye'*s criminal tendencies. Due to limited opportunities for education and other basic social amenities, many *Bayaaye* are not well equipped with the tools to advance to middle class status. They however do not feel the 'strain' deriving from lack of access to middle class jobs; and seem resigned to their status quo. This is linked directly to their attachment to traditional value systems that still provide them with a sense of self-worth, even as they cannot access the middle class status which is a product of modernity.

7.4 Kampala markets- spaces as 'delinquent areas'

A number of studies about young people's crime have been undertaken based on theories that stress what is termed the 'human environment'; and this now includes the cyber environment e.g. Weber (2018); Hawley (1984) and Brantigham (1984). These studies have also investigated the role played in the causation of crime by certain aspects of human and social ecology such as the density and mobility of populations. Others have examined the 'criminogenic nature of the *place*' e.g. Brantigham (1995). The earliest detailed investigation into the problem of 'bad' neighbourhood is the House of Lords select committee report of 1852. This committee was appointed to inquire into the treatment of criminals and destitute juveniles. It came out with the conclusions stressing that juvenile crime was directly related "to the growth of towns and inadequate social controls prevalent in urban areas" (https://committees.parliament.uk/).

In Italy, Lombroso (1911) attributed the differences in the nature and types of crimes between the north and south of Italy; to differences in human ecology.

In Germany, Exener (1939) applied the same ecological analysis to explain the relationship of crime to the consumption of alcohol in different regions. Shaw and MacKay's major work of 1942; was the first to advance; the ecological perspective in the analysis of the causes of crime in a detailed way. They proposed the possibility that places can by their very nature be criminogenic. Using the literature of the Chicago school as a basis, the researchers examined the question whether environmental factors could predispose young people to a life of crime.

They carried out detailed statistical investigations of many thousands of juvenile and adult offenders in Chicago and concluded that delinquency occurred within groups and that it was essentially a product of the life of the community in which a group functioned.

As already mentioned (in section 1.4) of this thesis; there is no evidence to suggest that the *Bayaaye* operate in gangs in the Chicago school sense of the term. The markets of Kampala do also not fit the description of the Chicago neighbourhoods of the time. It is not clear from the findings of this study whether the markets precipitate the *Bayaaye* lifestyle or vice versa. Although Ross (2008) concluded that the invasion of an area by commerce or industry is crucial to the emergency of crime; Shaw and MacKay (1942) had linked their theory of '*delinquent – producing- areas'* to the aspiration for the American goals of wealth and economic success. They asserted that it was through criminal means that people in slum areas could satisfy the modern desires created by the expansion of the consumer market. The anonymity of city life provided such people with the necessary cover. There is however a need to study in depth the bonds that bring the *Bayaaye* together and how the dynamics of the market environment acts as a contributory factor to their deviance or how they play the role of being 'crime –producing' areas.

In line with the above, one of the findings of this study is that *Bayaaye* do not reside in perfectly structured social- eco-systems. The location of the three markets; *Owino*, *Nakasero* and *Kisekka* do not correspond to Shaw and MacKay's *Chicago zonal –social* structure. *Kisekka* market for example is located near to one of Kampala's most affluent areas and some of the *Bayaaye* live in slums near to the most expensive areas of Kampala; while others can be described as 'street sleepers'; as already mentioned in section 1.4. The place of residence for the *Bayaaye* therefore seems to play no part in the genesis of their deviance and criminality. Residing in an underprivileged neighbourhood does not seem to be a contributory factor towards their lifestyle. This thesis therefore highlights the need to distinguish the '*location of crime'* from the *'location of offenders';* which the Chicago school failed to do. Even though the Chicago school suggested that physical places can be criminogenic there is no evidence from this study to suggest that this is the case.

The Chicago school zonal structure and analysis also presupposed a heterogeneous community of immigrants coming from different countries and residing in what was referred to as the *zone of transition* (Zone 2). Diverse sub-cultures in conflict developed within this zone; leading to strain, relative deprivation, and subsequently crime (Muris, 2020). The zonal structure was also based on a division of labour between blue collar and white collar resident workers. Those who managed to prosper transited out of this zone into an outer Zone of greater stability.

The homogeneity of the *Bayaaye* as predominantly belonging to the *Baganda* tribe of Uganda has already been described in section 1.5 of this thesis.

The structure of Kampala city and its market areas does not rhyme with the zonal structure of Chicago and other American cities. Kampala is one big scene of mixed economy structures: Sprawling slums and poor shanty dwellings occasionally surround affluent high rises.

While *Zone 2* of Shaw & Mackay.s Chicago of 1960; was filled with "dilapidated factory buildings with poor ventilation and empty spaces" (Muris, 2020), the market areas of Kampala are non-residential, densely overcrowded and have no permanent factory structures in them. Evidence also suggests that the *Bayaaye* are not a *'subculture';* but more of a *'generation'* as already expounded in section 6.4 of this thesis.

Even though findings of this study show that criminal tendencies amongst the *Bayaaye* within the environment of the markets; are strengthened by the habitual association of peers over a long period of time; the uniqueness of the market areas and the residential arrangements of the *Bayaaye*, seem to challenge the global north Chicago narrative. This implies that theories of crime developed as offshoots of the Chicago school, all have to be re-imagined before they can be applied to the context of the *Bayaaye*. Such theories include the *Social bond theory* (Hirschi, 1969), *Social disorganisation theory*, *Differential association theory* and *labelling theories* of crime. This calls for the development of a new ecological theory of crime suitable for Uganda and the markets of Kampala.

7.4.1 Kampala markets as 'Criminological Spaces'

Several studies indicate that adolescents who share multiple contexts of disadvantage and advantage are more alike with regard to offending (Vazsonyi and Pickering, 2000, Kim and Kim, 2008, Steyn et al., 2010, Webber, 2009). Another finding by Walker et al. (2007) that the homogeneity of adolescents with regard to offending increases with the number of ecological settings they share; is also key to understanding the behavioural tendencies amongst young people who share similar environmental settings. Under this perspective, the markets of Kampala can be regarded as such settings that can influence the life choices of the *Bayaaye*. In his work regarding the spaces of cultural criminology; and drawing on the spatial legacy of the Chicago school; Hayward (2012) identifies five criminological spaces to augment the spatial, moral and social spaces already identified by Jock Young (Hayward and Morrison, 2012). These five spaces have relevance to understanding the *Bayaaye*.

The first space is that suggested by non-representational theory; which endeavours to account for the affective inter-material and experiential aspects of space. Without being another

statement of postmodern thought and structuralism, non-representational theory is interested in what Thrift (2007) refers to as the 'showings' and performative 'presentations' of everyday life. Instead of being preoccupied with meaning and representation as cultural criminology does, NRT is concerned with the description of the everyday practices shaping human conduct *in themselves*. It can therefore be referred to as the theory of practices, the geography of what happens, or the descriptions of the 'bare bones of actual occasions' (Thrift, 1997:28). NRT therefore focuses on the shared experiences, every day routines, practical skills, urges, fleeting encounters, affective intensities and sensuous dispositions that shape and give expression to life.

The realities above escape the attention of academic research that mainly endeavours to discover underlying values and meanings through discovery, judgement, interpretation, and representation (Biko, 2007). The space explored by NRT is therefore one that draws much meaning from prevailing static structural factors; and does not allow for uniformity of experience between any two individuals who find themselves in different circumstances. Under this perspective; each of the *Bayaaye* is bound to have unique experiences distinct from others; even when they all share the same market space.

The second type of space is *parafunctional space*. This is one where the link between space and usage has been severed (Franck, 2006). In the context of the markets, parafunctional space is one that can help the *Bayaaye* to disguise as legitimate traders since this space is not regulated by the market authorities. Parafunctional space can also be a source of convergence for theory that makes use of relationships that exist between these spaces, the surrounding structures and the hidden micro and subcultural practices therein.

The networks of distinct biographies that are developed from these spaces can also revealed. This explains how the *Bayaaye* interact with disused space within the markets.

Hayward (2012) mentions *container space* as the third type of criminological space. He analogously compares it to the process of *kettling* or mass detention in a confined place; whereby groups of rowdy people e.g. protestors; are confined for an indeterminate period of time; in order to create 'sterile zones' that are carefully controlled. Football stadia, shopping malls and any form of encapsulated space can be regarded as container space. Such spaces develop their own internal rules and produce their own version of normality which can be understood via spatio-behavioral protocol, leading everyone to display the same behaviour (Schuilenberg, 2010). The concept of container space can be extrapolated to define the Kampala markets as forms of urban containers permeated by structural networks, commercial activity, social networking, surveillance systems and fluidity. In this respect, Hayward refers to cities as our penultimate space. If cities are to be metaphorically regarded as the *urban*

containers, then understanding the criminality of the *Bayaaye* will involve deciphering the inner workings of each urban space; in this case the markets; and how this impacts on their behaviour.

Virtual or networked space is the fourth type of criminological space suggested by Hayward. In the wake of the digital revolution; new forms of crime and deviance have surfaced in form of hacking, identity fraud, and scamming (Jewkes and Yar, 2010). 70% of Kampala is covered by slow and expensive dial-up internet connections provided by commercial enterprises.

In rural areas, where there is no electricity and network coverage, access to virtual space is non- existent; not only for young people, but also for the majority of the adult population. If we consider that social networking via virtual space has revolutionised the speed, accuracy and volume of communication amongst young people; and if we agree that one of the major drivers (and deterrent) of crime is easy and fast communication; then there ought to be significant differences in the way crime can be interpreted and understood in Kampala and within the different places of Uganda

Since the virtual reality of cyber space translates into the actual reality of crime, the differences in the ease and level of access to the virtual space ought to have an impact on the way young people get involved in and respond to cybercrime in Kampala. Differential association theory (Sutherland, 1974), opportunity theories (Clarke and M, Cohen 1993), social bonding theories (Hirschi and Gottfredson, 2000) and rational choice theory (Cornish and Clarke, 1987); are some of the criminological approaches that can be mitigated by the experiential disparity between any two groups of young people living in different contexts; when it comes to the interpretation of the causes and impact of the virtual space on youth criminality.

7.5 *Bayaaye* and the possibility of a distinctly 'Ugandan' criminology.

The fact that theoretical perspectives that informed the 17th, 19th and 20th centuries have been remodelled to fit contemporary contexts; reaffirms the validity for a contextual application of criminological theories to Uganda and other non-global north contexts. The logical inductive system builds grounded theory by abstracting from particular data to general perspectives. It could be argued for example that Durkheim used the inductive method in his study of suicide. He began by abstracting from data on suicide from German speaking Europe; to develop a typology of suicide (Williams and Marylin,1994). On the other hand, in his earlier work, *the division of labour*, Durkheim (1993). applied a logical deductive method when he began with a general theory of the solidarity of society; and subsequently conducted research to test it. The

inductive method is however ideal for contextual criminology in as far as it lets the data 'speak for itself'. The process of generalisation that accompanies the inductive method ought to extend only to the contexts that generate the data (Opolot,1983). Through studying the criminogenic nature of the Kampala market areas, and how they affect the deviance of the *Bayaaye,* conclusions can be inductively made to apply to other young people in similar circumstances in other Ugandan towns and possibly other African cities.

It is important that in moving to align foreign universal standards with Ugandan traditional culture; consideration is made of the meanings embedded in local practices. This would have a positive impact on the functioning of communities and on the traditional family structures. It will have the effect of maintaining the role of traditional ties in ensuring social cohesion and mutual respect between the old and the young. It has to be noted however that differences that impede the generalisation of research findings might further blur insights into contextual effects. These include differences in sampling designs and sampling errors; the measurement of concepts; as well model specifications. The *Bayaaye* are involved in what can be categorised as 'minor offences'. It however seems that much current research applies contextual effects only when measuring serious offences (Vazsonyi and Crosswhite, 2014).

Sometimes, theories operate at either the *macro* or *micro* levels. When for example Becker (1973) was expounding the interactionist approach to deviance, he stressed the notion of the social deviance of groups; yet later on, at a more macro level, he claimed that the deviance of an act was dependent on 'how other people individually react to it (Becker,1963). Society can also be viewed as either based on consensus and integration or on conflict, exploitation and coercion. Durkheim (1933) for example emphasized both consensus and integration in his analysis of the division of labour. Theories that emerge from studying social phenomena in countries that are still characterised by continual conflict like Uganda; would therefore be expected to emphasise exclusion, exploitation and coercion.

The above would be perceived as the processes underlying social change and the emergence of crime; just as theories emerging in the global north tend take inclusion, democratic participation and freedom of expression as their given.

In another contrast, society can be viewed as either patriarchal, matrilineal or gender balanced (Wilson, 1993). Ugandan society is still largely patriarchal and this inevitably ought to affect the interpretation and application of theory. This explains for example why the majority of the *Bayaaye* are young males. It is also possible to view society as fluid or static; in which case, phenomena are interpreted as either emerging or becoming. In this respect, 18th century classical school theorists e.g. Beccaria (1764), viewed society as fluid and developed a theoretical frame -work that was rooted in the advocacy for changes in society's justice system.

In this respect, Merton's historical essay on social structure and anomie (1938) assumed stability while at the same time recognising society as changing.

Change or stability may be viewed as imposed from above by the social structures or as generated from below by individuals. In Uganda and much of Africa, changes have largely been imposed through the hegemony of imperialism and colonialism (Nsibambi, (2010). This probably explains the counter-colonial rhetoric that characterises much theoretical development in this part of the world. Within the Global north, much theory especially in the latter part of the 20th Century has been developed with the assumption that change is organic and generated by the people themselves through democratic processes. Where theorists have therefore viewed phenomena as being generated or created by the people, they have developed theories with the notion of free agency as their foundation. Theories like Rational choice theories could for example easily develop and thrive within such a framework.

People may also be considered to be active or passive agents with regard to the social processes taking place around them (Newman et al, 2012). Where theorists have considered phenomena to be imposed on the masses by deterministic personal, social and structural forces; they have regarded the masses as passive agents in any subsequent theoretical developments. Individual and developmental theories of crime ought to have been developed within this framework. The widespread belief in genetic disposition, fate, demons and evil spirits in Ugandan societies and much of Africa; as responsible for people's actions; would imply that positive and deterministic theories would be employed more to explain criminal propensity amongst the *Bayaaye*. It is therefore apparent that the views and assumptions about a particular society to a great extent determine the nature and extent of its response to criminological analysis and the development of criminological theory. Africa and the global north ought therefore to differ in the assumptions that underlie the development of theory (Agozino, 2019).

Given that theories arise out of a response to social cultural and political contexts, it is also inevitable that they are *value-laden*.

Contexts are value-laden with historical, cultural, political, and structural nuances. Whereas some theories; like rational choice theory, situational action theory, and the developmental theories of crime, are founded on the explanation of human nature in general and are therefore not culturally bound; other theories; for example, routine activity theory, cultural criminological theories; and many of the control theories of crime are bound by context.

Central to the definition of a scientific *theory* is that it must be falsifiable in order to be valid; yet central to the definition of a *value* is that it cannot be falsified (Cote, 2002b; Dale.D,2012). This

implies that theories with embedded values cannot be adequately falsified. Value statements can for example comprise non-falsifiable assumptions about human nature and the ideal society (Bernard, 1990). Such assumptions underlie Hirsch's (1969) explanation of crime as a breakdown of social norms and controls; and imply a non-falsifiable vision of an ideal society in which the Hobbesian human nature has been fully controlled through social conditioning. In this perspective, the vision of an ideal society then provides the basis for a value judgement about our own society.

Hirsch's pro-structure perspective above can be contrasted with the conflict-critical- Marxist theoretical approaches like that of Quinney (1977); which began with a non-quantifiable assumption about human nature. The assumption is that if left alone without the negative interference of the social structures; people would naturally live in peace and harmony with one another. This assumption underlies Quinney's explanation of crime as a product of socio-political structural arrangements since it cannot be explained away by "harmonious human nature". Quinney's view then implies a non-falsifiable vision of an ideal society in which people live in peace and freedom. His apriori vision of an ideal society then provided the basis for a value judgement about society; i.e. it is bad because it generates all of this "unnatural crime".

In this respect value judgements that underlie various theoretical assumptions have to be uncovered before criminological theory can be applied and adapted to exogenous contexts. Any Ugandan criminologists must therefore identify which specific African values to emphasise. *Obuntuism* (you are because we are: we are because you are); is one such value. A society in political and social conflict is one such other value-judgement that fits Uganda's situation. Specifically, the values and assumptions about human nature; that underlie Ugandan epistemological and social thought have to be distinctly outlined before any meaningful theorisation can take place, Cote (2002b) argues that particular themes and paradigms, closely interwoven with a host of other seismic events, have provided the context for the Euro-American or global north model of theoretical development in the fields of law, crime and social control.

These include the *Magna carta* (1215), the *French revolution* (1789-1799), *Marxism* (1820-1836), *Darwinism* (1859), *Fascism* in Italy (1922-1943), the *second world war* (1944-1945), the American *civil rights movement* (1965-1968), and most recently the gradual *explosion of the Cyber world (*1996-2022) (Webber, 2020). The specific historical paradigms and themes that have governed the development of Ugandan laws and criminological perspectives also have to be explored in detail before making an attempt at developing a specifically Ugandan criminology.

Within the last four decades, the hegemony of certain paradigms has been more distinct and had a more permanent impact on social policy and analysis. With the advent of globalization and postmodernism, paradigms are now more transient; leading to the possibility of the development of a plethora of theories explaining single events. The shifts in social contexts and their effect on criminological imagination are therefore more dramatic than before. This trend will characterize the emergence of criminological imagination in Uganda and Africa in general and this also implies that emergent theory will have to be inductively shaped by young people's (*Bayaaye*) experiences and their specific world-view rather than by pre-existing grand paradigms and narratives.

Chapter 8 General conclusion

This research has shed light on the motivations that drive the criminality of the *Bayaaye* in specific real-life settings and circumstances. This has been the major contribution of this work to the discipline of criminology. The self-reported offences committed by the *Bayaaye* in my sample however, grew out of their direct and indirect participation in a wider urban street culture. Street culture is characterised by a number of strong conduct norms; including the pursuit of sensory stimuli, lack of planning for the future, a disdain for social norms, unconventional ways of living, and the abandonment of personal responsibility for one's actions (Fletcher 1995).

Street culture is imbued with spontaneity and favours the enjoyment of the moment in place of long range planning and rationality. The *Bayaaye* caught up in street and market life do conduct themselves with the philosophy that 'the future will take care of itself' (Hodgson,1997). Participation in street culture being a cash intensive activity, the *Bayaaye* are always in need of money which motivates them to keep grasping at any opportunity to generate quick cash. Being in this permanent state of 'alert opportunism' (Bennett and Wright 1984), makes omnipresent in their lives the motivation to offend.

It is possible therefore, that every offence committed by a *Muyaaye* is linked to; or generates other potential crimes, through a process referred to as the *partying-offending cycle*. Under this cycle, offences committed for monetary reasons may motivate offenders to engage in intensified partying. Soon however, this partying proves to be temporary as the offenders find themselves more desperate than before and pre-disposed towards committing even more crimes (Jacobs and Wright 1999). The partying –offending cycle is one of such processes that reinforce the unending prevalence of the *Bayaaye* in the markets and streets of Kampala.

Bottoms and Wiles (1992) argued that decisions to offend are embedded in an ongoing process of human existence. This process is mediated by the prevailing subcultural and situational situations. Drawing global north parallels with the *Bayaaye*, research on street robbery in the United Kingdom has disproportionately focused on financial motives and the more rational elements of the offence. Cultural aspects of offending have on the other hand been identified by research on street robbers in the united states. These aspects include the desire for living life for the moment with a total disregard for the consequences. On the other hand, the rational choice perspective has been emphasised by British research on street crime. This focuses on analysing the situational factors that affect the cost benefit calculations while involved in the decision to offend.

In Uganda, the consolidation of a new post-independence republican state between 1960 and 1970; coupled with the presence of a highly heterogeneous and tribalised population; shaped a discourse that fostered homogenization as a primary goal and a condition for social control. This homogenization process was however tantamount to the 'Europeanization' of the country especially in as far as the imposition of the dominant economic system of capitalism and the adoption of British patterns of education and thought were viewed as the ideal way of bringing about social harmony and 'development'. The increasing cultural and legal convergence and homogenization implied by default, the growth of European and specifically British cultural dominance. In such a context, it is reasonable to speculate that global north criminology will continue to gain more applicability in a 'Europeanized' country. The adoption of international crime control methods by the criminal justice system of Uganda; therefore; seems to make it inevitable that the future of the criminological enterprise for Uganda will continue to center more and more on questions that transcend national boundaries; with the need to integrate with a cross-national or global criminology being undeniable (Mushanga, 2019).

The Ugandan state continues to exercise control over the population through the way it defines the categories of *adult, youth, elder,* and *child* (Scott,1998). It is one way of extending control by harnessing the power of definition. It uses the discourse around the different forms of knowledge about youth ontology; as a mechanism for social control and power. Government agencies constantly construct intentionally ambiguous and fluid notions of 'youth' to define the *Bayaaye*. It is also one way of circumnavigating the responsibility of finding a solution to their plight. Given that Uganda is a major beneficiary of western aid, the state thus uses politically motivated and pragmatic youth descriptions and definitions; which are situated within the processes of globalisation and clothed in global north discourse. The *Bayaaye* therefore, face the double jeopardy produced by political interests on the one hand; and the globalising forces; which further complicate the African notions of 'adulthood' and 'childhood'. The boundary between the two gets more elusive; as well as it has become a tool to exploit these two modes of existence.

Fundamental shifts in Ugandan society have also brought about changes in the perception of youth. The once necessary characteristic of youth as being 'rebellious' has now been turned against them to be referred to as '*antisocial*', *'hooligans'* and '*criminal elements'*. Rather than being essentialist sociological descriptions, these terms form part of the political rhetoric employed by undemocratic regimes to suppress youth participation in the demand for political and social change. The *Bayaaye* therefore do not participate in subversive borderline criminal activity due to 'natural inclination' or to a significant break down in morality, but they are *seen* to

be doing so due to a systemic *labelling* agenda. This labelling process involves making claims about young people with the aim of reinventing the social and political space.

Given that political success in Uganda is reliant on support from the youth; who form the majority of the electorate, the *Bayaaye* are regularly lured into political schemes by both state and non-state actors seeking their alliance in committing political violence and destabilisation against opposing parties. This exacerbates the *Bayaaye's* already precarious situation. In this regard, they always have to await the election season to earn some quick money before sinking back into other modes of criminality. It therefore follows that as the *Bayaaye* reinvent their social and political space, they in turn are also reinvented. In this respect, Honwana and De Boeck (2005) argue, that young people both make and break society; while conversely being made and broken by society.

Given the complex and contextual nature of the *Bayaaye habitus*, this thesis has not gone into a deeper analysis of the myriad of their possible existences. It has focused on those existences that are relevant to their propensity to criminality. The thesis has examined how *Bayaaye* construct their type of youth; and it has therefore considered their identity as a given. The thesis has discussed the cultural assumptions underlying their behaviour that transpired from my interaction with them in the course of this research.

This thesis has discussed the youth policies put in place by the government of Uganda that can enable the *Bayaaye* to negotiate the tensions between modernity and postmodernity, as well as cultural continuity and change. In this examination, the nature of the convergence between traditional and modern, global and local; has been articulated. This convergence leads to the creation of both a 'modern and postmodern African' youth identity within the *Bayaaye*.

Theories about development attribute the causes of crime amongst young people in developing countries like Uganda, to the social and economic world-order deriving from a long history of colonialism and imperialism. This is the approach of postcolonial criminologists like Biko (2000), Opolot (1983), Mushanga (1974); and other theorists within the conflict tradition for example Durkheim (1893), Thorsten Sellin (1937), Merton,(1938), Vold (1958), Austin Turk (1956), Chambliss, (1971) and the current *Feminist*, *Power control,* and *Left realist* criminological theoretical perspectives. These hypothesize, that the strain imposed by the harsh economic and political conditions; and the collapse of traditional communitarianism; brings about the emergence of delinquency within the population. This thesis can be categorised as making a contribution to this conflict tradition in as far as it has sought to solicit

for the emergency of a more accurate interpretation of the genesis of crime amongst a certain section of the youth population *(Bayaaye)* in Uganda.

The idea that residential areas provide major ecological settings that indirectly shape the observed differences in adolescent offending is also one of the foundations of contextual criminological research. Problems however arise when the conclusions drawn are applied to adolescents in other ecological settings; other than those within which the original research was carried out. Markets, schools and homes could be such alternative areas that are not part of the urban context in which major ecological theories were tested and developed. The thesis has examined the extent to which the social networks and neighbourhood effects (Sampson, 1997) hypothesized to operate in America's urban settings do explain the intricate and unique social network of the Kampala markets. This thesis has examined and expounded on the unique nature of the Kampala markets and how they impact on the criminality of the *Bayaaye*.

Fusing Cohen (1972), Shaw and Mackay (1942) and Merton's (1943) historical analyses there emerge four points that are relevant to the *Bayaaye*:

i) Two different opportunity systems (legal and illegal) operating within the markets.

(ii) Blocked (culturally induced) aspiration amongst the *Bayaaye* that leads to frustration and discontent.

(iii) The generation of a delinquent *Bayaaye* sub-culture; as a collective solution to strain. A labelling perspective would name this a '*Bayaaye* subculture'.

(iv) The legitimisation of illegal 'means to ends' through the five-fold Matza neutralisation process; and the five-fold Mertonian 'adaptation to strain' mechanisms

Because of the above neutralisation processes, the *Bayaaye* may not consider their behaviour as criminal and may not have any inhibitions about it, leading them to constantly drift into delinquency.

In his work, odera Oluka (1990) mentions that one of the tasks of main stream criminology would be to embark on the translation of knowledge and practice of both global north and global south cultures; through what he refers to as diatopical hermeneutics. Diatopical hermeneutics endeavours to transform the knowledge bases of one culture and make them credible and intelligible in other cultures. It brings to the fore the realisation that cultures can be enriched by dialogue with other cultures. Inherent in this is the idea of cultural incompleteness; which leads to a recognition that difference is not synonymous with superiority.

The exercise of knowledge translation would therefore involve identifying any logical convergences and divergences; as well as isomorphic concerns about the various visions and conceptions of the world of crime. He refers to a need for critical reflection on a global south.

It is a world whose knowledge is largely governed by musicians, story tellers, poets and traditional authorities rather than researchers, analysists and statisticians. Oluka's perspective fits a Popperian incrementalism vision of the subject of criminology.

Since the start of colonialism, the global south intellectual enterprise was negatively affected by an overemphasis on resisting; while simultaneously absorbing and adapting to colonial knowledge systems (Banuri ,1990). If the emergency of southern criminology represents a disjunctive paradigm shift in criminology, then two challenges to Southern criminology can be identified in this regard. The first one is the challenge of *deconstruction* which involves identifying the remains of global north presentations within the global south psyche. These are embedded within all areas of collective life including law, education, politics, and culture. The second challenge is that of *reconstruction* which involves reconfiguring and reformulating the cultural and historical possibilities of the Global South which were interrupted by imperialism.

A Popperian incrementalist approach in criminology would recognise an epistemological dialogue brought about by the incomplete nature of all types of knowledge. While current hegemonic criminology recognises only its internal limits as the only source of authentic criminological analysis; under this perspective, both the Global south and Global north would bring a certain i*gnorance* to that dialogue. Southern criminology as a counter hegemonic discipline would then help mainstream criminology to recognise its external limits where alternative forms of knowledge exist. Under conditions of Global capitalism and neo-colonialist policies, southern criminology recognises that a balanced distribution of knowledge is not possible. In this regard the alternative solution is to promote an interdependence between 'scientific knowledge' of the Global North and the 'oral histories' of the Global south.

Africa forms the greatest part of the Global South. On this continent, a paradigm shift in criminology implies a deconstructive process. Such a process would firstly consist in the identification of the remains of Eurocentrism that are the vestiges of colonialism. It would also involve the revitalisation of the cultural and historical possibilities of Africa which were interrupted by neo-colonialism and colonialism. This two-fold movement would result in the emergence a mutuality that would oppose any kind of mutual annihilation. The criminology curriculum should for example put emphasis on reparations for the crimes of the slave trade, the crimes of colonialism, the crimes of apartheid and of neo-colonialism instead of following the imperialist obsession with the *crimes of the poor*. At the same time, the *crimes of the poor* would be addressed with more emphasis on how to avoid victimisation and how to develop the

technologies of peace and coexistence instead of being fixated on the criminology of imperialism.

While exercising control over their own approaches, Southern criminologists cannot avoid the Global knowledge system that involves a culture of publishing houses, an established research protocol that worships the 'scientific method', the ranking of universities and being highly cited as evidence for success.

Foucault primarily addressed the relationship between knowledge and power. He tried to explain how these can be used as a mechanism of social control. He was critical of theories that gave absolute answers to "everything"(lssen, M. 2009). In Foucault's analysis therefore, a paradigm shift in knowledge production seems not possible. For him. An emancipatory way outside of what he refers to as the *'regimen of truth'* is difficult because resistance becomes what he referred to as *'consented oppression'*. While he contributed a lot to the critique of the imperial epistemologies of the Global North, Foucault however failed to recognise that the Global south could arm itself epistemologically by proposing alternative experiences and knowledge frameworks (Santos ,2014). A popperian incrementalist approach in criminology would therefore bring to the fore the reality of intercultural analysis which allows for the mutual recognition of the diverse intellectual experiences of the world. This would lead to both exclusivity or mutuality.

In Uganda, there need to emerge a criminology shaped by civil wars, the impact of the AIDS epidemic, traditional beliefs, taboos and customs, an emergent subsistence agrarian economy; a more youthful population, a predominantly rural population and a generally corrupt criminal justice system. These factors uniquely impact the way the *Bayaaye* are *pulled* from or *pushed* towards crime as compared to their counterparts in the global north.

There is evidence to suggest that, subsequent global north theorists made evaluations of the *ideas* of their predecessors and built new theories upon them with no corresponding appraisal of the *context and data* that had given rise to these ideas. This research intended to overcome this anomaly by drawing conclusions about the criminality of the *Bayaaye* of Uganda after a careful consideration of what the data, traditional assumptions about human nature, and the Ugandan technological and socio-economic context reveal. Young people in the global north do experience the contexts which generated current theories of crime. The predictions of these theories about their behaviour is therefore relatively more accurate compared to when applied to the *Bayaaye;* whose context is different. Nascent criminologies in developing countries have to embrace this difference (Biko, Agostino, 2018).

With the gradual breakdown of the imperial and colonial hegemony however, a special East African regional criminology will have to emerge as the key to understanding crime in specific member countries like Uganda. The many different and valuable ways of thinking about crime, law and social control that exist outside the United States and Western Europe can then enrich the conceptual and methodological framework of this criminological enterprise.

Such a paradigm shift in criminology would reaffirm the preposition of southern criminology that the global north has produced theories that are not necessarily universally valid even as they are referred to as *general theories*. In order to account for the epistemological diversity of the world, a *hermeneutic of suspicion* has to be affirmed with regard to such theories.

A paradigm shift in criminology would be a recognition that the cultural, social and political realities of Global north; can best be explained by theories produced in the Global north. Conversely Global south social scientists must develop theories rooted in the epistemologies and realities of the global south countries like Uganda.

It always happens that existing theoretical assumptions in criminology and other fields as well; bear blind spots and also do attempt to explain the causality of crime from a linear perspective. This thesis has suggested and tried to demonstrate that a two dimensional approach in the explanation of the criminality of the *Bayaaye* in Uganda is possible. The nature of African epistemology as it manifests itself in Uganda, should be further explored by subsequent research including the nature of African philosophy, psychology, sociology and anthropology. These can form the basis for the development of a criminology that is specifically and authentically Ugandan. This underpins the possibility of developing distinctly Ugandan paradigms and perspectives about youth crime. The theories or approaches to criminal behaviour and crime explored and illustrated within this thesis are therefore in no way proposed to be complete or the only way to explain the phenomenon of crime amongst the *Bayaaye*.

Appendix A. List Of Research Participants

RESPONDENT SURNAME	GENDER	AGE at Interview	Age at becoming *Muyaaye*	DURATION of delinquency to date (Years)	MARKET location
Kawalya	M	28	21	07	KISEKKA
Lusse	F	22	21	01	KISEKKA
Yiga	M	23	18	05	KISEKKA
Muwanga	M	31	22	09	OWINO
Sserwanga	M	30	24	06	OWINO
Opio	M	26	20	06	NAKASERO
Kawooya	M	23	20	03	OWINO
Lubega	M	28	23	05	KISEKKA
Lwanga	M	22	19	07	OWINO
Lwanga	M	24	17	07	NAKASERO
Kamya	M	23	19	04	OWINO
Mukwaya	M	31	24	07	OWINO
Namuddu	F	26	21	05	KISEKKA
Nakawuka	F	30	23	07	KISEKKA
Acan	F	29	21	08	NAKASERO
Lwanga	M	28	20	08	KISEKKA
Lwanga	M	19	18	01	NAKASERO
Opio	M	19	17	02	KISEKKA
Nakato	F	23	24	01	KISEKKA
Mukasa	M	18	16	02	NAKASERO
Acan	M	22	25	03	NAKASERO
Musa	M	31	22	09	NAKASERO
Kaggwa	M	27	23	04	NAKASERO
Mukasa	M	23	21	02	KISEKKA

RESPONDENT SURNAME	GENDER	AGE at Interview	Age at becoming *Muyaaye*	DURATION of delinquency to date (Years)	MARKET location
Kabuye	M	23	20	03	KISEKKA
Lukwata	M	18	17	01	KISEKKA
Mbaziira	M	21	20	01	NAKASERO
Kasagga	M	28	23	05	NAKASERO
Muwanga	M	26	21	05	KISEKKA
Mukasa	M	21	18	03	KISEKKA
Muwonge	M	31	22	09	NAKASERO
Kaggwa	M	28	21	07	KISEKKA
Lwanga	M	31	19	12	KISEKKA
Ddembe	M	26	20	06	OWINO
Mukasa,	M	21	18	03	KISEKKA
Baguma,	M	27	19	08	KISEKKA
Karoli	M	27	24	03	OWINO
Kiiza	M	27	20	07	OWINO
Opio	M	29	19	10	KISEKKA
Badda	M	29	22	07	KISEKKA
(Acaye	M	18	17	01	OWINO
Yiga	M	20	21	01	OWINO
Nanziri	F	22	21	01	OWINO
Mukasa	M	24	20	04	OWINO
Lubowa	M	28	24	04	OWINO
Kawooya	M	22	20	02	OWINO
Ocom	M	29	25	04	NAKASERO
Boogere	M	23	21	02	NAKASERO
Nakato	F	28	26	02	NAKASERO
(Nankandi	M	21	20	01	OWINO
Mukasa	M	29	21	08	OWINO

RESPONDENT SURNAME	GENDER	AGE at Interview	Age at becoming *Muyaaye*	DURATION of delinquency to date (Years)	MARKET location
Kawooya	M	22	21	01	OWINO
Kiwanuka	M	19	18	01	OWINO
Kawalya	M	25	20	05	NAKASERO
Mukasa	M	27	23	04	NAKASERO
Kiiza	M	27	24	03	OWINO
Mwebe	M	25	22	03	OWINO
Nakirijja	F	27	23	04	NAKASERO
Lusiba	M	26	20	06	NAKASERO
Mazinga	M	19	18	01	NAKASERO
Kato	M	32	24	08	NAKASERO
Nakyanja	F	26	23	03	OWINO
Bulega	M	27	22	05	OWINO
Kasiita	M	30	24	06	OWINO
Sendi	M	23	20	03	OWINO

Appendix B. *Bayaaye*'s perception of disadvantages of offending

Disadvantages	**MALES** **n=56**	**FEMALE** **n=09**	**TOTAL** **N=65**
Relational			
Bad reputation in community	16	02	18
Loss of friends and family bonds in village.	20	01	21
Upsetting family	11	03	14
Subtotal	27	06	33
Personal			
Guilty feelings	-	06	06
Increases offending	14	-	14
Destabilises life	13	-	13
Subtotal	27	06	33
Practical			
Getting disowned by parents	15	04	19
Getting caught/ Loss of freedom	11	01	12
Appearance in court/custody/ Going to jail/ Getting a Criminal record	10	02	12
Being arrested/harassed by Police/	09	01	10
Subtotal	36	08	44
None	13	05	18

Appendix C. *Bayaaye's* perception of advantages of offending.

Advantages	**MALE** **n=56**	**FEMALE** **n=09**	**TOTAL** **N=65**
Personal			
Relieves boredom	29	06	55
It is Fun	18	03	41
Relational			
High standing amongst peers	34	04	38
Financial			
Food	11	02	13
Children/home items	-	03	03
Consumable items	12	01	13
Money for general usage	15	01	16
Trendy clothing	12	02	14
Funds for drugs	-	-	-
None	11	08	19

Appendix D. Reasons for onset of Deviance

Reasons for starting to offend for the Bayaaye	**MALE =56**	**FEMALE =09**		**TOTAL =65**
Personal				
Fun/Thrill	13	-		13
Illness in Family/bereavement	06	03		09
Boredom	12	02		14
Rebellion/growing up	07	01		08
Anger (from abuse at home)	07	02		09
Sub-Total	45	08		**53**
Financial				
Money for drugs	16	01		17
Money for general needs	28	03		31
Sub-Total	44	04		**48**
Practical				
Committing offence was easy	09	02		11
Spending time in high crime market area	11	-		11
Was under influence of drugs	07	-		07
Sub-Total	27	02		**29**
Relational				
Lack of attention from Family/friends	14	03		17
Friends/Siblings were offending	19	03		22
Partner was offending/dealing in *Bangi* or *Marijuana*	14	02		16

Appendix E. Initial Offence of Respondents

Initial offence	Male n=56	Female n=9	Total N=65
Traffic offences	03	-	03
Theft (other than shoplifting)	10	02	12
Shoplifting	23	04	27
Assault (common & aggravated)	09	03	12
Bangi/ marijuana	11	-	11

Appendix F. Uganda: National Demographics

Population	**Total numbers**	**Year**
Total National Population	46,205,893	(2022 est.)
Kampala Population	1.835 Million	December, 2021 est.
Pop. growth rate	3.32%	2022 est.
Income per Capita	$1400 (per year)	2022 est.
Education Expenditure	3.3% of GDP	
Literacy (Definition: Above 15 years can read and write)	73.5% of total Population: (Male-82.6%, Female-64.6%)	2022 est.
Life expectancy	Male: 52.65 Years Female: 55.35 Years	December 2021 est.
Net Rural urban Migration	+0.01/1000 Population	2022 Est.
Urbanization	26.2% of total population (2022)	2022est.
Rate of Urbanization	5.21%	2020-2025 est.
Birth rate	44.25 births /1000 of Population	2022 est.
Death rate	11.26 deaths /1000 of population	2022 est.
Median age	15.4(Men); 15.5 (Women)	2022 est.
Social Dependency ratios	(a) Total dependency ratio: 103.3 % (b) Youth dependency ratio: 98.4 %	2022 est.

Population	Total numbers	Year
	(c) Elderly dependency ratio: 4.9 % (d) Potential support ratio: 20.3%	
Age structure	0-14 years: 48.9% 15-24 years: 21.2% 25-54 years: 25.5% 55-64 years: 2.3% 65 years and over: 2.1%	

Appendix G. UGANDA- LOCATION MAP

Source: https//: *Maps.google,com*

Figure 5: UGANDA- LOCATION MAP

Appendix H. Kisekka, Nakasero and Owino Markets

Source: https//:*Maps.google.com*

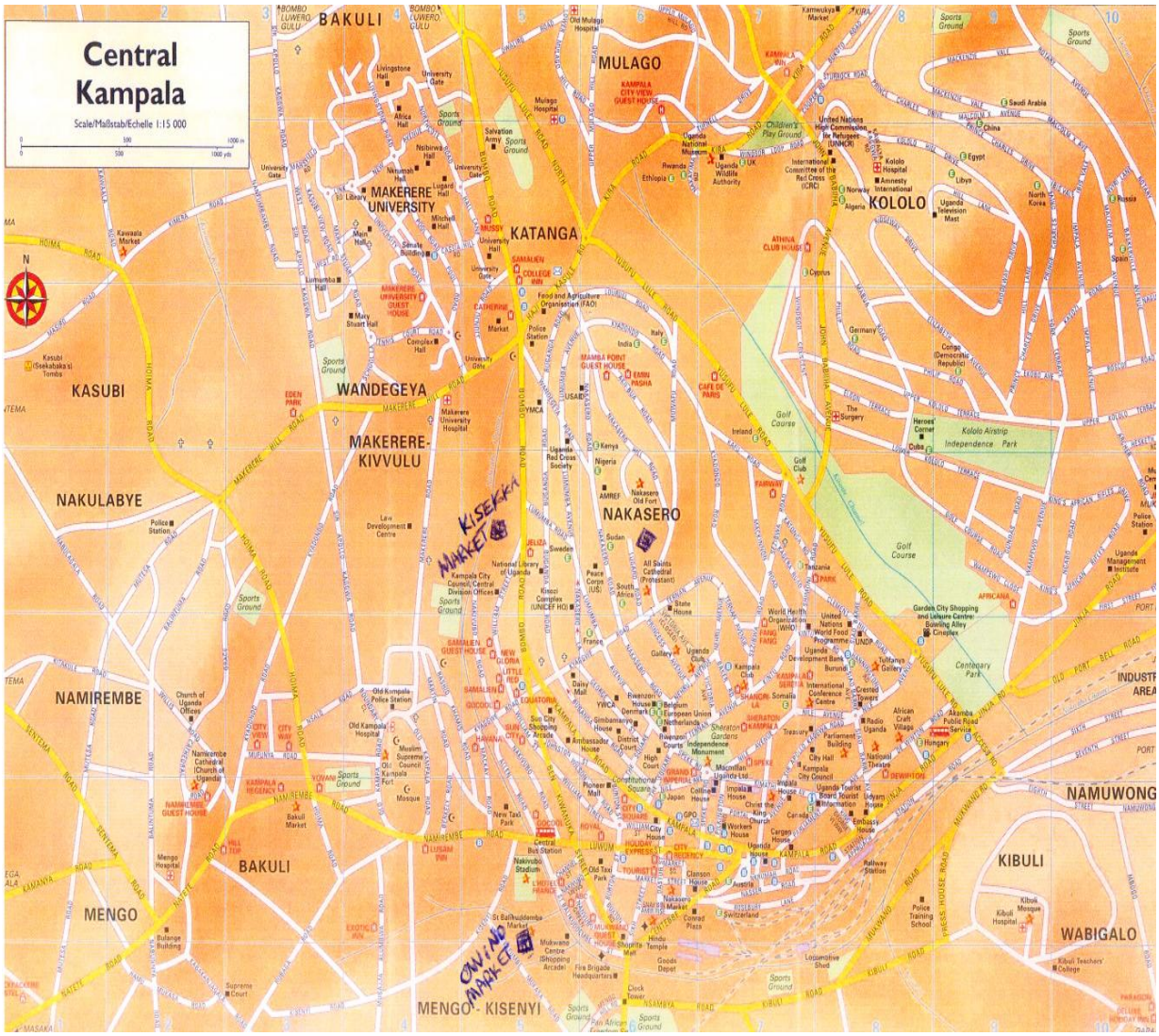

Figure 6: Kisekka, Nakasero and Owino Markets

Appendix I. Interview Schedule

Date……

Time: Starting…… Finishing……

Place of interview……

Male/Female (M/F) ……

Demographic information

Age……

Who stay with……?

Education/attitude to schooling……

How long lived in area……

No. of children……

Employment and attitude to work……

Time since becoming *Muyaaye* [coming to the city market] ……

Guiding questions to 'conversation'

1. What do you understand by offending?

2. When did you start to get involved in offending? [Undetected v. detected offending]

3. Was anything significant going on in your life during that time that might have made a difference?

4. What reasons did you have for becoming a *Muyaaye*?

5. Did you actively decide to start offending?

6. Was there any one who influenced your decision to start offending? [Are you grateful to them at all?]

7. What advantages did you find in starting to offend?

Any disadvantages?

Exercise: List down any offences you remember being 'involved in'; from when you came to the market: Include even those for which you were not arrested.

8. What prompted you to come to the city/market? [Probing issues of why he left the village for the city]

9. Of the two categories shown below; to which one do you think you belong?

(A) I am now offending more often than I used to; when I first came into the market.

(B) I am now offending less often than I used to when I first came into the market.

[Any changes in the pattern of offending covering the past few years to be explored here]

10. What do you think causes you to continue offending?

[These reasons to be compared with those for starting to offend. To explore how and why the reasons have changed].

11. Is anything or anyone influencing your continuation of being a *Muyaaye*? [To be compared with what influenced the commencement of offending]

12. Can you mention any advantages or disadvantages that you associate with being a *Muyaaye*?

13. Have you thought of abandoning this particular lifestyle? [To explore reasons for both YES and NO answers].

14. Who do you think might help you to change your lifestyle? [To explore formal and informal interventions and time scale]

15. What do you think might prevent you from stopping being a *Muyaaye*?

16. What reasons do you have for being a *Muyaaye* for the past few years?

17. What do you think would be the advantages of quitting the market and the *Bayaaye* lifestyle altogether?

18. Are there any events or people that now or in the past; influenced your attitudes towards, and decision to become a *Muyaaye*?

19. Do you think you have a 'reputation' in the market as a *muyaaye*? [If yes. How much do you value that reputation?]

20. Is there anything you think you would lose if you were to stop offending now?

21. How do you rate yourself in terms of contentment?

22. What do think are the major achievements of your life??

23. Can you mention a few things you think you would have done better?

24. Do you have any responsibilities at home/ for yourself/ or for others?

25. What do you suggest can be done to stop young people from becoming *Bayaaye*?

26. Is there anything else important that you think we have not talked about?

Appendix J. Consent Form

TITLE: **ON THE VERGE OF CRIMINALITY: LISTENING TO THE VOICES OF THE *BAYAAYE* OF KAMPALA-UGANDA.**

Researcher name: SILVESTER KEWAZA BUKENYA

Ethics reference: **5510**

I am going to read you the statements below. If you agree, please say so at the end of each statement by putting your initials in the corresponding Box.

Statement	**Response**
I have read and understood the information sheet (25-02-2013: Version1) and have had the opportunity to ask questions about the study.	
I agree to take part in this research project and agree for my data to be recorded and	
I agree to take part in this research project and agree for my data to be recorded and used for the purpose of this study	
I consent to having my responses identified personally with me in reports of the research.	
I understand my participation is voluntary and I may withdraw at any time without my	

Data Protection

I understand that information collected about me during my participation in this study will be stored on a password protected computer and that this information will only be used for the purpose of this study. Name of participant (print name) ……

Signature of participant……

Date……

Appendix K. *Bayaaye* Offence Types

***BAYAAYE* OFFENDING**: Reported and non-reported.

TYPE OF OFFENCE	NUMBER OF RESPONDENTS IDENTIFYING WITH OFFENCE (**TOTAL N=65: Female=09 Male=56)**
Shoplifting	57
Possession of drugs	32
Breach of the Peace (Idol and Disorderly)	51
Common Assault	41
Theft	54
Housebreaking	16
Supply of drugs	37
Fraud /Obtain Money by false pretences.....	46
Motorbike/car theft	12
Serious assault	03
Vandalism	02
Police assault	01
Road Traffic Act offences	03
Drunkenness/Public nuisance.....	14
Carrying offensive weapon	00
Resisting arrest	06
Malicious damage	03
Fighting	

Attempted murder	22
Grievous bodily harm	00
Trespass	01
Female prostitution	00
Robbery	03
Breaking into cars.....	05
Armed robbery.....	21
Wasting police time	01
Perverting the course of justice	02
	03

Appendix L. Bayaaye & the Law (*an Illustration)*

Three suspected Kampala serial pickpockets remanded

Thursday, February 13, 2020 — updated on July 19, 2020

da Edition MONITOR Search

National Education Insight World

The three suspected serial pickpockets in the dock at Buganda Road Court in Kampala on February 12, 2020. PHOTO BY BETTY NDAGIRE

The Officer in Charge (OC) of Baganda Bus Park police post in downtown Kampala has told court that there was some peace and calm in the city last Christmas after arresting three suspect serial pickpockets.

Mr Bayana Namakhayo was testifying in a case in which Stanley Sebuguzi, 44, Muhammad Nsubuga, 30, and Francis Odoi, 25, are accused of causing havoc in the city by stealing other people's possessions from their bags.

The OC explained that at the police post, they received several complaints from the LCI defence secretary of areas around Baganda Bus Park that pick pockets were increasingly bothering pedestrians by cutting their handbags and snatching their belongings.

Figure 7: Bayaaye & the Law : An Illustration in the *Monitor*

The three suspected serial pickpockets in the dock at Buganda Road Court in Kampala on February 12, 2020. PHOTO BY BETTY NDAGIRE

The Officer in Charge (OC) of Baganda Bus Park police post in downtown Kampala has told court that there was some peace and calm in the city last Christmas after **arresting three suspect serial pickpockets.**

Mr Bayana Namakhayo was testifying in a case in which Stanley Sebuguzi, 44, Muhammad Nsubuga, 30, and Francis Odoi, 25, are accused of causing havoc in the city by stealing other people's possessions from their bags.

The OC explained that at the police post, they received several complaints from the LCI

defence secretary of **areas around** Baganda **Bus Park that pick pockets were increasingly bothering pedestrians by cutting their handbags and snatching their belongings**.
"As a team with other police officers we set off down town to search for these goons. When we got to town we stood at various points and watched these pickpockets move back and forth seeking out those to rob. I am the one who arrested Odoi after his failed attempt to deep his hand in some lady's bag. I could not wait to see an offence committed. I had to capture him fast," Mr Namakhayo told court on Wednesday.
Sebuguzi and Nsubuga were reportedly working together. They would surround their victim before grabbing his or her bag.
"We as well observed the duo attempt their tactics on unsuspicious person but, we grabbed them as well before they could commit the offence. Your honour, the Christmas Eve in 2019 was really peaceful **in areas around Kiseka market,** Nakivubo Channel after arresting these three suspects which made us confirm that they were part of the group snatching people's belongings," Mr Namakhayo added.
Prosecution contends that the three on December 3, 2019 along Nabugabo Street in Kampala obstructed and inconvenienced the public in exercise of their common rights thereby leading to the conclusion that they are a common nuisance.
They were further remanded to Luzira Prison as hearing continues.
From: ***bndagire@ug.nationemedia.com***

Kampala: Police, Crime Preventers Arrest 85 in Sting Operation By Arafat Nzito February 7, 2018

Figure 8: Kampala: Police, Crime Preventers Arrest 85 in Sting Operation

In the bid to crack down crime in Kampala, Old Kampala police division has started carrying out operations to wipe out suspected criminals from its area of jurisdiction. Old Kampala police in collaboration with area crime preventers have arrested **85 suspected**

criminals. According to the Kampala metropolitan police spokesperson Luke Owoyesigire, "the operations started on Monday in areas of Old Kampala and so far the operations have been carried out in **Bayaaye zone**, Nakulabye, and Bakuli." Among the arrested included suspected pick pockets, bag snatchers, buglers and drug abusers. This website understands that the suspects were arrested in possession of breaking objects, **knives, and marijuana**. "Screening of suspects has been done and some have been presented before Mwanga Two court as others are still held at Old Kampala police," Owoyesigire said. On Tuesday, crime preventers also worked together with police in Bweyogerere to track down **kidnappers** who had asked their victims a ransom of 60 million shillings

From: *https://chimpreports.com/kampala-police-crime-preventers-arrest-85-in-sting-operation.*

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