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Interests and relationships in NGO gender advocacy: A case of Uganda

MARY SSONKO NABACWA

**Thesis submitted to the University of Wales in fulfillment of the
requirements for the degree of Doctor of Development Studies**

**School of Social Sciences and International Development
University of Wales Swansea
2006**

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DEDICATION

In Memory of My Nephew, Ssonko Stanley

DECLARATION

This work has not previously been accepted in substance for any degree and is not being concurrently submitted in candidature for any degree.

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Statement 1

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Executive Summary

The thesis presents an insider's investigation of the advocacy work undertaken by gender focused NGOs in Uganda with the view of understanding the ways in which these NGOs negotiate for their interests in their advocacy work within a complex set of relationships among themselves and with the donors, government and the people at the grassroots level. Relationships and interests are critical to our understanding of the NGO advocacy work in Uganda. However, more often the focus is on the technical rather than the relational problems in development. It is on this basis that most attention has focused on the agency of the donors. This study has tried to examine the agency not only of donors but the various actors in the NGO gender advocacy nexus.

Through application of feminist research principles, the study examines the Land Co-ownership and Domestic Relations Bill campaigns to understand the ways in which gender focused NGOs have used these campaigns to negotiate for their interests. Although not limited to, in the case of this study, these interests are perceived to be resources, identity and status. Three organisations that have played a critical role in these campaigns that are: Uganda Women's Network, Uganda Land Alliance and Federation of Uganda Women Lawyers assist us to understand the relationships among gender focused NGOs and with the other actors.

The study concludes that all actors in the gender focused NGO advocacy nexus are economically, socially and politically rational. They would like to reduce their transaction costs and maximise their interests. While donors use financial and development discourse knowledge resources, NGOs and government use their identities and status to negotiate and maximise their interests. Although not necessarily the determining factor, negotiation of interests influences both the agenda and the relationships among the various actors.

Diagrams

Diagram one - UWONET's identity as a membership organisation

Diagram two - UWONET's identity as an individual organisation

Tables

Table number one: Summary of the Research subject's categories

Table number two: Summary of the Donor/ NGO relationships

Abbreviations

AAU – ActionAid Uganda

CBR – Centre for Basic Research

CEDAW – Convention on the Elimination of all forms of Discrimination Against Women

CSW – Commission on the Status of Women

DI – Development Initiative

DFID – Department for International Development

DRB – Domestic Relations Bill

ESAF – Enhanced Structural Adjustment Facility Policy framework paper

FIDA – Federation of Uganda Women Lawyers

FOWODE – Forum for Women in Democracy

IMF – International Monetary Fund

MDG – Millennium Development Goals

MO – Member Organisation

NEPAD – New Partnership for Africa's Development

PEAP – Poverty Eradication Action Plan

PMA – Plan for Modernisation of Agriculture

PRSP – Poverty Reduction Strategy Paper

SAPs – Structural Adjustment Policies

SNV – Netherlands Development Organisation

UN – United Nations

UNDP – United Nations Development Organisation

UNHCR – United Nations High Commissioner for Human Rights

USAID – United States Agency for International Development

WEDO- Women's Environment and Development Organisation

Chapter 1

Introduction to the Study

Women should not own land. Women do not own their children so how do they own land? The reason why women do not own land is because God created man first and later created woman out of the man's rib. How can women own land? The woman sinned first, so she has to bear more problems. Women are weak in the head and may take wrong decisions in relation to land. Men are superior to women and women have an inferiority complex. A man owns the woman as his property. Women do not want land because they know that land is for the boys and it is not a problem that women do not own land. Land is for the clan. The woman is just there 'hanging', she belongs to no clan. One man in particular, said he couldn't give land to his daughter, "Why should I give land to someone who is in transit?" Asiimwe & Nyakoojo (2001: 20).

1.0 Introducing the Research Topic

This thesis examines how NGO gender advocacy work affects and is shaped by interests and power relationships between NGOs and the other actors. These actors are government, NGOs themselves and individuals who work in such NGOs and finally grassroots communities. The study explores the ways in which NGOs negotiate to promote their interests through advocacy work. It also examines the complex inter-relationships between the actors and agencies, people and institutions and NGO gender advocacy in the Ugandan context.

The starting point for this study is that NGOs and various other actors involved in the gender advocacy nexus have to negotiate for their interests that may include resources, identity and status. The thesis is an insider's interpretation of a complex field of policy formulation through advocacy, specifically gender advocacy by NGOs in Uganda. The study tries to explain relationships on the basis of conscious and unconscious patterns of visible and invisible behaviour of institutions and individuals. As Kabeer observes, power relationships are by their nature not always directly observable or measurable (Kabeer, 1999).

NGOs relations in development need to be understood within the wider relations not only of cooperation, but also of conflict and resistance. Thus whilst larger donors mainly use financial resources to enhance their agency, government and gender focused NGOs in the south also have their own identity and status (Kabeer, 1999) thus complicating our understanding of the development relations nexus (Escobar, 2002; Abrahamsen, 2000). We need to understand how the various actors maximize their

opportunities amidst an imperfect complex and competitive market (Hirschman, 1970; Kabeer; 1999; Lukes, 1974; Foucault; 1982; Harris, Lewis & Hunter, 1997; Uphoff, 1996).

1.1. Context of the Study: the Problem

This research was conceived as a result of work experiences as gender team leader, ActionAid Uganda, from November 1997 to September, 2003. This role provided me with an almost unique opportunity to critically engage through advocacy, research and lobbying practice in gender issues at local, national, and international levels. Having such experience as a women's rights activist¹ suggested there might be dysfunctional relationships which complicate NGO gender advocacy work, making it less effective than it might be in promoting gender equality and rights. In the processes of undertaking my work a gap became apparent between advocacy work by gender focused NGOs and the realities of grassroots women's lives.

The subject of gender advocacy is quite complex and this is well understood by gender advocates themselves. However I wondered how well this complexity was understood more widely in development policy circles. I felt that for gender advocacy to be more effective in the Ugandan context, a more critical and meaningful analysis of how advocacy is shaped by the relationships and interests among the various actors was indispensable. I realised that while Uganda seems to present a good opportunity for grassroots women to participate and benefit from advocacy processes at the intermediate and national levels, this had by and large not happened. It seemed important to find out why this might be, and how any obstacles to more effective gender advocacy might be overcome in future. These concerns motivated the choice of research topic and the decision to undertake doctoral work. In summary, the purpose of this study has been to find out how practice and theory are connected in

¹ In 2001, I was given a three months fellowship by ActionAid Uganda as Associate at the University of Cape Town, South Africa. The aim was to reflect on advocacy work on gender issues in Uganda. During this period, I wrote a paper entitled: "Policies and Practices towards Women's Empowerment: Policy Advocacy Work undertaken by Gender-Focused NGOs in Uganda", which was later published by ActionAid Uganda as: *Sisterhood? Policy advocacy work undertaken by gender-focused NGOs in Uganda* (Nabacwa, 2002). The study sought to identify factors that influence the effectiveness of gender policy advocacy work undertaken by Ugandan NGOs aimed at empowering grassroots women. It compared the priorities of advocacy with the issues that most concerned women at grassroots level.

the specific context of gender-focused advocacy in Uganda and to understand the complexities of gender advocacy work within the Ugandan context.

Since the mid-1980s, Uganda has witnessed a sharp increase in NGO gender-focused advocacy work. This growth in advocacy has generally been linked to the rise of the global good governance and neo-liberalism discourses, which NGOs have been invited into as monitors of the state, and buffers against the worst effects of macro-level economic reform policies (Abrahamsen, 2000; Power, 2003; Craig & Porter, 2005). NGOs have been invited to embrace the neo-liberal ideology, on the presumption that NGOs and donors have common interests, and can collaborate effectively with more progressive elements of the state which favour good governance, however defined (Coleman, 2000; Power 2003; Whaites, 2000; Fowler, 2000).

The influence of macro-level development discourses and policies on the dynamics and forms of NGO-state relations is quite evident. At first sight, Uganda might seem to present a favourable environment for achieving gender equality through NGO advocacy, lobbying and other means. Government has long since put in place various institutional mechanisms geared at promoting women's rights, and has made public commitments to gender equality. These commitments are enshrined in the Constitution. Government also established a Ministry of Gender, alongside special policy provisions to promote women and girls participation in education and gender equity in political decision making generally.

On closer inspection, however, there are other laws, policies and donor interventions in Uganda, which operate in ways that tend to work in the opposite direction. Such laws, practices and policies may hamper the realization of the government's publicly asserted goal of achieving gender equity. Sometimes a reluctance to change that status quo has also been apparent. Donors have funded NGOs to do advocacy work on gender equality because of international commitments to women and gender rights, and a belief in civil society engagement with government. In the process, contradictions can emerge. For example, the Ugandan government and the donors both support economic reform programmes that may actually undermine concrete commitments made by both donors and the Ugandan government to prioritising

gender equality as a policy goal. One example that will be considered in detail in this study is the co-ownership of land question. This has been a major focus of gender advocacy campaigns for some time. Yet it may be difficult to achieve co-ownership, and therefore more equal gender relations in land, within wider policy context where commoditisation of land is being actively promoted (Stern, 2003). This, in essence, is the kind of problem that this study seeks to explore in terms of how relationships and interests among development actors, with a focus on NGOs, influence the advocacy process.

1.2 Linking Theory and Practice

Being involved in gender-related policy work and campaigning over several years within Uganda highlighted some contradictions between development discourses and development practice that this thesis will engage with. Development theories can be helpful in understanding the research topic of this thesis. As Fanon has reminded us, the promotion of different actors' interests was at the core of colonial and post-colonial relationships between the North and South (Fanon, 1963). Unequal power relations have persisted long after independence. After the Second World War, the West took on the status of guardian of the development processes and donors identified themselves as the provider of development resources for a 'needy' South. In so doing the West acquired the status of custodian of the development of the South. Since then (borrowing from Foucault), the details and direction of development discourses have been changed frequently, depending on the interests of the dominant Western donor countries. Financial resources in the form of development aid have been used as instruments of domination and communication of interests (Foucault, 1980). Post-colonial states needed financial resources from the 'donor' North, and state elites came to be seen as compradors, compliant with processes of Western domination. Somewhat later, with the advent of neo-liberalism in its inclusive form, NGOs were invited into this collaborative set of relationships as well as domination (Bratton, 1989; Fowler, 1991; Edwards & Hulme, 1997; Eade, 2000; Pearce, 2000; Wallace, 2004; Edwards, 2002; Fowler, 2000).

What of development and gender advocacy practice in relation to this broad theoretical context? One starting point is that development resources are not only financial. This is an important point. Individuals, organisations, networks, donors,

governments all engage in activities that promote non-financial interests alongside the search for financial resource. This study will suggest that identity and status are very important forms of non-financial resources sought after in the actions and inter-relations of NGOs in particular, as well as other actors working in the 'development game' (Kabeer, 1999). In this game, power is not a zero-sum quantitative resource, but something far more complex involving both negative and positive-sum engagement among actors and institutions. Thus analysis of power relations and the search for resources needs to be widely defined, and go beyond face value manifestations such as budgets, reports and formal procedures (Foucault, 1980; Lukes, 1974; Kabeer, 1999; Giddens, 1993; Weedon, 1987; Scott, 1990).

Theory and practice are thus linked in complex, often obscure and sometimes almost invisible ways. The role of the 'insider' researcher, working in and on her own context (outsider researcher), armed with experiential knowledge, is therefore vital in revealing some of the interactions that take place between development theories and practices. Connecting theory and practice involves considering how agency and structures interact in development processes and outcomes. Perhaps the most important gap identified by this study has been the relative neglect of how social actors, NGOs and civil society in the South have reacted to the dominant development discourses and relations imposed by donors and the state (Scott, 1990; Crush, 1995).

Gender advocacy by southern NGOs is a particularly fascinating example of how agency can be exercised, and a fruitful area of research on the links between theory and practice in development. Even within the tight constraints of overall dependent structural relationships, the exercise of agency is important. Advocacy, and gender advocacy can go beyond imposed solutions, and grassroots and NGO actors in the South may be able to take the initiative in some respect, and react to imposed agendas and policies (Mohanty, 1991; Amadiume, 1997).

1.3 Justification for the Research

The usefulness of this study lies in presenting a critical insider's perspective on the analysis of empirical and theoretical contradictions and complexities in NGO relations within the state, donors and grassroots communities in the Ugandan context. Much literature tends to portray NGOs in the south as relatively passive, elitist, self-seeking

and dysfunctional, corrupt, and almost entirely dominated by a single donor that is regarded as more or less omnipotent (Pearce, 2000). The detailed dynamics and complexities of power relations are only rarely recognised. They are almost never explored in depth, and even less often from an insider perspective. Among the few scholars that have focused on power relations within the development process, almost all have stressed the unequal, lopsided nature of relationships between NGOs and donors and the state. The dominant patterns in development relations have been exhaustively explored (Hamilton, 2000; Edwards, 2002; Nyamugasira, 2002; Power, 2003; Wallace, 2004), what has been lacking is an in-depth treatment of relationships in development policy and practice. This research will seek to contribute, in a modest way, to remedying this situation.

Recent studies on power dynamics and development discourses have shown that such relations are neither straightforward nor one-dimensional (Escobar, 2002; Crush, 1995; Scott, 1997; Abrahamsen, 2003). NGO relations with other actors in development have rarely been explored from a gendered perspective, something this study will seek to undertake. In addition, scholars have tended to focus on the power of dominant partners and actors, and the powerlessness of subordinate actors (Feldman 2003; Razavi, 1997). Scholars have not paid much attention to the ways in which weak actors can negotiate and collaborate to ensure their survival and even their prosperity and self-advancement in the face of relations of overall domination. In the Ugandan context more specifically, scholars who have explicitly focused on NGO relations with other actors in development have tended to accept a rather simplistic notion of the relationship between structure and agency in Uganda (Lister, & Nyamugasira, 2003; Hearn, 2001; Oloka-Onyango, 2000; Detcklitch, 1998). NGOs are most often viewed as the agents of donors.

1.4 Research Aims and Central Research Questions

The key aim of this study is to understand the complex relationships among the individuals and institutions engaged in gender advocacy work in the Ugandan context. The study critically analyses and compares advocacy work undertaken by a sample of gender focused NGOs working in Uganda. Such advocacy work is examined in detail in order to uncover the relationships at work among actors and institutions in the processes of advocacy. The study also explores how agenda setting in NGO gender

advocacy work is shaped by such factors as: organisational interests; staff experience and motivation; donors' agendas; government policies and the priorities of grassroots women and men.

The study examines how various actors involved in the gender advocacy nexus negotiate the protection of their interests, including in terms of resources, identity and status. The key research questions structure the study as a whole as well as the individual chapters. These questions concern relationships, gender and advocacy processes, and issues of power and interests, and are as follows:

1. How do NGOs involved in gender-related advocacy processes in Uganda define, promote and defend their interests?
2. How do NGOs' relations with other actors, namely government, donors and the grassroots, shape the gender advocacy work of NGOs in the Ugandan context?
3. What forms of agency can NGOs involved in gender advocacy exercise in this overall context; what structural constraints do they face in their advocacy work?

1.5 Methodology

This research has been inspired by a number of critical feminist research principles. From a review of debates concerned with feminist methodology, the in-depth examination of the role of interests and power relations has emerged as a key insight of the feminist approach. Other principles borrowed from feminist research include a focus on women's experiences of overcoming subordination; location of the researcher within the study; an attempt to conduct research on the basis of respect for the agency of research subjects; and finally a concern that the research be transformatory and somehow useful to the research subjects (Harding, 1987). These principles are explored and critiqued in considerable detail in a substantial methodology chapter.

Critical feminist research principles can accommodate subjective experiences and self-reflection, while at the same time ensuring that information from the field is as realistic as possible. Combining theoretical, experiential, empirical and textual analysis is one of the features of this study. In addition, on the basis of both a feminist actor-oriented methodology and the specific research questions posed, it

was concluded that qualitative research methods would be the most useful in this study. These include case studies, participant observation, interviewing and textual analysis. These methods were selected on the basis that it is possible to understand meaning from the perspective of the research subjects. The aim is thus a more realistic understanding of research subjects' own interpretation of their relational experiences in gender advocacy work. Analysing and interpreting the motives, interests and meanings of those involved in gender-related advocacy in Uganda, particularly in the past decade or so, requires some inside knowledge. Being able to 'read between the lines' of what people say and do, helps to make sense of the contemporary reality of gender advocacy work in Uganda (Silverman, 2000).

Gaining a deeper understanding of what people say and do, and why, and how institutions interact through structural and agency-led processes is the underlying goal of this study. The consideration of the above issues led to a purposive selection of two case studies on gender advocacy: Co-ownership of Land and the Domestic Relations Bill campaigns. Gender-focused advocacy NGOs were selected because of their roles in these two campaigns. Three main NGO associations and networks were selected: Uganda Land Alliance (ULA)², Federation of Uganda Women Lawyers (FIDA)³ and Uganda Women's Network (UWONET)⁴. The selection of these case studies and organisations is discussed in more detail in relation to the Ugandan context of the study.

1.6 Chapter Outline

The study is divided into eight chapters. This introductory chapter has provided an overview of the study, its purpose, research questions and design. It also provides an overview of the various chapter contents. In Chapter 2, the research methodology used in the study is presented and discussed; the chapter justifies the decision to adopt a qualitative research methodology. A review of the various theories on power, interests and relationships follows in Chapter 3. This chapter also focuses on NGO, government and donor relations and concludes with a brief analysis of existing

² Has a membership of 45 organisations and 10 individuals. It was established in 1995 with the major aim of promoting and protecting the access, control and ownership of land by poor vulnerable groups in the country

³ Established in 1975 with the view of promoting women's rights through legal education and litigation.

theoretical perspectives on advocacy, including gender advocacy by NGOs. Chapter 4 introduces the Ugandan context, provides an historical and contemporary picture of the Ugandan NGO sector, of changing development strategies and relationships and of the advocacy work on gender in the Ugandan context. Processes involved in the Ugandan advocacy case studies on Co-ownership of land, and the Domestic Relations Bill are presented in Chapter 5.

Chapter 6 synthesises the study findings on the ‘web of relations’ among the various actors involved in advocacy in Uganda, with a focus on the selected NGOs and their staff. The relations of selected actors involved in domestic relations and land rights advocacy campaigns are examined in detail to highlight some of the key characteristics of NGO-donor and government relations. Chapter 7 analyses the key overall research findings of the study and links these findings back to the work of other researchers in the field, and to the broader body of relevant literature. The chapter returns to the key research questions and reflects on the relationship between interests, institutional and individual relationships and processes involved in NGO gender advocacy in the Ugandan context. Comparing the study’s research findings with the insights of development literature and theories more broadly makes clear the contribution of this study. The last chapter briefly provides the conclusions to the study and explores some future directions for research on related topics.

1.7 Conclusion

Through applying the insights from critical social theory in development (in relation to gender, power relations, relationships in general) and using some of the methods of critical feminist research, this study hopes to examine the interests and strategies adopted by various actors involved in gender advocacy in Uganda. The particular focus is on NGOs’ relationships with each other and with other actors. On the basis of experiential knowledge, secondary and empirical data, the study examines interpersonal and inter-institutional experiences of gender advocacy in the Ugandan context. It traces the behaviour patterns among the various actors involved in gender advocacy, with a view to understanding how these actors manage to negotiate their interests through complex webs of unequal, but not one-sided, relationships. In this

⁴ It was established in 1993 with the aim of promoting networking among women’s organisations

way the study hopes to highlight the extent and limits of NGO agency in relation to gender advocacy work in a particular setting.

Chapter 2

A Feminist Research Methodology

2.0 Introduction

This chapter discusses the application of a feminist research methodology to the subject of this thesis. It provides a critical analysis of the various principles of feminist research methodology in a development context, and discusses how these principles could prove useful to the subject matter at hand. The issue is not whether the researcher adopted a 'feminist' research methodology, but the extent to which broadly feminist research principles can prove useful for the overall topic and research approach.

This chapter starts with some critical reflections on the strengths and limitations of feminist research methodology generally. It provides an analysis of why qualitative research methodologies were more appropriate than more quantitative approaches. A critical assessment of the researcher's field experiences is also presented, and some of the ethical challenges of using feminist research principles identified. It concludes by reflecting on the potential usefulness of critical feminist approaches for the topic chosen in the specific context of Uganda.

Harding, who has proposed 'a feminist standpoint' in research, has asserted that much of the misunderstanding about feminist methodology has been due to different levels of analysis being confused - method, methodology and epistemology (Harding, 1987). It is thus important to understand the difference between these three levels and Letherby (2003) distinguishes this very clearly. As she explains, method refers to the tools used in the research such as surveys and interviews. Methodology is the overall research framework. It is the process of theorizing and critiquing the research process and product. Epistemology is about 'theories of knowledge' and 'theories of knowledge production' (Letherby, 2003: 3-5) and it is especially at this level that feminist research departs from more conventional social science research. This explains why the focus of this chapter is very much on how knowledge is produced within the broadly 'feminist' research framework adopted by the researcher.

2.1 Introducing Feminist Research Principles

The overall approach to this research is multidisciplinary, so that economic, socio-cultural and political issues are all linked. The methodology is based on experiential and theoretical perspectives. The research has been informed and inspired by a number of theoretical perspectives including critical theory and feminist research theories based on 'third world feminist' perspectives, and drawing on critical ethnography.

There are some quite complex debates about what precisely constitutes feminist research (Harding, 1987). This is partly due to the multidisciplinary and interdisciplinary nature of feminism itself; whose major preoccupation across the disciplines has been the social construction of inequalities between men and women and the implications of these inequalities for all aspects of their lives. Thus, feminist research is politically motivated mainly preoccupied with the question: why are the worlds of women and the worlds of men constructed the way they are? In attempting to answer this question, feminist research has critiqued established knowledge construction and has generated new data on women's place, experiences and contributions in relation to men's, across cultures past and present. Feminist research can be distinguished from other forms of research by three principles which will be explained in this chapter. These are:

1. Feminist research puts women's experiences at the centre of its inquiry.
2. The researcher locates herself within the research
3. It aims at transforming gender relations

2.2 Women's Experiences and Feminist Research

According to feminist research, research problems are generated from the perspective of women's experiences with the purpose of overcoming women's subordination (ibid.). The same experiences form the reality against which the hypothesis is measured. It can be argued that by focusing on women's experiences, feminists have encouraged new perspectives in social research and new research priorities. The justification for focusing on women's experiences is rooted in the argument that traditional research began its analysis by focusing almost

exclusively on men's experiences, which were defined as the 'norm'. According to feminists, what may appear to be critical or problematic from the perspective of men's experiences may not necessarily appear the same from the perspective of women's experiences (Stanley & Wise, 1983). Gender bias in the past has meant that women's experiences generally did not appear in most academic research in the social sciences until quite recently, with the emergence of feminist social science scholarship in development studies in the 1970s (Smith, 1987). The advent of feminist research had methodological implications as well:

Having challenged the reliability of traditional knowledge collected solely by men or within male structures, feminists are posing new questions that considerably alter the search for explanations (Ruth, 1980: 185).

The principle of women's experiences forming the basis for the problem in feminist research applies to this study since its central question is about power relationships and the construction of the feminist advocacy agenda of NGOs. The research problem was influenced by my experiences as a Ugandan woman and development practitioner involved in advocacy work of gender focused NGOs in Uganda. I was also influenced by the continued gender inequalities experienced at the grassroots of Uganda and a lot of gender advocacy by gender focused NGOs, especially women NGOs, at national level (Nabacwa, 2002). In doing this research, I hoped that it would be possible to better understand the complexities of their inter-relationships, and that I would be able to come up with some modest suggestions that might improve NGOs advocacy performance. Thus my various identities and experiences not only affected the final research topic, but also the subsequent analysis adopted, and finally the interpretation of the research findings, which was from both a feminist and a broader development theory perspective (Devault, 1999). Experiential knowledge is useful in the analysis of power dynamics in development processes (Hughes, Wheeler & Eyben, 2005). By placing my own work experiences in the research design, while recognising the significance of broader development theories, the aim was to enrich our understanding – from an 'insider' perspective - of gender and development in practice in a country such as Uganda.

Feminists recognise that women do form a distinctive social group that needs to be acknowledged as having its own identities, interests and priorities. They would also stress that male bias rather than female nature is responsible for women's invisibility from more conventional history and social science. The mere fact of being woman meant having a particular kind of social and hence historical experience (Kelly-Gadol, 1987: 18). It may be worthwhile to observe that women too have ignored other women's histories and experiences.

Sex differences have a role to play in the nature of the research outcome (Oakley, 1981a: 61). Being a woman and interviewing women contributes to having an insider perspective because the researcher will inevitably participate in what she is observing and this factor will tend to reduce the social distance between the researcher and her 'subject', partly due to the shared gender interests (Oakley, 1981b: 57). Women may have an advantage over men in interviewing women in the sense that they have the capacity to translate their own experiences into the dominant and male defined language (Devault, 1999: 62). However, the use of women's experiences as the basis for feminist research is not straightforward. The meaning of the term 'woman' in the historical or social sense is not always obvious; there is no single 'women's experience'; instead women's experiences are likely to vary greatly (Harding, 1987; Hammersley, 1995). General claims by feminists about 'women's experiences' come under question whether an insider or an outsider conducts the research. Conducting research using the feminist perspective is most difficult in situations where there are significant differences between the researcher and the researched, including differences of power. One feminist researcher who highlights this problem is Luff (1999), who in her research with the British Women of the Lobby, from a 'feminist standpoint', questions what constitutes a feminist methodology and logically what it is not. She also asks what a feminist methodology entails and how one can identify the existence of such a methodology (Luff, 1999: 693).

Harding (1987) believed that starting from the feminist standpoint would produce experientially tested, and thus "more complete knowledge" (p. 184). She suggested that feminist research would offer a 'successor science'. Feminist standpoint

epistemology seems to draw its inspiration from Marxist ideas in that women just as the proletariat are,

...an oppressed class and as such have the ability not only to understand their own experiences of oppression but to see their oppressors, and therefore the world in general, more clearly (Letherby, 2003:45).

The above assertion seems to suggest that women may have the advantage of a wider view of the women's world and produce knowledge that is closer to a realistic, more accurate picture of reality (Hammersley, 1995). However other scholars argue that one woman interviewing another woman does not necessarily remove the differences or the power inequalities between them (Luff, 1996: 41; Luff, 1999: 693; Letherby, 2003: 46; Oakley, 2000: 36). Class, religion, race, sexual orientation, culture and even age affect the experiences of women and hence there are multiple and diverse women's experiences of the same phenomenon rather than just one (Harding, 1987; Luff, 1996; Luff, 1999; Phoenix, 1994; Ramazanoglu, 1992; Oakley, 2000; Letherby, 2003).

The concept of 'fractured foundationalism' is useful here since it acknowledges "judgments of truth are always relative and necessarily relative to the particular framework or context of the knower" (Stanley & Wise, 1990: 41). In essence feminists seem to concede that there are several truths and not one truth as scientifically claimed (Luff, 1996; Luff, 1999; Cain, 1990; Oakley, 2000; Letherby, 2003; Stanley, 1990; Harding, 1987; Stanley and Wise, 1990). This may explain why there are so many labels of feminist identity - black feminists, socialist feminists, liberal feminists, American feminists, and separatist or lesbian feminists. These fragmented identities all provide an insight into feminism (Harding, 1987:8). To illustrate this fragmented identity, I quote Mohanty (1991) in her discussion of what is termed, 'third world feminism'.

The term feminism is itself questioned by many third world women. Feminist movements have been challenged on the grounds of cultural imperialism, and of short sightedness in defining the meaning of gender in terms of middle-class, white experiences and in terms of internal racism, classism and homophobia (Mohanty, 1991: 7).

Questioning cultural imperialism within feminism raises the question of the relationship of gender to other forms of oppression – such as age, race, class, colonialism, religion, racism, globalization - and the need to address them (Maynard, 1994; Jayawardena, 1986; Cornwall, 1998; Mohanty, 1999; Parpart, 2002). Since third world women have always engaged with feminism (Mohanty, 1991; Mohanty, 1999) the problem is not with feminism itself but its epistemological underpinnings that have narrowly focused on patriarchy (Schech & Haggis, 2000). Third world women are no more homogenous among themselves than women in general. They have hugely different experiences depending on geographical location, culture, class and specific past and present economic, social and political conditions.

The inevitability of relativism introduces what has been termed a form of feminist postmodernism, which asserts that: “knowledge is rooted in the values and interests of particular groups” (Letherby, 2003: 51). It can be said that knowledge is relative and non-objective. In other words,

...there is a variety of contradictory and conflicting standpoints, of social discourse, none of which should be privileged, there is no point trying to construct a stand point theory which will give us a better, fuller, more power neutral knowledge because such knowledge does not exist (Millen, 1997: 7.7).

Scholars have critiqued the use of ‘postmodernist feminists’ arguments as undermining the political struggle of feminist research that originates in women’s experiences of male domination because relativism may affect the possibility of feminist politics (Letherby, 2003; Oakley, 2000: 298; Hawkesworth, 1989; Luff, 1996; Millet, 1969). Feminist politics that is the struggle for the recognition of women’s experiences in research forms the distinction between feminist research and other forms of research (Stanley, 1990: 14)

Jayawardena, in her writing about feminist movements in Asia in the late nineteenth and twentieth centuries, views feminism as “embracing movements for equality within the current system and significant struggles that have attempted to change the system” (Jayawardena, 1986: 2). The above arguments reflect universality amidst relativism within the concerns of feminist research with a focus

on gendered oppression embedded in the complex social, political and economic human relations within and across races, classes, households, communities, and nations (Smith, 1987, Jayawardena, 1986; Mohanty, 1999; Oakley, 2000; Letherby, 2003).

Feminist research points to another important insight namely, that identity affects our experiences. Experiences affect our worldview and our conceptual understanding and interpretation of knowledge. That is to say:

...knowledge comes to us through a network of prejudices, opinions, innervations, self-correction, presuppositions and exaggerations, in short through the dense firmly founded by no means uniformly transparent medium of experience (Adorno, 1974: 80).

Since human experiences vary due to changing context and time, it means knowledge changes, especially knowledge related to the multi-level nature of this research where the context is constantly changing. The feminist researcher also needs to recognize that constantly changing human relationships are relationships of power, located within social structures, cultures, classes and ethnicities (Kabeer, 1989). It is important to be careful not to fall into the very dichotomy that one is critiquing. The way women, men, boys and girls negotiate and understand these relationships will affect the way they relate to one another and with the wider community (Marchand & Parpart, 1995; Bhaba, 1994). My recognition of the diversity of women's experiences precludes the view that this research represents the views of third world women on gender equity or agenda setting in gender advocacy. The aim is to recognize the diversity of women's experiences and to also show through the research process that women do not live in isolation of men. Women have relationships with men as brothers, fathers, husbands, sons, and uncles, among others. The social relations between men and women and the implications of such for gender-focused advocacy work in Uganda made it necessary to interview men in this research. Another reason for including them was to clearly understand the perspectives of both men and women in order to compare them, at least on some key issues related to NGO gender advocacy work (Letherby, 2003). The men who participated in this study were included through snowball

sampling, and mainly because they were perceived by others to have valuable knowledge of gender focused advocacy work in Uganda.

2.3 Combining Feminist and Qualitative Approaches

Overall I have adopted a process approach that can be adjusted flexibly according to the researcher's experiences and the learning that takes place during the course of fieldwork (Westwood, 1984). I had originally intended to use two methodologies: qualitative and quantitative for objective and more valuable data. I administered the questionnaires but the complexity of the issues being researched soon made it apparent that questionnaires could not reveal much of importance about advocacy relationships, interests and agendas. It was not clear how I was going to quantify the relationships and what meaning would be derived from such quantification (Kabeer, 1999). According to Abbott, the desire for neutral and credible information may make it difficult for the researcher to actively engage with the research participants (Abbott, 1998; Luff, 1996; Roseneil, 1993). In the end, the interest was in the different perspectives of people regarding NGO gender advocacy that would help to understand the main focus of the research, relationships and NGO gender advocacy agendas. Qualitative methodologies ended up being used not only to collect data from the field but also for triangulation purposes.

Early feminist studies relied heavily on qualitative research methodologies', including in-depth interviewing, which has remained "the predominant approach within sociological research on the family" (Devine & Heath, 1999:43). This is because qualitative methods were viewed as more effective in the study of women's experiences of the family, and gave women a voice in their own right:

Introducing this 'subjective' element into the analysis in fact increases the 'objectivity' of the research and decreases the objectivism that hides this kind of evidence from the public (Harding, 1987: 9).

In other words, qualitative methodologies provide the researcher with the opportunity to engage in the research actively and subjectively. In her experience of doing insider research on Greenham women, Roseneil noted how important

were, “the social location and experiences of the researcher” in shaping the choice of qualitative and quantitative methods (Roseneil, 1993: 192).

It is against this background that feminism claims to provide alternative theories of knowledge, which legitimise women as knowers. Women are studied from the perspective of their own experiences so they can understand themselves better and have more voice in the research itself. Feminists recommend women studying themselves and

...studying up’ instead of “studying down”...in the same critical plane as the overt subject matter thereby recovering the entire research process for scrutiny in the results of research... the beliefs and behaviours of the researcher are part of the empirical evidence for (or against) the claims advanced in the results of the research (Harding, 1987: 8-9)

Taking into account the advantages, concerns and challenges of undertaking research from an experiential insider perspective, qualitative rather than quantitative methodologies were used. This decision was not so much based on the argument of providing better knowledge in comparison to quantitative methodologies as on the extent to which such methodologies were appropriate to the research questions (Oakley, 2000). The aim was to analyse the implication of the relations among Ugandan gender-focused NGOs and between them and other actors in their advocacy work. I needed research methods that could venture beyond face value analysis of ‘facts’ to explore the terrain and look for explanation of patterns of behaviour that these institutions and individuals including myself were not aware of. One of the important aspects of qualitative research is that it takes the subjects’ perspectives. Qualitative researchers search for information about what was said by the respondents and also seek to understand the context. Qualitative researchers focus on the daily, and apparently insignificant, details of data collected from respondents within their setting.

...its emphasis on the visible, official portion of social life [social science research⁵] has overlooked important support structures to social enterprise because they were not in public view...The importance of the mundane aspects of our social life becomes more prominent in a feminist perspective (Millman & Kanter, 1987: 33).

This makes it possible to describe and understand the actions and meanings of the research participants within given circumstances. Thus the research context and

⁵ The word in the brackets has been under to replace the word sociology for purposes of this research.

process are critical to effective qualitative research which favours a flexible, open and relatively unstructured research design (Bryman, 1988: 61-66; Silverman, 2001: 38-46; Hammersley, 1992: 160-172).

This research will focus on the advocacy relationships and specifically on relationships in gender advocacy in Uganda through exploration of both the researchers own subjective experiences while giving a voice to the research participants. A flexible research methodology that can open up new ways of critical self-reflection in approaching and understanding NGO relationships proved necessary. Elements of a number of theories were taken on board instead of being guided by one single theory being adopted (Silverman, 1993). This was done with a view to generating knowledge that would help us to better understand gender advocacy within the Ugandan context.

Positivists tend to view qualitative research as a relatively minor methodology that can be used at the beginning of the research process to assist in identifying the key questions or enabling the researcher to become more familiar with the research setting. This is taken to be appropriate prior to the use of more 'serious' quantitative methodologies (Silverman, 2000; Hammersley, 1992). The representativeness of the sample of qualitative research is an issue of great concern to positivists. Since qualitative methodologies are usually conducted using small samples, and since the relationship between the researcher and the respondent is usually defined in political rather than scientific terms, this poses a challenge for quantitative notions of representative and replicable research (Silverman, 1993). However, qualitative research in turn has its own criticisms of more quantitative approaches. Explanations of behaviour that reduce social life to responses to particular stimuli or variables are distrusted and seen as largely descriptive rather than explanatory.

Research methods such as unstructured or semi-structured interviews use open-ended questions in a bid to understand the underlying meanings attached by the participants to the social phenomenon being researched. This is a more complex way to explain forms of social behaviour. The qualitative approach may therefore be more likely to yield insights into how people's relationships are constructed and negotiated, than a quantitative approach, however reliable its data or valid the correlations established

between variables. Qualitative methodology is often concerned with inducing research hypotheses from the field on social processes, occurring in context. A qualitative approach uses accounts of experience, stories and descriptions provided by participants in the research, to assemble an overview. Qualitative research aims at getting an authentic understanding of people's experiences rather than making any claim about the representativeness of the sample (Silverman, 1993; Mikkelsen, 2005).

There are also difficulties to guard against in adopting a qualitative methodology. A dominant group, or prominent individuals or facilitator may influence the research agenda and findings. It is very likely that the views of some will be left out. This can foster inequalities in terms of the agendas and priorities being expressed and analysed in the research process (Silverman, 1993; Oakley, 2000). I was careful not to get caught up in the methodological "paradigm wars" (Oakley, 2000: 23). The challenge was not so much to establish facts or 'objective knowledge' as to present different perspectives and interpretations of what was happening. I tried to creatively negotiate my way through a range of research methods which could help me to understand the perspectives of those engaged in gender advocacy work either as development practitioners or as targets of the advocacy programmes.

Thus, for example, triangulation was used not so much for the sake of ensuring objectivity but to critically understand the various perspectives on relationships in NGO gender advocacy through comparing subjective interpretations of reality. Triangulation enriches the research and assists the researcher in the verification of information especially when he/she cannot claim objectivity. Triangulation or multiple strategies, is a method used to overcome the problem that stems from studies relying upon a single theory, single method, single set of data and single investigator (Mikkelsen, 1995). Triangulation involves looking at the research question from several viewpoints, just as mappers will place instruments on three or more hilltops to get overlapping data concerning the valley or plain below (Olsen, 2004). Among the many different kinds of triangulation⁶ identified by Mikkelsen (2005: 96-97), two in

⁶ The other forms of triangulation include; investigator triangulation means that more than one person examines the same situation; Discipline triangulation means that a problem is studied by different disciplines and optimises the experience of the different perspectives if combined with investigator triangulation; and theory triangulation, in which alternative or competing theories are used in anyone situation (Mikkelsen, 2000).

particular have proven useful to this research.

1. Methodological triangulation that involves ‘within method’: triangulation that is, the same method used on different occasions, and ‘between-method’, triangulation when different methods are used on the same object of study.
2. Data triangulation that is further divided into the following types:
 - Time Triangulation: Focuses on the effect of time on the research
 - Space triangulation: Compares variables
 - Person triangulation: comparison of reactions at three levels of analysis, the individual level, the interactive level among groups and the collective level

The ‘within method’ and data triangulation approaches assisted me in describing and explaining the various meanings attached to the same issues. The specific research methods in this study are now described below

2.4 Research Methods Adopted in this Study

The following research methods were used in this study:

(i) **Case Studies:** Using case studies, information was collected on the ongoing advocacy work. Two case studies were selected, the Co-ownership of Land and the Domestic Relations Bill advocacy initiatives. The Co-ownership of Land Rights campaign was selected because it generated a lot of interest from donors and government. The Domestic Relations Bill campaign was selected because it has been going on for a long time (50 years) and has in comparison to the Co-ownership of Land attracted little attention from the various actors. Three organisations - Federation of Uganda Women Lawyers (FIDA-U), Uganda Land Alliance (ULA) and Uganda Women’s Network (UWONET) were selected on the basis of their role in the Domestic Relations and Land Rights Campaigns. Selection of government departments depended on the information provided by these organisations in terms of their relationships with government or the donors in their advocacy work on the Domestic Relations campaign and the Land Act. ActionAid, Oxfam, DFID and Netherlands Embassy became key organisations to recruit individuals to interview because of the role they had played in the two campaigns. Oxfam was selected because

of the critical role it took in the formation of Uganda Land Alliance, which spearheaded the land rights campaign in Uganda. ActionAid was selected because of its role in building a grassroots gender perspective into these campaigns especially the land rights. ActionAid Kapchorwa and Apac were the hosts of the Land Rights Centre in the two districts. It was the issues rather than the organisations that led to the selection of Kapchorwa and Apac as areas of study. However factors of accessibility and cost implications were also considered. Thus the case study approach assisted in highlighting the levels of analysis that included the donor level, the NGOs, the government and the grassroots.

(ii) In-depth Individual Interviews: Using an in-depth interview method, information was collected and recorded using a tape recorder. Open-ended questions were used to generate data from individuals selected from the various organisations to take part in the study. The interviewer guided the discussions with all the participants; however questions were adjusted depending on the category of the interviewees - NGO members, policy makers, representatives of the grassroots, donor organisations, were all asked slightly different sets of questions, in response to their particular positions and concerns.

In choosing in-depth interviews, I was aware of the time wastage as the research subjects also spoke of experiences that were outside the domain of the study. But during these conversations they also shared their own feelings and perceptions on advocacy work in Uganda. These long conversations enabled us to build rapport and became an asset rather than a liability. At times my emotions were carried away by the experiences told and this might have affected my 'objectivity'. However the search was not for objectivity as much as understanding the various perspectives of the research subjects. Indeed emotions enabled me to critically engage with the experiences of the various research participants (Humm, 1995). It was necessary to translate some of data from the local languages to English where there are, aspects of people's insights that can be lost in translation.

(iii) Participant Observation: This was done before, during and after the process of actual interviewing. In participant observation the researcher spends time with those

they are researching to gain an understanding of their daily lives. The aim is to better appreciate the significance of apparently unquestioned cultural practices in particular social settings (Davies, 1999: 67). Participant observation can also help show how social structures and people's daily decisions are interrelated (Davies, 1999: 67). This is helpful in highlighting the more general question in the social sciences of how we relate structure and agency in terms of human relationships (Giddens, 1993). This was useful to this study because it assisted me in understanding social behavior at both the individual and institutional level. I recorded my thoughts during or after observation. I took advantage of all the ongoing advocacy processes during the time of the research to collect the data on on-going and ordinary processes of action and interaction. In general, participant observation was important since it enabled me to place some of the information generated from interviewees in its wider, and more complex, context.

(iv) Focus Group Discussions: A checklist of themes was used to guide a series of several focus group discussions. These discussions were an important basis for data cross-triangulation. They enabled individual members to share views and insights they might not have felt comfortable sharing in their individual capacities. The assumption of focus group discussions is that it is easier for some things to be said in a group because of group support and a sense of belonging thus gaining a sense of confidence to talk about their experiences. Such focus group discussions proved particularly useful with grassroots women, and also with NGO staff, especially in collecting information on relational issues among NGOs, with government and with donor organisations. After single-sex focus group discussions, the respondents were gathered in one mixed group to discuss the issues raised separately. This was done to ensure that the voices of both women and men were heard in their own right and in their social relational capacity. Domination of the discussions by a few members particularly men and the fear to express oneself on views that may be contrary to the accepted 'cultural beliefs' on delicate gender issues such as spousal co-ownership, were major problems in the research. This was most evident in Kapchorwa when, in the women only groups, women complained about male control that denied them the opportunity to own land and even small assets such poultry. Yet in the mixed focus group discussion with men, these same women were mostly silent. Those who did speak changed their position to support the need for men to control land because of the bigger role men play in the

initial stages of marital relationship including paying bride price and providing the marital home.

The way in which privileged women and uneducated women express themselves is quite different in Uganda. While educated women may easily speak on gender issues in mixed groups, uneducated women struggle in doing so or choose not to do so. It is evident that non-expression is a mechanism of women's survival and a way of avoiding ostracism. Women fear men's reactions to their dissatisfaction with the existing status quo. Silence is also a mechanism of avoidance of potential arguments about what constitutes fair gender relations within the community. The discussions in the mixed group enhanced the men's voices and subdued the voices of the women. Efforts to encourage women to speak did not necessarily lead to expression of their concerns, except perhaps in the women only focus group discussions.

My experiences with the focus group discussions are similar to Mayoux and Johnson (1998) observation that if participation is not well targeted and carefully managed, it can easily legitimize the demands of the more powerful or those who are most active in the research process. In this case, men's aspirations were likely to be legitimized had I not continued the relationship with the research participants through informal discussions. These discussions enabled me to probe some of the issues that were sensitive but also to go inside the mind and attitude of the research participants, especially the women who were silent most of the time during the mixed group discussions. Indeed informal conversations with the research participants were a major part of my research methodology to assist me in verifying the information obtained from the focus group discussions, interviews and textual analysis of documents.

(v) Textual Analysis: Textual analysis of the documents of the gender focused organisations, the donors, government and other research centres with information on the subject was also completed. The specific literature sought out included newspaper reports on advocacy work by gender focused NGOs, other NGOs, government and donor agency reports, as well as strategic documents on the case studies.

Textual analysis, alongside interviews, participant observation, and informal conversations enabled me to understand and interpret the responses from the

interviewees in light of the research context. Possibilities of over dependence on one method and the way in which the researcher interprets the data affects the body of the theoretical findings, just as language used during the interviews affects data interpretation. Thus, rather than objectivity, the research question and the view of collecting a range of kinds of information to understand the NGO relationships and gender advocacy in Uganda guided the research design. A final methodological issue is sampling and this is discussed in the next section.

2.5 Sample Selection

Step one

A meeting was held with representatives of several gender-focused NGOs to contribute to the planning of the study. Their input changed the initial conception of the study especially with regard to the organisations to be studied. I realised that International Non-Government organisations such as ActionAid, which I had initially grouped as gender focused NGOs, were mainly seen as small donors and as such decided to classify them as donors. Introductory meetings with a number of NGO representatives, coupled with a review of the organisational documents, led me to adopt a purposive sampling method. This is a method whereby the sample is handpicked because, in the researcher's judgment, the sample possesses the information sought. The case study method was the starting point for prior selection of the various key agencies involved in gender advocacy.

Step two

After selection of the issues and the NGOs, I used purposive sampling to select the individuals within the gender focused NGOs to be interviewed. They were selected depending on their role in the organisations either as implementing staff or as advisors (board members). However it became clear that to address the research questions it was important to interview men and women who were not necessarily staff or members of these organisations. During interviews, individuals were recommended as people who played an important role in gender advocacy in Uganda. In this way, snowball sampling became an important tool. These recommended individuals were members of boards or former staff of the organisations, or of donor agencies. Thus the issues rather than the organisations became the driving factor in selecting the research subjects. Purposive sampling also fitted in with a focus on processes and informal inter-relationships rather

than on 'institutional' positions and formal procedures.

Step three

Purposive sampling was based on the knowledge provided by the NGOs about individuals perceived to have special insight on the subject under study. These individuals were selected at the NGO, donors, government and grassroots level. Again snowball sampling was used to gain an understanding of the advocacy work not only a historical but also from a relational point of view. At the grassroots level, women, men and mixed focus group discussions and a plenary at the project level were conducted. This was to ensure that research subjects were able to express themselves as freely as possible. In summary the research subjects are summarised in the table below. It is important to note though that the demarcation is not as outright as the table may indicate. It is important that the level boundaries were more blurred in that some of the people interviewed as policy makers were for example members of NGOs. The same applies to those in the donor category.

Table one

Category	Number	Male	Female
NGOs			
National level	11	1	10
Grassroots level			
• <i>Kapchorwa</i>	3	2	1
• <i>Apac</i>	1	1	-
Sub-total	15	4	11
Donors			
<i>National level</i>	11	2	9
<i>Grassroots level</i>			
• <i>Apac</i>	1	-	1
• <i>Kapchorwa</i>	2	2	
Sub-total	14	4	10
Government			
Policy Makers			
National level	5		5

Grassroots level			
• Apac	2	1	1
• Kapchorwa	1	1	-
<i>Technical Personnel</i>			
National	2	1	1
Grassroots level			
• Apac	1	-	1
• Kapchorwa	4	3	1
<i>Sub-total</i>	15	6	9
Men and women at the grassroots level (mainly focus groups and informal conversations)			
• Apac	26	10	16
• Kapchorwa	33	18	15
<i>Sub-total</i>	59	28	31
Total	103	42	61

Step four

After collecting the data, the researcher held a number of meetings involving all the stakeholders, especially representatives of the gender-focused NGOs, to discuss the findings of the study and seek additional input. The meetings were held with the various constituencies of the NGOs where the study was carried out and at national level. During these meetings, the participants received feedback on the initial research findings. They discussed these findings and gave additional input. Interviews for a cross section of the research subjects were sent back to them so that they could add more information if need be. A year after the interviews, visits to some of the research subjects were conducted to establish if the research subjects had any concerns about the research. In both accounts, no information or concerns were received.

2.6 Locating the Researcher: Towards a Critical Feminist Ethnography

I believe that the research methods used in this study qualify it to be called an ethnographic study. In ethnography, interviewing and other qualitative methods are combined with an emphasis on participant observation, often over an extended period of time. The relationship with the interviewee goes beyond what is said, and generally involves more than one interview. Close attention is paid to the interview context (Davies, 1999; Burawoy, 2000). Ethnography is a piece of writing describing the social world of a particular group of people. The work should also describe the process of arriving at this in-depth knowledge of a social group. Ethnography has its origins in anthropological studies, with anthropologists arguing that an extended period of observation was vital if one was to even hope to understand the values, social structure and practices of a group of people. Thus, “Anthropological fieldwork routinely involves immersion in a culture over a period of years, based on learning the language and participating in social events with them” (Silverman, 1993: 31-32). To a certain extent, this reflects my experience of working on the priorities of gender-related advocacy work of NGOs in Uganda and those they claim to represent, the grassroots women and men.

However feminists have critiqued conventional research including ethnography and it is this criticism which led to the second distinctive feature of feminist social research in that it challenges the notion of scientific objectivity by arguing that the researcher should be located on ‘the same critical plane’ as the researched.

Feminists have argued that traditional epistemologies, whether intentionally or unintentionally, systematically exclude the possibility that women could be “knowers” or agents of knowledge (Harding, 1987: 3).

Feminists argue that the vision of social life embedded in conventional social science has been limited to the male, dominant, western and white perspective. Traditionally research has mainly relied on the agency approach that operates by way of images of mastery control (Millman & Kanter, 1987: 31). Agency is identified with a “masculine principle, the protestant ethic, with a Faustian pursuit of knowledge, as with all forces toward mastery, separation, and ego enhancement” (Carlson, 1972: 20).

In the agency approach, the scientist is the master, and has power and control over the research process. For purposes of objectivity, the scientist remains detached from the research process. This can be compared with the communal approach which involves “naturalistic observation, sensitivity to intrinsic structure and qualitative patterns of phenomena studied and greater participation of the investigator” (ibid.).

The communal approach is seen as much humbler, and disavows control because control spoils the results. However, both approaches (agency and communal) focused on the public and the visible and tended to ignore the informal, private and invisible sphere where women are mainly located. Either approach thus fails to capture the most important features of many women’s social world due to their focus on the formal and public forms of relationships and actions (Millman & Kanter, 1987: 31).

The focus of traditional research on the public and visible manifestations of power and social action can make it difficult to understand how social systems function. This is because one of the most basic processes is the constant interplay between the informal and interpersonal networks and the more formal and official structures (ibid.). The same interplay exists between the researcher and the subjects of the research. Feminists assert that subjectivity and reflexivity on the researcher’s part are very important (Smith, 1987; Roseneil, 1993; Kelly, Burton & Regan, 1994; Luff, 1999; Letherby, 2003). Since the varying locations of the researcher within the research will result in different outputs, the researcher needs to declare her/his standpoint in relation to the research. This will include her/his intellectual autobiography and the role of her/his race, class, gender assumptions, feelings, beliefs and interests in the research process (Roseneil, 1993:181; Harding, 1987: 8).

Third world feminists and postcolonial feminists have also critiqued anthropology as an outcome of imperialist definitions of self and other during colonial rule; it misrepresents women, arguing that anthropology signified the power of naming. The people of the third world are reduced to the ‘other’ reinforcing exploitation; distorted representation; one-stop solutions and even war as a weapon for democracy in a neo-

liberal context (Cornwall, 1998; Harding, 1998; Mikkelsen, 2005: 326). In other words, they argue that the inherited categories of anthropology are those of white, western masculinity. Sexist and racist stereotypes have historically been used to consolidate particular relations of rule in which third world women have been portrayed as inferior to the western men/women. Anthropology has often led to the formation of a superior/inferior dichotomy that converts research into a justification of existing power structures, reinforcing inequalities (Mohanty, 1991: 31-32). Being a woman from the third world, I struggled with using ethnography as the term to describe the approach adopted in this research. The ethnographic method after all, has its origins in anthropology, a discipline that has misrepresented my own history (through being seen as the 'other') with devastating effects. This research is geared towards at least partly to undoing some of these historical mistakes.

Questions of definition and self-definition inform the very core of political consciousness in all contexts, and the examination of a discourse (anthropology) which has historically authorized the objectification of third world women remains a crucial context to map third world women as subjects of struggle (Mohanty, 1991: 32).

The approach adopted in this research might be described as critical feminist ethnography. It is critical of my relationship with the research context, and research subjects. It is aware of how our identities have been formed in the particular historical, social, political and economic and developmental (Subrahmanian & Porter, 1998: 39) contexts as the 'natives' or 'the other' and how our colonial legacy pervades the whole development process (Parpart, 2002; Harding, 1998). Values, cultures and norms form the perspectives that act as our yardstick and point of reference in our "fields of vision" and ultimately in our interpretation of actions and ideas (Subrahmanian & Porter, 1998: 39). Our interpretation of research is affected by our commitments to a particular community or to processes such as achieving gender equality, for example. Our analysis will also be affected by our political, religious, economic and social beliefs, by our methods of communication, our professional attachments and our own agendas (including those of organisations) (Blackmore & Ison, 1998; Hammersley, 1995).

Deciding to locate myself squarely within the study had the potential to affect the research both positively and negatively. Previous work with ActionAid had

involved providing the gender focused NGOs, especially women's organisations, with technical support, and assisting them to access funding and linking them with ActionAid field programmes. This experience enabled me to easily contact other organisations and individuals. In addition to working with these groups, I was also at one time chairperson of the donor committee (2001-2002) on gender and knew the staff members in charge of gender issues in the various donor organisations. Having also worked closely with politicians and technical staff proved an advantage in making research contacts in the Ministry of Gender, Labour and Social Development and the Ministry of Lands and Water.

Reading through intellectual autobiographies which seem to serve as litmus tests of feminist researchers, made me wonder the extent to which the researcher should share her sexual orientation, marital status, class, nationality, number of children and so forth in order to be approved as an insider feminist researcher. I have chosen not to seek to prove myself as a feminist researcher but to acknowledge the importance of the feminist research methodological principles, in particular by seeking to locate myself on the same critical plane as the research subjects. This made it important for me to identify the critical areas of focus; choose and contact the representative sample; and to conduct the interviews in a non-hierarchical manner. Being an insider is easier in some ways than being an outsider, since a stranger is perhaps more likely to be:

misled and distracted (since) there are many social setting which would be inaccessible to an 'outsider' researcher, even one who was trying very hard to participate fully (Roseneil, 1993: 90).

Having background knowledge and relationship proved vital assets in deciding on the relevant questions to guide this research. Knowing what documents to read and where to find them, also helped as well as knowing the people to contact for interviews, how to conduct the interviews themselves and how to hold informal discussions. Establishing rapport with research subjects from the early stages enabled me to understand issues from their perspective and relate their views and actions to the structural conditions governing advocacy work in Uganda. Prior knowledge of NGO gender advocacy work in Uganda made it possible for me to link the detailed, individual information collected from interviews and textual analysis to wider

developmental debates, both in the country and beyond. It was also easy for me than it could have been for an outsider to gain information from policy makers and NGO staff. The relations and prior knowledge were thus critical to the success of the research process as a whole. As Roseneil said in a very detailed context:

I am convinced that the degree of intimacy between myself and the women I interviewed was the product of our shared experiences, and was only possible because they knew that I was a Greenham woman and a feminist first, both temporally and in allegiance, and a sociologist second (Roseneil, 1993: 91).

This applied to me as a Ugandan woman and gender and women's rights activist. The importance of my identity in this research should not be over emphasised. My identity⁷ has been shaped in the contradictory and complex processes that form the interface between the western and African contexts. Talking of the need for gender equality on the one hand, while being obliged to accept gender (and other forms of inequality), whether unconsciously or consciously, has been a major source of creative tension in my work and in this research. My attitudes as an elite Ugandan woman may be 'distorted' due by work and education experiences, and may be different from the attitudes of women at the grassroots level, sometimes I found myself in situations of distrust. While working in Kapchorwa District for instance, I was frequently asked where I came from, which meant that they did not identify with me. I also observed that during group discussions, men, in particular, were reluctant to discuss or acknowledge gender inequalities within their communities in my presence, suggesting a lack of trust. Men frequently laughed when spousal co-ownership of land was mentioned. They might have felt this was impossible; they might have been amused by the discussion of gender equality, or they might have found the notion of equality ridiculous and abstract. It is also possible they suspected a hidden agenda behind the discussion, and feared losing their land, the most valuable asset they have. This suspicion was understandable if, in their view, I was associated with the government land law and policy review process⁸.

⁷ I grew up in a typical Ugandan culture, where gender inequalities were considered virtues rather than injustices. On the other hand, growing up in a single mother's home, I appreciated how myths formed the basis for many culturally and socially sanctioned gender inequalities. As a woman, I have experience of gender inequalities in the Ugandan context, and indeed advocacy has been undertaken on my behalf. I was actively engaged in advocacy work on gender issues in order to 'transform' the lives of women as well as men in Uganda. My education in Uganda could be termed western, and British-oriented (Obbo, 1988). My experiences may be different from other women in Uganda.

⁸ People in Kapchorwa are suspicious of discussion on land issues because most land is reserved under

As a women's rights activist, I do not agree with the gender inequalities that mark most women's experiences in comparison to their male counterparts. However I realise the difficulty of using ongoing development work to overcome gender inequalities. Some artificiality in development methodologies, including capacity building programmes and other strategies, is palpable. At times such methodologies ignore or manipulate local knowledge and experiences to fit into ready-made agendas and stereotypes of ideal gender relations (Nabacwa, 2002; ActionAid Uganda, 1999). Other scholars have made a similar argument, that people's priorities are not paramount in the dominant development planning models, and that capacity building programmes tend to ignore local knowledge (Wallace, 2004). I hoped that undertaking this research would help to understand the ways in which NGOs can work to improve the status of women in Uganda. The time for this was overdue, and people affected by development needed to be given the opportunity to decide their own gender relations and identities as men and women. Perhaps this could be described as the hidden agenda of the research, the motivation for carrying out the study in the first place. To paraphrase Marx, the point of Development Studies, after all, is not just to understand the world, but about practice and about how to change things for the better (Marx, 1845).

At the start of the research process I found myself at a crossroads with regard to both my feminist identity and making sense of my previous work experience. Like many development practitioners in many settings, including Uganda, practising in development left only limited time for thinking and reading about theory (Mikkelsen, 2005; McGee, 2002). This has made it a quite difficult task to connect theories with specific development practices, but has made it more important to do so. There has been a constant struggle to integrate methods and methodology with the epistemology, as well as with empirical material collected in the field and learned from experience. It is important to note that since my objectivity would inevitably be questioned, I needed not to claim authoritative knowledge of the topic, but rather to use my subjective position to collect knowledge that was realistic, in as informed a manner as possible.

The epistemological struggles involved in embarking on research on complex relations in a field like gender advocacy, showed the need for flexibility and reflexivity (Silver, 2000). A detailed dissection of the ideological and epistemological underpinnings of this research seemed necessary because of the consideration of the context and subjects of the research. It seemed, I had adopted a postmodernist feminist position based on the idea that "...knowledge is rooted in the values and interests of particular groups" (Letherby, 2003: 51-52). The danger is that a thoroughly relativistic position denies the possibility of any form of 'authorized' knowledge" (ibid.). An extreme relativist position can thus lead to the absurd conclusion that gender inequalities are apparent rather than real, and in any case not universal. Such a position would be invalid, on the basis of available evidence (Harding, 1987). It would also undermine the basis for this study in the first place. As Letherby observes, skepticism can be taken too far if it

... raises questions not only about the possibility of any theory of women's subordination but also about the systematic description of subordination, or even that subordination exists at all (Letherby, 2003: 54).

In the past few decades, Ugandan feminist researchers and practitioners have often found themselves in the uncomfortable position of being viewed as adopting gender relations models wholesale from the West. In this way, they have been seen as forcing women and men to view gender from an outsider's perspective, without giving Ugandan men and women the opportunity to decide for themselves what their ideal gender relations might be. Moves to promote gender equality have been unwelcome in many circles in Uganda. Religious and clan institutions⁹ perceive gender equality ideas as indoctrination. Hence perhaps the laughter in Kapchorwa. Many Ugandans, especially women, who have put forward alternative Ugandan models of gender relations have been resented by active feminists, and labeled as anti-feminist. The result is that Western gender models are in turn resented and labeled elitist and imperialist, and those who support them described as alienated from their own Ugandan culture and unconcerned with its preservation (Obbo, 1988; Amadiume,

⁹ I need to declare here that I was raised up as a Christian and I have by and large continued to subscribe to Christianity.

1997). Generally, the pressures on women are to be 'nationalist' first and feminist second are a feature of most state systems (Win, 2004; Amadiume, 1997).

2.7 Ethics of the Research Process

My prior relationships with some of research participants raised a number of ethical challenges especially with regard to confidentiality, the category of people that I may have interviewed and probably the research methods used (May, 1993). By and large, there were differences in the nature of interviews. I had previously interacted in great depth with some of the people, especially women. Others, I had some previous minimal contact or had been connected to through other research subjects. The interviews with men and women I had minimal initial contact with tended to start on a rather formal note, were usually shorter and were less rich in content in comparison to interviews with women (and men) with whom I had direct contacts (Roseneil, 1993: 197).

Since I could hardly avoid getting caught up in the controversies surrounding gender issues during my fieldwork. I chose to conduct the research in ways that would not generate any additional resentment due to my perceived 'feminist standpoint'. As some scholars have argued, research investigations are "rooted in several traditions or histories, intellectual, cultural, political and developmental" this reflects in our understanding, conception and interpretation of the research problem and this research is no exception (Potter & Subrahmanian, 1998: 39). The starting premise was that ethical issues are unavoidable since:

The researcher, whatever their perspective on values and research is still faced with choices about what is right or wrong in the conduct of his or her research. For this reason, ethics are part of the research practice (May, 1993: 39-41).

Values in research depend on a number of factors including education, and geographic location (May, 1993). Ethics can also be seen as being about moral deliberations, choice and accountability by the researcher (Edwards & Mauthner, 2002: 15) or "a set of standards used to regulate collective behavior (Flew, 1984: 112). Bailey's definition is that, to be ethical is to "conform to accepted professional practices" (Bailey, 1994: 454). He further states that disagreements about codes of ethics are likely in situations of conflict of interest. There is general agreement on what is

unethical in research that includes harming anyone in the course of the research. Harming also includes deception about the nature of the research, causing injury and generating unwanted emotions in the respondent such as embarrassment, stress or anxiety due to the nature of the questions asked and the implication of the research output to the research subjects (ibid.).

The issue of ethics and values raise a number of dilemmas. How can a researcher maintain the professionalism that is part of the requirements of research ethics when dealing with people he or she knows personally? Related to this are the questions of the unequal exchange of information and the degree of control exerted in post-fieldwork data analysis and report writing (Wolf, 1996: 2). Most important, how can a researcher manage to balance research ethics and political obligations or priorities? Like other feminist scholars, my decision to locate myself on the same critical plane as the researched has led to some difficult decisions about the rights and wrongs of the research process.

Values enter into the research process because the researcher's location in the research affects of what is seen as normal and what is not (ibid.). At the beginning of my doctorate studies, my location in ActionAid gave me one perspective, one that by the middle had changed to something closer to an independent scholar. This might have affected my changing conception of normality in this research. As a Ugandan development worker, I was conscious of the implications of my research for the development business. I was concerned in the early stages to the extent to which the research subjects would view me as a researcher. Instead I felt that they would view me as an ActionAid International Uganda staff, appraising their work and feared this might affect their access to ActionAid financial and technical support. I also became anxious about my 'objectivity' or lack of it, taking into account the fact that I had been an active participant of the 'architectures' of some of the programmes I was now researching.

Many researchers and respondents have commented that research can be especially stressful (Maynard, 1994: 17; Luff, 1999: 695). The magnitude of conducting doctoral research caused me stress at the personal and professional level and the magnitude of the costs (financial and non-financial) of such an undertaking

certainly did not seem normal to me. Until recently, it has not been a major role of African scholars to critique development processes and as an independent scholar, critiquing processes that I am a part of¹⁰ has been difficult. At the beginning of the research, I wondered how I would manage the research process without trespassing boundaries at both institutional and personal level. What would be the role of my sponsors and employers? What were their expectations of the research? Discussing problems of research sponsorship, Robson states that:

... the powerful influence virtually all aspects of the research process from the choice of the research topic (controlled by which projects gets funding or other resources) to the publication of findings (Robson, 2002: 73).

Through explicit or implicit means, sponsors can expect particular type of results (Warwick, 1993). During the early stages of this research, I was asked to clarify the benefits of my research for policy. By the middle of my studies, my sponsors terminated their sponsorship and as I looked for independent resources to complete the research, it seemed the disengagement of my sponsors could free me from certain rather narrow expectations of policy 'results' or 'lessons'. Being freed from my previous institutional affiliation from ActionAid not only liberating from specific research expectations, it was also disorienting. In ethical terms, my room for manoeuvre increased as the urgency of completing my studies and moving on professionally intensified.

The informal nature of the interviews and the fact that I knew most of the research participants in the NGOs enabled me to gain a lot of information that was useful. However, the question was how to distinguish what the respondents were telling me in their individual capacity versus their capacity as representatives of their own organisations. At times they shared information that was useful to the study but, I could not be sure what the implications of writing this information would be for their personal interests and identities. Some scholars (Cotterill & Letherby, 1994; Letherby, 2003) have problematised the implications of researching people close to us, especially friends and relatives. It has been found that it is often difficult to

¹⁰ More often development knowledge in form of solutions to development problems has been given to Africa of which appreciation rather than critical engagement with such knowledge is expected from Africans

establish the boundaries of the research in terms of what constitutes data in such a relationship. Informal research relationship may cause tension due to the mistaken assumptions of both the researchers and the researched. Questions of probing research subjects may seem 'artificial naivety' and this can limit the researcher's willingness to critically engage with them. On the other hand the desire to cooperate may lead to over exposure of oneself on the part of the research subject (Letherby, 2003: 126).

It was often tricky to know what to do with the sensitive information I was provided with by research subjects I knew well. Were they hoping to use me as a conduit to pass on their dissatisfactions to others? Were they seeking a counselor or advisor? When it came to situations where the research subjects seemed to view me as a counsellor I did not know what to do, since:

...respondents may feel patronized if they sense that the researcher is taking on the role of counsellor...but it is still likely that when a respondent gets upset the researcher may be left wondering if they handled things in the right way (Letherby, 2003: 127).

Managing my informal relationships with most of the subjects I had worked with before became critical to the success of this research. I did this by making appointments with them in advance to explain the purpose of our meeting. In order to reduce mistrust or lower expectations, I worked closely with the personnel of the gender focused NGOs under study to implement the research. They acted as interpreters, advisors, and facilitators. In other words, the research had elements of action research. It is argued that action research privileges the worldview of the researched community and it provides the researcher with valuable insights into locally diverse relations and thus understanding of the research subjects' positions (Mama, 2000: 188). However one needs to be careful in asserting that the views of the researched prevailed. Other factors come into play including issues of class, and ethnicity. After all:

What counts as evidence? It is commonly understood that personal testimony (emic data) may be unreliable; there is the issue, of subjectivity, of perspective, of lack of insight, even of deceit. Yet even purely objective, researcher-based analysis (etic) may suffer from ethnocentrism or over simplification, and even with physical evidence the problem of interpretation remains (Ruth, 1980: 189).

Some third world feminist have critiqued Western feminist scholarship for reinforcing “Western cultural imperialism” (Mohanty, 1991: 73). Some third world women have felt to be under pressure to adopt beliefs of western women regarded as more advanced, more empowering and generally worth copying (Kabeer, 1995; Mohanty, 1991; Lal, 1999). Feminist research has raised some critical questions related to definition, power, context, location and reliability of the knowledge produced (Mohanty, 1991; Lal, 1999; Amadiume, 1997; Anthias & Yuval-Davis, 1992; Kabeer, 1995). Perhaps the most important of these is the question of power differentials between the researched and researcher, which is explored in the section that follows.

2.8 Power Relations and the Question of Location

Any feminist researcher needs to recognise the influence of power differences (irrespective of sex) between the researcher and the researched on the research process and its outcomes. The extent to which I can claim location on the same critical plane as the researched is influenced by ideological beliefs as well as race, class, and culture (Riesman, 1987; Luff, 1999). Such differences may prevent collaboration between researchers and the researched. Positivism may be a problem but so may alternative research frameworks (Wolf, 1996: 5).

My experience was that it was easier interviewing women and men with whom we shared a similar background in the NGO sector or government technical staff than working with grassroots women and men. My relationships with elite women, irrespective of the sector or their understanding, identification or appreciation of gender work in Uganda, were more relaxed, in-depth and seemed to be more meaningful to both the researcher (me) and the researched. The discussions with elite men were also mostly in-depth, fairly relaxed with moments of tension when it came to discussions on changing the current gender relations. Discussions with most of the elite men seemed to demonstrate a pattern of reiterating the socioeconomic cultural justifications for the current social status quo and the problems these posed for change. The experiences in this respect tally with those of Luff (1996) who through her research experience with the British Women of the Lobby worked mostly with older middle-class women, accustomed to public

speaking and on familiar verbal territory in the interviews (1996: 41). Power in such cases is relatively evenly distributed in the relationship; communication becomes a two-way process (Luff, 1996; Brannen, 1988). Negotiation and development of trust tend to enhance the usefulness of such interviews (Luff, 1999; Roseneil, 1993).

Whereas I felt as an insider undertaking research with the staff of the NGOs, I felt more as an outsider researching with the women and men at the grassroots level. As an elite woman in the Uganda context, there were communication difficulties with the women at the grassroots level and I cannot claim that I fully overcame our class differences. I tried my best to bridge the gap between us to understand their worldview. For example, during the mixed group discussions when some women justified men's control by saying men bring women into their (men's) houses, and they pay bride price, I felt this justification was a façade, intended to overcome ostracism from the male counterparts. I had hoped women only group discussions might give the women a group voice in mixed focus group discussion. However, it came as a surprise that the women changed their position during the mixed group discussions. I was not able to resolve this tension, as I was not treated as an insider by the women. My experiences showed that even with a gender sensitive research process, precautions need to be taken to ensure that men and women's interests are articulated, through having mixed forums, and private spaces for women and men in research (Murthy, 1998; Cornwall, 1998; Guijt & Shah, 1998). Even so, it needs to be recognised that deeply embedded power inequalities can prevent poorer women from making their views known in mixed public forums.

Another example of the limitations of my insider location within the research was when during the mixed group discussions in Kapchorwa a man tried to justify the exclusive ownership of land by men. Interestingly, the other men booed and stopped him. They also advised me to ignore what he was saying, saying he was drunk and was speaking under the influence of alcohol. This brought home that men like women were not willing to openly deal with gender issues in my presence. Later on the interpreter told me that the male participants did not want me to have a bad image of the men in the community as oppressors of women. My interpreters, who happened to be men and also in charge of the project, may have

helped me to access the community and understand the research context from a male worldview; they could not overcome the communication barriers that arose from inequality between me and the village men and women. The participants in turn had their own interests that affected our ability to be on 'the same critical plane'. The interpreters seemed careful to interpret what the community people said. At times when the participants giggled, I would realise that there is a gap in the information that they were sharing with me and I would seek for some clarification. Language barriers made me an outsider and visitor to their community. Giving a good and serious impression to the visitor was treated as important. One male research participant asked me where I came from¹¹ reminding me that as a visitor the participants become calculative in what they told me. These kind of issues complicate making conclusions based on limited stays, with language barriers and limited practical experiences of the culture under study (Warwick, 1993; Mikkelsen, 2005; Abbot, 1998).

Being on the same critical plane as the research subjects was also complicated by the fact that I had come with the staff of the NGO. The image of this NGO was as important to participants as to the organisation itself and community leaders (who were also participants) who received allowances for attending meetings. Being seen to be collaborating with this organisation as representatives of the community also enhanced their identities within the community. By providing leaders with training and exposure visits on a regular basis, NGOs can make these leaders knowledgeable in comparison to other men and women within the community. The desire to make the research participatory thus posed another set of ethical dilemmas including the selection of the research team, and control of the project (I did not select the communities to visit; they were decided by the organisations under study including the persons to be interviewed). Thus, increased involvement of research subjects does not necessarily balance the power relations in the research process. This is because:

...inequalities cannot necessarily be addressed through use of participatory research methods...There are no guarantees that empowering outcomes will be obtained (Johnson & Mayoux, 1998: 163).

¹¹ He was asking about my ethnic group

My experience in this research concurs thus in some important ways with the view expressed by other researchers that “whatever our involvement with the issue and the respondents, at some level we remain ‘outsiders’: strangers” (Letherby, 2003: 130). In Kapchorwa there were communication boundaries that I not was aware of and not necessarily openly agreed upon, that seemed to be understood by all research subjects. My various identities including gender, ethnicity¹², education, association with the NGO and, language affected my perception, rapport and ability to be on a par in terms of engagement with the research subjects (Abbott, 1998; Edwards & Mauthner, 2002; Letherby, 2003). It was important to realise that being on the same critical plane as the researched is not always possible.

My research experiences thus show how power dynamics can influence the relationship between the researcher and the researched both positively and otherwise. Being on the same ‘critical plane’ as the researched is desirable but not always possible (Letherby, 2003: 131). Thus, “it is by listening and learning from other people’s experiences that the researcher can learn that ‘the truth’ is not the same for everyone” (Temple, 1997: 5.2). This was true for the men and women at the grassroots level where truth for women was clearly different from that of men and public truths diverged from private views or opinions.

Constant vigilance was needed during fieldwork to understand the research subjects meaning of our social world even though it might have been expressed in ways very different and at sometimes very ‘distant’ from my own understanding. The process of understanding this truth may call for some pretence on the part of the researcher as shown in my experience in Kapchworwa. Being non-judgmental even when I did not agree with some of the views expressed was important. Thus, while I felt that the community approach to gender issues reinforces gender inequalities, rather than challenge people in the focus group discussions, I chose to listen and encourage dialogue (acting like an outsider).

¹² I am a Muganda a dominant ethnic group in Uganda. Its dominance is at times resented by other ethnic groups and at times this resentment presents itself in the nurtured relationships and communication.

I tried to relate with the participants in ways that would not alienate me or affect our rapport. My past experiences, as a development worker in rural areas was useful. I sat on the ground with the women even when chairs were provided to me as a visitor. I was able to do this without appearing to refuse hospitality that is offensive. Ethical decisions were thus flexibly adjusted on the basis of continuous reflection according to the expectations of the research subjects and my “relationships to those that are party to the research process” (May, 1993: 43). In such a model, “...the rightness or wrongness of actions is judged by universalistic cost benefit pragmatism” (Edwards & Mauthner, 2002: 19).

2.9 Transforming Gender Relations

This brings us to the third factor, listed at the beginning of section 2.2 of this chapter, of what has been argued to be distinctive about feminist social research. It is claimed that feminist research is carried out for women with the aim of transforming society to overcome patriarchy and ensure equality (Harding, 1987; Maynard & Purvis, 1994; Letherby, 2003; Roseneil, 1993). The idea is that this kind of research can: “...contribute to the understanding of women’s oppression and to further the struggle for women’s liberation” (Roseneil, 1993). This is a bid to overcome the historical mistakes in which, “the questions about women that men have wanted answered have all too often arisen from desires to pacify, control, exploit or manipulate women” (Harding, 1987: 8).

The focus of feminism is on women’s status, that is, women’s place and power; and the roles and positions that women hold in society in comparison with those of men. Men have had an advantage due to the fact that knowledge was constructed in their favour in the first place (Kelly-Godol, 1987). Feminist research has a value judgment and a political agenda, transforming society for women’s sake or empowerment (Cook & Fonow, 1986; Hammersley, 1995).

The role of feminist research in feminism is to contribute to the production of knowledge by women for women about women with the hope that such knowledge will directly contribute to the transformation of their lives. Due to the transformative aim of feminist research, the people being researched are very important as subjects rather than simply as objects of the research, “it is the

relevances of the women's place that govern" (ibid.). In other words, women are supposed to be fully involved in the research. Feminist research gives women the opportunity to explore and construct their own investigation as a result of their engagement with the research and the researcher's ideas (Roseneil, 1993: 180).

This research shows the need for caution concerning the whole notion that 'it is women who govern' and that the research is for 'women'. It is important to move beyond making social science issues relevant to the world of women by addressing what has been overlooked. This is a mere extension of the existing social science procedures with women's issues as addendum.

The world as it is constituted by men stands in authority over that of women. The effect of the second interacting with the first is to impose concepts and terms in which the world of men is thought as the concepts in which women must think their world. Hence, in these terms women are alienated from their experience (Smith, 1987: 86).

It is on these grounds that men, like women, need transformation because addressing women only will not address the problem of women's exclusion. It is apparent that "the institutions that lock" social sciences "into structures occupied by men are the same institutions that lock women into the situations in which they find themselves oppressed" (ibid.). This research realised that addressing the world of women does not analyze the relationship between the two worlds. Studying worlds involving only women may systematically prevent the eliciting of certain kinds of information yet this undiscovered information may be precisely the most important for explaining the phenomena being studied especially in relation to gender.

Even casual actions could seem quite significant to the researcher. Methodological assumptions that limit the focus on women may affect the researcher's visions and produce questionable findings. Arguments about men's limitations in identifying with feminist research subjects (Millman & Kantar, 1987) may ignore the limitations of women researchers. In this research having a male interpreter who worked for an NGO embedded in the community enriched my understanding of the men's world. In order to address the men's world that may be negatively affecting

women, it may be relevant to have a man do the research in a bid to change the status quo in favour of women.

In taking on a transformative character, feminist research in this case becomes closely associated with critical theory because transformation based on self reflection nurtured through “intersubjective social action” is an important component of the foundations of critical theory (Rasmussen, 1996: 19). However there is need for precaution in the transformative claims of feminist research. It is difficult to know if transformation has taken place as a result of the application of any particular feminist research principles. Though the participants were engaged in the research, it is not clear the extent to which one can claim that they were transformed. This is because it is difficult to provide clear answers to questions such as what is transformation and when and how can it be claimed that transformation has occurred?

This research clearly showed that the researchers possess the power to ‘define and redefine’ the role of the researched (Letherby, 2003) based on their conceptual and experiential understanding of the research context (Hammersley, 1995). Specifically, the assertion that the aim of feminist research is to address and improve women’s status in relation to men raises some ethical and definitional issues. If it is a question of inequality, what does inequality mean? If there is inequality in power, then is it political or personal power or both? If it is about status, what constitutes status? If it is about subordination, what is meant by subordination and how can we address subordination across cultures or even within one national culture but with several sub-cultures, in the case of Uganda? Use of the researcher’s experiences may limit the ability to contest or notice certain important effects beyond the parameters of the frames of reference of our worldview (Scott, 1999). This means the researcher who provides meaning to the concepts used in the research is as important as the output from the research because meaning is contextual and contestable. This can be contrasted with the ‘instrumental reason’ of Horkheimer and Weber, who describe it as: “...purposive rational action. Reason, devoid of its redemptive and reconciliatory possibilities, could only be purposive, useful and calculating” (Rasmussen, 1996: 22).

Thought is here seen to be for selfish reasons, 'self preservation' and not necessarily redemption of the unprivileged. "Reason under the image of self preservation can only function for the purposes of domination" (Rasmussen, 1996: 27). For example discussions on third world women and development policies by Western feminist researchers can at times be about social control. The same can be said of the relations of elite women and women at the grassroots in developing countries, where control is often exercised in similar ways. The politics of self and identity constantly complicate feminist research. Being on the 'same critical plane' as the researched, reflexivity and claims of transforming the lives of women may be specifically for selfish reasons. Such reasons could include access to financial resources, academic and self gratification or making others take on your worldview and not necessarily for the benefit of the participants or in tune with their interpretation of their social world (Mikkelsen, 2005).

Most often the notion of transformation as defined by the researcher is different from that of the research subject. Race, ethnicity, class and power relations complicate the possibilities of exploration of the research at the same level with the research subjects (Lal, 1999; Letherby, 2003; Roseneil, 1993; Luff, 1996). There can be "multiple meanings of the discipline of self and the institutional repression of the subject" (Rasmussen, 1996: 27) due to the multiple identities and interests within the research thus reducing the claims of the subjective nature of feminist research.

For all these reasons, it is important to subject self-reflection and transformation to criticism. In this context: "...critical theory could be legitimated on the basis of making apparent the undisclosed association between knowledge and interest" (Rasmussen, 1996: 31). Nonetheless self-declaration can assist us in understanding the relationship between knowledge, interests and power (Rasmussen, 1996; Foucault, 1982). The non-instrumental claims of communicative actions are subject to debate unless there exists as Rasmussen states, "a contra-factual communicative community which is by nature predisposed to refrain from instrumental forms of domination" (Rasmussen, 1996: 36).

It is the political nature of feminist research that demonstrates the complex presence or absence of restraint from relations of domination and control. The aim of feminist research is about political struggle to liberate women across and within all social strata. On the other hand, complex debates over what constitutes feminist research and the tensions in the ideological underpinnings of feminist research make it difficult at times to understand the political aims of feminist research.

This research methodology has highlighted conflicts over meanings and communication of feminist interests (Tripp, 1998). During fieldwork, it was observed that grassroots women in Kapchorwa and Apac want to overcome their barriers to household property to be like their male counterparts. However unlike the elite women who openly articulate their feminist interests and do not mind the radical changes, partly due to instrumental reasons (interests), the peasant women prefer to deal with these issues in a less confrontational manner. Grassroots women fear being subjected to ostracism in their social groupings (such as family, clan, church etc). Social groups perceived to be patriarchal sources of women's subordination by both the elite and non-elite women, also act as social welfare securities and thus are of great importance to these women's daily survival (Kabeer, 1999; Tripp, 1994). The elite women have an individualist approach to life because they have incomes and their survival is less dependent on these social groupings. This research methodology has revealed that human relationships are relations of power that is explored in more detail in the next chapter. Thus, as already observed in this research:

What is needed is a radical reconsideration, not of science alone but of the knowing individual as such... Critical thinking is neither the function of the isolated individual nor a sum total of individuals. Its subject is rather a definite individual in his relation to other individuals and groups, in his conflict with a particular class, and finally, in the resultant web of relationships with the social totality and with nature (Horkheimer, 1972: 199-211).

This means that there is need to link the research, the researcher and the research subjects within the micro-macro context in critical feminist research, something that has been attempted in this research (Lal, 1999). When a researcher finds herself in situations where her understanding and interpretations of women's accounts is either not be shared by the women, or represents a challenge to their perceptions, the question is how to respond (Kelly, Burton & Regan, 1994: 37).

The management of this situation, while ensuring trust and achieving acceptance, can raise ethical issues. I found myself holding back my feminist thoughts on several occasions for fear of offending the research subjects (especially men) or obstructing their active participation.

My experiences are similar to those of other researchers. In her study of Women of the Lobby with different ideological beliefs on feminism, Luff nodded her head and seemed to have agreed to issues that she disagreed with. She found her research falling between covert and overt research (Luff, 1996). In order not to compromise the research project, she was careful in her communication. In the case of my research sympathetic tones, 'yee' or hmmm, signs of listening in the Ugandan context or smiles might inaccurately convey agreement, with the views of the research subjects (Herman, 1993; Herman, 1994). I found myself confronted with the situation in which I pretended that it was okay to be sarcastic about gender issues. In reality, I felt so sad and uncomfortable that although huge investments have been made to foster gender equity and equality, most men did not take these issues seriously. The men hardly relate to gender inequalities experienced by women within their communities. Women are viewed as no more than children or as extensions of men's household property, resources for men's self gratification.

The learning from all this is that alongside the search for 'truth' a great deal of tact and diplomacy is necessary and important (Luff, 1999).

If we are to be truly open to what our research subjects tell us we must be willing to read against the grain and yet within the larger contexts that situate their responses... incorporate(s) research subjects' voices...engage [d] in a mutual though unequal, power charged social relation of conversation...Erasing the boundaries between theory, methodology and political practice (Lal, 1999: 118-123)

In this research, it can be said that while recognizing the methodological concerns and transformative aims of feminist research, a process approach was used in terms of the design of the research. Research methods were reflexively adapted to the research context. The participants subjectively explored the study with the researcher and provided their own understanding of gender issues rather than imposing them on the researcher's own variety of feminist beliefs and

transformative aims. The researcher's location within and thus relationship and level of interaction with the research subjects was adapted, depending on the context, to make optimal use of the multiple identities.

2.10 Methodological Guiding Principles

There are a number of methodological considerations that can be deduced from this chapter. The first insight is that the context, the actions and indeed the identity and experiences of the researcher are important to the extent that they are bound to affect the knowledge produced by the researcher. Knowledge of the research context is critical:

At the most general level, interviewers must have some basic knowledge of the structure of social relationships and the complex of underlying cultural meaning in the society in which they are working (Davies, 1999: 108).

The second point is that having an identity similar to that of the research subjects may help the researcher to access certain types of knowledge. Being an insider, in this case a Ugandan at one level and having the identity of an active participant in Ugandan NGO work enabled the researcher to have access to most of the informal discussions beyond the interviews. This proved to be more valuable in understanding some of the issues that were unclear during interviews. This enabled me to get an in-depth understanding of the research subject's perspectives and to more firmly establish the various perspectives on the data already collected. A checklist of themes helped me ensure that specific concerns in the conversation were not lost, and that focus remained around critical questions central to the research.

Thirdly, the researcher's identity cannot be identical to those being researched. Identities like human relationships change depending on the changing context or even within the same context. Feminist research shows that within limits, it is possible for the researcher to work towards reducing the differences between her and those she is researching. However it may be somewhat simplistic to imagine that relations of same location can be established, even within a non-hierarchical research process. This is because there are so many factors beyond gender differences that will affect our worldviews.

The fourth and final insight is that theory and practice need to be closely linked when it comes to undertaking critical feminist research. "The thinker must relate all the theories which are proposed to the practical attitudes and social strata which they reflect" (Horkheimer, 1972: 232). Implied in the tenets of critical theory and also in the principles of feminist research is the idea that theories and practices of social justice are closely related. This idea is clearly articulated by feminist researchers when they claim that their aim is to overcome the distortions of traditional research undertaken on the basis of men's experiences alone and with relatively limited flexibility in the research methods adopted. Critical feminist research methodology proved useful for another reason. Through listening and engaging in dialogue with the research subjects, it was possible to gain deeper insight into their experiences and the meaning of such experiences. By making it possible to build into this research the various perspectives of those being researched, as well as the researcher herself, a more realistic understanding of the subjectively and reflexively held forms of knowledge of people involved in gender focused advocacy in Uganda was possible.

2.11 Conclusion

From the discussion in this chapter, it has emerged that a number of contradictions are embedded within the principles of feminist research and critical theory, contradictions that the researcher cannot easily overcome. What is important is not so much positioning oneself as a feminist or critical theorist, but being able to use a methodology that can tackle complex insider/outsider knowledge issues, and is flexible enough to be adapted to specific research contexts. Finding this kind of methodology is critical if the researcher is to engage creatively with subjects in the research process. Such an approach will undoubtedly help me to include in this study both my own experiences and those of the research subjects. The insider/outsider dilemma has proven fruitful, not only in generating data from the perspectives of the research subjects, but also in providing a means of analysing this data. This study was undertaken on the basis that greater reflexivity on the part of the researcher and the research subjects could lead to more meaningful advocacy processes on gender issues. The hope was that this would be of some

benefit to grassroots communities, where gender inequalities continue to be one of the major structural causes of poverty.

Perhaps the most important insight in this chapter has been that human relationships are invariably relations of power. In order to understand how relationships work, we may therefore need to go beyond the public, formal interests and relationships that people and organisations have with one another, to uncover the more informal and sometimes hidden webs of relations and interests. In the next chapter, we will explore how power relations and interests can be conceptualised for the purposes of this study. Chapter 3 also considers how relations between NGOs, civil society, the state, donors and the grassroots can be understood, and how all this applies in advocacy.

Chapter 3

Power and Interests: Theorising Inter-institutional Relations

3.0 Introduction

In the light of the methodological approach elaborated on in Chapter 2, this chapter reviews the various orthodoxies and conceptual understandings of relations between NGOs, the state and donors, starting with an analysis of how power and interest can be conceptualised relationally. The chapter presents an analysis of existing theoretical and policy-related literature on the central concerns of the study, and seeks to identify some of the gaps. It also critically examines contending perspectives on advocacy by NGOs. Various perspectives on NGO advocacy are appraised, and the chapter also considers briefly how advocacy by NGOs has been understood. Throughout, a number of theoretical frameworks deemed useful to the study are identified and discussed. A useful starting point is the observation that:

...development discourse defined a perceptual field structured by grids of observation, modes of inquiry and registration of problems, and forms of intervention; in short, it brought into existence a space defined not so much by the ensemble of objects with which it dealt but by a set of relations and a discursive practice that systematically produced interrelated objects, concepts, theories, strategies and the like (Escobar 2002: 84).

Relations between NGOs, among themselves and with the state, donors and grassroots communities, are central to this study, and cannot be discussed without an explicit understanding of power relations. From the literature review that follows, it will become evident that a critical analysis of the interplay between the need for resources, identity and status of NGOs is needed. NGOs may have thought that partnerships especially with donors will be opportunities for accessing resources and getting to the centre of development action. As Power (2003) observes, through the use of the multiple sector approach (based on the notion of social capital), the World Bank and other official and bilateral donors, control the nature of relationships between the various actors. However, "...the mechanisms which link the 'networks' and 'organisations' of social capital are much less well understood by these agencies" (Power, 2003: 183). The literature review will show that the current orthodoxy simplifies or ignores complex relationships that exist between the various actors

involved in gender advocacy. The current literature hardly explores the dynamics of power relationships among the various actors whether formal or informal (including hidden agendas and interests). This calls for a critical understanding of how power and interests influence NGOs' relationships with each other and with donors, government and the grassroots.

To get beyond the rather simplistic analysis in the current literature that tends to see donors, government, NGOs and grassroots relating in ways that are linear and quantitative, this chapter considers the ambiguity inherent in all power relations. The powerful are not all on one side and the powerless not on the other. The orthodox model suggests that the donors are the powerful that tell the supposedly powerless recipients how to act. However, power is not linear or a zero-sum game; rather it is complex, fragmented and relational. Power is a highly contested concept, and it is important to understand this. This is why conceptual understandings of power are the focus of the first section of this chapter.

The chapter also contains sub-sections on: the broader development context, including relations between NGOs, the state and donors; approaches to understanding advocacy, and power and gender issues in relation to advocacy. Advocacy in the Ugandan context is elaborated on in Chapter 4.

3.1 Power and Interests: Understanding Complex Relations

This section first considers some conceptual understandings of power, and also some analyses of interests, including the 'voice, exit, loyalty' approach of Hirschman and some insights from new institutional economics and chaos theory. After looking at the gender theory approaches to social relations, particularly the approach of Naila Kabeer, there follows a discussion of the literature on NGO-state-donor relations.

3.1.1 Conceptual Understanding of Power

Definitions of power can be classified into two broad types: those that see power as quantitative and rational, and those that see it as relational and qualitative. As indicated by the work of Weber and others, there is even an element of luck involved, with terms like opportunity and chance being linked to the exercise of power (Weber, 1947: 146; Weber, 1962: 117; Weber, 1954: 323). Weber's writings about power form

the basis for many later definitions, including both the rational and relational types of definitions.

According to the first, quantitative and rational perspective, power is scientifically provable and observable. Dahl, for example argued that A has power over B to the extent that A can get B to do what he would not otherwise do (Dahl, 1961). His argument is similar to that of Russell, who in his theory of social power sees power as “the production of intended effects” (Russell, 1938: 35). As an “intended and effective influence”, power in this sense can be sub-divided into four forms: force, manipulation, persuasion and authority (Wrong, 1979: 24).

Other scholars see power as both a quantitative and a qualitative phenomenon. Lukes (1974) and Foucault (1982) are among those whose approaches have been very influential. For Lukes, Dahl’s type of definition of power is limited to the first dimension of power alone, or what Foucault calls objective capacity in terms of power relations (Lukes, 1974; Foucault, 1982: 218). The one dimensionist ‘pluralist’ view sees power as a form of observable behaviour, involving decision-making and the conflict of subjective interests. In terms of policy preferences, power in this sense is revealed by, for example, which group’s interests prevails in political decision-making (Lukes, 1974: 11-15). The one-dimensional view of power operates in the ‘open’ public arena (Hughes, Wheeler & Eyben, 2005: 64) in what Foucault terms “...the field of things, of perfected technique, of work, the transformation of the real” (Foucault, 1982: 218).

The second dimension of power for Lukes is the two observable faces of decision-making and non-decision making. Non-decision making is also about observable overt and covert conscious or unconscious actions taken to stop, exclude or suffocate potential challenges to the prevailing allocation of resources or privileges, excluding alternatives from the decision making arena (Lukes, 1974: 16-20). The two-dimensional view of power adds the analysis of power relations to the question of control over the agenda of politics and the ways in which potential issues are kept either central to the political process or out of sight. Power for Foucault conveys relations between parties, and includes both domination of the means of constraint and the actions of human being upon other human beings (Foucault, 1982: 218).

Lukes' three-dimensional view of power relations is a critique of the relative simplicity of the first two dimensions (1974: 21-24). Whereas the first two approaches to power relations are individualistic, and focus on the quantifiable aspects of power, the third dimension is concerned with the many observable and non-observable ways in which potential issues are kept out of politics. This process of agenda setting happens through the operation of social forces as well as through individual decision. The three-dimensional view of power identifies a number of ways in which non-decision making can be reinforced including, for example:

- (i) Biases in the decision-making system reinforced through socially structured and culturally patterned behaviour of groups and practices of institutions, which may indeed be manifested by the individual's inaction.
- (ii) Influencing, determining, shaping or determining someone's wants by controlling one's thoughts and desires for example through use of the mass media and through processes of socialization such as education, training and learning, among others.

The third dimension view of power can thus be said to be about hidden power, power that maintains the status quo of inequality by determining who is included or excluded from decision making in the first place. It is invisible or intangible power that affects "...personal experiences of power, such as socially embedded norms and the realisation of a sense of powerlessness" (Hughes, Wheeler & Eyben, 2005: 64). This is somewhat akin to Foucault's notion of power in relations of communication. He argues that, "the production and circulation of elements of meaning can have, as their objective or as their consequence, certain results in the realm of power; the latter are not simply an aspect of the former" (Foucault, 1982: 217). This conceptual understanding of power also overlaps with Lukes's second dimension of power in that it involves decision-making and non-decision making (Lukes, 1974). However unlike Lukes, Foucault sees power as mainly subjective in that while it is determined, it is not necessarily dependent on the meaning attached to the communication by its recipient.

Other scholars have focused more closely on qualitative and relational conceptual understandings of power. Power in this sense is latent, and is only real if it is actualised (Arendt, 1958) Arendt sees power as actual, potential, boundless and dependent on a group, as well as non-violent in its expression. In other words, power

relations are dependent on and the product of social relationships. Where power is not actualised, it passes away from the group, and away from the people, among whom it is latent. In this view:

...power is always a power potential and not an unchangeable, measurable, and reliable entity like force or strength...The only indispensable material factor in the generation of power is the living together of people (Arendt, 1958: 200-201).

Unlike strength, power is not dependent on human nature; its existence is dependent only on plurality. This is similar to what Foucault says when he understands power as composed of power relationships. That is "...a mode of action that does not necessarily act on people but rather acts upon the present or possible future actions of acting subjects:" an action upon an action, thus leading to a series of actions (Foucault, 1982: 220).

Like Arendt, Foucault sees interests are an inherent part of power relations. Power becomes a medium of exchange or a means of promoting certain interests and goals within human relationships. Leaders are legitimised or given authority by those that they are leading on the understanding that the former will provide the needed guidance to achieve 'common interests' through direction of the former (Parsons, 1960; Giddens, 1993). Foucault also sees power as closely related to knowledge. Thus to understand the nature of power, one has to analyse it from the diversity of the logical sequence of various institutional interrelationships. Their parameters and the way they function become relevant, including the ways in which individuals become vehicles of the net-like organisation of power relations, and the tactics or mechanisms used to colonise, transform or extend power relationships (Foucault, 1980: 98-102)

In the relational and qualitative approach, power is clearly not a zero-sum entity, but rather determined through the nature of interrelationships, and therefore potentially negative or positive-sum. This insight leads us to consider the important question of how various actors negotiate or bargain for their interests within the complex web of power relationships. Foucault's theory on discourse and power is part of the broader body of knowledge known as post-structuralism which can be useful in providing a conceptual understanding of the relationships that form the heart of this study. Such an approach can assist us in our understanding of the role of structure and agency in forming relationships. The elements of language, meaning and subjectivity are central

concerns of any post-structuralist approach, as well as of a feminist and qualitative approach, like the one adopted in this study (Humm, 1995; Weedon, 1987: 20).

One criticism of Foucault's view of power would be that he contextualises individual experience and analyzes it as the product of ideological structures. The contrasting, liberal humanist approach tends to posit the existence of rational, autonomous individual human subjects as the ideal (Giddens, 1993; Weedon, 1987). This begs the question of how the complex interactions between knowledge and power, and between individual agency and collective structures should be understood (Abrahamsen, 2000; Power, 2003; Hughes, Wheeler, & Eyben, 2005; Weedon, 1987; Giddens, 1993; Kabeer, 1999). An individual is socially constructed and although not necessarily in full control of her or his actions or agency or its outcomes, but exists as a reflective and feeling subject who has knowledge of the social institutions and structures within which he or she is located. Thus, based on an individual's knowledge and the context of discursive relations, the individual can constitute his or her own agency, and choose to formally or informally, overtly or covertly transform or resist the power relations that operate within given social institutions (Weedon, 1987: 125; Giddens, 1993: 124).

Discourses not only affect the modes of thought and individual subjectivity, they explain the ways in which power works on behalf of specific interests. Discourses by their nature offer more than one subject position and also possibilities for resistance or reversal. As Weedon puts it "...resistance enables the subjected subject of a discourse to speak in her own right" (Weedon, 1987: 109). This challenge involves making the most of the room for manoeuvre within the complex power networks in which people with different levels of influence and leverage operate. Points of resistance can arise at almost any point in the network (Weedon, 1987: 95-125). This kind of analysis complicates, in a helpful way, our understanding of discourses, of their articulation and of the institutionally legitimized forms of knowledge to which they look for their justification.

Whether they are viewed from an economic, political, social or psychological point of view, most simply, power relations can be conceptualized as "the ability to make choices" (Kabeer, 1999). The notion of choice makes it clear that power has to be

conceptualized within a broader understanding of terms such as rationality, rules, resources, profit maximization, opportunity, cooperation, competition, conflict and interest, most of which are political-economic concepts. Amidst competing and conflicting interests, individuals, actors or subjects have the ability not only to draw upon rules and resources in their social interactions but to also reconstitute such rules and resources through such interactions (Giddens, 1993; Kabeer, 1999). This means that, within limits, power relations are never entirely one-sided, nor entirely fixed, but rather always have an element of fluidity and some parameters for the renegotiation of spaces for action and expression, and for the promotion of interests.

This insight becomes highly significant in the course of our exploration of the subject matter of this study, in the following way: Each of the actors identified in the advocacy field that is the NGOs, donors, the state and the grassroots, exercises their agency to the greatest extent possible, and seeks to maximize their interests through the rational extension of their agency. This is done by each actor on the basis of their own interpretation and experience of social relations within their particular context. A number of approaches to understanding complex relations can now be considered, starting with Hirschman's exit, voice, loyalty approach, going on to some insights of New Institutional Economics, and finally considering elements of chaos theory and the social relations theory of gender. Elements of these three approaches, it is suggested, can help in analysing power relations among the various actors involved in advocacy work in Uganda. These approaches can also help highlight the implications of power relations in the process of forming the gender advocacy agenda in Uganda. Hirschman's approach is treated first.

3.1.2 Understanding Complex Relations: 'Exit', 'Voice' and Loyalty'

Hirschman (1970) conceives institutional relationships in businesses as akin to producing something that can be bought or not by customers or members. If the quality of the product does not satisfy the customer then if alternatives exist, firms and customers can exercise the option of leaving the relationship, or 'Exit'. 'Voice' means expressing views, especially critical views, openly but also implies not leaving the relationship (Hirschman, 1970: 6). 'Loyalty' involves either remaining silent or stating one's supportive position. Voicing a critical opinion is one response to the challenge of neutrality; the other is to have no explicit or stated opinion. Where 'Exit'

or 'Voice' are options, silence can then be taken as consent, or as 'Loyalty' (Hirschman, 1970: 79). Competition among firms for customers changes the rules of the game and means there is some kind of alternative or choice which enables the individual to maximize their benefits and minimise their risks, making 'Voice' and 'Exit' more likely.

a. Exit

Exercising the 'Exit option means the loss of a customer or member and hence a drop in revenue or support for one firm or organisation. Competitive relationships are supposed to ensure the high quality of products produced by firms in the context in which they operate (Hirschman, 1970: 21). The 'Exit' option seems to go hand in hand with the notion of the survival of the fittest; in order for a firm to survive, it needs to monitor and have information about the competitive market and to determine expected revenues, expenditures and customers. These variables determine the demand and supply and hence the product quality and quantity. By analogy the same is true of institutional relationships, if this model is used.

Hirschman observes that competition does not necessarily ensure better quality products. Instead, at times it can lead to greater collusion among firms, since competition diverts customers from complaining. In other words, competition can divert customers from exercising their 'Voice' option by opting by making it easier for them to Exit and search for alternative and better quality products. In this case, competition can serve to maintain rather than challenge the existing status quo. Competing relations among institutions can be a diversionary tactic that can even make customers worse off (Hirschman, 1970: 28). However the absence of competition may also imply monopoly, which means that there is no possible 'Exit' option. Satisfaction may be sought in something other than the product or the job; the exercise of 'Exit' is based on the customer's judgment of the likely costs and outcomes of a particular course of action through a kind of multi-faceted cost-benefit analysis.

b) Voice

Not all members choose the 'Exit' option even where alternatives are available; instead they may opt for 'Voice'. Rather than quitting, members air their dissatisfaction to the management in the hope that they will undertake some measures to improve their performance in the future (Hirschman, 1970: 30). The 'Voice' option suggests that unfit firms or institutions may survive if they respond to customers' or members' concerns and show an ability to improve in the future. 'Voice' is exercised by customers, employees or voters in a similar way, and can be exercised collectively through petitions, appeals, protests and so forth (ibid.) or individually. The extent to which this happens depends on customers not opting for the 'Exit' strategy, and on calculations about the likely effectiveness of exercising 'Voice' as opposed to 'Exit' or 'Loyalty' strategies (Hirschman, 1970: 34).

'Voice' and 'Exit' can complement each other. If many people 'Exit' from the relationship and the remaining members exercise their 'Voice', it is likely that the product will be changed. On the other hand, if only a few customers leave, it is less likely that management will improve the product, since it may not take those who opted for 'Voice' seriously. Returns to 'Voice' may be negative, if for example the cost of obtaining information about products outside the firm is high. The success of the 'Voice' option thus depends on the ability of the customer or members to negotiate with the firm management in order to improve the existing product or relationship (Hirschman, 1970: 40). 'Voice' can be more expensive in comparison to 'Exit' as it also requires a degree of bargaining power not needed for an 'Exit' strategy. But the costs of 'Exit' can be high when it means exclusion from an institution altogether. If the customer would like to 'Exit' but does not like the existing options, there may be no other firm that can provide the alternative needed. In such cases, according to Hirschman (1970), customers may boycott and stop engaging with the firm altogether; abstaining as a substitute for exiting fully. This is usually a temporary measure in the hope that a better alternative will emerge with time.

c) Loyalty

In addition to the above, some customers due to their attachment to the firm or organisation may neither 'Exit' nor choose to exercise their 'Voice'. According to

Hirschman (1970) such customers show 'Loyalty' to the firm. In economic terms they may even appear to be acting irrationally. Such customers may be seeking to avoid other costs, and so bank on the action of others who exercise their 'Exit' or 'Voice' options to put pressure on the organisation or firm to improve its performance. 'Loyalty' is based on the calculated hope of benefiting from the general consensus and decisions made on the basis of the risks and costs of others. In other words such members do not use their 'Voice' or 'Exit' options, even when they can see the potential benefits of doing so. Like 'Voice', the possibility of expressing 'Loyalty' 'logically excludes the 'Exit' option, at least at the same time. 'Loyalty' reduces instability through 'Voice' and precludes 'Exit', but it may also lead to the extinction of the firm if loyalists change their position. This is more likely if they end up not benefiting as expected from adopting a position of 'Loyalty' (Hirschman, 1970: 76-105).

The above shows that institutional relations are very complex and include both individual and collective calculations which can involve a great deal of apparent irrationality (from an economic point of view) as well as rationality. Fears about risks and the consequences of action or inaction, hopes for rewards for inaction, and complex inter-dependent decision-making processes with partly unpredictable outcomes will all play a part. Opportunity costs, which mean foregoing one option in exercising another, also play a significant part. However the theory does not account for the causes of irrationality, including the fears and hopes that can promote 'Loyalty' even when it seems doubts could be voiced with minimal risk or any real danger.

Hirschman (1970) uses economic terms to explain human actions not just in product markets but in connection with other kinds of organisations also. He thus recognizes that many human actions may appear irrational in being other than purely economically self-seeking. Some individuals who choose 'Loyalty' do so out of an awareness that their departure may affect the whole firm, and out of concern of the costs for others of pursuing their own 'Exit' strategies. This kind of insight into complex and interdependent decision-making can be helpful and useful in understanding inter-relations between NGOs, donors, the government and the grassroots in Uganda in relation to gender advocacy processes. Such an approach can

also be complemented by the new institutional economics approach, and some insights from this will now be elaborated on.

3.1.3 Understanding Complex relations: New institutional Economics

New Institutional Economics (NIE) can be a useful tool in efforts to understand complex inter-relations among various actors in the Ugandan context. In this thesis, the main focus is on relations between NGOs, government, donors and the grassroots level in Uganda (in particular see Chapters 5 and 6). NIE approaches seek to overcome the gap between neo-classical assumptions about wholly rational economic actors and the apparently irrational decisions of real economic actors in the empirically observable world. Building on the assumptions of neo-classical economics, NIE makes additions and subtractions to assumptions of complete individual rationality (Harris, Hunter & Lewis, 1997: 4). The assumption of scarce resources engendering relations of competition is also qualified and refined, and the whole issue of transaction costs introduced. Market imperfections are fully acknowledged, without for all that changing the main insight of neo-liberal economics, namely the central role of the market as a distributive and allocative mechanism. Nonetheless NIE recognises that the market is necessarily imperfect and is likely to be inefficient in non-economic terms, especially as an instrument of social policy and welfare.

Neo-classical theory conceptualizes the market:

...as an abstract realm of impersonal economic exchange of homogenous goods by means of voluntary transactions on an equal basis between large numbers of, fully informed entities with profit maximizing behavioral motivations (Harris, Hunter, & Lewis, 1997: 2)

This assumes a neutral environment for the various actors, who have the same information and are assumed to have zero costs in making decisions. However, according to NIE, “information is rarely complete, and...individuals have different ideas...of the way in which the world about them works” (Harris, Hunter, & Lewis, 1997: 3). Transaction costs are always involved in exchanges and “are the costs of finding out what the relevant prices are, of negotiating and of concluding contracts, and then of monitoring and enforcing them” (ibid.). This is a major point of departure from neo-classical economics, which does not recognize these costs. NIE further

states that social and political institutions are rational precisely to the extent that they reduce these information and transaction costs. What is being acknowledged is that markets do not function in the abstract and that certain policy measures can contribute to lowering or raising transactions costs, including institutions that may not operate quite as the neo-classical economists imagine in their models.

In arguing that the institutional framework is important, NIE establishes that values such as profit maximisation are not given but are formed through the workings of the very institutions that govern the workings of the market in any given society. In other words, individuals make decisions based on their mental models, and this means that several possible interpretations of the same situation can coexist and will influence outcomes. Institutions are there to assist the individual to “transcend social dilemmas...those kinds of problems which arise when choices made by rational individuals yield outcomes that are socially irrational” (Harris, Hunter, & Lewis, 1997: 4). In relation to NGOs’ gender advocacy in Uganda, the implication is that one size fits all does not work. It is important to look at the complex political and contextual dimensions of economic decision making.

Individuals also have their own private self-interests that may differ from their publicly stated or apparent interests. Private self-interests can be reconciled through notions of the common good or shared interests, and through the institution of law, for example. In other words individuals may be forced to forego their private self-interest for non-economic reasons. Generally speaking, individual economic agency is seen as opportunistic, and seeks to maximize benefits (Toye, 1997: 55). This has implications for institutions and institutional arrangements, and it is in the process of reconciling self-interest and common interests that the complexity of institutional relations can best be appreciated.

Institutional arrangements are about interpersonal relations and...there are inherent reasons why it should be more difficult to make changes where other people’s consent is needed than where they can be made by individual fiat (Matthews, 1986: 913).

Human interpersonal relationships can create forms of social capital, manifested in the form of trustworthiness, reciprocity, and collateral, sources of information, norms and sanctions. All these are viewed as important in the NIE approach (Coleman, 2000)

which emphasises the complementary and interdependent roles of the market and of social capital (Stiglitz, 2000). Social capital may facilitate the effectiveness and efficiency of the market, and in turn the market may help the various individuals to meet their needs. But the complexity of institutional arrangements can equally involve conflicting interests, the inactivity of the state and in this case can hinder the market mechanism from operating to the meet needs of the various actors(Mathews, 1986: 913; Coleman, 2000). If institutions seek to satisfy the needs of their individual membership, these are not the same for everyone. Agreeing on a common interest calls for negotiation with various members. The bargaining process, which Hirschman also elaborates on in his Exit, Voice and Loyalty model, increases transaction costs. However, disregarding individual members may lead to the dissolution of the institution. This is because the survival of institutions depends on the trust and consent of members, and this may simply not be achievable. It is hence difficult to change institutions from within, particularly in times of rapid change, when external pressures may be the best option, especially where the state is a key actor and feels itself politically accountable (Mathews, 1986; Toye, 1997).

Unfortunately, the state (government) may have its own interests such as political support from the various individuals located in non-state institutions, and this may affect its ability to facilitate rapid institutional change (Brett, 1997). Thus in order not to be held accountable for changes, governments may form independent commissions to facilitate change processes. Commissions take time because they have to analyze the institutional context before making recommendations and this is no guarantee of effecting change, since their recommendations have to be submitted to government. They are thus not as likely to be independent as is often assumed.

The third mechanism that can lead to change in institutional arrangements is the recruitment of new members, for example with the retirement or departure of some existing members. Some of the new members will not understand the rules in place, and over time some habits that have become institutional norms may be found to be against the rules, and either be formalised or be changed. The institution may respond to the creativity of members but the pace of change is likely to remain slow and the process exceedingly complex (Mathews, 1986; Toye, 1997; Brett, 1997).

NIE recognises that even among individuals within the same institution, worldviews are likely to differ due the relativity of rationality. Lower transaction costs are thought likely to lead to more cooperative relations, whereas high transaction costs are thought likely to result into competition and resistance. Examining how NGOs might relate with other actors in a bid to reduce their transaction costs may be an interesting way of approaching the whole question of their inter-relations. The implications of all this for advocacy work needs to be clarified. As already noted, the close relationship between NIE and neo-classical economics has been a decisive factor in its relative success as a model. This is one reason for trying to apply some of its insights in this study. Chaos theory is another approach that is borrowed from the natural sciences and has mainly been popularised in development studies in the work of Norman Uphoff.

3.1.4 Understanding Complex Relations Another Way: Chaos Theory

Notions of individual choice and mental modelling as expressed in the NIE approach point to the sheer complexity and unpredictability of human relations, but also to their organised and purposive forms. Understanding human inter-relations is critical to our understanding of institutional relationships in the field of gender advocacy, for example. It is hence important to account for this relativity in institutional relations and to be aware that:

...the ways we think about social reality affects our opportunities...we need to work effectively in the realm of ideas...The idea of social relativity means that the coexistence of divergent 'truth' can be validated within some intelligible frame of reference, some set of coherent concepts, premises, and most of all some compelling purpose that holds these together (Uphoff, 1996: 389).

Chaos theory is useful in accounting for relativity. Chaos theory has both scientific and social science applications and relevance. In this study, it is obviously the social scientific understanding of this theory that is of importance. Chaos theory appreciates the "principles of relativity by stressing the importance of scale" (Uphoff, 1996: 392), including size, distance, magnification, time horizon, context, personal dispositions and so forth. Chaos theory focuses on processes and tries to account for and analyse emerging conditions rather than seeking to predict them. Chaos theory recognises the complexity behind supposedly rational processes, and this asymmetry is seen as quite normal, even in the context of highly organised social change. This approach

acknowledges that social systems are nonlinear, and dynamic, so that “one cannot assume that wholes are necessarily simply the sums of their parts or that one part can be freely substituted for another” (ibid.). Since social systems are constantly changing:

The new science cautions against mechanistic or reductionist modelling of social dynamics. Such analysis can and should be done, but it should be accompanied by many explicit qualifications and should be regarded as tactical exploration rather than as producing strategic conclusions (Uphoff, 1996: 394).

Our decision-making or rationality determines our behaviour and is in turn dependent on our interpretation of the dynamic and non-linear course of events that we experience. There is interdependence between people’s behaviour and their attitudes and values. However the relationship between agency and structure is not mutually exclusive since:

Our thoughts and decisions are shaped only partly by our own rationality and decisions. They are influenced much more by other people, especially those we like or respect, who exercise authority over us or whom we regard as more knowledgeable than ourselves (Uphoff, 1996: 402)

Phenomenological philosophy connects us with post-Newtonian thinking, in which it is possible to have multiple realities because it is possible to have multiple influences on an individual leading to multiple interpretations and thus multiple actions and vice versa. According to the phenomenological philosophy: “...the world [is] a field of possibilities”, and “...multiple realities can coexist” (Uphoff, 1996: 404). This implies: “the process of gaining understanding as requiring some connection between the knowing subject and the object known” (ibid.).

Chaos theory helps to recognize different ‘frames of reference’ and perspectives held by various actors, including those working for NGOs, government and donors in their gender advocacy work. The focus is on understanding how institutions interpret each other’s actions and respond, thus contributing to further changes. The approach also makes it possible to recognise that decision making is not necessarily rational as claimed by the theory of profit maximization and that meanings are as important as the phenomena evident from external appearances. After all, “...meanings are extensions or manifestation of the phenomena, not something different and separable” (Uphoff, 1996: 406). It is possible to acknowledge the experience of the researcher as

a critical component of research. Chaos theory also enables us to recognize and account for the important role of interpersonal relations in institutional actions and agendas. An individual's action though they may seem minimal can be important in forming the overall web of complex relationships.

3.1.5 Gender and Power Relations: Capital Accumulation and Social relations of Gender Theory

The capital accumulation and social relations theory of gender suggests that gender relations are the missing link in mainstream theories of power relations. The social relations theory introduces gender relations into our understanding of social reality. The key issue is that through procedures, practices and language, social structures manipulate the biological features of men and women to establish the former as dominant and the latter as subordinate. This process is context- and time-specific, and changes depending on the procedures, practices and norms specific to the social structures. Social relations theory assists us in understanding how men and women enter into and participate in the various social structures and relationships that operate between and within public and domestic institutions. It also explains how familial norms and practices are developed to maintain institutional rules, procedures and practices (Kabeer, 1995: 53-65; Kabeer, 1999: 437). In particular, these include the: "powerful beliefs and practices sanctioned by the norms of... [the community, which] govern the relations between women and men" (Kabeer, 1989: 9). Social norms and practices result into unequal property and inheritance rights, difficulties in finding and keeping employment, a lack of mobility and means in relation to decisions about the family, work and other relationships between men and women (ibid.).

Kabeer further argued that social systems such as family and kinship structures determine women's entitlements¹³ [rights], both to commodities and the means to secure such commodities, which are essential to basic needs. The social systems determine what women experience and what men experience but the experience is unequal offering more entitlement to men than to women. This theory also asserts that women, at times constrain themselves even when they have their own entitlements such as their own labour. They do this so as, "...not to disrupt the kinship based

¹³ Dictionary meaning of entitle is the right to do something, introducing the concept of rights into our

entitlements, their primary source of survival” (Kabeer, 1989: 9). The whole set of relations involved, and the constraints on women are premised on what a particular community thinks it means to be a woman and what it means to be a man. In essence, power is about choice and women do not have a free choice and sometimes no choice at all, since:

...choice necessarily implies the possibility of alternatives, the ability to have chosen otherwise...an insufficiency of means for meeting one’s basic needs often rules out the ability to exercise meaningful choice...not all choices are equally relevant in the definition of power...strategic life choices help to frame, other second order choices, less consequential choices which may be important for the quality of one’s life but do not constitute its defining parameters (Kabeer, 1999: 437).

The ability to make choices, that is our power of agency, is determined by the institutional principles of resource allocation, including access, ownership and control of human, social and financial resources acquired through multiple social relationships or social positioning within the family, in the market and the wider community. These determine our agency, as both observable and non-observable action that involves power and forms of decision making, including non-decision making, “bargaining and negotiation, deception, subversion and resistance, and manipulation, as well as more intangible reflection and analysis” (ibid.).

The social relations theory of gender highlights the importance of our identity, status and positioning within particular social and institutional contexts, either as men, women, individuals or groupings. Our status and identity determines our access, control and ownership of resources. Resources, or the lack of them, can constrain or increase our agency, as the ability to choose is to define and pursue our interests and goals. Our choices in turn will affect our agency in future, since: “power relations are expressed not only through the exercise of agency and choice, but also through the kinds of choices people make” (Kabeer, 1999: 441).

It can be noted that gender relations - like any other social relations - are institutionally constructed at the household level and reproduced in the policy-making process through rules, norms and practices that determine how resources, influence, roles and responsibility are allocated between men and women. In other words, power relations, including “...gender relations, do not operate in a social vacuum but are

products of the ways in which institutions are organised and reconstituted over time” (Kabeer & Subrahmanian, 1996: 17).

Women in Development (WID) presents women as making choices in the face of prejudice; the dependency theory and capitalist patriarchy approaches locate domination at the level of an abstract and highly aggregate capitalist system (Kabeer, 1999). In contrast with these approaches, the social relations of gender theory accepts the “possibility that power and dominance can operate through consent and complicity as well as through coercion and conflict” (Kabeer, 1999: 441). Caution is therefore needed in the analysis of gender relations. In order to cope with domination, the subordinate group’s public transcript or actions may appear to be in the interest of the dominant group. Hidden behind this public transcript, however, there is usually a hidden transcript involving various forms of resistance to domination (Scott, 1990: 4 - 5).

Institutional frameworks and the state, the market and the community and the domain of family and kinship are all identified as key institutional sites in which social inequalities, including gender inequalities, are constructed and reinforced (Kabeer & Subrahmanian, 1996). Social inequalities can be analysed through understanding the official and unofficial rules about how resources are allocated and responsibilities assigned, what women and men do, and who makes decisions and how agency is exercised. Not only are power relations unequal, but factors such as gender, class and race all complicate the social positioning of various actors and thus impinge in various ways on their agency and achievements. What matters in the social relations approach to gender is: “...people’s capacity to define their own life-choices and to pursue their own goals, even in the face of opposition from others” (Kabeer, 1999: 441). Included in Kabeer’s definition of ‘power to’ are the ideas of power as non-decision making and as “...the norms and rules governing social behaviour”, which “...tend to ensure that certain outcomes are exercised without apparent agency” (ibid.).

Power in this sense is closely linked to empowerment, and its opposite can be equated with disempowerment, which is all about “deep-seated constraints on the ability to choose” (ibid.). The aim of empowerment is to enhance individual and group capabilities, which refers “...to the potential people have for living the lives they

want, for achieving valued ways of being and doing” (ibid.). Within this context, gender advocacy is one of the development discourses undertaken to overcome women’s poverty and disempowerment in developing countries (ActionAid, Uganda, 2000; Kabeer, 1999; Feldman, 2003). Thus, gender advocacy as a development discourse is political in nature and is always embedded within a particular political and social-economic structure where it is likely to be resisted, contested or accepted depending on the perception other actors have of its implications for their own interests. As Abrahamsen states:

Development discourse cannot therefore be treated as an innocent vehicle of neutral knowledge, disconnected from the social relations and structures of power in which it is embedded. Instead it is central to an understanding of contemporary North-South relations and the recent transition to democracy (Abrahamsen, 2000: 2).

As we shall see, the relationship between democracy, civil society and NGOs and development discourses is highly tenuous (Craig & Porter, 2005; Power, 2003; Abrahamsen, 2000; Hearn, 1999a; Tripp, 1998). This is true both in the broader international development context and in the situation of Uganda. The rest of this chapter will focus on this broader institutional context and explore how it has been understood in the literature. The chapters thereafter will focus on the Ugandan context.

3.2 The Broader Development Context: NGOs, the State and Donors

In this section of the chapter, relations between NGOs, donors and government and the implication of such relations for NGO agendas will be analysed through a review of the literature on civil society, NGOs and on development theory more generally. The influence of the West on civil society in Africa should not be over-emphasised because development discourses have also changed due to the influence of social movements and social actors from the South (Escobar, 1995). Thus a critical review of the history of development theory and practice will assist us to understand the current links between development and civil society and thus the actual relations between donors, the state and NGOs, including in the advocacy process.

3.2.1 The Development Theory Background

Hart (2001) understands development as both a process and a project. He uses the terms **d**evelopment (with a small d) to explain the uneven and contradictory process

of spreading capitalism. He then refers to **Development** (with a capital D) to explain the term as a project to explain the interventions into the 'third world' after the Second World War (and during the cold war) and the time of decolonisation (Hart, 2001: 650). Power (2003) uses the term Developmentalism to "refer to the view of the third world spaces and their inhabitants as essentialised, homogenized entities" (Power, 2003: 28). His perspective and that of Hart are important in our understanding of the concept of development and its links with donors, the state and civil society in the African context.

Present relations between North and South can be traced back to colonialism. For example in sub-Saharan Africa, colonialism involved two processes, the first was the plundering of resources of the colonised, and the second an ostensibly humanitarian perspective that depicted colonised communities as needing the coloniser's assistance, especially as a result of the slave trade. Hence, from the start, exploitation and humanitarian assistance were intertwined with the message of the better world to be attained through Development. Accepting capitalism would 'civilise' and modernise the colonies, perceived as backward and underdeveloped (Crush, 1995; Power, 2003; Jennings, 2006). Civilising the uncivilized and developing the underdeveloped became closely linked processes. The socially, economically and politically unequal relations between the North and South were defined, controlled and marked by domination, totalitarianism and exploitation (Fanon, 1963; Jennings, 2006).

With the end of the Second World War, the beginning of the cold war, and the subsequent processes of decolonisation, violence in some colonies meant the need for a change in the perception of the relations between the North and the South. Truman devised the mechanism in which the perception of these relations could be legitimately re-conceptualised without necessarily altering the actual relations, and thus the official beginning of the **Development** discourse. In his speech, Truman identified underdevelopment as a security threat to the interests of the West.

More than half the people of the World live in conditions approaching misery. Their food is inadequate. They are victims of disease. Their economic life is primitive and stagnant. Their poverty is a handicap and a threat both to them and more prosperous areas (Truman, 1949).

After World War II the rich, more powerful and ‘better’ North, took on the role of the guardian or superficial paternal parent of the poor, underdevelopment and ‘bad’ South (Rist, 1997; Abrahamsen, 2000; Escobar, 2002; Power, 2003; Jennings, 2006). Special institutions and expertise were needed to nurture and maintain the new relations. In 1961 USAID (United States Agency for International Development) was formed and charged with the responsibility of administering foreign assistance. At the time of its creation, the then US President, Kennedy, re-echoed Truman’s assertions, and said that:

...widespread poverty would be disastrous...[and would] inevitably invite the advance of totalitarianism...our own security endangered and our own prosperity imperilled...A programme of assistance to the underdeveloped must continue because the Nation’s interest and the cause of political freedom require it (USAID, 2002: 2).

In other words, aid was in the interest of US and not necessarily in the interest of the poor countries. It was morally right to help the poor because it would save the few who were rich (Power, 2003: 31; Jennings, 2006: 31). Like the USA, in 1964 Britain also established a Ministry for Overseas Development Assistance, which was charged with the responsibility of furthering the industrial interests of Britain through the aid-trade principle. Purchasing British goods was a prerequisite to receiving aid, so that the South was seen as a market first and foremost (Abrahamsen, 2000). The South, which was a source of raw materials during colonialism, was now mainly portrayed as “a customer who is ready to buy goods...” (Fanon, 1963: 51). Development aid portrayed as a means of ‘bridging the gap’ between rich and poor countries by modernizing the poor countries, was a tool of Western countries in the protection of their domestic and international economic and political interests (Fanon, 1963; Rist, 1997; Abrahamsen, 2000; Escobar, 2002; Power, 2003; Jennings, 2006).

Development was seen in an evolutionary perspective and the state of underdevelopment defined in terms of observable, economic political, social and cultural differences between the rich and the poor (Hettne, 1995: 49).

Since then most western countries have formed institutions to oversee their ‘Development’ work in the South. International development experts, mainly

economists, engage in collaboration with elites in the South and have been influential in shaping relations between donors, including northern governments, the state and the civil society in the South. In reality, such development was urban biased based on centralized planning and neglect of rural areas and the politically marginalised urban and rural poor (Clark, 1991; Hettne, 1995). Generally development focused on wealth accumulation and economic growth, which by and large intensified inherited relations of inequality between and within countries. Development equated to the drive for more production without much consideration of the social dimensions of poverty and human needs (Clark, 1991).

Meanwhile, collaborating elites in the South focused on serving their own interests, and, with some notable exceptions, showed little concern for the needs of the wider population. This situation persists. As Sogge states: “former or current neo-colonial relationships strongly determine who gets what from whom” (Sogge, 2002: 28). Abrahamsen adds that Development, “...allowed [and still allows] the North to gather ‘facts’ in order to define and improve the situation of the peoples of the South”, with the result that the South becomes, “a category of intervention, a place to be managed and reformed” (Abrahamsen, 2000: 17).

Northern domination of the South is thus closely linked to the fact that by and large southern states are soft states and cannot meet the needs of their own people. With the end of the cold war coupled with economic crisis, most southern states have increasingly had to depend on multilateral organisations to stay afloat (including the World Bank, IMF and bilateral organisations) (Kabeer, 1995; Kabeer, 1999; Swanepoel & De Beer, 2000; Abrahamsen, 2000; Jennings, 2006).

Changing interests of northern governments and their ideological understanding of how modernization of the backward, underdeveloped southern nations can be achieved have largely determined how relations between donors, the state in the South and NGOs, within civil society, have evolved. Northern voluntary organisations (or NGOs - Non Governmental Organisations), which have acted as modernizing tools mainly through importation of “Northern ideas, Northern technology, and Northern

expertise” (Clark, 1991: 30) have only recently come to be at the centre of the Development enterprise. Here we ask why this is so, and what this has to do with how we understand civil society, a useful bridging concept in this context.

To a certain extent, Development was shaped by Southern actors; as Crush observes, “...development should also be glimpsed if not as ‘the creation of the third world’, then certainly as reflecting the responses, reactions and resistance of the people who are its object” (Crush, 1995:8). In the late 1950s and early 1960s, with increased pressure to end colonialism, theories influenced by Marxism and communism such as dependency theory saw underdevelopment as a creation of the former colonizers and called for the need to alter the unequal relations between the North and South. In the 1980s, as dependency theories waned, other approaches emerged which went beyond criticising modernization theories. Unable to reject the ‘self’ created by the colonial powers, and regain their humanity through violent or non violent means, many Africans continued to draw inspiration from the ideas of their former colonisers (Fanon, 1963).

Since the 1970s, alternative approaches to development have emerged alongside the mainstream modernisation paradigm, including gender and development, environmental and sustainable development and various forms of popular or participatory development models. All have helped reshape development relationships between North and South in the past few decades.

Gender and development activists, mainly influenced by feminist scholars such as Boserup (1970), critiqued mainstream development approaches for failing to recognize the role of women in development. Their call for gender equality was boosted by the 1975 International Conference on Women, the declaration of 1975 as International Women Year and 1975-1985 as the first International Decade of Women in Development. The third Conference on Women, held in Beijing in 1995, finally placed gender equality squarely on the mainstream development agenda.

Environmentalism and sustainable development approaches, which emphasised the need for social and ecological equity, gained momentum in the 1980s. Populists were skeptical of mainstream development and advocated popular participation and community friendly development initiatives (Hettne, 1995; Swanepoel & De Beer, 2000). The need for social development emerged as the 'missing ingredient' in previous development efforts. Coupled with the deepening gap between the rich and the poor countries in the early 1980s, much closer attention was paid to making North-South Development relations more constructive. The political nature of development had become more evident (Clark, 1991: 31; Whaites, 2000). It was now quite clear that development was not a "...neutral enterprise, driven by a humanitarian desire to universalize wealth" but a project closely woven into the particular political and ideological climate of the time (Abrahamsen, 2000: 11).

Within this context, underdevelopment was attributed to the structural failures of southern governments rather than being attributed to the Development enterprise. The envisaged solution was not to change the prescription, but to reduce the role of the state in the South and increase the role of the market in the economies of developing countries (Krueger, 1986). The neo-liberal ideology of the 1980s imagined: "...a world developing its resources and capacities in response only to the ups and downs of relative prices and self imposed stasis of limited government" (Toye, 1987: vii).

The Washington Consensus was based on structural adjustment policies (SAPs) as pre-conditions for credit from the World Bank and IMF. The implementation of SAPs marked the beginning of neo-liberalism as a global ideology and a tool of the North in the Development project. The emphasis was on market principles of demand and supply, reducing government spending, privatising services, liberalising foreign trade, and removing state subsidies for agriculture and basic goods and services (Power, 2003; Abrahamsen, 2000; Hettne, 1995; Hyden, 1992; Toye, 1987). SAPs attracted a lot of criticism from non-governmental organisations and social movements (Fowler, 2000). Some of the major criticisms were that SAPs sought to remove trade barriers and overcome government inefficiencies by reducing government spending, but without due consideration of the rights of the general population. Women especially were seen as bearing the brunt of such policies as retrenchment, reduced government

social spending and rising prices impacted negatively on their well-being and health and that of their children (Hettne, 1995; UWONET, 1995; Clark, 1991; WEDO & UNDP, 2002). Income inequalities arose as corporate interests were favoured against national interests. Undemocratic principles were imposed on poor countries in the form of stringent aid conditionalities (WEDO & UNDP, 2002). The overall result was to blur the boundaries between national and international contexts, with new forms of connections being forged between multinational corporations, multilateral actors and the state in the South (Abrahamsen, 2000; Lewis & Wallace, 2000; WEDO & UNDP, 2002). By the late 1990s, these new forms of relationships among various actors in Development had arguably become as important as the wider goals of Development itself (Lewis & Wallace, 2000).

3.2.2 Introducing Good Governance and Civil society

Most critics of SAPs did not propose ending neo-liberal reform, but instead campaigned for mechanisms to protect against the worst effects. Within this context, good governance, involving the search for legitimacy, accountability and democracy, became a new form of aid conditionality (Abrahamsen, 2000). By the late 1990s, in what was known as the post-Washington consensus, the World Bank opted to work closely with civil society because it realised it could no longer ignore the demands of a whole range of actors beyond the state and the private business sector (Fowler, 2000; Power, 2003). The opening up of Development discourse to democratic ideas and notions of civil society represents a clear departure from past approaches. The World Bank itself claimed to be a learning organisation that had finally appreciated the importance of social development. It asked various social institutions to work together with the market, a realization that led to a "...move towards multiple stakeholder approaches and the partnership forged by states, capital and different groups of society" (Power 2003: 183). NGOs were provided with resources to act as buffers against the most damaging effects of SAPs.

NGOs in both the North and the South either participated...as service delivery agents or raised their voices (as actors within a wider "civil society") against the increasing dominance of these policy frameworks and principles (Lewis & Wallace, 2000: ix).

The shift to a partnership approach was seen as a move towards a more inclusive form of liberalism in which social inclusion strategies (SIS) promoted opportunity and facilitated security. Such reworking of the SAP model was closely interwoven with the poverty reduction strategies (PRSPs) (World Bank, 2002; Craig & Porter, 2005). The Development project thus added partnerships, social capital and civil society to its main development discourses. Social capital, defined as the: "...ability of people to work together for common purposes in groups and organisations", became one of the major ideologies of the post-Washington consensus (Power, 2003: 161). Civil society was also closely linked to ideas about promoting human capital development and development connections (McAslan, 2002: 140). The latter involved paying more attention to "features of social organisations, such as networks, norms and trust that facilitate action and cooperation for mutual benefit" (Putnam & Kristin, 2002: 35). The role of civil society was redefined as complementing, rather than confronting, government and ensuring the realization of democracy. Civil society thus emerged as supportive of economic growth, with the connection being made through the notions of social capital and of development partnership (UNDP, 2003; World Bank, 2005; Power, 2003; Fowler, 2000; Pearce, 2000).

The trick of redefining civil society as a form of embodied social capital that could not only help achieve democracy, but also assist in market reforms, also emerged from NIE theories. Interpersonal human relationships were acknowledged as important factors in economic and political development. The post-Washington consensus nonetheless continued to ignore differences in worldviews, and paid little attention to the potentially conflicting interests of various actors (Fowler, 2000; Beckman, 1993) as problematised by New Institutional Economics (NIE). It is useful to be reminded of the view that: "Civil society...is inherently about power relations between state and citizens...The relationship is essentially adversarial" (Fowler, 2000: 5). Fowler points to the contradiction in the Development project, which both promotes "...civil society as a form of partnership", and expects it "...to be a 'harmony model' social contract partner" of the neo-liberal state in both South and North (Fowler, 2000: 5-7).

Whaites (2000) highlights differences in conceptual understandings of civil society and its role in development among various actors in Africa. Whereas donors mostly view civil society as a potentially constructive countervailing force, able to influence, refine and improve the efficiency of government, the UNDP focuses more on the collective aspects of civil society. Within the African context, civil society is most commonly used to refer to all kinds of voluntary and private social organisations, whatever their role or political orientation (Whaites, 2000: 129). A one size fits all approach is problematic, and due consideration needs to be given to different historical and contextual situations (Fowler, 2000). Otherwise the inclusiveness of the term civil society may itself disguise the way in which other ideas may not be expressible (Fowler, 2000: 2).

The implications of contextual power and gender inequalities within social institutions are critical factors in the functioning of structure and agency but are hardly recognized or acknowledged as problems in the neo-liberal approach¹⁴. There is also limited consideration of the complexity and unpredictability of human relationships as problematised by chaos theory for example. The framework of social capital or development partners is presumed to be universal, applicable to everyone, everywhere and at anytime (Fowler, 2000; Beckman, 1993). In all its various forms, civil society interests are presumed to be mutually exclusive to those of the state, the donors (development partners) and the private sector irrespective of geographical, economic, political and social differences (World Bank, 2005; Power, 2003; Hearn, 2001, Fowler 2000; Beckman, 1993; Whaites, 2000). The interests of donors are mainly about the efficiency and effectiveness of the modernisation project, an interest that is unlikely to be central to African civil society organisations. The model may lend donors what one observer calls a “benign glow” (Eade, 2000: 10), but this involves promoting “collective collusion in the myth that a consensus in development exists” (Pearce, 2000:15). It seems illogical and a “terminological Trojan Horse” to support a system of Development that is: “...under threat in North and South through co-opting or

¹⁴ A new agenda code named the ‘London Agenda’ and embodied in the Commission for Africa (2005) mainly under the leadership of the British government promises to overcome the errors of the past decades by promoting fairer trade, expansion of aid and undertake measures to deal with the debt burden of poor countries. It may be too early to judge as to whether this is not another technical approach to Africa’s problems. It is not clear how after decades of unfair play reworked rules of engagement without restructured institutional power relationships and development discourses can alter the African plight.

sidelining potentially opposing ideas and forces that express and propagate alternative views” (Fowler, 2000: 7). Before continuing to look at NGOs in their relations with one another, with the state, with donors and grassroots communities, some contrasting ideas about civil society will be explored.

3.2.3 Comparing Concepts of Civil Society

The starting point in this section is the different conceptual understandings of the term civil society. This concept has been central to development discourses since at least the 1990s. Civil society can be viewed as evolutionary or not, as universal or relative, as contextual, as relational, as about complexity and conflict or consensus and co-operation. It may, or may not, integrate a range of non-state actors, including NGOs and donors. One useful summary of what is meant by the term ‘civil society’ is provided by Van Rooy (1998), who details six distinct understandings of what the term means, as follows. They are listed from the least to the most useful for the purposes of this study:

- Civil society as a historical moment
- Civil society as a value and norm
- Civil society as space for action
- Civil society as anti-hegemony
- Civil society as a noun
- Civil society as antidote to the state

Only the last three will be discussed here, for reasons of space; for the other three please refer to Appendix One.

(i) Civil society as a noun: Civil society is used here as a descriptive term, and refers to the structures and social institutions of associational life. It includes all the organisations that form part of the voluntary or third sector, and are freely formed without the direct influences of state power (Allen, 1997). This definition includes organisations doing advocacy, NGOs, social movements, and trade unions among others. These organisations assume and are assumed to be representative of the most

disadvantaged members of society. By extension, they speak on behalf of those who would otherwise be voiceless.

These civil society organisations are seen as fomenters of democratic values, the genuine voices of the economically oppressed, the underdogs, scratching away the underpinnings of autocracies in China, Soviet Union, Eastern Europe, Asia, Africa and Latin America (Van Rooy, 1998: 15)

In practice, civil society is relative, contextual and subjective since ideological underpinnings that determine what organisations are apart of civil society or not are relative. Until recently, the proprietors of civil society have hardly focused on the power dynamics “among and within organisations [and]...as well as those operating between civil society organisations and the state” (ibid: 19).

(ii) Civil society as a space for action: Metaphorically, civil society can be perceived as an enabling environment, the sphere that fosters the realisation of democratic practices and a realisation of people’s capabilities. It is “one of the three ‘spheres’...of democratic societies” and also “the sphere in which society movements become organised” (UNDP, 1993: 1). In this sense civil society can be defined as

...the realm of organised social life that is voluntary, self-generating largely-self supporting, autonomous from the state, and bound by a legal order or set of shared rules. It is distinct from society in general in that it involves citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the state and hold state officials accountable (Diamond, 1994: 5).

This conceptual understanding is about associational life, a definition that clearly demarcates a boundary between civil society and other actors like the state. Both these definitions (i and ii), assume that civil society is universally applicable as an indicator for the absence, presence or potential existence of democracy in any society, context and space of time (Allen, 1997). However, civil society could only be universal in a broadly egalitarian context. This ignores the complexity, diversity and differences in contextual, conceptual and practical understanding of human organisation and relationships (Van Rooy, 1998; Whaites, 2000; Fowler, 2000). The

guiding conception for many donors has been to try and create a universal structure in which there are three spaces, the state, civil society and the market.

(iii) Civil society as an antidote to the state: Finally, civil society has been conceived as a countervailing power to state power. Through its collective actions, civil society may thus conflict with, cooperate with, or reform the state. That is to say the actions of civil society in its relations with the state may refine the actions and improve the efficiency of the state (Allen, 1997; Van Rooy, 1998; Whaites, 2000). This is the dominant view that has seen NGOs as part of civil society, especially in late 1990s, becoming subcontractors of the state as service providers and watchdogs. One way in which this is done is through advocacy to influence government policy and ensure accountability (Whaites, 2000; Hearn, 2001; Pearce, 2000; Power, 2003; Fowler, 2000). Civil society organisations are more accepted as representatives of the populace than governments, though not necessarily more powerful. Their acceptance raises critical issues:

Advocacy groups can claim to speak in the name of civil society only if it can be argued that civil society is misrepresented by existing political institutions. The legitimacy of civil society groups is therefore dependent upon the existence of a deficit in democracy, a gap between actual democratic practices and some democratic ideal (Amalric, 1996: 7).

In other words, there are situations in which civil society may seek to cooperate with the state, antagonise it or reform it. “We are apparently interested in civil society in large because it is placed as the antithesis to the state, even as the state gives it room to function” (Van Rooy, 1998: 24). Civil society is conceived of as a tool for balancing power between the state and the people (Whaites, 2000). This implies that the absence of civil society means the absence of democracy and its presence helps ensure the existence of a democratic state. On the other hand, this view is not very realistic, since: “Historically conceived, civil society is as much a creature of the state as it is of society” (Chamberlain, 1993: 204).

Civil society at least in its links with development discourses is closely linked to the western ideologies and interests of the 18th century onwards, and its meaning has evolved with the changes in these ideologies and interests. Development discourses are “rooted in the rise of the west, in the history of capitalism, in modernity, and the globalisation of western state institutions, disciplines, cultures and mechanisms of exploitation” (Crush, 1995:11). Not surprisingly, civil society has been used as a tool in the modernization project of the South by Western societies.

Changes in the ideologies and interests of western countries in the modernization project (Development) furthered by aid conditionalities have directly affected the conceptual understanding of civil society within the development discourse (Whaites, 2000; Fowler, 2000). The current argument is on the one hand having “a civil society that acts as a buffer against the state”, and on the other hand, a strong state that has the capacity to perform “the role of a buffer against competing social groups” (Whaites, 2000: 132). In the recent past NGOs have joined ‘civil society’, and fit into very contradictory development discourses in different ways, as will now be discussed.

3.2.4 Conceptual Understanding of NGOs

NGOs exist within the context of civil society, as autonomous entities not based on ties of family, and not arising from the state. At times, the conceptual understandings of NGOs have been fused with the notion of civil society and the two terms are at times used interchangeably (Dicklitch, 1998; Blair, 1997; Eade, 2000; UNDP, 1993; World Bank, 2002; Power, 2003; Whaites, 2000). Dicklitch (1998) defines NGOs as “mainly voluntary organisations that are found in the realm outside the state and private commercial sectors” (Dicklitch: 1998: 4). In being equated with civil society, NGOs are generally assumed to act as intermediaries between the people and the state or to become mouthpieces or voices of the people (Whaites, 2000).

While there is a relationship between NGOs and civil society, not all civil society organisations are NGOs and not all NGOs are part of civil society. Some NGOs are de-facto extensions of the political powers of the state and some donors selectively choose organisations with which they share common ideologies and specific agendas

(Blair, 1997; Beckman, 1993; Abrahamsen, 2000). In some countries, such as Ghana, Uganda and South Africa, donors have successfully defined the term civil society in their own way. Here, the engagement of NGOs in key development processes means they tend not to be: "...a force for challenging the status quo, but for building societal consensus [and] for maintaining it" (Hearn 2001: 43).

By equating civil society with NGOs, multilateral agencies, government agencies and NGOs themselves have built a "myth that a consensus on development exists" (Pearce, 2000: 15). This "technical and depoliticising approach" towards NGOs and civil society, is undermining their potentially democratic and challenging role in African society (ibid: 34). The political role of NGOs deserves far greater attention than this (Power, 2003; Pearce, 2000; Sogge, 2002; Whaites, 2000; Fowler, 2000; Eade, 2000).

Generally speaking, it has been assumed that NGOs can play a critical role in the democratisation of Africa. It is thought they can do this through "pluralizing and strengthening civil society to overcome the tendency of government to control and extend its sphere of influence in areas that should be preserved for private actions and freedoms" (Fowler, 1991: 53). NGOs are also seen as safety net providers, partially offsetting the effects of macroeconomic policies on the poor and vulnerable groups. Little room is left for debate on the concept because the meaning and purpose tends to be pre-defined:

...to build democracy and foster development, the vision of powerful and well resourced donors predominates. Failure to clarify their own position means that many NGOs end up simply implementing that vision, on the donors' behalf. If doing so coincides with their own objectives, there is no problem - but if it is an unintended outcome of lack of reflection, there is indeed a problem (Pearce 2000: 34).

The problem then is that NGOs roles and relations with other actors are all too often reduced to stabilisers, collaborators and intermediaries between the state and the citizens (Pearce, 2000; Hearn, 2001). The Ministry of Finance of the Republic of Uganda, for example, defines NGOs with increasing emphasis on their efficient, effective, collaborative and intermediary role between local groups and communities and government and official development agencies. Their shared goal is a process of poverty eradication with privately funded partners collaborating with the state

(Ministry of Finance, Republic of Uganda, 1994). NGOs are accepted to the extent that they are 'facilitative', 'consensual' and non-threatening. They should also have the following characteristics:

- Privately and voluntarily founded and initiated
- Not-for profit
- With funding sources that are mainly private and voluntary (as opposed to public or official)
- Under independent and autonomous direction and management
- With objectives and activities that are concerned primarily with development, but can also encompass relief and social welfare.
- Formalised in their organisation
- With structures and systematic activities

This very broad definition includes "...philanthropic foundations, church development agencies, academic think tanks, human rights organisations", as well as organisations concerned with "...gender, health, agricultural development, social welfare, the environment and indigenous people" (Clark, 1998: 2-3). Other scholars (Salmon and Anheier, 1996:14-15; Clark, 1998) add non-religious and non-political to produce a somewhat narrower definition of NGOs.

Clark (1998) excludes organisations such as private hospitals, schools, religious groups, sports clubs and quasi-autonomous non-governmental organisations. NGOs have at times been formed as resource mobilisation mechanism for government due to the perception that such institutions had the ability to attract international sympathy in situations where government departments did not (Clark, 1991: 7). Most definitions of NGOs ignore their growing political role, especially their increased engagement with the state as advocacy institutions. NGOs have an evident engagement in political activities, given the recent disruption of the Cancun conference in 2004 and of the World Trade Organisation talks in Hong Kong in 2005.

Another way of classifying NGOs is that adopted by Korten, who considers the various 'generations' of NGOs, from relief and welfare agencies, through to

grassroots and advocacy groups and networks organisations. Both Korten (1990: 2) and Thomas (1992: 9) consider the role of Grassroots Development Organisations or People's Organisations (POs) as important, and include among these community associations, cooperatives, peasant associations and trade unions. They exclude trade professional or business associations, and also prayer groups. This provides an interesting variation on the theme of 'NGO' classifications.

These types of classification systems often cannot account for the way in which many NGOs combine features of several different 'generational' periods, and different kinds of functions and types of activities. Advocacy, lobbying and networking are an increasingly important part of many NGOs' overall activities. On the other hand, when NGOs act as sub-contractors for various forms of service provision previously under state control, their overall function becomes more ambiguous than any simple civil society-state models might lead one to expect. For these reasons, any categorisation of NGOs is likely to be of limited practical use. However such organisations are categorised into different notional types, in reality their functions and roles will overlap and intermesh.

Another kind of classification is purely descriptive and distinguishes between international, southern, grassroots and network NGOs. International or Northern NGOs can be distinguished from Southern NGOs, which are regarded as intermediaries able to build local capacity at the grassroots (Edwards & Hulme, 1992). The difference between Community Based Organisations (CBOs) and NGOs is that the former are membership organisations and tend to be governed and controlled by members in terms of their agendas and priorities. Their fourth broad category of networks or federations includes many NGOs that emphasise lobbying and advocacy, but once again this set of definitions should not be taken as mutually exclusive (*ibid.*).

From the foregoing discussion, it is no wonder that Lewis and Wallace (2000) argue that the term NGO now covers so many very different institutions and ways of operating that it has become a 'meaningless label'. They further state that some see NGOs as synonymous with Development and the aid industry, constituted as channels

of funding to low-income countries. Perceived problems with NGOs include their lack of accountability, especially given the lack of clear governance structures in many countries. This contrasts with the view that NGOs can ensure the participation of community men and women, in both formal and informal ways. When NGOs are viewed as service contractors for government and international agencies, the emphasis is on their capacity to work more efficiently and effectively because of their lower costs and levels of bureaucracy. This ignores the willingness of some NGOs to challenge policy and to represent people who seek to have a more active voice in public policy (Lewis & Wallace, 2000: x).

Most available definitions of NGOs remain rooted in a very western-oriented and modernisation paradigm, in which the separation of various structures and roles is assumed to be an important element in the whole process of political development. Various definitions arise from the real variety of roles that NGOs play in the development process, ranging from messiahs and good shepherds to voices and vanguards of the poor. All this depends also on the dominant theoretical and conceptual understandings of development and dominant policies of the time. Ideas about the role of NGOs are linked to specific periods and phases in development and the two seem inseparable.

Viewing NGOs as a voluntary sector means that they are dependent on the goodwill of others for their survival. Being dependant on others especially on the state and on major donors has at times compromised the traditional attribute of NGOs, namely their independence and autonomy. In certain respects, it can be argued that NGOs nurture the same dependency relations with the poor, creating a sort of chain dependency syndrome. As seen in the previous section, the higher-level dependency syndrome of NGOs themselves means they can often only be understood in terms of their relations with the donors, even more than with the state or grassroots community. NGOs seek donors who will ensure them with resources, status and identity; in many cases noted by the Ministry of Finance of the Republic of Uganda, NGOs were already 100% dependent on donor funds in the mid-1990s (Ministry of Finance, Republic of Uganda, 1994). This represents an extreme example of NGOs acting as simple conduits for aid. Framed as a partnership, this dependent relationship means that NGOs and state institutions and actors have, or evolve, shared interests; it

means that NGOs are not as independent as a number of 'civil society'-based definitions indicate. In the process of forming state-NGO partnerships, clearly some rights are gained, whilst others are lost (ibid.).

Recognising how difficult it is to conceptualise NGOs, this chapter has sought not to define the term but rather to understand the concept of an NGO in relation to the specific social and historical context of Development. Thus, for purposes of this study, I define an NGO as an institution that views itself as an NGO, and is recognised legally and popularly as such. NGOs as viewed in this study are institutions that claim to work on behalf of others in order to advance an agenda in their favour.

The term gender-focused NGOs has been used to conceptualize both women organisations and non-women organisations that work towards the realization of gender equity and equality. Most work on gender equality is mainly attributed to women organisations because there are very few terms used to conceptualise non-women NGOs working on women's rights and gender equity and equality. A detailed discussion of gender focused NGOs in Uganda is undertaken in Chapter 4. First, in what remains of this chapter, we first outline the evolving role of NGOs in Development, and then lastly in the sphere of advocacy.

3.2.5 NGOs in Development: Partnerships, Lobbying and Advocacy

In 1945, the UN officially adopted the term NGOs in its proceedings as shown by Article 71 of the UN Charter (Clark, 1998). Some scholars argue that 'modern NGOs' were established during the colonial period in the form of "ethnic welfare associations, professional associations and separatist churches which articulated the demands of newly modernized Africans" (Bratton 1989: 2). Of course a rich and complex associational life has been part of African communities for a very long time, and was historically based on kinship identity and voluntarism (Nabacwa, 1997; Bratton, 1989; Clark, 1998).

The 1980s witnessed a proliferation of NGOs in the world and, as shown in the previous section, the increased allocation of resources to NGOs was premised on the belief that NGOs were effective and efficient users of scarce development resources

in comparison to governments. This belief persisted on evidence that was tentative at best (Drabek, 1987; Bratton, 1989; Fowler, 1991; Clark, 1991; Edwards & Hulme, 1992). The comparative advantages of working with NGOs were seen as greater flexibility, the ability to work in remote areas and a direct relationship with the poor that meant earning their trust. In addition, NGOs were seen as capable of promoting more sustainable forms of development practice and policy; being more concerned with promoting human well-being than, for example, with getting people's votes or defending a narrow political interest (Bratton, 1989; Fowler, 1991; Fowler, 2000). NGOs were also attributed with the potential to further poor people's interests; including by influencing the agendas and actions of the most powerful. Recognised idealistically as challengers of oppression at all levels, NGOs became the 'preferred channel', "favoured child of official agencies, and something of a panacea for the problems of development" (Hulme & Edwards, 1996: 3). Among the other advantages attributed to NGOs at that time was their ability to form coalitions and networks across continents in order to challenge social and environmental injustices and human rights abuses across national borders. NGOs were seen as both dynamic and participatory in comparison to government institutions, whether at local or at national level (Edwards & Hulme, 1996; Hearn, 2001; Clark, 1991; Edwards & Hulme, 1992; Edwards & Hulme, 1997a; Edwards & Turner, 1997).

The doctrine of the comparative advantage of NGOs compared with government was most widespread at the time when orthodox approaches to poverty alleviation were being regarded as almost completely ineffective. It was believed that NGOs would be the vanguards in revising the then development models. The idea was that mainstream development could no longer ignore the voices of the poor, since NGOs had 'moved to the centre stage' as development actors (Clark, 1991: 3; Hulme & Turner, 1997: 202). Yet the lack of faith that then applied to government was soon to be expressed in relation to NGOs. This was largely because they too were unable to combat poverty, and this in spite of their reputation as representatives of the oppressed (Bratton, 1989; Fowler, 1991; Clark, 1991; Edwards & Hulme, 1992).

It is important to note that, within the context of a weak private sector, the prominent role given to NGOs in the era of early neo-liberalism fitted well into the general ideology of the market as opposed to the state as the engine of economic growth. The

goal of SAPs was to reduce the role of the state. In the process, mainstream development was broadened to include the alternative approaches to development of various kinds of NGOs, which thus came to be seen as an important element in development. NGOs could help provide a safety net for the poor, for example by tendering to perform roles that government previously fulfilled. NGOs could also diversify opportunities for choice, a prerequisite for market-led ideologies of competition. They could promote and strengthen interest groups able to promote market competition, efficiency and effectiveness; could act as resource redistribution channels in order to reduce resentment of neo-liberal policies and could stabilize the investment climate (Fowler, 1991: 56; Hearn, 2001). During the 1990s, in countries like Uganda, the combined ideologies of economic liberalization, good governance and democratization provided an environment conducive to the continued proliferation of NGOs (Robinson, 1997; Power, 2003; Lewis & Wallace, 2000; Hulme & Edwards, 1997; Wallace, 2004; Hearn, 2001).

In the specific context of growing impoverishment during the 1980s and 1990s, it might be added that “African governments are suspicious of NGOs, but like the additional resources that they can bring in” (Hulme & Turner, 1997: 209). It is evident that in such a climate, NGOs had predetermined functions within the overall neo-liberal development model. This was true whether civil society was characterised as a noun, a value, space, or as anti-dote to the state (Van Rooy, 1998).

At best, NGOs play a “watchdog advocacy and monitoring role [as] guardians of government spending and promoters of rights where democracy is often weak” (Wallace, 2004: 207). The overall aim of development interventions remains an “inclusive market economy”, and securing a “stable social order” (Craig & Porter, 2005: 231). For NGOs, this means being seen as synonymous with civil society, and being able to work closely with government and access resources and gain status for a more recognised role in development (Fowler, 1991; Whaites, 2000; Fowler, 2000; Eade, 2000, Pearce, 2000; Hearn, 2001; Manji, 2000).

In practice NGOs relations with governments range from suspicious, conflictual, and adversarial to complementarity and cooperative (Fowler, 2000). As one author put it, the state and NGO, “...although uncomfortable bed fellows...are destined to cohabit”

(Bratton, 1989: 585). Promoting NGOs can be seen as a new form of social engineering, with civil society being supported in order to “disguise free-marketteering” (Hearn, 1999a: 19).

During the early 1990s it became obvious NGOs needed to optimize on their strengths, using increased resources in an effective way so that they could play a more meaningful role in development generally (Clark, 1991; Hulme & Turner, 1992; Power, 2003; Lewis & Wallace, 2000). NGOs needed to scale up from projects to programmes through working with governments, expand operations, support local level initiatives and, finally, undertake lobbying and advocacy (Edwards & Hulme, 1992). NGOs could thereby act as catalysts of wider processes of structural transformation, involved in poverty alleviation, infrastructural development, improving the climate for economic growth, environmental protection and supporting democracy as priorities (Clark, 1991: 210-212).

The very options that can facilitate NGOs scaling up tend to reinforce the role of NGOs in the wider neo-liberal economic and political project. Thus the reduced welfare and social policy role of government meant that NGOs were needed to act as safety nets; this gave strategically located organisations unique opportunities to expand their operations and funding. Even lobbying and advocacy activities, emphasised by those who see NGOs as central to civil society, means NGOs holding governments accountable and strengthening the private and voluntary structures that are supposed to underpin and reinforce liberal values (Craig & Porter, 2005; Hearn, 2001; Fowler, 1991). ‘Inclusive’ neoliberalism is still the dominant discourse, and is now spiced with rights-based approaches that view development as the means for realizing improved human rights for the marginalised. Within this framework, human rights are entitlements that need to be accounted for by various development actors (UNDP, 2000). Linking human rights, development and neoliberalism has reinforced the relations among the donors, governments, NGOs and the grassroots.

In line with such criticisms of NGOs as partial and pliant to international donor agendas, many donors are now renaming their NGO units ‘civil society units’ (Pearce, 2000: 24). NGOs have become more or less synonymous with civil society, social capital, and partners in development (Power, 2003). Northern NGOs remain more

dominant in comparison to their southern counterparts and act as paternalistic intermediaries with the donor north as financial providers (Pearce, 2000: 25).

A review of more recent literature shows that in contrast with the 1980s and 1990s, the perceived role of NGOs has changed. From being positive and sharply differentiated from the role of the state earlier on, their roles have come to be seen as broadly similar, and also less positive than before. Both the state and NGOs are now seen as conduits for neo-liberal and western agendas promoted through financial aid (Wallace, 2004; Craig & Porter, 2005; Pearce, 2000; Hearn, 2001, Power, 2003; Escobar, 2002; Afrodad, 2002; Tembo, 2003; Fox, 2003; Abrahamsen, 2000).

Rather than being the magic bullet or the 'angels' of the development world, Southern NGOs are now more likely to be portrayed as the corrupt, selfish agents of the powerful, manipulating elites, and of funders from the North. In other words they have been reduced to the interests of their funding sources rather than of those that they claim to represent, the grassroots. The same criticisms now leveled at NGOs were once leveled at states and governments in the South. Critics argue that both have become instruments of the donor-north, concerned to realise its neo-liberal project. Donor priorities predominate over the development needs of poor men and women of southern countries. Southern NGOs, like the state, rather than representing the interests of the poor, represent "local ruling classes– compradors", who meet "...the requirements of neo-colonial or transnational capital. The commissions that they collect in these relations are their rent" (Beckman, 1993: 26).

Through taking on the contractual role given to them by donors, NGOs have become their "adjuncts and tools", accountable to funders rather than to their own members (Fowler, 1992: 28). These "Trojan horses for global neo-liberalism" are swept along by "waves of global development fashions" (Wallace, 2004: 210-239). Like the fashion-conscious emperor, they prefer highly paid foreign tailors to design their clothes, but the foreigners sew nothing for them and they earn the disdain of their countrymen and women (Hintjens, 1999). In other words, the recurring theme in the literature is that by and large NGOs offer nothing, nor do they seem to recognize that their intended beneficiaries hold them in contempt.

It is further argued that NGO-NGO relations are “characterized by mistrust and by fierce competition over resources and protagonism, all of which are very damaging to the anti-poverty cause” (Pearce, 2000: 16-20). As official donors fund NGOs, the neo-liberal restructuring agenda is promoted. For many, this agenda has become part of the problem faced by the poor, rather than part of the much sought-after solution to global poverty. It is argued that NGOs cannot deliver, so the poor have to struggle to find their own survival mechanisms outside the development ‘project’ (Pearce, 2000; Hulme & Turner, 1997; Power, 2003; Cohen, 2001). Women have been most negatively caught up in this complex web of relationships (WEDO & UNDP, 2002; Snyder, 2000). Globalisation and the way markets work make it more difficult for governments to provide social services and human development. In particular, “Markets that have been liberalised with no regard for the consequences have intensified women’s subordination in numerous areas” (WEDO & UNDP, 2002: 23).

Some critics argue that many NGOs, the safety net providers in this complex web of relationships, have “failed to develop their own critique of neo-liberalism, with the result that they have ended up implementing a model of development with which they are deeply uncomfortable” (Pearce, 2000: 23). Some even accuse NGOs of acting like the “delivery agency for a global soup kitchen” (Commins, 2000: 70). Dependency on official foreign aid from their governments means that the frames of reference of Northern NGOs are also likely to be manipulated. They become agents of the new imperialism without necessarily being aware of this, on the basis of: “Paying the piper and calling the tune” (Kajese, 1987: 83).

Northern NGO and Southern NGO relations are articulated in ways that involve complexity and politics due to contextual differences (institutional, political, historical and intellectual). The heterogeneity and diversity between these organisations are likely to affect their relations as partners. Current NGO/donor and government relations are not likely to favour NGOs as “promoters of social change and non-market values such as cooperation, non-violence, and respect for human rights and democratic processes” (Pearce, 2000: 24). In the pursuit of resources, growth and ‘effectiveness’ many NGOs have abandoned an overtly political stance on issues related to the economy, as well as on environment, poverty and social policy, and

distributional issues such as land (Edward, Hulme & Wallace, 1999:13; Wallace, 2004: 210-211; Commins, 2000).

From the foregoing discussions, it is evident that the issue of resources has adversely affected the identity and status of NGOs as Valderama states:

Development NGOs today confront the problem of identity and coherence. How do they intervene in the market and extend and diversify sources of funding without losing sight of the objectives which are their *raison d'être* and which are clearly related to democracy and human development (Valderrama, 1998).

Donors, NGOs and government are seen as having a relationship that is maintained through aid. This in turn serves to extend western domination and intervention in African states through multiple spheres of influence, one of which is civil society (Beckman, 1993; Hearn 2001; Afrodad, 2002; Cohen, 2001; Abrahamsen, 2000; Craig & Porter, 2005). By engineering a new 'civil society' in Africa, the donors extend their sphere of influence in a partnership with those who speak the same language (Hearn, 2001, Beckman 1993). As Lukes observes,

the most ... supreme and most insidious exercise of power is to prevent people to whatever degree, from having grievances by shaping their perceptions, cognitions and preferences in such a way that they accept their role in the existing order of things. To assume that the absence of grievance equals consensus is to simply rule out the possibility of false or manipulated consensus by definitional fiat (Lukes 1974: 24).

Rather than a genuine move in the direction of democracy or good governance, the complex web of relationships between donors, government and NGOs can be seen as stabilizers of the status quo, and a mechanism for enhancing the implementation of structural adjustment policies. It also represents an intensification of the rate of Africa's incorporation into the global economy through opening up African economies to transnational actors (Abrahamsen, 2003: 13). Civil society engagement with government is usually rhetorical and based on the donors' demands for government accountability through what is termed good governance (Brock, McGee & Sewakiryanga, 2002).

3.2.6 Contradictions in NGO, Government and Donor Relationships

The above literature review raises a number of issues about NGO structure and agency. It suggests that the bid for resources has affected the identity and status of NGOs that are seen as elite, class based and non-accountable and non-performing

institutions. Reduced to their relations with donors, NGOs become agents of western influence and dominance in Africa, coming into existence and reorienting their agendas in response to donor funding and priorities. The proliferation of NGOs and the increased resource allocation to NGOs was initially based on what was perceived as their comparative advantages over the state in the late 1980s and early 1990s. By the late 1990s, the moral values of NGOs were subject to question in ways that echoed doubts about funding Southern states characterised as weak, serving to enrich the elite against the poor. NGOs are still viewed as a countervailing force to state power as a major component of civil society.

More recent development practice through poverty reduction strategies and sectoral approaches, means that NGO funding is managed by the state through the sectoral (one basket) funding approach (Hearn, 2001). This reduces the autonomous role of NGOs as part of a countervailing force to state power; indeed it means subjecting NGOs to state scrutiny and control in a bid to access resources. However, suggesting that NGOs are on the one hand at the mercy of their government and on the other mere agents of donors and conduits of northern interests is to deny them individual institutional identity and agency. There is little awareness in the literature of the ways in which NGOs in the South manage their structure and agency and engage to increase their room for manoeuvre within such complex relationships.

In the search for resources, it can appear that NGOs have conspired with donors at the expense of the poor. What is needed is a critical understanding of NGO relations with government, donors and local-level men and women. In the current orthodoxy, the North (donors) are portrayed as powerful, exploitative and rich and the South (NGOs and government) as selfish, powerless and exploitative. The grassroots are presented as victims of both North and South, rendering notions like governance, civil society, participation and empowerment meaningless and essentially non-functional. The current orthodoxy was supposed to ensure inclusiveness; even the World Bank's literature suggests there is an increasing trend towards engagement of the poor in Bank projects (World Bank, 2002). The report states, for example, that civil society

“consultations are critical to identifying the internal and external challenges facing countries entering into CAS¹⁵ preparations” (World Bank, 2002: 6).

In line with this, the World Bank recommends good governance as a prerequisite for aid. All the major bilateral donors now endorse the principles of public accountability, rule of law, human rights, market reforms, multiparty systems and free elections as desirable components of development (Craig & Porter, 2005; Lewis & Wallace, 2000; Escobar, 2002; Power, 2003; Abrahamsen, 2000). Tying good governance to aid broadened development to include political as well as economic and social discourses. In a sense, good governance is passed on to NGOs as social capital, often treated as the counterpart of good governance at state level (Power, 2003). The good governance agenda can thus become a rare opportunity for NGOs to influence the policies of the Bank, however minimal. As Nelson states, they do this through taking part in dialogue, which brings donors, state and civil society together, and is regarded as “...probably the most important means available...to gradually shift governments and public opinion towards the commitment and consensus necessary for broader structural change” (Nelson, 1989: 22).

The creation of more space for NGO participation, including in the policy process itself as part of the PRSP process, can serve the interests of the Bank, the IMF and of donors (Afrodad, 2002; Nyamugasira & Rowden, 2002; Lewis & Wallace, 2000; Wallace, 2004; Power, 2003; Abrahamsen, 2000). Ironically, the very state institutions formerly portrayed as ineffective and corrupt are now presented as the custodians of people’s resources and basic rights. States are supposed to provide resources to NGOs that are expected to lobby it to legislate and protect human rights and democracy. It is hard to see how this can be workable given the state’s historically dictatorial tendencies that have understandably bred relations of mistrust in its relations with citizens (Hearn, 2001; Fowler, 2000). The capacity of a well known soft state to provide and protect the rights of its citizens is not clear nor the extent to which NGOs serve the interests of the poor people that they seek to represent in their relations with the state (Ndegwa, 1996). The structural inequalities are deeply embedded and Thomas (1998) observes that:

¹⁵ CAS means Country Assistance Strategies, linked to Poverty Reduction Papers.

the current global economic structure cannot deliver economic and social rights for all human kind no matter how many such modifications take place at the level of process. We can adjust policies indefinitely, but this will not result in the delivery of the substance of social and economic rights for all (p. 182).

There are ideological contradictions in inclusive development processes. NGOs are mainly identified with the poor and with the post-Marxist impetus that challenges existing state-market relations in structural terms. Yet, in reality such post-Marxist and pro-poor approaches also operate in the terms set by the neo-liberal agenda, itself the product of donor policies (Tembo, 2003). Neo-liberal policies as such have little regard for political participation, yet the 'sister' policy of good governance seeks to promote participation through civil society (Abrahamsen, 2000; Craig & Porter, 2005; Wallace, 2004). This contradiction runs right through the middle of the 'inclusive neoliberalism' discourse as it is currently propounded. A case in point was the Ugandan PRSP preparation process. Community-based organisations and NGOs were doubtful about the "very limited impact of their input on resulting national policies...", and expressed the view that on balance "...there were fewer contacts with donor agencies", and that: "The few meetings that took place...were almost like verification meetings to find out the level of civil society participation" (Nyamugasira & Rowden, 2002: 7).

NGOs' main interest in engaging in such processes at all was to try and influence Bank agendas; however since the influences on the World Bank are diverse, it is hard to assess the impact of any one actor or set of actors on its policy directions. Neo-liberal policies are mainly top down and so "barely challenge the significance of power in shaping social relations", whilst participation and empowerment are bottom up (Fox, 2003: 521-522). Rather than being mouthpieces of the people, NGOs become tools to legitimate the penetration of neoliberal ideas into all aspects of people's lives resulting in the loss of their own knowledge and identity.

For all its dominance, the neo-liberal policies of the World Bank is unable to prevent the continued erosion of the state in the South, nonetheless the basis for future plans for capital accumulation. This "new phase of corporate capitalism...is undermining democratic political institutions" everywhere (Kothari, 1998: 187). Kothari includes the UN among the instruments of the neo-liberal system, in spite of the institution's

divergences from the Bretton Woods organisations, because by “selectively providing legitimacy and economic clout to ruling elites, the strong alliances among countries were effectively weakened” (Kothari, 1998: 188). In line with the broad discursive formations of modernisation that guided the Development project from the 1940’s onwards, the post-colonial interests of the West continue to be fostered through a mix of cooption and coercion as needed (Mikkelsen, 2005).

As Escobar (2002) argues, the scientific process based on Western capitalist paradigms resulted in relations of knowledge and hence power among the actors at the various levels, local, national and international in which institutions at the various levels reproduce this knowledge. According to Escobar through these institutions, “development has been successful to the extent that it has been able to integrate, manage, and control countries and populations in increasingly detailed and encompassing ways” (Escobar, 2002: 88).

This thesis starts from the insight that to portray Southern governments and NGOs as no more than purely passive and subordinate victims of Western dominance and recipients of foreign aid, without any resistance or autonomous agendas or agency, is completely unrealistic (Abrahamsen, 2003). As shown at the start of this chapter, most conceptual understandings of power depart from this view and suggest that relationships are vital elements in the exercise of power in all its forms. Power is exercised in the form of unequal conflicting, cooperating, and negotiating relationships, including through various visible and invisible forms such as verbal and non verbal communication (Foucault, 1980; 1982; Lukes, 1974; Hughes, Wheeler & Eyben, 2005). In other words, the West may dominate the South through development practices, but there is also another side of the story. Learning how the dominated cope with domination and how they resist it is what this study is geared towards. The logical justification for this position is the understanding that:

The objects of development are not passive recipients, wholly oppressed; they are active agents who may, and frequently do, contest, resist, divert and manipulate the activities carried out in the name of development (Abraham, 2000: 22).

Where power relationships between knowledge holders such as technical experts, often from the west, and recipients, largely from the South, these power dynamics

have been acknowledged at all, they have been objectified. This has been done through use of expert processes such as formation of partnerships, networks, alliances, capacity building and also through advocacy (Fowler, 2000; Wallace, 2004; Power, 2003; Craig & Porter, 2005; Miller, Veneklasen & Clark, 2005). These processes tend to 'lump' all NGOs together, ignoring the power dynamics within the partnerships that form networks, alliances and shape advocacy processes.

Understanding the power of development requires the recognition of the ways in which it produces subjects and identities. According to Abrahamsen, hybridity explains the fact that power is not only about domination but about the production of subjects and identities. The subjects resist domination through developing their own coping mechanisms based on their own agency (Abrahamsen, 2003). Scott shows that such adaptation may not appear visibly, and may require a deeper understanding of some of the covert actions of the subjects (Scott, 1985).

The other important issue that emerges in the literature is the rights-based approach, rooted in western enlightenment and now embedded in the inclusive form of neo-liberalism, and linked with discourses of good governance and democracy (Mamdani, 1996; Manji, 1998; Abrahamsen, 2000; Mohan & Holland, 2001). According to Mamdani, human rights themselves are not new to Africa, but many people's understandings of rights notions are still rooted in pre-capitalist social realities of clan and tribe. Reconciling this with the capitalist conception is an uphill task (Mamdani, 1996). The rights based approach (RBA) has been as far removed from the lived realities of local people as any other Development discourse. The knowledge and power and agency of those that development most directly affects are hardly acknowledged (Miller, Veneklasen, & Clark, 2005; Wallace, 2004; Hughes, Wheeler & Eyben, 2005; Blackburn, Brocklesby, Crawford & Holland, 2005; Nyamamusembi, 2005; Power, 2003; Mohan & Holland, 2001). In addition to this, human rights approaches have tended to focus on political rather than social and economic rights, and have overseen a sharp deterioration of women's rights especially, as they have been negatively affected by economic neo-liberalism. RBA recognises the state as the key provider and duty-bearer in relation to most rights, but at the same time

acknowledges that historically the state has been the main violator of people's rights (Mohan & Holland, 2001).

What is important in this study is that we can undertake a critical analysis so that we can understand some of the ways in which development organisations are coping with this contested and complex development process or project. We will now consider how these issues can be understood in relation to advocacy by gender-focused NGOs.

3.3 Advocacy Power and Interests

In this third section of the chapter, the history of gender advocacy is outlined. Existing conceptual understandings of advocacy are presented and a brief critique of how advocacy and gender advocacy relate to notions of transformation, power and interests, as already elaborated at the start of the chapter. The conclusion then presents a framework for analysis in the rest of the thesis, and explains the main insights that have been gleaned from this chapter, and which will be made use of throughout the study as it progresses.

3.3.1 The History of Gender Advocacy

Policy advocacy started with the actions of disadvantaged people, as for example in the anti slavery and civil rights movements, among others (Atkinson, 1999; Leipold, 2002). According to Atkinson, citizen advocacy can be traced to the US in the 1960s and started in the UK by the 1980's. Child rights advocacy gained momentum with the 1989 UN Convention on the Rights of the Child, and CEDAW played a similar catalytic role for gender rights (Atkinson, 1999). A review of the literature suggests that, at that time, advocacy was still more developed in the field of medicine and nursing than in development or gender.

Development campaigning as such started in the 1970s seems to have been mainly concentrated in the North, in both its radical and caring strands. The latter was mainly based on an agenda in which NGOs contrasted the misery in the South with abundance in the North. Such campaigns did not necessarily focus on the need to change development policy, mostly seeking to nurture a caring spirit among the northern populace. Campaigns took the form of educational activities on NGO project

activities, and poverty issues, usually treated in a relatively depoliticised fashion (Clark, 1992). The more radical strand attacked multinational corporations' role in actively under-developing the South, and campaigned for fair trade and economic and social rights for poor people globally. It is within this more radical stream that gender advocacy started to challenge mainstream development policies and ideas.

By the late 1980s there was a significant change in the way in which advocacy, and gender advocacy more specifically, was conducted. A more strategic approach involved targeted actions and information campaigns, with increased co-operation among various actors, including among NGOs. There has been spectacular growth in advocacy and lobbying activities by gender-focused NGOs in the face of the neo-liberal agenda and its growing dominance. Failure to relieve poverty at grassroots level made "many aid officials recognise that allowing NGOs negotiating space, in particular to introduce ideas of popular participation will strengthen their projects" (Clark, 1992: 193). They thus increased their advocacy budgets, including their gender advocacy budgets, aiming these activities mainly at holding governments accountable for service delivery and policy delivery and implementation. One of the main ways in which gender advocacy worked was in the monitoring and reporting on government activities, and in participation in tripartite forums with government, NGOs and donors, particularly in relation to the implementation of international conventions, notably CEDAW.

Campaigning, lobbying and influencing public and official opinion on issues like aid, debt, the environment, trade regimes, women and children, led to specialised advocacy groups emerging. Southern NGOs strengthened their international lobbying and advocacy activities on all these issues, and many others, by collaborating to take part in conferences, conventions and policy discussions. Alliances, networks and coalitions fostered new linkages with Northern counterparts which also helped the latter to overcome some of their historically inherited legitimacy problems. Northern NGOs and Southern NGOs have forged new kinds of relationships in the process. Northern counterparts have moved beyond funding development activities directly, through project support, to "...lending their name, media skills and contact with people of influence to help champion the cause" that is primarily defined by the local NGO alliances and networks (Clark, 1992: 200).



Advocacy was seen as one way of increasing the potential impact of NGO activities; a corollary of 'scaling up'. There was a need to reconsider North-south development relations and to attack the structural causes of poverty rather than surface problems, as observed when the history of NGOs was discussed earlier in this chapter. According to Clark (1992), the new role of NGOs was to contribute to structural transformation. In the face of state structures perceived to be ineffective, bureaucratic, unaccountable and corrupt, advocacy and lobbying came to be seen as a means to transform state-civil society relations. In line with this, advocates have increasingly focused on public and private accountability, with the aim of linking macro and micro development processes. As a rights-based approach starts to be adopted by donors, and through indirect 'induction', by NGOs as well, basic needs becoming entitlements. As the concept of women's rights and human rights start to be accepted, this reinforces the importance of advocacy and gender advocacy as a development strategy (UNDP, 2000; Mohan & Holland, 2001).

Since the mid 1990s, it seems clear from the review of literature that a body of knowledge had started to build up around the subject of advocacy, gender and development (Razavi, 1997; Kabeer & Subrahmania, 1996; UNDP, 2000). As 'globalisation' issues come to the fore, global NGO networks have emerged and become institutionalised and achieved recognition. Human and gender rights have also been accepted as intrinsic to development (UNDP, 2000). With these changes, advocacy strategies became increasingly sophisticated, using the media, internet technology and sophisticated campaigning and lobbying techniques, as well as more conventional means like speeches, protests and campaigning. In gender advocacy also, the strategies used in the 1990s changed in comparison to earlier strategies. Lobbying became increasingly important and opened up new connections between civil society and the state in many different parts of the world. At the same time, global networks emerged specifically working on gender advocacy issues within and across countries (Marchand, 2002). Before examining gender advocacy, it is important to understand the conceptual meaning of advocacy.

3.3.2 Definitions of Advocacy

The term *to advocate* has both a primary and a secondary meaning. The primary meaning is derived from the Latin word for legal representation, and describes the process in which a professional advocate is paid to speak on behalf of a client, with the latter called upon to give evidence only in absolute necessity. The secondary definition refers to the person, the advocate, who argues about an issue mainly due to the values attached to the issue and not necessarily because of their professional or legal expertise (Eade, 2000: xiii). Several scholars have built on this secondary use of the term; Atkinson, for example, views advocacy as representation, involving speaking up either for one's own or another's interests, both in practise and on policy issues. Advocacy is "...a means of challenging an oppressive system and countering the pervasive 'clientism' of services, it is a means to greater empowerment" (ibid.). As a means and a process, advocacy can refer to a situation in which a person pleads on behalf of another person for entitlements, rights or services which they both believe are needed by the person who is represented (Butler, Carr & Sullivan, 1988: 2). Advocacy can also involve exploring various alternatives for opening up systems to influence, and using information strategically to try to effect policy changes and thus improve the lives of disadvantaged people (Bond, 2003). The "strategic use of information to democratise unequal power relations and to improve the conditions of those living in poverty that are otherwise discriminated against" may be an ambitious goal, but it is usually a key task for advocacy and advocates (Roche, 1999: 192). Lobbying, public campaigning, public education, capacity building and the creation of alliances are all part and parcel of advocates' efforts to achieve desired changes in people's lives through influencing (mostly public) policy change (ibid.). Oxfam's three-fold definition of advocacy may be of interest as well. They view advocacy as involving:

- (i) Utilising existing programmes to show the impact of existing public policies on the poor with a view to suggesting alternatives;
- (ii) A strategy for empowerment that facilitates people articulating their own needs and desires and gaining confidence in their ability to influence decisions that will affect their future.
- (iii) An opportunity to affect policy by promoting participatory development processes (Oxfam, 1994).

In all the above definitions of advocacy, it seems it is about hoping things will improve through the strategic application of knowledge to positively influence change

and target existing unfriendly policies for the benefit of all citizens, but particularly for the most disadvantaged. From a much more sceptical point of view, some scholars view advocacy as “the velvet glove that disguises the handcuffs of an oppressive system” (Atkinson, 1999: 9).

The main issues in relation to advocacy are resource allocation and decision-making. Trying to influence the outcomes of public policy positively in terms of resource allocation, and seeking to affect the decisions made by the political and social institutions that directly affect people’s lives is a tall order (Cohen, 2001). In addition, advocacy will necessarily change over time and be shaped by different understanding of power and politics. According to this view, groups engage in policy influence, and develop working definitions of advocacy that eventually lead to more comprehensive explanations and understandings of the process. Organisations experiment with different approaches and learn from their experiences in a never-ending cycle of modification, evaluation and innovation. This applies to advocacy as well.

Politically, advocacy aims at altering the ways in which power, resources, and ideas are created, consumed and distributed at global level so that people and organisations in the South have a more realistic chance of controlling their own development (Edwards, 2002). According to Edwards, NGOs use two types of approaches in advocacy. The first is an abolitionist approach, which targets the political level of institutions. This approach represents an attempt to influence global and national processes, structures and ideologies. It takes on massive interest groups and requires a high level of technical knowledge based on practical experience, if the views of NGOs are to be taken seriously. Edwards says this approach is quite confrontational and generally highly critical of dominant ideology. The second approach is a more reformist approach, which targets technical experts and bodies, and regional and sectoral-level institutions. The reforming approach seeks to influence specific policies, programmes and projects. It targets audiences that are likely to be less resistant to constructive dialogue, but requires an even higher level of technical knowledge than the abolitionist approach, and must be grounded in practical experience if the views expressed are to be taken seriously. Advocacy in this form is likely to take place behind closed doors and be more co-operative than confrontational (ibid.).

These divergent approaches to advocacy have some common features, in seeking to alter power relations in confronting those in dominant positions, and urging them, within the limits possible, to consider the interests and priorities of the less powerful and most disadvantaged. As Cohen suggests, advocacy can also be used at different levels, ranging from ideological advocacy¹⁶, mass advocacy¹⁷, interest group advocacy¹⁸, bureaucratic advocacy¹⁹ and social justice advocacy (Cohen, 2001). The last is perhaps the most significant for this study, and will be dealt with in more detail in the next section, alongside gender advocacy. Direct empowerment of the less powerful through enabling them to undertake their own actions is part of social justice advocacy, whether reformist or abolitionist.

3.3.3 Social Justice Advocacy and Gender Advocacy

In social justice advocacy, aspects of power and power relationship are regarded as critical and involve challenging values and beliefs in order to create more people-centred forms of participatory development and a more human rights-based and socially just society (Cohen, 2001; Samuel, 2002). This kind of approach enhances the ability of the people to be heard by decision-makers and builds relations across all categories of people to support specific social justice goals, using mass action to find ways to engage with decision-makers.

Most scholars see advocacy as being about empowerment for independent decision-making; autonomy to determine one's destiny, citizenship and inclusion on the basis of equality. Advocacy is against oppression, discrimination, and provides opportunity to overcome isolation in asserting one's self-identity (Atkinson, 1999: 14; Butler, Carr & Sullivan, 1988: 1; Samuel, 2002). Some scholars are more explicit that there is a clear positive association between advocacy and empowerment (Cohen, 2001; Samuel, 2002). They observe that advocacy is about mobilising and using people's latent power to change the dominant forms of policy and social practice. Samuel (2002) views power as both contextual and relational, resting with people at micro

¹⁶ Ideological advocacy is where a group advances their dominant values in public places.

¹⁷ Mass advocacy is where large groups of people use demonstration or petitions to engage major decision making bodies to show their shared grievances and dissatisfaction on a particular issue.

¹⁸ Interest group advocacy is where demands are made on the system by specific interest groups.

¹⁹ Bureaucratic advocacy is where public or private 'think tanks' try to influence decision makers on

level, and becoming political power at the intermediate level, electoral power at macro level where policies are made. In other words, power is not static but dynamic, so that NGOs have “to negotiate with the power of knowledge through persuasion” (Samuel, 2002: 4).

This introduces the concept of power relations that should probably be considered central to any proper and practical understanding of advocacy, of whatever kind. There are unequal power relations between the decision-makers and advocates and thus understanding the power dynamics is critical. Power in this case is about the ability to create the desired effect and it takes different forms, political, social and economic. Political power is about having authority or influence over the law making and implementation institutions. Economic power is about the ability to control the means and place of production while social power is about the ability to control or influence people in hierarchical relationships, whether in family or in other wider social institutions (Cohen, 2001). Samuel makes power more explicit when he talks about power within and power to, the former ensures relationship with the people while the later provides opportunities to change others (Samuel, nd.).

Power within or social power introduces the concept of values that motivate us to take actions. According to Samuel, our actions are motivated by the values within us. “It is people and ideas that change the world. And in the history of the world it is those people rooted in a very strong ethical base that change things” (Samuel, nd.: 4). Since social justice advocacy is value-based; it seeks to share power in order to make decisions that will affect people’s lives. It is also people-centred. In essence, it believes that people know their needs and wants and that participation in public life is a means to develop people’s own capacities. Social justice advocacy also draws its strength from its engagement with the public in the advocacy planning process.

A functional classification of advocacy categorised the process and activity on the basis of its function. Atkinson’s distinction between self-advocacy²⁰, citizen

the basis of research findings on a particular issue.

²⁰ Self-advocacy is where a person speaks for himself or herself, mainly associated with the struggle of disadvantaged people against discrimination in regard to equal rights and citizenship. It is also used as a means of altering power. “Speaking for oneself, standing up for your rights, making choices, being

advocacy²¹, children's advocacy²² and peer advocacy²³ is an example of this. Butler, Carr and Sullivan (1988) similarly make two additional classificatory categories: legal advocacy²⁴ and collective (class)-advocacy²⁵. To these, Diokno-Pascual (2002) adds what she terms Development advocacy²⁶. Lastly gender advocacy is another functional form of advocacy, which we will now concentrate on.

It was only recently that gender advocacy became part of mainstream development work. Gender advocacy has been justified mainly on three ground: equality, efficiency and needs (Razavi, 1997). The equality criterion is based on equal rights as provided for in international legal instruments, especially CEDAW (Convention on the Elimination of Discrimination Against Women). Equity forms the dominant discourse of the work of various international agencies, and commissions dedicated to promoting and monitoring the advancement of women, as well as of parts of the global women's movements. Esther Boserup pioneered the efficiency criterion, which legitimized policy attention to women on the grounds of their significant, but neglected, contribution to overall productivity. Lastly, the needs criterion advocates for fairness in the treatment of the poorest, 'weakest' and most marginalised members

independent and taking responsibility for yourself enhances personal identity, raises self esteem and ultimately is thought to be empowering" (Atkinson, 1999: 6).

²¹ Citizen advocacy depends on relationships. It is where a volunteer acts as an enabler of either one person or a group of persons to present their issues either through representation or by themselves where possible. The key ideals of citizen advocacy are: empowerment, inclusion and valuing of every person. In addition it is based on the partnership of a 'voluntary valued' citizen with a person who is at risk of social exclusion to facilitate processes of understanding and representing the interests of this person as if they were their own. According to Atkinson, this is a reciprocal relationship that can result into friendship and extended social networks (Atkinson, 1999).

²² Children's advocacy focuses mainly on ensuring that rights of disadvantaged children are protected. This may be done by volunteers or paid professions who spend time with the children to understand their aspirations and create an enabling process for the children to articulate their needs themselves or through the volunteer or paid professional. Children's advocacy is systematically done through structured and monitored systems. Like citizen advocacy, it involves representation of the child in ways that ensure that his or her views are articulated in ways that empower, respect and build trust in the relationship between the child and the one presenting his or her views (ibid.).

²³ Peer advocacy is where a person who is part of those who have experienced exclusion uses this experience to emphasise and understand the person he or she is representing (ibid.). This advocacy can be related to the gender advocacy done by women's organisations in Uganda. Due to experiencing discrimination, they use these experiences to advocate for a change.

²⁴ Legal advocacy is about professional advocacy in which trained legal representatives represent their clients to claim or defend their rights. This form of advocacy is specialised and technical.

²⁵ This is where a group of people may on their own or through hiring of another person campaign against issues that affect a specific class or group of persons. They differentiate citizen advocacy from collective advocacy mainly on the basis of the argument that citizen advocacy is one to one, and it is mainly by volunteers (Butler, Carr and Sullivan 1988: 2).

²⁶ Development advocacy is about "communicating a perspective from a strange often-unseen world; the realities of the empowered and disempowered. But it is also about struggle to assert legitimacy and primacy of these perspectives and to shift the balance of power in favour of the poor" (Diokno-Pascual

of society. The anti-poverty approaches later used the needs criterion to advocate for shifting the focus of policy towards poor women and men.

Gender advocacy itself includes different kinds of approaches, from a moderate instrumentalist or integrationist approach, to advocacy for transformation and a radical feminist approach, generally disconnected from a developmental perspective (Razavi, 1997; Kabeer & Subrahmanian 1996; Mukkhopadhyay, 2004). The instrumentalist or integrationist approach recognizes women as agents of change and calls for greater recognition of the agency role of women. In other words it calls for the integration of women into development because they had been segregated with negative effects on the development process (Kabeer & Subrahmanian, 1996; Mukhopadhyay, 2004). In this approach, gender equity is linked to more mainstream development policy concerns, including market efficiency, growth and human development. The radical feminist approach pursues gender rights without any real connection with poverty issues, on simple grounds of intrinsic worth of women and their entitlement to be emancipated from patriarchal constraints and handicaps.

Finally, advocacy for transformation is more political in nature, and seeks not only recognition for the role of women in development, but also the need to transform the basis of development policy. It challenges: “the institutional rules and practices and the way in which they embody male agency, needs and interests” (Kabeer & Subrahmanian, 1996: 15). The transformation approach emphasises processes that provide an opportunity to the individual and mainstreaming emphasises the need to shift women’s concerns from:

...the marginal location in both institutional and ideological terms, to the centre of the development agenda succeeds in promoting the rethinking of institutional rules, priorities and goals and substantial redistribution of resources (Kabeer & Subrahmanian, 1996: 16).

In terms of the means used, social justice advocacy including gender advocacy can also be undertaken through different means, including more policy- or more people-centred strategies (Samuel, nd.).

1. People Centred-Advocacy

People centred advocacy has been identified as a better alternative to policy centred advocacy (Samuel 2002). “People centred advocacy is a set of organised actions aimed at influencing public policies, societal attitude and socio-political processes that enable and empower the marginalised to speak for themselves” (Samuel 2002: 2) The strengths of people centred advocacy is that it enhances the ability of NGOs to play their mediation role effectively in that people assist NGOs to cope with the comparative advantage that the state institutions and the government have over the NGOs. Application of people power can alter the dominant power, making advocacy a means to an end and not an end in itself. This makes the understanding of power in people centred advocacy to be dynamic and not static. The key characteristic of people centred advocacy is the potential for social transformation, as well as for a more rights based and ethics-driven approach to development (ibid.).

a. Social Transformation:

The difference between policy-centred and people-centred advocacy is not one of contradiction, it's a difference of emphasis... people-centred work is not to negate policy; it is to say that policy is a corollary for change. It's not the end it's the means. The emphasis is on people. Saying that people are primary, there is power with people and people are capable to change. People have the creative potential to change (Samuel, nd: 4)

The major aim of people centred advocacy is social transformation, facilitating the process of empowering marginalised people to take control of their destiny. Thus power with, power of and power to, are critical in our understanding of people centred advocacy.

People centred advocacy is value laden, with social justice and human rights as its major concerns. It involves resisting and challenging unequal power relations including patriarchy at all level linking the macro-micro on all spheres of life including the family. Empowerment of the marginalized for self-representation is critical in people centred advocacy (ibid.).

Eade (2002) differentiates people-centred advocacy from Participatory advocacy. Participatory advocacy is about drawing civil society organisations into “efforts to

broaden the political space within which the voices of the poor can be heard and people centred advocacy is where people negotiate for their rights on their own behalf” (Eade 2002: xiv). Eade observes that NGO advocacy can also be paternalistic, as for instance when Northern NGOs obtain their ‘raw material’ from Southern NGOs and use this in international forums (ibid.).

b. A Rights based Approach (RBA)

Kitonsa defines RBA “as a conceptual framework for human development that is normatively based on international human rights standards and geared towards the realisation of human rights (Kitonsa 2003:1.) In application of people power, people centred advocacy aims at social transformation, ensuring the realisation of justice, equity, poverty eradication and a life of dignity for all. This is based on the belief that all people have an inherent and natural claim to live a life of dignity. The proponents of people centred advocacy assert that the human rights framework mainly rooted in the Universal declaration of human rights (1948) is being used by advocates around the world in helping to claim for their rights. This may be through ratification of the international instruments or conform or enforce the domestic law in line with the international law (Cohen et al 2001, Kitonsa 2003).

The framework is made up of two generations of law, the civil and political rights; and the economic, social and cultural rights (Cohen et al 2001; Samuel, nd. p. 3). It focuses on changing societal values and attitudes in addition to policy change (ibid.). People centred advocacy focuses on the need for the state to guarantee the realisation of human rights to its people, social justice and equity. Here rights are treated in their wholesome nature because they are interrelated and that a person cannot be intersected in different parts such as economic, cultural and social (Kitonsa, 2003). RBA asserts that the state needs to be accountable to its people in regard to these rights. People centred advocacy aims at facilitating people to be able to hold the state accountable in order to better protect their rights. In pursuance of the rights based approach, people centred advocacy links the macro-micro levels with major emphasis on achieving a bottom up approach to social change (Samuel, nd.). The bottom up approach to social change means that the focus is on the societal priorities and objectives. “RBA takes people’s needs and adds value to them to raise them to the

status of entitlements that are claimable and that impose an obligation on someone to fulfil it” (Kitonsa 2003: 1).

c. Ethics

Ethical considerations are important in people centred advocacy. The key emphasis is on the fact that the advocates must believe in what they are advocating to have the moral obligation to change others. In addition to moral obligation of the advocate, people centred advocacy believes in the application of peaceful means to foster change (Samuel, nd.). In addition to the distinguishing characteristics of people centred advocacy, Samuel highlights its principles. He states that the underlying principles for people centred advocacy are participation, communication and legitimacy. Participation is about the active engagement of the advocacy beneficiaries and any other interested parties in the advocacy process. It is the key ingredient to the whole advocacy process as a means and not an end in itself. The second principle is communication. Here the emphasis is on the importance of communication in leading to action by the various actors.

Community, collectivism, and communication are closely interlinked. The process of advocacy involves: communicate to convince; convince to change, change to commit and commit to convert-to cause and for the cause you espouse (Samuel, 2002: 5).

In his arguments, communication strategies that enhance the participation of the people as subjects and not passive recipients are important. The legitimacy of the proponents as well as the advocacy process itself is important. Legitimacy is developed through the relationships with the various actors. It depends on the level of participation and communication with the people as subjects in the advocacy process.

d. Arenas of people centred advocacy

There are four arenas of people centred advocacy, the people, the public, the network/alliance and the decision makers. People are those that are directly affected by the issue, those working on it and those that identify with it. These include decision makers (government, socio-cultural leaders, institutions, local staff, corporators and religion); networks /alliances; and the Public that includes the middle class, the media, opinion makers, writers and intellectuals.

Understanding each of these arenas is important. Samuel observes that people may be mobilised for an issue or for long term organising for change. Secondly the public needs to be understood because they play a critical role in “shaping policy processes and political processes” (Samuel 2002: 3). Mass media is critical in bringing the issue to the public and discourse formation. Networking and alliance formation are central in advocacy. These can be vertical or horizontal. They are useful in resource, knowledge sharing, and capacity development. Networking is also useful in negotiating. Vertical networking assists in macro-micro linkages while horizontal networking is useful for similar organisations working for a common cause.

2.) Policy Centred advocacy

By and large gender advocacy at least in the Ugandan context, as we shall soon see in Chapter 4 and 5, has relied on policy centred advocacy. Policy centered advocacy is undertaken, usually within the given constitutional boundaries of a particular country. It involves strategic policy-related pressure and interventions, with an emphasis on the duties and actions of the state. A gradualist, incremental approach is adopted that resembles a ‘trickle down’. It also involves some direct lobbying activity:

The well-meaning elites, academicians, lobbyists and advocacy development organisations do policy influence in favour of a particular cause. They advocate on behalf of the people, often at the macro-level, state capital or at the centres of political power. In such a process, participation of the people is an optional condition, not an obligatory one (Samuel, nd.: 2).

From a gendered perspective, the “predispositions of the individual planners and implementers, the institutional constraints within which they must function, the socio economic contexts in which they are planning and the possibilities which it offers” the affect the policy process and outcomes (Kabeer & Subrahmanian, 1996: 9). The policy process and outcomes may be depoliticised²⁷, compartmentalised²⁸,

²⁷ This is where state intervention to reduce gender inequalities is restricted on the arguments that it may be interference into the private sphere. Gender relations are assigned to the private sphere, an area that state should carefully trend.

²⁸ Compartmentalisation is where women experiences are divided into various parts that can be acted upon independently. In such a situation, women issues are localised and tend to be seen as micro issues that are not related to macro level planning in spite of the fact that “macro level planning affects the reality of women at the grassroots level”(Kabeer & Subrahmanian, 1996: 6).

internalised²⁹ or aggregated.³⁰ The nature of the policy process affects the ways in which advocates engage with the state to influence the policy outcomes (Razavi, 1997; Eyben, 2004). Policy outcomes can be gender blind, which means that they are implicitly male-biased; gender-neutral, which means they fail to challenge the status quo, gender specific, which means that they seek to meet the needs of one specific group without for all that challenging the overall status quo) and gender redistributive, which means that policies effectively redistribute resources in favour of more equal gender relations, and thus actually transform the status quo (Kabeer & Subrahmanian, 1996).

Generally, the main critique against policy centred gender advocacy – which has been the general approach adopted in Uganda – is that it gives the state a prominent role in social change in comparison to other social change agents and socio-cultural institutions. Policy-centred advocacy does not necessarily address structural causes of injustice and discrimination, which may be behavioural rather than policy-related or legal. The increasing emphasis in much gender advocacy on lobbying means that the views of real women and men at the grassroots are neglected. This is not only undesirable ethically; it may also be inefficient since it can negatively affect policy implementation (Samuel, 2002; Mbire-Barungi, 2001; Nabacwa, 2002).

Policy centred advocacy can become problematic if it fosters more, rather than less, unequal power relations among the advocates, policy makers and ordinary people. Popular knowledge, skills and networking should be central to the whole advocacy process, not appropriation of the “experience and voice of the people” by advocates, simply in order, “to strengthen their own policy leverage and political influence”, thereby usurping the agency of the grassroots (Samuel, nd.: 2).

One of the myths of contemporary development, shared by the major institutions such as the UN, World Bank and bilateral agencies like DFID and SIDA, is that gender

29 Gender relations are treated as “unchanging and unchangeable”. Here biological determinism (role differentiation is based on the notion of being naturally determined and suitable for either the man or women) and sanctity of culture are used to resist attempts to challenge gender inequalities (Kabeer & Subrahmanian, 1996: 9).

30 Ambiguous terms such as household are used in policy-making processes it difficult to understand the differences among the various categories. Inherent in these categories is the assumption of men being leaders. Women within this policy-making framework are assigned their traditional roles. They are seen as homogeneous category with maternal altruists that are “naturally willing to undertake

equity and equality can be promoted within the existing neo-liberal paradigm that is being applied to developing countries (Sassen, 2002). This optimistic, or naïve, idea is contradicted by most of the available evidence on empirical experience (Eyben, 2004; Batliwala & Dhanraj, 2004; Standing, 2004). Striking a compromise between the gender interests of women and the complex priorities enshrined in any development processes is no easy task (Razavi 1997; Feldman, 2003; Subrahmanian, 2004). Some scholars argue that, by and large, it is the interpersonal relationships, values and frames of reference of the elite that most influence policy commitments and mainstream development policy processes. Policy advocacy processes are generally viewed as mere rhetoric, keeping powerless gender advocates busy without necessarily altering the status quo (Mukhopadhyay, 2004). At times, even where there is a high level of commitment and skill, gender advocacy may be so narrowly defined that it can be used instrumentally to serve the strategic interests of the Development industry (Subrahmanian, 2004). Enhancing women's capacity for individual decision-making, for example, may be part of an empowerment agenda, but it can also result in increased exposure to social and economic inequalities within the market (Feldman, 2003; Mukhopadhyay, 2004).

At the end of this section on advocacy and gender advocacy, the importance of context has become clear; in some periods the room for manoeuvre appears to increase; at other times there seems very little room for agency at all. NGOs' roles in the process are ambiguous, caught as they are between a supposed independence from the state and an actual dependence that applies increasingly through networks that are funded by donors and composed of collections of quasi-competitive NGOs. In the conclusion, some of the general implications of what has been covered in this chapter are discussed.

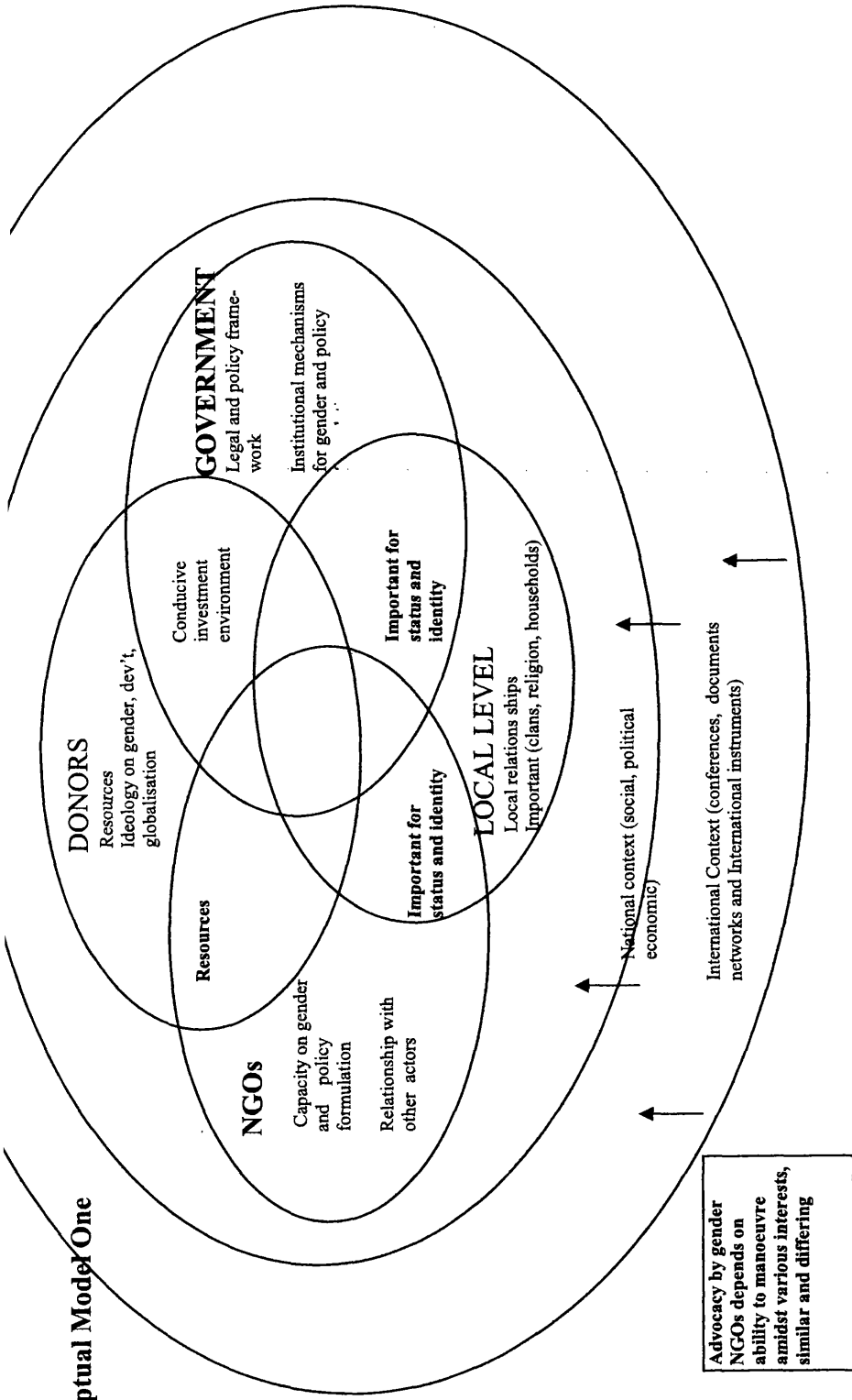
3.4 Conceptual Frameworks Arising out of the Literature Review

No one body of theory will be able to handle the complexity of relationships among NGOs and other relevant institutions studied in this research. Instead a hybrid model is required, one which will be able to draw on and combine a number of insights from a variety of theoretical backgrounds and approaches. The mixture that has been

additional responsibilities in the interest of family and community" (Ibid.).

blended consists of the views of Hirschman, NIE, chaos theory and perhaps most importantly, the social relations theory of gender. The latter provides us with the model of resources, identity and status. NGO gender advocacy within the Ugandan context will be understood through the complex inter-relations of all the institutions involved, but with the central focus on NGOs' relationships. All four models bring to the fore notions of risk, indeterminacy and the search for some kind of predictability and control through socio-institutional arrangements. The aim of relations can vary, from reducing the costs of unpredictable social interaction, to securing one's own maximal capacity for independent manoeuvre. Conceptual Model One represents an initial attempt to visualise the analytical framework that has resulted from the review of the literature. These models are designed to help us understand how gender focused NGOs and their staff relate with each other and with other actors (government, donors and the grassroots) in their course of their gender advocacy work in Uganda.

Conceptual Model One

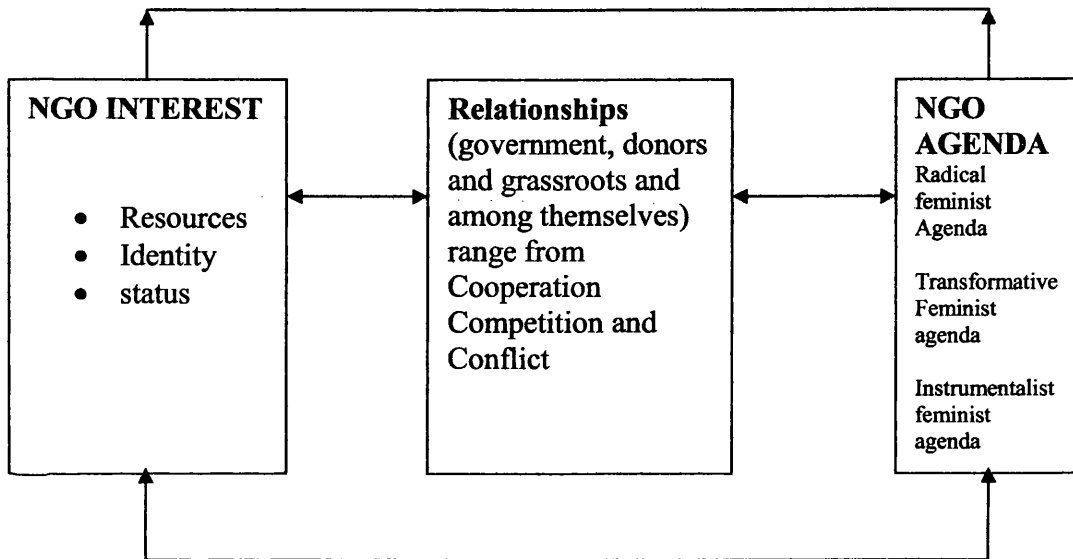


Notes

Intersections define those that are included in the relationships that may be in the form of cooperation, competition or resistance. The relations are based on either shared interests or possibility of meeting one's interest through the relationship. The interests although may be more, in this study they have been conceptualised to include resources, identity and status

Conceptual Model two

1. NGOs relate with other organisations with the goal of maximising their interests that is identity, status and resources
2. NGOs will cooperate, compete or resist the other actors depending on the effect of this relationship to their interests and the reverse is true.
3. The relations have an effect on the agenda and the reverse is true



As is evident from these models, a number of theoretical and analytical elements have been combined into each of them. They can now be summed up as follows:

1. The Exit, Voice and Loyalty framework will be used to explore the actions of the various actors as they seek to defend their interests.
2. NIE is potentially useful in this research since it may help explain how NGOs exercise agency in complex ways in relations with other actors. Some insights of NIE may help answer the basic questions which guide this study:
 - i. What are the interests of the various actors engaged in gender advocacy work in Uganda?
 - ii. To what extent and how do the NGOs, the major focus of this study exercise their agency to defend their self-interests (resources, identity and status³¹) in their relations with other actors who also have their own self-interests to promote and protect?
 - iii. What are the implications of these relations for the NGO advocacy agenda?

Elements of the Institutional Economics framework may explain why certain actors choose to leave, remain inside and voice their criticisms of existing institutional relationships and organisations. Rationality versus irrationality, calculations of transaction costs, and differences in mental modelling may be of relevance in explaining such decisions and assessing their significance. Social capital is also likely to be a helpful concept for understanding how social relations affect our actions.

From chaos theory perhaps the most important insight is that in the phenomenological world there is no absolute reality, and that practical reality is constructed through collective thoughts and actions, and is thus subject to change depending on our thoughts and actions and the mental frameworks with which we operate, share and struggle over. The social relations theory of gender sees power relations as being about a search for resources, agency and outcomes. This framework is likely to prove

³¹ Identity, Resources and status while partly picked from the literature review became clear as the self-interests of the NGOs in their advocacy agenda, interests that also seem to be the same self interests for

very useful in understanding the choices made or not made by NGOs and their staff in the formulation and enactment of their advocacy agenda.

3.5 Conclusion

This chapter started with the important concept of power, and showed that a multi-dimensional, relational and qualitative understanding of power, similar to that of Lukes or Foucault, for example, is likely to be the most appropriate for this study. Different theories that might help to handle the real complexity of relationships in gender-focused advocacy were then introduced. These were the Exit, Voice, Loyalty model of Hirschman, new institutional economics, especially in relation to social capital, and elements of chaos theory as applied in development by Uphoff. Finally these were linked with the social relations theory of gender, associated with Kabeer.

The lack of critical perspectives in mainstream development literature concerning unequal relationships among NGOs, and between NGOs, government and donors, was elaborated on, especially in relation to the work of Power, Escobar and Abrahamsen. All three were important because they exposed some of the contradictions in contemporary development discourses and the Development project. They also seek to inject some of the perspective and voices of the periphery into what often remains the very 'Eurocentric' field of study into NGOs and the aid business.

The chapter then focussed on NGOs, their history and the political and definitional question of how they fit into 'civil society' in its uneasy relationship with the state. Relations with the government (state), donors and grassroots communities were embedded within an understanding that all actors seek to promote a set of hidden and explicit interests in the context of unequal power relations. Changes in relationships over time are in response to new rules, norms, practices, resources, interests, identities and the actions of people involved. This research starts from the social actor premise that all actors will try to defend their status, identity and access to resources. This is equally the case for NGOs. The study will explore how a number of NGOs engaged in gender advocacy in Uganda are able to relate and to negotiate and obtain resources, identity and status in the course of their interactions for advocacy work. Chapter 4

government and donors and the representatives of the grassroots(see chapter five for details).

now places the research into its setting by presenting the background to advocacy on gender issues in the Ugandan context.

Chapter 4

Gender Focused NGOs and Advocacy in Uganda

4.0 Introduction

This chapter provides the international and national context of gender advocacy in Uganda. The chapter also provides the contextual understanding and historical development of NGO advocacy together with, the growth and proliferation of advocacy-based approaches. The chapter also endeavours to trace the historical development of gender advocacy in space and time in Uganda. The presumption of the chapter is that it is important to understand the context in which NGOs undertake their advocacy in Uganda. The chapter is divided into the following sub-sections, the role of the international context in gender advocacy in Uganda; the Ugandan context; historical development of NGOs in Uganda; Advocacy in the Uganda context; the emergence and growth of gender advocacy in Uganda and lastly the conclusion.

4.1 The Role of the International Context in Gender advocacy in Uganda

The United Nations International instruments, programmes and structures have played a major role in the shaping of gender advocacy discourses in Uganda from a social justice (human rights), poverty and development point of view. The influential instruments include: the Universal Declaration of Human Rights 1948³²; International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights; and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW³³).

³² Universal Declaration of Human Rights 1948 states that: "All human persons possess an inherent dignity and are entitled to enjoy Human rights on an equal basis regardless of sex, race, age, class, and ethnic origins, religious or political opinion". The Declaration forms the basis for a claim of existence of human rights whose provisions have been reiterated and enhanced by the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women

³³ The convention provides the basis for realizing equality between women and men through ensuring women's equal access to and equal opportunities in political and public life as well as in education, health and employment. It affirms the reproductive rights of women, and targets culture and traditions as influential in shaping gender roles and family relations. Countries that have signed or ratified the convention are legally bound to put provisions into practice. It basically defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

The Universal Declaration of Human Rights has grouped rights into three major categories; first generation the Civil and Political rights; second generation - Social, Economic and cultural rights; and third generation - Group rights. At the Africa level, the Declaration can be closely linked to the Africa Charter on Human and People's Rights³⁴. CEDAW was adopted by the UN general assembly as the International Bill of Women Rights³⁵ in 1979 and came into force in 1981. CEDAW closely links development with women's rights through stating "the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields" (UN, 1979: 1). Signatory states commit themselves to undertake measures to end discrimination against women in all forms through legal, institutional and implementation of the commitments in the Convention.

Programmes of action have complimented the major instruments and these include the United Nations Plans of Action on the Environment and Development (1992), Human Rights (1993), Population and Development (1994) and Social Development (1995) and the 1995 Beijing Declaration and Platform for Action³⁶. The later has been the most influential in the shaping of gender advocacy in Uganda. The Beijing

³⁴ Article 2 of the African Charter on Human and Peoples' Rights enshrines the principle of non-discrimination on the grounds of race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status. Article 18 of the same Charter calls on all Member States to eliminate all forms of discrimination against women and to ensure the protection of the rights of women as stipulated in international declarations and conventions. Article 36 calls for the establishment of gender standards and a monitoring body (Economic commission for Africa to take on this role) due to the low level of implementation of CEDAW by the various governments that have ratified it. Article 13 of the same charter recommends that women should actively participate in the regionalisation process. Article 37 calls for gender sensitive policies at all level regional, sub-regional and national levels. It also calls for the Gender analysis of budgets and monitoring of the gender-differentiated impacts of macro-economic policies.

³⁵ CEDAW Article 1, discrimination against women is defined as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing, nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field" (UN, 1979).

³⁶ The Beijing Platform for action aims at ensuring the full realisation of international human rights law and fundamental freedoms of all women that is essential for the empowerment of women. The Beijing Platform for Action identified 12 critical areas of priority for achieving the advancement and empowerment of women. These are: Women and poverty; Education and training of women; Women and health, Violence against women, Women and armed conflict; Women and the economy; Women in power and decision making, Institutional mechanisms for the advancement of women; Human rights of women, Women and the media, Women and the Environment; and the girl child. The Commission subjects the critical areas to an annual review. The commission makes recommendations to be adopted by states so as to accelerate the implementation of the platform.

Declaration and Platform for Action linked gender equality, development and peace, and emphasised that it is the duty of states, regardless of their political, economic and cultural systems, to protect all human rights and fundamental freedoms. The Commission for Status of Women through its annual meetings has been used as the monitoring body for the realisation of CEDAW.

By 2000 the rights-based approach³⁷ to development reinforced the view of gender inequality as a human rights question and led to its increased adoption in mainstream development discourses. According to the UNDP Human Development Report (2000), human rights are an intrinsic part of development and development is a means to realising human rights. The UNDP (2000) report states that there is a complementary relationship between the civil and political rights and the economic and social rights. The report views gender discrimination as an injustice entrenched in the social norms, laws, informal practices and institutions of all societies (UNDP, 2000: 21). The Commission on the Status of Women (CSW) sees globalisation as a major threat to women's rights in that amidst the realised economic opportunities and autonomy to some women due to globalisation, many others have been marginalised and deprived of benefits of this process due to the deepening inequalities among and within countries (CSW, 2002).

Thus the UN linked the discourses of gender inequality, abuse of women's rights, poverty and unfair global economic policies, and saw it as the role of international actors [in the case of this study the donors] to promote gender equality and empowerment of women as a means of eradicating poverty and ensuring the basic social protection needed to realise the UN Millennium Development goals (CSW, 2002). In practical terms, gender issues were included in mainstream neo-liberal development discourses through the Millennium Development Goals, the African plan for development (NEPAD)³⁸ and the Poverty Reduction Strategy Papers at the national level under the co-ordination of the World Bank. One representative of the World Bank to the 47th Commission on the Status of Women viewed the Millennium

³⁷ According to the UNDP (2000) report, "...all human beings are endowed with rights prior to the formation of social institutions that constrain both the design of the social institutions and the conduct of other individuals" (p. 25).

³⁸ Launched in 2001 at the 37th summit of the African Union

Development Goals as “God given” for the realisation of gender equity and equality (Mason, 2003). We shall soon review the PRSP in the Ugandan context.

At the international level, it seems the interpretation of the UN instruments differed among the various actors. A critical review of the MDGs shows that the gender objectives are embedded within the neo-liberal framework. Women are viewed as agents of development that need education to play their role efficiently and effectively. In terms of the African context, there are often significant divisions between the public and private sphere. Governments tend to focus on rights in the public sphere such as the work place, and yet the domestic sphere or household level is where women’s lives are mostly centred, and this is left untouched by public policy. The first generation rights tend to receive the most attention in comparison to the second and third generation rights that determine the position of women in society. A narrow interpretation of abuse of human rights as “the inhuman, cruel, torture and degrading treatment” persists (UN, 1993). In practice, the term condemns political torture whilst ignoring the torture some women experience on a daily basis at the household or community level. Even public crimes against women can be neglected; it was only in 1993 that systematic rape was added to genocide, torture, and abduction as a war crime by the UN (ibid.).

In addition to the above challenges, gender stereotyping is common. There is often a double standard in terms of human rights, where the same traditions, cultures and religions which legitimise and protect the violation of women’s human rights, are themselves protected and enshrined with certain collective rights over their ‘members’ in law. CEDAW has the largest number of reservations by states. Human rights implementation varies among states. “...this shows that while most states are willing to recognise human rights of women on a general plane, many are still not ready to commit themselves to abide by these rights fully” (Acar, 2003: 4).

The reasons for the rhetoric ranges from lack of political will, lack of capacity, lack of available resources or national implementing mechanisms. In some countries like Uganda, multiple legal, cultural and institutionalised religious systems and laws exist side by side. This can adversely affect the realisation of women’s human rights in that

at times, customary laws prevail over non-discriminatory positive law provisions, even over the constitution of the country.

It could also be argued that while the UN tries to put in place a shared notion of human rights, in practice there is no such shared understanding of the concept of human rights. The narrow interpretation of human rights has resulted in the widespread violation of the basic rights of women³⁹. Although this may be the case, human rights are viewed as “moral claims on the behavior of the individual and collective agents and on the design of social arrangements”(UNDP, 2000: 21). Law and institutional reform were viewed as the mechanism that would lead to the realisations of women’s rights. The state is the primary institution in the realisation and accountability for these human rights, also known as entitlements, including women’s rights (UNDP, 2000). It is on this basis that NGO gender advocacy is justified as a means of ensuring accountability on the actions, strategies, efforts and contributions of the various actors (UNDP, 2000: 21). NGOs are seen as watchdogs to ensure that the whole social group takes on its duty to end unjust practices by encouraging the state to work towards the fulfilment of human rights. Thus the increased interest in gender advocacy at national level is closely linked to the international context in which NGO gender advocacy roles are closely woven into rights based approaches, poverty eradication, and neo-liberal discourses.

4.2 Ugandan Context

The section presents the political and economic context of Uganda, together with the government efforts on gender equality, equity and women’s empowerment. The section is divided into the following sub-sections, the political context; establishing the rule of law; the 1995 constitution; law reform; economic reform; and mechanisms for gender mainstreaming

4.2.1 The Political Context

The Ugandan political context can be described to be marked with more than two decades of conflict, sectarianism, and failed attempts towards democratic governance.

³⁹ The neglect of women’s human rights is seen as a gender inequality based on the argument that women face certain specific oppressions due to being female, and that they occupy subordinate positions in relation to men in terms of power relations which affects the whole range of their first,

Following independence from Britain in 1962, political unrest began in the late 60's and culminated in a military coup by Idi Amin in 1971. In 1972, Amin expelled the Ugandan Asian community who were then the major players in the economy. In 1979, Amin was himself overthrown. Multi-party elections were held in 1980, but were marred by electoral fraud. In 1981, Yoweri Museveni (one of the candidates of the 1980 elections) launched a guerrilla war against the government. His army, the National Resistance Army (NRA), which became the NRM (National Resistance Movement), took over government in 1986 after a period in which Uganda had had a total of five leaders in just seven years (1979-1985).

4.2.2 Establishing the Rule of Law by Government

The National Resistance Movement has tried to establish the rule of law in Uganda by holding two Presidential elections, in which Museveni was re-elected President in 1996, 2001, and 2006 with 75%, 69% and 59% of the votes respectively. Technically, the 1995 Constitution provided for a no party system (movement) but in reality, the NRM has acted like a single, dominant party. This means that accommodation of those with differing views is difficult to achieve. The historical context of the country in which parties were based on tribalism and religious beliefs may have influenced the constitutional development process that until recently did not provide for multiparty politics. Through political pressure groups and international influence, the NRM government held a referendum in which multi-party politics were re-introduced into Uganda in 2005.

Even so, implementation of multiparty politics has continued to be a major area of political tension between those in power and those who belong to political parties. Recently, rifts have developed within the National Resistance Movement. Presidential term limits were removed from the constitution in 2005. Indeed, one of the candidates who stood against Museveni in 2001 was a member of the Movement fled the country⁴⁰. He formed what is now known as the Reform Agenda pressure group that turned into a political party in 2005. Thus the contextual and institutional struggle to manage pluralism may explain why civil strife has continued within some parts of the

second, and third generation rights.

⁴⁰ Besigye returned to Uganda in November 2005 to once again compete with Museveni in the elections. He was briefly imprisoned in the same month.

country. This is a major setback for the national development process, especially since defence spending in Uganda is one of the highest in sub-Saharan Africa in terms of percentage of public expenditure.

The Southern part of Uganda has been stable since 1986 but the northern part has been gripped by a 20-year-old civil war, with several rebel groups involved, the major one being the Lords Resistance Army (LRA). In spite of the negotiations for peace, the rebel groups have eluded the government forces and war has persisted. In 1996, the Allied Democratic Forces (ADF) waged another war against the government in Western Uganda in 1996. They were defeated, but a few small pockets of these rebels periodically terrorise the civilians. The Eastern part of the country also had some brief unrest in the late 80's. Civil wars mainly seen as economic wars for the forces involved have created major regional imbalances in terms of poverty, human rights and the rule of law. The Northern part of the country is currently the poorest due to the long-term lack of stability, and is much less subject to the rule of law than, say, Kampala (Woodward, 1991; Behrend, 1998; Van Acker, 2003).

4.2.3 The 1995 Constitution

Since the National Resistance Movement came to power, Uganda has tried to establish the rule of law and the 1995 Constitution of the Republic of Uganda was drawn up after wide national consultations. It was not put together by a few persons, like the 1967 Constitution, but by many experts after nation-wide consultations. From a gender perspective, the Constitution of the Republic of Uganda is acclaimed as being one of only two gender sensitive constitutions in Africa, the other being that of South Africa. The Constitution of the Republic of Uganda has indeed provided some leverage for actions to promote gender equality. This is based on the provisions of a number of articles:

- Article 21 provides for equal treatment in all spheres of life under the law regardless of sex.
- Article 26(1) protects all persons from deprivation of property
- Article 31(1) entitles women and men to equal rights during and after marriage

- Article 32(1) mandates the state to take affirmative action in favour of groups marginalised on the basis of gender or any other reason created by history, tradition or custom.
- Article 33(4) further asserts that it is duty of the state to provide the facilities and opportunities necessary to enhance the welfare of women and to enable them to release their full potential and advancement.
- 33(5) accords affirmative action to women for the purpose of redressing imbalances created by history, tradition or custom. It should be noted here that the Uganda Parliament constitutes 17.8% women, and women hold 27.2% of government's ministerial posts, the highest number of women in political positions anywhere in Africa. At local government level, affirmative action provides 40% of local council 1-2 positions for women.
- 33(6) prohibits laws, cultures and traditions, which are against the dignity, welfare or interest of women and undermine their status.

The Constitution also mandates parliament to enact laws that can guide the establishment of an Equal Opportunities Commission (EOC) for the purpose of giving effect to the gender equality mandates expressed in the Constitution.

4.2.4 Law Reform

In spite of the constitutional provisions there remains a discrepancy in practice. Reforms in actual legal provisions have been extremely slow. Only two laws have been revised in line with the Constitution since 1995. These are:

1. The Local Government Act 1996: This stipulates that women must occupy 30% of all positions of the Local Council structure while people with disabilities occupy 20% split between the men and women. This gives a total of 40% of women's representation within these structures. However the active participation of women and people with disabilities in the decision making process is still low due to lack of skills in advocacy, lack of enough mobilisation resources and the continued patriarchal structures that promote gender inequalities. The general view is that women's political participation is

promoted so long as they remain obedient to the existing political status quo (Tamale, 2001; Nabacwa, 2002).

2. The Land Act of 1998: Section 40 of the Land Act restricts family land transactions without the consent of spouses. However, there are technical difficulties in operationalisation of this provision. Women have limited decision-making powers in the homes, especially in communities where bride price is paid. Bride price is interpreted as payment for the bride and hence the right to control her. It is not clear one has to seek consent from someone to sell what she does/he does not jointly own with him or her? In 2003, the Land Act was amended to provide for women's land use rights. In practice, women generally have land user rights gained mainly through their relationship to men. The implications of legally binding men to allow women to use their land are not yet clear. What is evident though is that women's access to land is by and large dependent on men's good will. Women's social relationships with men affect their decision-making about land utilisation and enjoyment of the products of land, especially cash crops. Secondly when the relations are soured, women are likely to lose these user rights due to lack of effective mitigation processes because of the complexity of the context especially at the grassroots as illustrated by the case studies on the grassroots experiences of property ownership (see appendix two).

Practising, influencing and actually reforming laws from a gender perspective is affected by deeply entrenched religious, cultural and social beliefs together with limited exploration of gender issues within the Ugandan context. Some men view women as weak, stupid and without a social base, and assume men's superiority as God-given and unchangeable (see the case study at the beginning of this thesis and appendix two). Cultural rationales have been used throughout the world to protect the status quo when it comes to advancing women's rights. Ugandan gender focused NGOs have fought against the challenges of ethnicity and religion in their quest for gender equality (Tripp, 1994; Tripp, 2000).

Conceptually, development actors in Uganda have linked gender inequalities to poor law reform, and several proposals have been made to align the other laws with the

constitutional commitments on gender equality. These have remained in the form of Bills that have never been enacted. Examples of such Bills include the Equal Opportunities Bill, the Sexual Offences Bill and the Domestic Relations Bill. Making such bills has prompted NGOs with funding from donors to undertake gender advocacy to influence government to enact such bills into law. It is important to understand why government makes such bills and does not then enact them into law even if NGOs lobby it to do so.

4.2.5 Economic Reform Programmes

Even though government has struggled in the rule of law and law reform, it has economically endeavoured to re-establish itself. Since coming to power in 1986, the National Resistance Movement government has embarked on numerous economic stabilisation and reform programmes, all seeking to improve living conditions⁴¹. The major influence on such reform programmes has been the World Bank and the International Monetary Fund, who largely shaped the Economic Recovery Programme (ERP) that was started in May 1987. The aim of ERP was to restore fiscal and monetary balances and rebuild the economic and institutional infrastructure in Uganda. Structural Adjustment Policies (SAP's) sought to remove obstacles to long term economic growth through promotion of economic liberalisation, eliminating direct taxes and subsidies, removing price controls (not controlling prices) and interest rates and reducing high tariffs (Rodinelli, 1993). The programme focussed on macro-economic and structural reform measures to stabilise the economy. The key elements of the programme included private and foreign investment, increasing the tax base, reducing top-heavy central public administration (through civil service reform) and devolving authority and responsibility for development to districts (through decentralisation) (Keller, Klausen & Mukasa, 2000: 8; Snyder, 2000: 21-22; Enhrenpreis, 2001: 16). It is difficult to judge the extent to which the government's economic agenda reflects the needs of its people. As a chronic problem, Uganda, like many African governments, lacks the economic and human capacity to finance the demands of its populations.

⁴¹ To view the current economic changes within the country as an improvement of the economy depends on who is doing the analysis. While a few people are getting rich, a number of rural men and women are getting poorer and poorer.

... the Uganda state is characterised by a weak bureaucracy, and a high degree of dependence on external donors for development resources. The boundaries between public and private, legal and illegal, even state and society are vague (Lister & Nyamugasira, 2003: 96).

With 52% contribution from donors to its national expenditures (ibid.), Uganda has been trapped in economic crisis and debt. In order to continue receiving funding from a whole range of donors, government ends up having to meet the donors' conditions, whether such conditions are in the interests of the population or not (Hearn, 2001). The International Monetary Fund acts as the donors' gate keeper and key decision-maker in development aid. The IMF provides the seal of approval, in that for a developing country to receive assistance from other donors, it must heed to the IMF's advice on macro-economic policies (Abrahamsen, 2000: 37).

Uganda has faithfully co-operated with the Donors including the World Bank and IMF as the "star pupil" for "the latest 'development' paradigm" (Hearn, 2001: 50) and has received credit for 'best practice' with rewards of debt relief as a good economic performer in Africa (Lister & Nyamugasira, 2003). However the Human Development Indicators raise questions on who actually benefits from the Economic Recovery Programmes. There is need for caution in the critiquing of GNP and HDI since they are seen as "a collection of Western prejudices" that are "too arbitrary" (Latouche, 1997: 135). These development indicators "reduce social reality to purely economic aspects" (ibid.) or statistical indexes that may ignore a whole range of contextual and relational complexities at national, community, and personal level (Kabeer, 1999; Toye, 1997; Power, 2003; Lukes, 1974). However, although GNP and HDI may be politically manufactured statistical and economic myths, they are very important because they influence political decisions in the official world that may be abstract in nature but with serious implications to the complex real world (Frank, 1997; Eyben, 2004; Standing, 2004).

With the exception of economic growth, which was estimated to be at 7% annually (Lister & Nyamugasira, 2003), literacy, life expectancy and the gender empowerment index, all the national human development indicators remain poor for many Ugandans. The introduction of Universal Primary Education resulted in an increase in

primary enrolment from 3.4 million children in 1996 to 7.3 million in 2002. Increased school enrolment contributed to the improvement in Uganda's HDI from 0.449 in 2002 to 0.4888 in 2003 (UNDP, 2005). The Gender empowerment measurement index improved from 0.417 in 2001 to 0.549 in 2003 due to affirmative action that has seen the number of women in parliament increase from 18.5% in 2000 to 24.7% in 2003. By 2003, life expectancy stood at 45.7⁴² years, an improvement from 43 years in 2000 (UNDP, 2005). The HIV prevalence rate has gone down from 18.5% to 6.1%.

A study by Ehrenpreis (2001) showed that the introduction of UPE led to an increase in women's workload overall, mainly because they had less help with the home labour mainly performed by women with assistance from girl children. This includes fetching water, firewood, laundry work, childcare, health care, and cooking of food. The increased enrolment of girls meant they could not assist their mothers with these household tasks. Although girls' enrolment in schools increased rapidly, there was also a particularly high dropout rate for girls. This means that children, especially girls, are needed to meet household requirements in terms of firewood, fetching water, childcare, and cooking (Ehrenpreis, 2001). It is no wonder that five million Ugandans aged 10 years and above are illiterate. The national statistics indicate that clean water coverage stands at 47% in rural areas and 64% in urban areas. 94% of Ugandans use biomass energy. The UNDP report also observes that poverty increased from 35% in 2002 to 38% in 2003 and 55% of Ugandans live below the national poverty line. The fertility rate per woman has remained constant at 7.1 since 1995. The rate of unemployment is high, 65% of Ugandans work less than 40 hours a week. In addition to unemployment, food shortages and the civil war in northern Uganda are identified by the report as the major causes of poverty in the country (UNDP, 2005). The presentation of these figures is not necessarily to analyse the impact of economic reform programmes but rather to show that in spite of the reform programmes, the level of poverty is high in Uganda with major impacts on women and girls.

The increase in the tax base from 7% of GDP in 1991, to 12.4% in 2003, with a highly rural population that relies mainly on agriculture and a small yet highly unemployed

⁴² There are contradictions in the life expectancy statistics in the reports. The 2005 Uganda UNDP

population (UNDP, 2005) has meant that women shoulder the economic burden of Uganda. It is no wonder that the number of women working in the informal sector, mainly small businesses such as roadside markets, has increased. Unfortunately this sector is hardly recognised in the government planning processes except for taxation purposes. The increase of women in the informal sector can be attributed to a number of factors. Low education levels of women, meant the informal sector provided a coping mechanism which women could resort to in order to supplement family income. Snyder suggests that the implementation of structural adjustment programmes (SAPs) did not make life any easier for most of the population. On the contrary, such policies led directly to retrenchment of household salaried income earners, in most cases the man. The economy has been affected by the evaporation of the already limited job opportunities in the formal sector, coupled with the impact of past political strife (Snyder, 2000).

The costs for medical treatment that were introduced in 1994 meant that women needed to shoulder an increased caregiver role because they could not afford the costs. Although these charges were suspended in February 2001, their impact was negative overall ((Mpuga, 2002). The maternal mortality rate is at 510 per 100,000 live births. The fertility rate per woman remains high at 7.1 live births per woman. Fewer than 40% of deliveries have the assistance of trained medical personnel (UNDP, 2005, Mpuga, 2002).

In a bid to address the worsening conditions of life for many poor Ugandans, government initiated the Poverty Eradication Action Plan (PEAP), the blueprint for Uganda's development in 2000. The key determinant for Uganda's foreign development funding, the PEAP reiterates the aims of development since 1949. The major aim of PEAP is to ensure that the majority of Ugandans have access to basic social services, housing with acceptable living conditions, and are able to read and write. These are seen as the means of developing the capacity of poor households to earn a decent income that can free them from the threat of hunger and famine. The

report estimates life expectancy to be 45.7, the overall UNDP summary report shows 47.5 years

PEAP was revised in 2004 to include one additional pillar. The five pillars for the revised PEAP (2004) are:

- Economic Management
- Enhancing Production, competitiveness and incomes
- Security, conflict-resolution and disaster management
- Good Governance
- Human Development

Through the PEAP, Uganda is to transform into a modern economy in which all sectors can participate in economic growth. This implies a number of conditions including, structural transformation, industrialisation, agricultural modernisation, commercialisation and sustainable economic growth. The major assumption of PEAP is that meeting these conditions would lead to economic growth and benefits for the poor people. PEAP recognises agriculture as the backbone of the economy and explicitly admits the need for agricultural reform. The aim is to modernise and commercialise agriculture as a viable export base for the country (PEAP, 2004).

The Plan for Modernisation of Agriculture (PMA 2000) pointed out that women face barriers to participation in community activities that include discrimination, subordinate roles, weak leaders, lack of mobilisation, lack of time, failure to see the benefit of their participation, and their husbands refusal to allow them to participate (PMA, 2000). However, like other government documents, it fell short of devising the means to address these problems. A critical analysis of the PMA (2000) and other government policy such as the Uganda, Enhanced Structural Adjustment Facility Policy Framework Paper, 1999/2000–2001/02 revealed that the focus of the government is not on small farmers, the majority of whom are women. The major focus is commercialisation of agriculture that tends to give priority in practice to medium and larger farmers.

As is discussed in much more detail later in the thesis, it is difficult to include the spousal co-ownership of land clause which would guarantee women and men equal rights in relation to land, in the Land Act. One justification given for this exclusion is the economic implications. Smaller plots of land mean land fragmentation which

adversely affects the commercialisation of land and agricultural modernisation (Walker, 2002; Olson & Berry, 2003). This scenario also illustrates the contradictions in government policies. On the one hand government commits itself to gender equality; on the other hand it cannot follow through with this commitment because of loyalty to other policies such as the plan for the modernisation (with major emphasis on commercialisation) of agriculture. This research will try to reflect on the implication of the context in which there are government policy conflicts to the NGO advocacy work.

The whole human development approach shows that poverty needs to be defined broadly to include a range of factors beyond the purely economic. PEAP was revised in 2004 with a new pillar - human development. This addition is to address the critique that government tends to fall into the trap of seeing poverty as simply a matter of 'income levels'. This new pillar will address the socio-cultural factors that are widely recognised as being key indicators (as well as underlying causes and structural constraints) of poverty today, but have historically been given only limited attention in the PEAP strategic framework (Nabacwa, 2002). The neglect of social factors partly explains the relatively little progress in terms of human development indicators despite the rigorous efforts undertaken by the government to reform the economy and eradicate poverty. It is too early to render the critique of Nyamugasira and Rowden (2002) irrelevant.

We are clear the PRSPs represent nothing other than yet another attempt by the World Bank and the IMF to retain the right to veto the final programmes of the people of our countries...The World Bank and the IMF retain the right to veto the final programmes (reflecting) the ultimate mockery of the threadbare claim that the PRSPs are based on 'national ownership' (Nyamugasira & Rowden, 2002: 8).

The exercise of government to foster national development has been dependent on its ability to access donor funds rather than through a commitment towards decisions made in the best interests of the people (*The New Vision*, 6th February 2005). The human development pillar focuses on four issues: family planning, education, improving health services, and community empowerment with special focus on adult literacy. The major outcome of the fifth pillar is the privatisation of higher education,

an increased focus on science subjects and vocational training. It may be too early to critique the human development pillar but one of the most important issues to note is that while Uganda launched its PEAP in 2000, its poverty levels started to increase during the same period. “After 2000 the number of the poor rose from 7 million to 9 million within only three years due to lower growth and a worsening of income distribution” (Kappel, Lay, & Steiner, 2005: 49).

The PEAP (2000), Uganda’s blueprint development strategy showed that thorny issues hang over its development process. It may be too simplistic to assume that the web of the complex causes of poverty, some of which are beyond the control of the Ugandan government, can be overcome by five strategies. For example, there is hardly any focus on the international dynamics of development (Bird & Shinyekwa, 2005). Secondly, PEAP(2005) still prioritises privatisation of the economy and social engineering governance, and hardly acknowledges Uganda’s core problem of harnessing the human capabilities. If “policy is to open the door to genuine development for chronically poor people, it must address the inequality, discrimination and exploitation that drive and maintain chronic poverty” (Chronic Poverty Research Centre, 2005: 50). For example, while unemployment is very high, PEAP hardly focuses on the diversification and regulation of the job market. Lastly, PEAP is embedded within the overall structural dependence on donor funding in an inclusive neo-liberal discourse, a discourse that has been critiqued by some scholars as “a means of managing the adjustment effort” (Abrahamsen, 2000: 42).

4.2.6 Mechanisms for Gender Mainstreaming

In the context of economic reform, the government has sought to create the technical, institutional and policy frameworks required for gender mainstreaming. Uganda, like many other African countries, committed itself to the implementation of the international instruments and programmes of action on gender. In 1985 Uganda committed itself to CEDAW without any reservations and has since been an active participant in the International Conferences on Women. In 1995, Uganda made a commitment to implement the 1995 Beijing Platform for Action.

In 1988, the government established the Ministry of Women in Development as the Lead Agency in the task of improving the status of women. According to the president, through the ministry it would be possible to “bring women into the mainstream of development” (Keller, Klausen & Mukasa, 2000: 9). Since its establishment, the Ministry has gone through several institutional changes and gender has been lumped with other areas in the successive restructuring of the Ministry. In 1991, the implementation of SAPs led to the retrenchment of some civil servants and reduction in government expenditures. The Ministry of Women in Development was renamed the Ministry of Women, Youth and Culture. This change caused the loss of some of the autonomy specific to the various components that were added together. In 1994, the Ministry was again restructured to include community development. It was renamed the Ministry of Gender and Community Development. In 1999, it was divided into the Labour Department and the Social Development Department, and became the Ministry of Gender, Labour and Social Development.

Theoretically, the aim of retrenchment was to increase efficiency and effectiveness of the civil service by reducing government expenditure and motivating workers to higher productivity. In practice, the personnel of the government’s lead agency on gender were reduced to a skeleton level hardly able to cover the whole country. With decentralisation, decision making was delegated to district level. Unfortunately, there were no Gender Officers employed at this level. Limited staff capacity undermined the initial efforts that had been undertaken to mainstream gender in the government planning processes (Keller, Klausen & Mukasa, 2000; Nabacwa, 2002). In addition to staffing problems, the Ministry of Gender Labour and Social Development has been one of the most under-funded of the national ministries in Uganda. Since its inception, it has depended on funds from DANIDA which were terminated in 1998 due to government’s failure meet its financial obligations as a “counterpart to DANIDA funding” (Keller, Klausen & Mukasa, 2000: 15).

Institutional and financial challenges due to the implementation of SAPs and governments unwillingness to invest in its lead agency on gender issues have reduced the visibility of the Ministry of Gender and Social Development as the national machinery, the engine for bridging the gender gap between men and women. Amidst these problems, the Ministry has made some progress in providing and building the

national machinery for the advancement of women and gender equality. With the backing of the Ministry of Gender, Women's Councils were established under the National Women's Council Statute 1993. Women's Councils are structures of women charged with the responsibility of working on the social and economic development of women (Republic of Uganda, 1993). Women's Councils start at Local Council one to Local Council five. Each Women Council is composed of nine women. The chairpersons of the Women Council 1 and 2 become automatic members of the LCs at their respective levels. However, when it comes to LC3 upwards, there is no relationship between the two structures. The Women Council Statute was not aligned with the Local Council Act. Women's Councils receive neither funding nor technical support from local governments. The structures aimed at enhancing women's voices at the grassroots remain weak and fragmented.

4.2.7 Policy Frameworks for Gender Mainstreaming

The government's lead agency has put in place policy frameworks to guide the gender work in the country. The National Gender Policy that was approved by the cabinet in 1997, recognises gender relations as a development concept that is critical to identifying and understanding the social roles and relations of women and men of all ages and how these impact on development. It stipulates that sustainable development necessitates maximum and equal participation of all social groupings in economic, political and social cultural development (Ministry of Gender, 1997). A recent study commissioned by DANIDA found that while most government personnel were aware of the Gender Policy, they did not know its contents (Keller, Klausen & Mukasa, 2000). While the National Gender Policy views the role of gender mainstreaming as a shared responsibility of all stakeholders - government, NGOs and the private sector, the practice has been quite different. It has continued to be seen as work of the lead Ministry on Gender. Other government Ministries are struggling to fit themselves within this Policy framework (ibid.). Decentralisation necessitates the need to revise the policy to take into account the new context of development planning.

The National Action Plan on Gender, a response to the 1995 Beijing Platform for Action, identifies five critical areas of concern for the government of Uganda. These are: poverty, income generation and economic empowerment; reproductive health and rights; legal framework and decision making; and the girl child and education

(Ministry of Gender, 1999) and violence against women and girls added in 2002. Unfortunately, the relationship between this plan and other national development plans is not clear. In addition, the national action plan was developed without any financial considerations and without any monitoring and evaluation framework. Most of the projects started by the Ministry have remained small and fragmented and at pilot level only. For example, a legal project that was initiated by the Ministry in Kamuli district was concluded in 1996 when the first agreement with the funders ended. While the district is supporting the programme on a small scale, other districts did not follow suit as had previously been envisaged (Keller, Klausen & Mukasa, 2000).

The Ministry played a critical role in mobilising civil society organisations and other players during the constitutional review process. The gender outcomes of this process have been highlighted in section 4.2.3. However there were no structural provisions to monitor the implementation of the constitutional commitments or continue the relationship between the Ministry and civil society (Mugisha, 2000; Nabacwa, 2002). The relationships between the Ministry, the lead agency on gender and civil society are ad hoc built on the good will of the Ministry personnel. It is thus difficult to hold government accountable within such loose structural linkages.

Policy reform problems in Uganda, especially in regard to the gap between policy formulation, implementation and practice, can also be directly linked to the inability of the interpersonal relationships nurtured within the Ugandan society to effectively foster the realisation of the personal and civil rights. Obbo, states that “peasants, elites and political leaders have all been guilty of infringing upon the rights of others, abusing public trust and property” (Obbo, 1988: 220). These relations are partly linked to the colonial legacy that nurtured political systems in which “kowtowing to those in authority and not answering back were virtues” such that “people do not openly rebel against corrupt leaders” (Obbo, 1988: 213).

Socially people were stratified into the elite and peasants. The elites are regarded as “a bogus lot” from education systems that are mainly Western and British oriented. They are detached from the rest of society because of some presumed uniqueness (ibid.). Elites are “not always sympathetic to the aspirations of the masses of people who are

in fact, paying for their education” (Furley, 1988: 181). Rather they seek to use access to public office to satisfy their own self-interests, fuelling corruption within the country. The inability to respond to the needs of the masses can be linked to the opportunistic tendencies within the population that can be traced back to the collaborators during colonisation. Uganda also has an ethnicity problem that has witnessed infringement on the dignity and rights of others through the misuse of ethnic divisions for political ends (Obbo, 1988). By and large, policy reform, democracy and human rights have remained more of a rhetoric than a reality for many Ugandans.

A structural dependence on donors and a reality of its historical past, in all aspects, political, social and economic forms the complex context for the operation of NGOs in Uganda.

4.3 Historical Development of NGOs in Uganda

Nyagabyaki (2002) uses three models to explain the historical development of NGOs in Uganda. These are the social democratic, the statist pattern, and the liberal pattern. The social democratic pattern explains the period since colonisation to the early independence period. The pattern is characterised by a small voluntary sector because government provides the basic social welfare required and limits the non-profit sector to additional charitable special causes. The statist pattern of NGOs is mainly linked to the Amin and Obote II eras. It is characterised by low spending by both the non-profit sector (due to a constraining operational context) and by government (due to limited available resources), (Nyagabyaki, 2002: 3). The liberal pattern is where government welfare spending is reduced to a strict minimum, and the voluntary non-profit sector tries to fill the gap associated with a lack of public provision – this was the case during the era of SAPs to the current period.

The existence of NGOs in Uganda can be traced back to the presence of community spirit at local level throughout our history. Historically, various tribal and ethnic communities within Uganda have undertaken major self-help projects, even during the colonial era. These projects have included road and bridge construction, the building of communal meeting places, and care for the helpless, the sick, orphans and the

bereaved. Moral obligation without any financial remuneration guided the performance of these services. With increased mobility, chiefs and rulers took up the responsibility of organising the people to carry out these helpful gestures. However, due to changing times, especially with the onset of colonialism, the motives for such joint action, and the nature of services changed. There was need for re-organisation of the social services to meet the social, economic and educational needs that confined communities could not provide.

The colonial period witnessed the formalisation of voluntary services and hence non-government organisations. The missionaries and the church that played a central role in provision of health and education brought this new era in the functioning of voluntary services among and outside local communities. Other voluntary associations began to reach out to groups of people, partly due to the advent of a 'humanitarian' era. Special target groups included the disabled, women and other vulnerable groups. Voluntary associations worked with such people to help them cope with the impact of social change. The spirit of voluntarism and working together has continued to-date. In 1964, there were only 73 organisations listed in the Directory of Voluntary Social Services (Ministry of Finance, 1994: 8).

After gaining independence in 1962, the political climate in Uganda affected the performance of both international and indigenous organisations. Government monopolised the responsibility to manage economic development and the provision of social services and even took over church schools. In so doing, it undermined the role that voluntary organisations including NGOs roles in educational provision and expression of people's interests. However, with its limited ability to deliver and with political turmoil a constant reality, the church and NGOs de facto remained central players in the continued provision of services in education, health and other social sectors.

The Amin regime constrained the performance of NGOs by subjecting them to dictatorial government scrutiny and control. After the departure of Amin in 1979 and especially with the eventual coming to power of the National Resistance Movement (NRM) government in 1986, there was a rapid influx of international organisations and a massive increase in domestically-based NGOs (Ministry of Finance, 1994;

Makara, 2000; Nabacwa, 1997). It was in part a reaction to the international neo-liberal development discourse. Also, the priorities of relief and reconstruction after more than 20 years of economic and political decay attracted the influx of international NGOs. In addition, the NRM government restored some form of the rule of law and was able to restore public order to ensure peace in most parts of the country, and there is little doubt that these conditions fostered the growth of voluntary organisations. The idea that people should be free to organise themselves was one of the core beliefs of the NRM in its early days. Its deliberate efforts to form Resistance Councils (RCs) signalled that ordinary people were free to discuss and form opinions of their own (Makara, 2000).

Among the organisations that proliferated during the late 1980s were those that are here termed gender focused NGOs because they focus on gender issues within their organisational programmes and ways of functioning. Historically, women in Uganda have joined organisations both at community and national level whose goals range from the narrowly economic to the broadly social or political (Audrey, 1984). Women's groups mainly organised on the basis of such criteria as kinship, age, sex and collective interest have engaged in joint agricultural labour and political issues such as making policies for the whole community in areas traditionally defined as women's spheres of interest (Wamalwa, 1991; Audrey, 1984). The best known women's community based organisations (CBOs) were, in most cases, emergency self-help groups, or religious or welfare associations. Those at national level tended to be formal organisations, including groups such as the Young Christian Women's Association, started in 1952, the Mother's Union, created in 1908, and the Uganda Catholic Women's Guild, started in 1963 and the Uganda Muslim Women's Organisation established in 1949 (Tripp, 1994: 110).

Since the colonial era, the state officially opposed the creation and operation of women's groups in Uganda. The role of women organisations in national development was hardly recognised. Women's community based organisations (CBOs) were most affected because of being informal, mostly rural and almost invisible. The colonial government discouraged the formation and operation of women's groupings because it felt that they tended to reinforce ethnic sentiments thereby acting as barriers to rapid growth and modernisation (Fowler et al, 1992).

Neither did the government, after independence, foster the operation of women's groups (Tripp, 1998). In 1978, Amin's government abolished all voluntary associations and established the National Council of Women (Akello & Bawubya, 1990). Having been formed by political will, the council served political interests rather than those of women.

The coming into power of the National Resistance government changed the relationship between women's organisations⁴³ and the state. Although with limitations, government's creation of policy and institutional mechanisms to foster gender equality encouraged the growth and operation of women's groups. In its early stages, one of the functions of the Ministry was to co-ordinate and monitor women's NGOs and to work with women's groups (Nabacwa, 1997; Ministry of Finance, 1994). While the proliferation of the gender focused NGOs could be attributed to the enabling political environment provided by government, it is also true that the economic crisis, which dates back to the 1970s, encouraged the growth and operation of women's groupings (Nabacwa, 1997; Tripp, 1994; Nyangabyaki, 2000b).

Colonialism favoured men in promoting cash crops, education and wage employment. Acquisition of independence did not improve the situation for women. Decades of economic decay and crisis in which large enterprises collapsed and thousands of men lost their jobs increased women's responsibilities for providing for household needs. In 1986 the new government started the process of rebuilding the economy, through borrowing from international institutions. With this borrowing, international institutions have introduced structural adjustment policies (SAPs) which have

⁴³ NGOs have for a long time acted as stopgaps in enabling poor men and women to cope with poverty and its effects. The proliferation of these NGOs came about with the 1986 National Resistance Movement (NRM) and since then they have increased in numbers. Women's NGOs especially often with technical and financial support of international agencies and donors -have done a lot of advocacy work in promoting the rights of women and girls as human rights in the country. There are over 77 women's NGOs and over 1000 women's community based organisations in the country (NAWOU). Gender is a major area of concern for most NGOs because it is often a pre-requisite for obtaining funds from donors. Secondly the trend in the country as seen from the above context is that gender cannot be ignored. Most Gender focused NGOs national women's organisations especially are known to engage in advocacy activities. Some of the advocacy initiatives include the campaign on land rights and the ongoing campaign on the domestic relations' bill, campaign on domestic violence, campaign for gender budgeting among others. On the other hand, Women groups (CBOs) at the grassroots level are mainly engaged in income generating activities with major emphasis on agricultural projects and handicrafts (Nabacwa 1997). Like government, NGOs have a lot to say in terms of activities being done but in terms of the changes happening at the grassroots level as shown by the human development indicators

witnessed reduced government spending on wage employment, health and education and agriculture. The effects of SAPs on the general population and on women in particular were discussed in Chapter 3 and section 4.2.5 of this chapter.

As coping mechanisms, women have used co-operative efforts to alleviate their economic problems (Nyangabyaki, 2000b: 39; Barya, 2000: 25). In addition to the political environment and economic problems, the international women and gender conferences have contributed to the proliferation of gender focused NGOs. For example, Federation of Uganda Women Lawyers (FIDA) is an outcome of the 1975 Mexico UN international conference on women. Action for Development (ACFODE) is a product of the 1985 Nairobi conference. Uganda Women's Network, (UWONET), Uganda Media Women's Association, East African sub-region Initiative on Women (EASSI) were formed in preparation for the 1995 Beijing conference. Increased donor resource allocation to gender related work (Nyangabyaki, 2000b) due to the influence of the inclusive neo-liberal discourses (Oloka-Onyango, 2000a: 19) has also contributed to the proliferation of NGOs. It was against this background - coupled with a constitution that provides for the participation of civil society in governance - that Uganda has witnessed an increase in NGOs focusing on advocacy. This includes gender focused NGOs mainly concerned with women's situations and with overcoming gender inequalities in the country.

4.4 Advocacy in the Ugandan Context

In this section, we consider advocacy in the Ugandan context. I will first consider the conceptual understanding of advocacy in the Ugandan context and then the factors that have contributed to its increase in the recent past.

4.4.1 Understanding of Advocacy and Lobbying in the Uganda Context

There are different conceptual understandings of advocacy in Uganda. A review of the research field notes (May-November 2003) showed that the attributes to advocacy range from seeing it as speaking on behalf of other people, a process, to influence to solve a problem or policy.

more work needs to be done and it seems NGOs may not be 'getting through'.

- Advocacy simply means the action of speaking on behalf of other people. Some went on to define advocacy as speaking specifically on behalf of the poor and marginalised, and people who face a problem, the voiceless, who are unable to talk for themselves, or those who fall into your constituency or target group.
- Secondly, some viewed advocacy as a process

...a process of speaking out on an issue that you believe in on behalf of an affected community to affect change.

...a process of influencing attitudes and policy, law and practices in favour of one's constituents.

...a process of putting a problem and solution on the agenda and building support for acting on both the problem and solution.

- The need to solve a problem is a critical aspect of advocacy. Hardly any respondent related advocacy to the empowerment of those affected by the problem and enabling them to speak for themselves. Advocacy was also seen as involving a number of different actors,:

...a combined effort by different stakeholders (affected and well wishers) to influence and change negative practices and policies to be in favour of the poor and marginalised.

...the giving of support to a cause through involvement and participation. It's about solving problems through policy and political change.

- Advocacy was also related to political change and change in policies, laws and practices. Advocacy was also viewed as spearheading or championing something. One interviewee said that advocacy should be directed at policy makers. Several were not specific about the direction of advocacy, perhaps taking it for granted that the public authorities or government were the main target of advocacy actions.

To complement the information from speaking to people, and gain further insight into how advocacy is understood in the Ugandan context, documents which might further clarify the NGO conceptualisation of advocacy were consulted. The main documents were three training reports on advocacy by Uganda Women's Network. Only one of these reports tries to define advocacy, and does this not clearly (Kawamara-Mishambi & Ntale-Lwanga, 2001). The assumption almost seems to be that advocates should know what advocacy is and what it is about. The same report defines lobbying as:

...canvassing for support, pulling people to one's side, selling ideas to other people, influencing policy implementers, exchanging views in order to convince another person/institution, sharing ideas with a view to achieving something, persuading people to agree with your idea, soliciting support and campaigning (ibid.).

In terms of 'women's rights advocacy', the main aims are ensuring the full implementation and integration of women's issues and perspectives into the existing human rights framework. Another concern for women's rights advocacy is achieving the implementation of existing commitments to women's human rights in national legislation and in all aspect of public policy. It also concerns seeking more effective mechanisms to ensure greater accountability for the violation of women's rights and fostering attitudes and practices that respect and promote the humane treatment of women in the home, community, state and internationally. Essentially women rights advocacy is linked to bringing international women rights commitments to the national level.

According to the reports consulted most training in advocacy and lobbying has focused on enabling NGOs to effectively engage with national government policy-making processes. Having ethical values was considered essential and a central requirement of any successful advocacy strategy. "People and institutions must have 'certain things they believe in', which then become the bedrock of all their lobbying and advocacy" (Kawamara-Mishambi & Ntale-Lwanga, 2001: 25). NGO engagement in advocacy in Uganda has adopted a policy-centred advocacy approach. The training focuses on enabling NGOs to understand the policies, identify the gaps and to build consensus and networks to lobby to remedy shortfalls in national policy (UWONET, 1996; Chigundu, 1999; Kawamara-Mishambi & Ntale-Lwanga, 2001).

There are also a number of scholarly studies on Ugandan civil society and advocacy with special focus on ways and levels of engagement with the state (Lister & Nyamugasira, 2003; Hearn, 1999a; Oloka-Onyango, 2000a; Oloka-Onyango, 2000b; Asimwe, 2001; Hearn, 1999; Hearn, 2001; Nabacwa, 2002). Lister & Nyamugasira (2003) study was of major interest to this research because of its detailed focus on the ways in which NGO (a term used by these scholars to also mean civil society) engage with policy makers. Lister & Nyamugasira (2003: 93-106), state that structured, NGO engagement with the state takes place within politically determined spaces. The rules of engagement are unpredictable, unclear, and contradictory. By and large, it is often on the basis of clientelism or patronage taking various forms that include invited contributors; pressurisers; service deliverers; monitors; innovators; and popular mobilisers, roles that are briefly expounded on below.

a. Invited contributors

This is where government takes the initiative to invite a selected number of civil society members to engage in the policy formulation processes with the perception that they will add value to the process. Government invites those who are not likely to oppose its position and critics who can be co-opted. The participation of civil society organisations in the policy process is a privilege and a showpiece of people's participation in the policy process rather than because of any supposed right of participation or consultation. In this case, financial resources that provide some form of security affect the independence and constructive engagement of civil society as invited contributors to the policy process (p. 99). INGOs that have more secure funding than local NGOs more likely to be freer in their engagement of the state.

b. Pressurisers

This role is mainly performed by national civil society organisations (CSOs) that exert pressure on government through lobbying and campaigning from outside the government forums, especially at the policy formulation stage, through campaigning and lobbying with NGOs as the lead players. The ability of NGOs to pressure government is dependent on the nature of issues and the political context that is the less controversial, the extent to which it is within the accepted government parameters, and whether government is likely to lose or win. Secondly the extent to which the CSO can assist the various government ministries to deal with their internal dynamics and the ability to build broad alliances nationally and internationally are important factors (ibid.).

c. Service deliverers

Most CSOs engage with policy and politics at the delivery of the services or implementation of the policy. CSOs have now become sub-contractors that train communities about government policies such as the Land Act, or election monitoring. The dominant gender advocacy NGOs usually use these processes to gain access to readily assured financial resources. Lister & Nyamugasira (2003: 95) link this trend to 'new architecture' of aid in which CSOs, as a response to donor models, have classified themselves as advocacy organisations and thus de-linking service delivery from advocacy. In so doing they have lost the links between their work and the grassroots experiences.

d. Monitors:

This is where NGOs take on the role of monitoring the macro-micro linkages and the adherence of government to the international standards. CSOs monitor the implementation of the various policies, both national and international, in practical terms, and highlight government strengths and weaknesses. At times this work is done on contractual terms with government or through donor support or through collaboration between a local NGO and an international advocacy organisation or research centre. Civil society monitoring role is affected by the ability of government to accept and implement the monitoring.

e. Innovators

The innovativeness of CSOs has been useful in influencing government policy in the fields of education and children rights. Innovation involves NGOs identification of 'better approaches' to poverty eradication and influencing government to adopt them.

f. Popular mobilisers.

This kind of CSO activity involves creating awareness and building up the capacity of poor people themselves in order to enable them to influence policy through their own actions. This approach tends to be adopted in situations where direct influences on policy makers and policy processes are blocked or diverted, ignored or repressed.

Lister & Nyamugasira (2003) observe that the classification does not apply to different NGOs; rather they suggest that NGOs roles are constantly changing over time, according to the issue or context. They suggest that NGOs are vulnerable in undertaking these roles, especially when it comes to directly influencing the nature of the policy to be adopted by government. The determining factors for the nature and level NGO engagement of the state include resources, nature of issues, political context and donor aid models. Although they do not explicitly state it, Lister & Nyamugasira (2003) seem to imply that relationships, identity and interests are important in NGO advocacy work. This study will try to address this gap by undertaking an in-depth analysis of interests and relationships in NGO advocacy in Uganda.

4.4.2 Factors that have Increased NGOs Advocacy in Uganda

Advocacy activities acquired a particularly high profile in the second half of the 1990s. A number of factors within and outside Uganda contributed to this development including the constitution-making process resulting in the 1995 constitution; the 'enabling' political environment; the media; Advocacy capacity building workshops; International conventions and increased resource allocation by donors. I now expound on these factors.

1. The Constitutional making process and the 1995 constitution

The Constitution-Making Process and the 1995 Constitution increased the participation of non-state actors in government policy-making processes. This is because all social groups including the vulnerable groups (women, youth and children) were supposed to have their voices heard in the process (Nabacwa, 2002). NGOs were associated with the values of peace, equality, freedom, participation and voluntarism and this association gave them the opportunity to play a major role in the constitution-making process (Kwesiga & Ratter, 1993). The enactment of the 1995 constitution boosted the role of NGOs in advocacy. Chapter 4, Article 38(2)⁴⁴ recognises the role that non-state actors could play in government policy formulation through the use of peaceful means (Republic of Uganda, 1995). A number of articles including Article 20⁴⁵, Article 21⁴⁶, Article 45⁴⁷, Article 50(2)⁴⁸ clearly stipulate freedoms that need to be upheld, respected and promoted for all Ugandans (ibid.).

⁴⁴ Chapter 4: Articles 38 (2) Every Ugandan has a right to participate in peaceful activities to influence the policies of government through civic organisations.

⁴⁵ Article 20 (1) Fundamental rights and freedoms of the individual are inherent and not granted by the State.

(2) The rights and freedoms of the individual and groups enshrined in this Chapter shall be respected, upheld and promoted by all organs and agencies of Government and by all persons.

⁴⁶ 21. (1) All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law.

(2) Without prejudice to clause (1) of this article, a person shall not be discriminated against on the ground of sex, race, colour, ethnic origin, tribe, birth, creed or religion, or social, or economic standing, political opinion or disability.

(3) For the purposes of this article, "discriminate" means to give different treatment to different persons attributable only or mainly to their respective descriptions by sex, race, colour, ethnic origin, tribe, birth, creed or religion, or social or economic standing, political opinion or disability.

Nothing in this article shall prevent Parliament from enacting laws that are necessary for-

(a) implementing policies and programmes aimed at redressing social, economic or educational or other imbalance in society; or

(b) making such provision as is required or authorised to be made under this Constitution; or

In addition to the constitution-making process, Uganda has had a relatively 'friendly' political environment in comparison to the years before 1986⁴⁹. The NRM government has provided some space for the public expression of divergent views. Many Ugandans saw the NRM government as a liberator from oppressive regimes (Ministry of Finance, 1994). This feeling gave Ugandans the desire to express themselves. The Local Resistance Councils provided forums that started at the lowest administrative structure, encouraged individual merit and provided affirmative action for those identified as vulnerable groups (women, children, elderly and differently able persons). However the vulnerability of women need not be qualified because women and the elderly were active participants in the war as spies, cooks, healers, etc and this may have been the major contributing factor to an atmosphere that needed to listen to the voices of these 'vulnerable groups'.

The 1995 constitutional provisions and the earlier discussed international context, especially the preparation for the 1995 Beijing Conference, enhanced the voice of these groups and it became impossible for government to ignore them. NGOs and women's groups started forming loose coalitions demanding that the rights enshrined in the constitution and the Beijing Platform provisions be implemented in practice. These loose groupings started lobbying for more recognition and a range of non-women's NGOs came to identify with these women groupings. One of such groupings later turned into Uganda Women's Network, an organisation that has been of interest to this study due to the central role it has played in mobilising and undertaking advocacy work on behalf of women. However, as already noted, Uganda's NGOs

(c) providing for any matter acceptable and demonstrably justified in a free and democratic society.

(5) Nothing shall be taken to be inconsistent with this article which is allowed to be done under any provision of this Constitution

⁴⁷ 45. The rights, duties, declarations and guarantees relating to the fundamental and Human other human rights and freedoms specifically mentioned in this Chapter shall not be regarded as excluding others not specifically mentioned.

⁴⁸ 50 (2) Any person or organisation may bring an action against the violation of another person's or group's human rights.

⁴⁹ However this is relative as there has been an ongoing civil war in the northern part of the country for the last 17 years that has left so many women and children maimed, raped and abducted. It has ravaged the economy of the country as a whole especially northern Uganda that is now rated as the poorest region in Uganda.

participation in the policy process is 'politically determined'. In other words, government controls NGOs engagement with the policy process. "Inclusion is the dominant model and challenging the government can be labelled 'opposition' and perceived as illegitimate activity" (Nyamugasira & Lister, 2001: 15).

2. The Political Environment

A senior official in one donor agency analysed the political context of advocacy in Uganda as taking three forms - the enabling context, the moderator role and the disabling context. According to him, the enabling context is provided by the Prime Minister's Office, the Ministry of Finance, the Ministry of Health and the Ministry of Agriculture. The moderating role could be taken by the Parliamentary Committee on Defence and Internal Affairs, and the key disabling (constraining) role is by the Ministry of Internal Affairs, which has overall responsibility for managing government relations with NGOs. The Internal Security and External Security Organisations and members of the NGO⁵⁰ registration board (Mat, 27th, July 2003). Barya argues that the whole process of NGO registration tends to be repressive in nature (Barya, 2000).

Perhaps the current Ugandan political context can be attributed to the way in which President Museveni took over power in 1986. The research subject from one big donor agency observed that at that time government did not trust the then mushrooming NGOs and used "the security lens" to scrutinise such organisations before allowing them to operate. This screening process has continued, along with continuous monitoring of NGO (Mat, 27th, July 2003). Irrespective of its populist approach, government is suspicious and anxious that the opposition can use certain NGOs. This perception limits government's willingness to act in a liberal manner towards civil society and to be accountable to them (Ministry of Finance, 1994; Goetz & Jenkins, 1999; Nabacwa, 2002). Thus the political machinery disempowers NGOs

⁵⁰ The NGO Board is composed of 14 members of whom only two are members of the public selected by the Minister responsible for NGO affairs, the rest are representatives from government ministries or departments. Prior approval NGOs need to submit a plan and to be recommended by the local councils and District Administrator in case of local NGOs and their Diplomatic mission in case of foreign NGOs. While these may be seen as regulatory mechanisms, they end up being control mechanism because they affect the independence of NGOs. This is complicated by the provision that NGOs 'shall not engage in any act which is prejudicial to the national interest of Uganda' (Republic of Uganda 1989, section 12(g)). The non clear definition of the terms 'prejudicial' and national interest makes them subject to abuse and may make government prohibit any activity which may not be in its favour.

especially when they get involved in advocacy on controversial or 'politically sensitive' policy issues, such as equity, land or corruption. Control in this case is largely the result of the government's fear of an empowered 'civil society' that could prove too challenging to its status quo (Tripp, 2000). Historically, relations between NGOs and the state have been quite delicate since after colonialism the state wanted to be seen as the new vanguard of development - improving people's lives (Bratton, 1989). However, the state was also constructed in such a way that it could further the colonial interests (Power, 2003). Managing these two at times divergent interests is an uphill task for the Ugandan state.

Some scholars suggest that the enabling environment is partly a 'social engineering' of the multilateral and bilateral donors, who mainly through the Ministry of Finance apply both direct and indirect pressure to the Ugandan government to work closely with civil society (Hearn, 2001; Mat, 27th, July 2003). The current fashion is to involve, at least nominally, all stakeholders, and the World Bank as a condition of lending enforces this approach (Nyamugasira & Lister, 2001; Nyamugasira & Rowden, 2002; Oloka-Onyango, 2000a; Hearn, 1999; Hearn, 2001; Wallace, 2004). This pressure has resulted in the creation of structures and processes to provide for state engagement with legitimate partner organisations. Rather than 'liberating' NGOs from official control, this approach (Nyamugasira & Lister, 2001) has enabled government to control NGO engagement in the policy-making process more closely than before by placing NGOs under public scrutiny (Oloka-Onyango, 2000a; Nyangabyaki, 2000b; Barya, 2000). In this way, government is able to access funding especially from the big donors while maintaining its hold on power by controlling any open criticism of its policies so that it is seen as a popular government, ruling by consent (Barya, 2000).

The political environment is very complex for NGOs working in the Ugandan context. On the one hand, government is seen to be participatory and interested in NGO work. On the other hand, there are hidden (unsaid) 'means of engaging with it' that Lister & Nyamugasira (2003: 23) call the "unwritten rules of engagement". Non-compliance with these unwritten rules may cause an NGO to be punished. Among the unwritten rules of engagement are corruption and payment of commissions in order for activities to be approved. Since corruption and poor accountability are also prevalent among

many NGOs, this in itself can make it difficult for NGOs to hold government accountable for maladministration or poor policy practice with any degree of credibility (Lister & Nyamugasira, 2003: 24; Ministry of Finance, 1994: 22). The next chapter explores the ways in which NGOs have negotiated for their own spaces in this complex politically determined operational context.

3. The Media

The media has also played a major role in encouraging NGOs' engagement in advocacy. It has provided a forum for people to express their views and voice their concerns. Uganda has many privately owned radio stations and two major newspapers (The New Vision and The Monitor) that have sometimes been a source of provocation for NGOs but they have also provided space for NGOs to declare their positions as representatives of the vulnerable groups of people. The advantages have been greater for women's organisations than for many, probably because the discourses used in gender advocacy are controversial and provocative in the Ugandan context. Working with the media has been of critical importance for most major NGOs, both national and international (DENIVA, 1997; Kawamara-Mishambi & Ntale-Lwanga, 2001; Kawamara-Mishambi & Ntale-Lwanga, 2002). Because of the feeling that NGOs have limited access to government information (Nyamugasira & Lister, 2001) the media has been of critical importance to many NGOs, acting as a source of information on current topical issues. At its best, the media in print and on radio acts as a debating forum where varied views can be aired. A diversity of opinions can be expressed through the media, and this has drawn NGOs⁵¹ to engage in government policy debates. Some media houses have provided free airtime for NGOs to express the concerns of their members. In certain cases, as a money making process, the media has provided newspaper supplements to NGOs, spaces that they have used to provide their values and beliefs on certain issues. Although the media can and has played a critical role in shaping the advocacy work of NGOs in Uganda, it should also be noted that poor information sharing and reliance on badly researched data has sometimes been a major impediment to effective advocacy in the country. Improving the capacity to promote ethical goals through advocacy is clearly a priority.

⁵¹ This may explain the ad hoc nature of some of the NGO advocacy.

4. Advocacy Capacity Enhancement

Advocacy capacity building workshops have already made some major contributions to enhancing the NGO focus on advocacy and their ability to conduct advocacy successfully. Advocacy workshops were held in 1995, 1997, 2001 and 2002. The initial workshops were mainly organised by and with support from SNV (Netherlands Development Organisation)⁵² Uganda and Novib. Novib, Oxfam and Abantu for Development facilitated the 1995 workshop. It is not clear who facilitated the 1997 workshop but it included presentations by staff of DENIVA, Oxfam and Novib. The 2001 and 2002 workshops were organised by UWONET and facilitated by a consultant from Development Research and Training⁵³. At the end of each workshop, participants make action plans. Review of progress made is usually through quarterly meetings. During the workshops and meetings, the various organisations share their activities and challenges. The constraints encountered in the implementation process are identified and means to overcome them examined. As an example, the 2001 workshop objectives were,

... to enhance the capacity of UWONET member organisations, allies and staff to enable them to carry out more effective lobbying and advocacy work in their respective organisations and areas of work (Kawamara-Mishambi & Ntale Lwanga, 2002)

This workshop focused on basic elements of lobbying and advocacy; differences between methods and strategies, use of the media as an advocacy tool, the complete cycle of lobbying and advocacy, communication and presentation skills, tips on fundraising in advocacy, demystifying feminism, activism, and gender and public speaking. The workshops also provide working frameworks on advocacy, raise morale, generate enthusiasm and energise staff and volunteers as well as provide the chance to create networks and new contacts for NGO personnel. Ultimately, all this helps NGO workers to believe in the issues at hand. However lack of capacity continues to be seen as a hindrance to effective advocacy by CSOs. It would be useful for them to have had more training in policy analysis skills, understanding government procedures and structures, and sharing and co-ordinating information on

⁵² The top page of the 1995 workshop report says that it was organised by SNV (Uganda) and Novib while in the introductory remarks by the SNV Gender Officer indicate that the workshop was organised by UWONET and DENIVA with support from Novib and SNV.

⁵³ This consultancy firm played a critical role in the early stages of the formation of UWONET.

actions and resources in order to avoid duplication and waste (Nyamugasira & Lister, 2001; Nabacwa, 2002). The use of structured pre-packaged modules and training frameworks that are hardly responsive to the contextual needs could be a contributive factor to ignoring some of the critical training that a policy advocate would need.

5. International Conventions, Conferences and Discourses

Uganda is party to a number of international covenants and charters such as CEDAW; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights. It is also a signatory to the African Charter on Human and People's Rights; the Convention on the Rights of the Child; the Millennium Development Goals and UN Declaration on Rights and Development among others. Uganda is under a great deal of public scrutiny at international and local level to measure the extent to which it is a democratic state. This was more so during the early stages of the NRM government, when the ideology of no-party democracy appeared particularly controversial. The government needed to be seen to be doing something to encourage freedom of speech and expression. At the same time, international bodies, such as the IMF and the World Bank, have also been pressured to become more pro-poor in their outlook and approach (Craig & Porter, 2005; Power, 2003).

In other words, there are a number of processes that work to create a particularly complex set of relations between NGOs and the government in Uganda. The first is the making of international commitments pro-poor through inclusive policy-making. The second is the need for government to be seen as democratic, and the third is the need for the World Bank itself to be seen to be pro-poor (Oloka-Onyango, 2000a; Nyangabyaki, 2000b). These processes have intersected to create an environment in which NGOs are funded by donor agencies to 'represent' the poor. NGOs are seen as the voices of the people, whilst expressing new discourses introduced by donors that call for observance of rights, greater participation, gender equity and good governance in Uganda (Oloka-Onyango, 2000a).

Practically, government has given CSOs space to be active participants in policy-making. One such space is the development of the Poverty Eradication Action Plan, to which government invited NGOs to make contributions towards. An increased focus

on advocacy and rights based approaches as development discourses at international and national level has also created some additional space to CSOs for their advocacy work , and has encouraged NGOs and donors to put more resources into advocacy and lobbying. Such changes have been reinforced by Article One of the UN Declaration on the right to development, which states ambiguously that:

The right to development is an inalienable human rights by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realised (UN, 1986).

While international processes have played a role in the shift to advocacy in Uganda, it is also argued that the effectiveness of advocacy is affected by the differences in macro-micro interests, power relational inequalities between the macro-micro actors (Nabacwa, 2002; Nyamugasira, 2002). Another effect is the domination of the northern modelled advocacy NGOs at the national level by a needy middle class that cannot claim to be representatives of an agrarian peasant community (Nyamugasira, 2002).

6. Increased Resource Allocation by Donors to Civil Society

The 1990s saw an increased emphasis on inclusiveness and social capital in most development discourses (Power 2003, Craig and Porter, 2005). These discourses guide the funding of most countries including Uganda. Resource allocations have been set aside to support processes that facilitate the realisation of an “increased civil society role” in the Ugandan development process (Nyamugasira & Lister, 2001: 12). Donors have generally been most interested in advocacy-oriented organisations that engage with the policy process in Uganda, with women organisations and human rights groups receiving much of the funding (Hearn, 1999: 25). The objectives of these organisations are:

...to increase - often through confrontation with the state - public space...to hold government accountable for its performance in allocation and management of public resources... to open up dialogue of broad political issues facing the country... to assist interest groups to lobby the legislative...to assist civil society to defend human rights (Hearn, 1999a: 23-24).

A review of literature shows that dependency of Ugandan NGOs on donors has exerted pressure on them to follow donor agendas, which has in turn affected their autonomy and their inter-organisational relationships. They rival and compete with

each other for resources (Nyagabyaki, 2000a; Oloka-Onyango, 2000b; Hearn, 1999; Barya, 2000), status and recognition (Ministry of Finance, 1994). Some scholars argue that such funding has resulted into the maintenance of the current status quo in which NGOs undertake the role of “building societal consensus for maintaining it” (Hearn, 2001: 43). Chapter 5 and 6 provide a detailed analysis of the manifestation of the current relationships in the Uganda Development nexus.

4.5 The Emergence and Growth of Gender Advocacy in Uganda

In this section, I provide a detailed analysis of the historical development and growth of gender advocacy in the Ugandan context. Advocacy work on gender issues has mainly been by women’s organisations in collaboration with other types of NGOs. It has been quite visible and difficult to ignore, and mainly gender specific, focusing on enhancing the status of women as a social category and raising the profile of gender equality issues in the public sphere.

A number of scholars have sought to come up with a conceptual framework for understanding advocacy on gender issues in Uganda. Such studies see women’s engagement with the policy processes as being traceable back to the pre-colonial era, when women in some communities already significantly influenced decisions on military matters, on marriage, religion, agriculture and political leadership (Asiimwe, 2001; Nabacwa, 1997; Tripp, 2000). The colonial period witnessed a change in women’s role in society, especially in agriculture, due to the increased engagement of men in cash crops and the titling of land mostly in men’s favour. The process of commercialisation changed modes of land ownership and agricultural production, and tended to erode the rights of women, who came to be seen as subservient to the head of household, generally assumed to be the man. Women’s rights in polygamous marriages, including their inheritance rights, were not accorded official status and indeed seen as illegal (Tripp, 2000). This analysis complicates the understanding of gender inequalities in the African context. Colonialism can take some of the blame for the current state of affairs in that it truncated the natural evolution of African cultures and reinforced some of the negative African cultures that accord women a subordinate status. Some African cultures can be regarded as highly patriarchal in nature, and this includes Uganda as well. It is in fact quite difficult to clearly distinguish the historical causes of women’s subordinate status. It is plausible to say that some African cultures

were patriarchal in nature even prior to colonial rule. However, colonialism rubber-stamped and solidified unequal gender relations, diverting their purpose towards the commercial interests and gender hierarchies of the colonial power.

The importance of women's engagement with the policy process changed with the advent of colonialism. Men became the mouthpieces of the family as household heads (Boserup, 1970). It is no wonder that during this period, women activists mainly engaged with the state through an integrationist strategy, by asking for recognition and access to services in all areas, including education, agriculture, and health. Formal and informal women's groups were formed in order to assist women to meet these interests (Nabacwa, 1997; Tripp, 2000). The church played a critical role in the colonial period in the formation of women's groupings. These mainly focused on grooming the woman as a better wife and mother and their influence over state policy was mainly based on this premise. However in so doing, these groups were able to engage with the state to ensure that education was provided to women and girls. It was this education that would later provide the women who would go on to form NGOs that would engage the state to negotiate for greater recognition of the rights of women in Uganda.

In 1946, Uganda Women's Council, a national level organisation mainly composed of elite women, was formed. It focused on issues of mutual interest to women irrespective of race, religion and political affiliations. In 1952, YWCA first opened its offices in Uganda (*Uganda Argus*, Wednesday, 31st, March 1965: 3). In 1957, the women of Acholi petitioned the governor of Uganda against mistreatment; "we do not urge our girls to study hard for better education as a man is going to treat her like a dog when she is married" (*Uganda Argus*, 23rd, March 1960).

The 1960's witnessed a change in the demands by the women, mainly because Uganda was going to gain its independence in 1962. A review of archive newspapers shows that there was an increased demand for equality with men, and a call for the political participation of women and recognition of women's rights. At this time Ugandan women shifted to what might be termed as transformative gender advocacy (Kabeer & Subrahmanian, 1996). In 1960, the Uganda Council of Women published

a booklet on the status of women in relation to marriage laws⁵⁴. In the same year, they organised a conference in which Ugandan women met for the first time to identify legal and policy gaps in order to find common solutions to their problems. An American Women's club⁵⁵ sponsored the conference⁵⁶. The shift to transformative advocacy also witnessed more international networking. Surprisingly, the current gender advocacy issues were raised in the debates of the 1960 workshop. The conference focused on "women's property rights, their rights of succession, women in public life, the marriage laws and right to work" (*Uganda Argus*, Wednesday, 23rd, March 1960: 5), and concluded with the drafting of a resolution.

That this conference is of the view that government shall be urged to carry out a full and detailed investigation into laws concerning family inheritance with a view to redrafting them to suit modern conditions, more specifically that proper provisions should be provided for widows, deserted wives and children (*Uganda Argus*, 26th, March 1960).

In 1961 women recognised the importance of the media in supporting their search for equality. Kabogoza, a member of Uganda Women Council stated that:

If we want to be equal with our men in the new Uganda, we have an important role to play in order to assist and share the responsibilities with our husbands, taking equal shares, each contributing to the talents of the other...Women need to be wide awake in current affairs, politics and the general improvement of the country; read and write in papers, answer something connected with women, think widely, voice, agitate for what they want (*Uganda Argus*, 4th, October 1961: 3).

The media became an influential tool in building and maintaining the debate on women's rights something that has continued to today. It is also evident that like today, the elite women were dominating the process. It was not until 1962 that UCW first made links with grassroots women through the community development clubs (Brown , 1988; White, 1973; Tripp, 2000; Asiimwe, 2001).

⁵⁴ It was translated into Luganda, one of the widely spoken languages in the country in 1963 (*Uganda Argus* Wednesday, March 20th, 1963.p.4).

⁵⁵ The independence period coincided with the wave of feminism that had swept America and the growth of the international women's movement. This may explain the sponsorship of this conference by the American Women's club but also the drastic change in the demands by women.

⁵⁶ It is worth noting that the organisations that spearheaded the work on women rights were mainly faith based, these include the YWCA, the National Council of Catholic Action, the Mother's Union, the Native Anglican Church, and the African Muslim Women. The non-religious based organisations were the Uganda Association of University Women and the Uganda Council of Women. This is interesting taking into account the fact that religion has been used as a basis for women's oppression in many countries.

The main issues of concern to women in the 1960s were women's rights, with an emphasis on equal opportunities in education, employment, children's health and the legal status of women. Women were encouraged to join clubs as a means of working together across political divisions and to use these organisations to exert influence nationally on policy-making (*Uganda Argus*, 28th, May 1964: 3; 26th, April 1965: 5; 29th, November 1967). Women openly criticised political parties for their failure to take care of the interests of women in practical terms (*Uganda Argus*, Wednesday 8th, November 1961). In 1964, an East African Women's seminar was held in Kenya with the main focus on women's participation in the political decision-making (*Uganda Argus*, 20th, April 1964: 3). In 1965, women attempted to form an umbrella body of women's organisations in order to provide them with a strong, united and recognised women's voice and to "remove jealousies, overlapping and unnecessary competition. They were also committed to maintaining their identity and autonomy" (*Uganda Argus*, 26th, April 1965: 5).

During the 1960s, women's organisations and individual women such as Thema Awori⁵⁷ and Ruth Mulira⁵⁸ engaged the state to account for women's rights, a demand that has continued to date. However, the tangible gains were quite limited because the state responded with caution, especially with regard to marriage laws. In 1960, when women made their resolution to government to review the marriage laws, the Minister observed that any move towards law reform had to be gradual and cautious, since: "...they had to be careful not to upset the balance of the existing society. We must try not to run too far ahead of public opinion" (*Uganda Argus*, 26th; March 1960: 3).

It is not clear why there was limited substantial government response to women's demands such as equal participation in politics. Erosion and disruption of the status

⁵⁷ Awori like Mulira had travelled widely and attended Massachusetts college. She was influential in adult education and campaigned for girls' education (*Uganda Argus*, 29th, November, 1967).

⁵⁸ There were a few women who were quite influential such as Rebecca Mulira the first woman to enter Uganda's political scene who in 1967 observed that women have no excuse, the right to fight for equal rights is there". According to the paper Mrs Mulira (rsp) had fought for women rights since 1953. The paper observes that Mrs Mulira's source of inspiration was the Late Eleanor Roosevelt whom she met in the America in 1953 where she had gone to attend an international conference. The paper observes that Mulira was well educated, and widely travelled. Mulira attended a number of international conferences that include; the International Council of Women Conference in 1963 in America; the first all Africa Church Conference in 1958 in Ibadan, Nigeria; the a conference in Jerusalem on women in struggle for peace in 1964. In 1966, she went to New Delhi for a family planning conference and to Essex for an international conference on population growth and

quo were the major reasons used for non-legislation of equity laws (Kabeer & Subrahmanian, 1996). There were very few women in political positions - the first woman mayor was appointed in 1967 (*Uganda Argus*, 1st, December 1967:10).

The period, 1970 -1979 opened up another chapter in advocacy on gender issues in Uganda. In the early 70s, gender advocacy focused on women's reproductive health, family planning, marriage laws and education. There was also an explicit demand for equality with men: "We women claim equality with men because we see no reason why there should be an inferiority complex in our varied societies" (*Uganda Argus*, 7th, November 1970: 2).

However, the coming to power of Amin changed the whole picture and considerably complicated the position of non-governmental organisations, including women's organisations. The government played the central role, the voices of NGOs disappeared and civil society and women's organisations became invisible, in most cases ceasing to exist at all. The only visible 'civil society' form of organisations for women throughout the 1970s to the mid 1980s were the Mothers' Union and the YWCA which were linked to the Protestant and Catholic churches. Although vulnerable to persecution under Amin, they were able to protect these smaller organisations from direct political control and repression.

There was a gradual disappearance of independent women's voices during the 1970s. Instead the state directly influenced women's roles and positions in society. The existing political leadership's understanding of the proper role of women in society was the yardstick for women's rights in the Ugandan society. A few women leaders, mainly the wives of the political leaders, acted as the representatives and role models for women's liberation. Government identified a few roles that it felt were suitable for women such as hotel management (*Voice of Uganda*, 31st, January 1974: 1).

There were cases where government appointed a few women to political positions. Government also provided some women with specialised training that was considered to be appropriate only for men. An example was the training of a woman pilot who

development. In 1967, she attended the International Council for Women Executives in London.

was showcased on International Women's Day by the president as a sign of the government's commitment to equality between women and men (*Uganda Argus*, 4th, August 1971: 3). Government was highly contradictory in its engagement with women rights. In 1973, mini skirts were abolished, and rules were established that prohibited unmarried women from living in rented houses. Such women were supposed to reside with their parents. Not doing so would be tantamount to prostitution. This rule was disputed by a group of women and men who protested⁵⁹ to the president, claiming that women's rights were abused

...almost amounting to persecution of a woman in her country of birth. They appeal to the president of Uganda, as a matter of urgency and national unity to intervene (*Voice of Uganda*, 1st, June 1973).

In other words, the rights of women were dependent on the person of the president and his henchmen. The newspaper archives of the 1970s provide a lot of rhetoric on Uganda's recognition of women's liberation and women's role in development but at the same time contain articles that clearly challenge these claims. For example, in 1974 one reporter noted that equality before the law and participation in development should not be based on a biased understanding of men and women's role in society (*Voice of Uganda*, 24th, August, 1974).

It is the 1975 International Conference on Women and the subsequent declaration of 1975 as International Women's Year that re-ignited gender advocacy in Uganda. The idea of male and female equality had started to take root, with some viewing it as a year of fighting⁶⁰ an "equality war with men" (*Voice of Uganda*, 10th, April 1975: 2). In the same year, Uganda celebrated International Women's Day on May 1st, for the first time, together with International Labour Day, marking the need for "...the emancipation of women and ...the status of equality of women to men" (*Voice of Uganda*, 2nd, May 1975: 3). While praising government, such functions were also used to challenge the status quo, tactfully, in order to avoid conflict. Thus while talking of women's abilities, the emphasis was on their motherly role first and

⁵⁹ This is the first time for men to be reported to have joined women to protest against the unfair experiences by women.

⁶⁰ The concept of women fighting for their rights was used earlier on in 1960s. Through out the review of the archived materials, there is reference to the need for women to fight for themselves and to prove themselves and not expect tokenism. However calling it a fight made it seem like a battle of the sexes and some, especially men feared the implications of this war to their status and relations with women and this formed the gist of most of the media debates on women's experiences with major focus on

foremost. Madina Amin, the wife of the president made the following remarks in a speech:

The main objectives - which we share are those leading to increasing understanding between men and women which contributes to a harmonious development. We rededicate ourselves to intensified action which leads to equality between men and women, and which ensures their full integration in the total development effort of our nation in our different situations (ibid.).

Madina Amin also called on the need to formulate policies in the areas of equality, development and peace. It was also observed that Uganda had overcome most of the barriers to women and men's equality and that women played a vital role in development (ibid.). During the same time, the Minister of Education, Brigadier Barnabas Kill remarked that:

In Uganda, it is the [role] of government⁶¹ to give women equal chances like men, thus, with the necessary education, doors will open for women...The Minister reminded the participants [that] there had never been discrimination against women in Uganda. Even before the International Women's Year by the UN, women in Uganda were already contributing freely to national building as doctors, teachers and engineers. They were all paid the same salary as their male counterparts (*Voice of Uganda, Saturday, 15th, November 1975: 3*).

In 1976, government formed the Uganda National Council of Women (UNCW) with the responsibility of overseeing, co-ordinating and representing the interests of women nationally and internationally (*Uganda Times, 5th, March 1981*). Only organisations registered under this body were allowed to operate. The formation of this council was seen as a government ploy to control women's activities. The 1975 theme of the UN Decade of Women had become 'catchy' and contentious. Government was on the defensive for its non decision making tactics by denying the real experiences of women. Government perhaps feared the implications of the exposure of the abuses that women were experiencing to its own status quo(identity).

Uganda was already seen as having a dictatorial government, and if Ugandan women had direct access to the international community, this was likely to further taint Uganda's image abroad. The establishment of the UNCW can therefore be seen as a

family relations and the justification of the existing status quo.

⁶¹ It is not clear whether government had unwritten policies on the situation of women.

damage control strategy and the beginning of gender policies and institutional mechanisms far removed from women's reality. A comparison of the 1960s with the 1970's shows a gradual state take-over of all women's work. All institutional sites, the state, the market, the community, and the family are against gender focused 'civil society' (Kabeer & Subrahmanian, 1996) There is hardly any observable or identifiable NGO voice in women's affairs. The complex relationship between agency and structure became evident when gender advocates resorted to the media as the major institutional site through which they covertly resisted and sought to transform the unequal gender and power relations within the Ugandan context (Giddens, 1993; Weedon, 1987).

Government discourses hardly referred to the term women's rights in the 1970s. Most of the speeches of government personnel talked of equality and its understanding, was defined by the political leadership and not in any conceptually sophisticated way. Avoidance of the term rights can be attributed to the excessive abuse of human rights during this time. Due to the political unrest, a number of men went into exile, increasing women's role as household heads and providers, a role that economically and politically empowered women. Therefore, the contextual experiences of women amidst the unfavourable government policies contributed to the personal empowerment of some women. This is not to negate policy or law reform in the favour of gender equality. The influence of the 1975 Mexico Conference started to take root within Ugandan civil society. A Uganda Chapter of the International Association of Women Lawyers was formed. FIDA (U), committed to education of women on their legal rights, was formed in 1975. Its impact was not be fully felt until the mid 1980's because FIDA, like many NGOs, went underground, acting more as an anti-hegemony to the state, undoubtedly because of the repressive political climate under Amin in the late 1970s.

Irrespective of the repression of women rights during the 1970s that saw organisations such as FIDA U) confine themselves to what was sought possible, the period marked the beginning of direct international influence to the approach to gender advocacy in Uganda compared to the 1960s. The scope of influence included approaches to overcoming the gender gap between men and women. The 1980s were marked by the

removal of Amin from power and a renewal of the voice of women who now demanded for the removal of the barriers to women's participation in politics as equal partners to men (*Uganda Times*, 12th, August 1980: 8). However these demands were short lived because the National Resistance Army launched a guerrilla war that lasted for a period of five years. Women played a critical role in the 1981-1985 war as soldiers, spies, cooks and health providers. Most of the focus during this period was on relief (practical gender needs) and relatively little attention was paid to the changing roles of both women and men.

There was a clear change of tone of women's engagement of the state from 1985 to date. In 1985, twenty women and a number of women affiliated organisations, wrote a memorandum to government demanding the protection of women in areas of military operations. They requested the Minister of Defence to address the issues of women's "role and contribution to the establishment of security and the peace process in Uganda" (*Weekly Topic*, Monday 9th, December 1985: 7). Women were now becoming more publicly assertive in their demands. Prominent individual women and women's NGOs were joined by other, non-women organisations as well to demand for the recognition of the role of women in the development of the country.

It is important to observe that in 1985, the UN held the Nairobi Forward-Looking Conference on Women in Kenya. Prior to 1985, it had been mainly the wives of political leaders who attended most national and international forums focusing on women. However, the 1985 event was marked by a strong delegation of Ugandan elite women, mainly academicians, who attended the conference on the basis of their own merit, or professional expertise. In the same year, Uganda ratified CEDAW, sometimes called the International Bill of Women's Rights. In 1986, the National Resistance Army (NRA), which later became the National Resistance Movement (NRM), took power; and there was an immediate and dramatic increase in the level of participation of women in public life. This was initially a way of rewarding women who had actively participated in the guerrilla war, whether in fighting or in some other supportive role⁶² (Tamale, 1999; Tripp, 2000; Asiimwe, 2001).

⁶² Women joined the war either to escape from torture or avenge for their relatives that had been killed by the then existing Uganda government armed forces.

It was also at this time that HIV/AIDS first came to public attention as a national disaster in Uganda because it had already claimed the lives of many men and women. However, more men died than women, leaving many widows and orphans. In Rakai, where AIDS was first reported in Uganda, the number of men who died was so great that women were left with no alternative but to take care of themselves and their children on their own (World Vision International, Uganda, 1994). In its early stages, AIDS was related to the popular belief in witchcraft, and the relatives of deceased husbands often did not want to associate with the widows once they had lost their husbands. Women increasingly became involved in the informal sector as a coping mechanism to overcome the economic hardships which HIV/AIDS, had imposed. These burdens were aggravated by the implementation of SAPs in the early 1990s, which resulted in retrenchment of civil servants, who once again were mainly men (Snyder, 1995).

The foregoing discussions illustrate the importance of the context in understanding gender advocacy in Uganda. Difficult personal experiences coupled with unfavourable economic policies strengthened the agency of Ugandan women and this was manifested in the work of gender focused NGOs. Women had clearly proven their abilities as citizens, capable of doing what men can do, especially since they had actively contributed to the 'national liberation' struggle in large numbers. They felt entitled to consider themselves, and be considered as equal citizens with Ugandan men. All this enhanced their self-confidence as manifested in the formation of formal and informal women's organisations (ibid.). Women's empowerment resulted from the fact that independence was a necessity and there was simply no alternative; women had to become household heads where husbands had died of disease, gone to exile or were killed during the war.

The events of 1985-86 and the dramatic impact of HIV/AIDS on the population attracted the attention of the international community and led to a focus on gender issues in the country once again. Women's roles and recognition in society had drastically changed in a relatively short period. Some scholars argue that the period 1970-1985 was formative of the post-1985 women's movement in Uganda and the

growth of work on gender issues in general (Tripp, 1994; Snyder, 1995; Tripp, 2000). From this perspective, the high degree of women's mobilisation is in part a reaction to decades of violence that damaged women's well being and livelihoods.

The political turmoil experienced during the 1970s to the mid 1980s coupled with the implementation of the SAPs (whose effects were discussed early on in the chapter) resulted into severe socio-economic hardships that mainly affected women. Socio-economic cooperative relations became a key survival mechanism. The growing economic participation of women in both the formal and informal sector and their involvement in national and local politics increased their visibility and raised awareness of the challenges they were facing. Women's engagement in the public sphere enabled them to prove the need for the recognition of their citizenship. Their potential and vulnerabilities attracted the attention of the local and international community. Gender focused NGOs, especially women NGOs, took advantage of these developments. They lobbied for more recognition of women's role in society, and started claiming the right to campaign and work for women's entitlements and equality with men.

Uganda has made a number of advances in comparison to most other African countries. For instance, the 1995 constitution includes unusually explicit provisions for affirmative action and a firm commitment to gender equality. The constitution-making process strengthened women's engagement in politics and Forum for Women in Development (FOWODE), an NGO charged with the responsibility of facilitating women's involvement in politics, is a product of this process. The Department of Women and Gender Studies at Makerere University – established in 1991 - was among the first in Africa; and at that time women were granted 1.5 additional points on their final exams when seeking entry to Makerere University, a form of affirmative action. Finally, the Universal Primary Education policy, and the affirmative action provision in Parliament and Local Councils continue to have a positive impact and are important means of promoting women's access to education, employment and political power.

Some scholars have attributed these achievements to the efforts of women's organisations in pressuring government to respond to their concerns (Asiimwe, 2001; Oloka-Onyango, 2000b; Nakirunda, 2001). These strides are mainly in the public sphere, and some scholars⁶³ see this as a means of government gaining legitimacy to overcome the stigma of having gained power through "the barrel of the gun" (Asiimwe, 2001: 26). In an earlier research, I argued that government's institutional and policy provisions are used as objective capacities to maintain women's allegiance to its hold to power (Nabacwa, 2002). Some scholars accuse government of not addressing structural gender inequalities such as male domination of parliament and they view the few women in high decision-making positions as a sign of "token representation". After all, women's emancipation is not part of the National Resistance ten point programme (Nyakoojo, 1991: 36).

For some scholars, civil society relations with the state have not necessarily resulted in increased policy initiatives in favour of women. Instead, most of the gender related actions of government are seen as a "symbolic" extension of state patronage (Asiimwe, 2001: 28). Government tends to see demands from the women's movement as "nonsensical or unfounded" (Asiimwe, 2001: 30). However, another person may argue that this criticism is far fetched and that having 40% women at local level and 27% at parliamentary level is surely more than 'token' representation. Some have gone further to claim that the demands for gender equality are not based on solid evidence and are not supported by the masses, but are concerns of few elite women (Baguma-Isoke, 2000) with 'bees in their bonnets'.

It is within the above context that NGO gender advocacy work especially since the mid 1990s (as shown by a review of relevant documents including strategy documents and reports) has focused on policy issues.

Gender-Focused NGOs at national level have focused on highly visible top down activities such as having gender sensitive laws in place, rather than on the slower and more invisible processes of transforming societal culture and practices at all levels (Nabacwa, 2002: 47)

⁶³ From my observation, most scholars that see government initiatives as tokenism have been active participants in the advocacy work on gender issues in Uganda.

It is not clear the extent to which the legal and policy reforms undertaken by government are a response to pressure coming from NGOs. This is a particularly difficult question to answer because some scholars argue that NGOs are not independent from government in the first place; many feel they owe their very existence to the government and so must show allegiance (Nabacwa, 2002; Oloka-Onyango & Barya, 1997). Nor is it clear to what extent NGOs have the institutional capacity to challenge the status quo (Oloka-Onyango and Barya, 1997; Hearn, 1999a; Hearn, 2001).

4.6 Conclusion

The section has shown that grassroots women's agency has been shaped more by contextual contradictions than by government policy initiatives. Notable among these contextual contradictions is the dictatorial Amin regime that exiled many men, economic difficulties, prolonged internal wars, and HIV/AIDS that reduced men's institutional control of women and gave women no option but to enhance their own agency in order to survive together with their families.

Relations with the international community and the coming to power of a 'liberal' and 'progressive' government in 1986 increased NGO activism on various issues including gender especially at the national level. Secondly it is clear that the NRM government has made a number of significant gender related policy changes. These changes have mainly been in the public sphere, including political representation, and primary and higher education. There are a few changes in laws relating to gender relations at household level; officially and legally men now need the consent of their spouse before they can dispose of a piece of land through sale. However, little has been done to match the 1995 Uganda constitutional commitments to legal reform and practice that would bring about greater equality between men and women in legal terms and in terms of practicable rights achieved by both (Nabacwa, 2002).

This mismatch between the letter of the Constitution and the daily reality that neglects rights of the 'private sphere' can be explained in a number of ways. One explanation is that law reform is far removed from the harsh realities of ordinary women's lives (Mama 1999; Nabacwa, 2002; Mbire-Barungi, 1999). The struggle between law and

customs has gone on for a very long time. In 1960, the Minister of local government in Uganda observed that:

Native law in some aspects was flexible and changed. But 50 years of European influence had done little to influence the basic family structure of African life and long after criminal law had become integrated there would still be native courts to deal with native domestic law and custom (*Uganda Argus* 26th, March 1960: 3).

These areas, historically considered 'private' such as marriage, family relations, inheritance, land rights and so on – are those that most directly affect women's status, and have experienced the least reform. Customary law is still used to defend the distinction between the public and private spheres that underpin the continuing inequalities between men and women (Mamdani, 1996). Due to the legally entrenched patriarchal nature of the Ugandan society, the gender agenda has been resisted in the public sphere because it is considered to belong to the private sphere, as if men and women's relations were confined to the level of the household and the community alone. This resistance has in turn led to the continuity of a gender advocacy agenda and of advocacy actions by gender-focused NGOs. This has been aimed at altering women's positions and changing prevalent attitudes towards gender inequalities, by bringing them into the open, and making them public policy issues. Indeed, the tendency to privatise gender questions is inherited from colonialism and was then continued through non-decision making by successive post-colonial governments (Mamdani, 1996; Obbo, 1988) including the present one. This may best explain the persistence and continued need for gender advocacy in the Ugandan context, seen as a need to alter the unfair cultural practices and patriarchy through law reform in line with the constitution and the international gender equality instruments.

A number of other factors might have helped ensure that advocacy would continue on gender issues in Uganda. The limited engagement of the gender advocacy efforts of the NGOs with the mainstream government policy processes such as the PEAP has led to the continued marginalisation of their policy recommendations and thus the continued gender advocacy in this case gender inequality being closely linked to unfair economic policies. In my previous research, I noted that most of the advocacy is gender specific focusing on women. This is because gender has continued to be perceived as a women's issue rather than a wider issue of national concern. This has

meant that certain categories of people and institutions, especially many men and religious institutions influential at the grassroots level, have been alienated (Nabacwa, 2002). Grassroots women have also shunned the gender focused NGOs due to the fear of ostracism by the traditional institutions (ibid.; Kabeer, 1996)

The foregoing discussions also show that post-independence history is marked by both the vibrancy of Uganda's civil society in terms of gender NGOs and advocacy work, but also by the vulnerability of civil society actors to wider processes, especially economic, political and military ones. The 1960s saw the emergence of a vibrant movement for women's rights, which then had a severe setback, and virtually ceased to exist or became an anti-hegemony to the state in the late 1970s and early 1980s. The World Bank Economic Reconstruction Programme after 1986 involved not only reconstructing infrastructure or politics, it included 'civil society' and the mechanisms for fostering inter-organisational relationships (Hearn, 2001; Nyangabyaki, 2000b; Oloka-Onyango, 2000a). The two case studies that will be used to explore the implications of the NGO interrelationships with the various actors are, the Co-ownership Land Rights and the Domestic Relations Bill campaigns, with the main focus being on the first of these.

Chapter 5

Negotiation of Interests: The Land and DRB Campaigns

5.0 Introduction

Chapter 5 combines available literature on the campaigns with my own insider/outsider knowledge gained from empirical data and experiences from my active engagement in the land campaign since 1997. The chapter presents the research findings on how gender focused NGOs negotiate and seek to maximise their interests through their advocacy work on the Co-ownership clause and the Domestic Relations Bill (DRB). Although there has been some research on the Co-ownership campaign and DRB campaign, no one has previously attempted an in-depth analysis on the negotiation of interests by the actors involved.

5.1 Background to the Land Campaign 1997-2003

Most of the gender focused NGOs, especially women's organisations, support the need for land redistribution policies. The focus is equal land rights for women including rights of access, use, ownership and control. Some NGOs argue that the colonisation of Uganda led to the loss of communal land holding. According to this argument, "the issue of landlessness did not feature at all in the pre-colonial communities in Uganda" (UWONET, 1997). There was no lease sale or land mortgaging. Both men and women had user rights. In most communities there was no individual land holding but land was allocated to men with user rights to meet basic family needs. Land was controlled by the clan and family structures that allocated and settled land disputes. The land rights advocates argue that the capitalist relations introduced by colonialism created a social base for colonial class formation (ibid.). It is argued that colonialists needed cheap labour for material production and hence the creations of two classes, the landless and learned gentry class (Mamdani, 1996; Nyangabyaki, 1997). The 1900 Buganda Agreement, the 1900 Toro Agreement and the 1901 Ankole Agreement saw the formal introduction of these new modes of production. *Mailo* land was introduced in Buganda in which individuals were allocated large pieces of land as payment for their collaboration with the colonialists. Similar modes of land ownership were introduced in Tooro and Akole. The process of

awarding collaborators with land rendered others landless. The introduction of cash crops and taxation enhanced the individual land holding systems. Tenants paid landlords a certain amount of tax to utilise land to produce cash crops. The tax became an incentive to farming especially when it was legalised into Busulu (ground rent paid to the state by the land owner) law and Envujo law (commodity rent from crops such as cotton) in 1927 (Mamdani, 1996; Nyangabyaki, 1997; Apter, 1961).

One of the effects of the mailo land and other colonial land ownership policies is that they rendered women landless. While some men were able to acquire leasehold, and other types of land securities, the colonial laws most negatively affected women. Women lost their land user rights since it had become individual property of their male counterparts enforced through the written law. While customary law that was practised alongside written law protected women's user rights, the latter could be used to deny women these same rights. Written law could be used to argue against customary law and soon it gained precedence (Mamdani, 1996). A son's inheritance of land made him owner rather than a family trustee, as was the case culturally. Colonialism used men's privileged position as community trustees to entrench itself; men used colonialism to assert their control over women and women became victims in this process. The effect was women's alienation from land matters as these became a male's domain, a legacy that has continued to date. Patriarchy was entrenched through colonial law and land rights systems. The new land laws did not only affect women, they also affected the growth and nature of the agricultural sector in Uganda. Colonial taxes detached men from farming because they directly bore the brunt of taxation and many gave up farming and migrated to urban areas to join the commercial sector in order to earn money to pay the colonial taxes (Apter, 1961).

The subsequent land law reforms (1962 Constitution and 1975 Land Decree) hardly improved the situation. The 1962 and 1967 constitutions had provisions for land administrative bodies that were all male dominated structures. The land decree of 1975 declared land to belong to the Government of Uganda but in practice, the individual land holding systems continued. Even government land management did not have any provisions to ensure equality of access and use for women and men. The 1995 constitution whose principles were entrenched in the 1998 Land Act transferred land back to Ugandans. "Land in Uganda belongs to the citizens of Uganda and shall

be invested in them in accordance with the land tenure systems provided for in this constitution”(Republic of Uganda, 1995). The tenure systems included mailo⁶⁴, freehold⁶⁵, customary⁶⁶ and lease hold⁶⁷. This reinstated the individual land holding systems that were introduced by colonialism. However, it departs from the colonial law by providing for the conversion of customary land holding systems to individual land holding systems if the tenants or communities so wish. It is clear that the belief is that community land holding will fade. The Act also goes ahead to provide safety nets for women and children through provision for their consent before land sale and to legislate for women’s land use rights that were ignored during the colonial period (Republic of Uganda, Land Act, 1998). These provisions have been central to the gender focused NGOs Land rights advocacy campaign. They form the background to the ongoing land campaign.

The 1998 Land Act links with the colonial land policies to reinforce the capitalist modes of production. The difference is in the articulation of the beneficiaries. While the beneficiaries of the 1900 and 1903 land laws were mainly seen as the colonialists through cash crops, the major justification for the 1998 Land Act has been articulated as a mechanism for poverty eradication and agricultural modernisation. This is to be

64 Mailo Land: The mailo land tenure system emanates from the square miles of land that colonialists allocated to the collaborators. With the creation of mailo land, several people became tenants of landlords who extracted labour and rent from them. There were two types of rent busulu (ground rent) and evunjo (commodity rent) that increased over time resulting into political unrest in Buganda (Nyagabyaki 2000a). While recognising the implications of the land struggles to the economy and yet aware that it was not possible to transform the mailo land tenure because the survival of the colonial government depended on the land lords, the colonialists introduced regulatory mechanisms such as the 1928 busulu and envujjo law that allowed tenants to grow cash crops to about 3 acres on mailo land. Ankole and Toro took similar mechanisms to regulate the relationship between landlords and the tenants. The introduction of the law did not necessarily stop the exploitation of the tenants. The need to transform mailo land continued even after independence. A class of landlords had fully emerged. The land lords were not willing to have their status quo challenged especially by the then class of elites that had emerged due to acquisition of colonial education (ibid.).

65 Freehold: Freehold this was mainly Church land. Like Mailo land, the church rented out freehold to tenants at a fee. Again, the 1975 Land Reform Decree abolished the free hold (ibid.).

66 Customary Tenure: Customary tenure refers to the various modes of land ownership of different societies based on their traditions and customs. Nyagabyaki argues that it is assumed that land according to customary tenure belonged to the entire community with members having access and not ownership rights and that this assumption ignored the changing rights under customary tenure and how these changes have impacted on people’s livelihoods (ibid.).

67 Leasehold: According to Nyagabyaki, Leasehold was divided into two types, private lease in which owners of freehold or *mailo* land would lease land to an individual or organisation for a specific period. The second type was what he terms as state or statutory leases given out to individuals or organisations for a specific period of time and rent. He further states that the post independence era witnessed the conversion of customary land into leasehold because it was seen as a means of security of tenure that could enable those with land titles to access bank loans (ibid.).

done through promotion of individual security of tenure facilitated by acquisition of individual certificates that will facilitate the commoditisation of land.

Privatisation of land is part of the current neo-liberal inclusive discourses mainly supported by the multilateral agencies. Privatisation of land, a key asset for the poor in many developing countries, is seen as the foundation for economic activity; the functioning of the market; and non market institutions with the potential to attract foreign investors (Deininger, 2003; Nyagabyaki, 2000a). In Uganda, land constitutes “50-60 percent of the asset endowment of the poorest household” (Deininger, 2003: xvii). In his foreword remarks in Deininger (2003), Stern H. Nicholas, the Senior President, Development Economics, and Chief Economist of the World Bank observes that:

Facilitating the exchange and distribution of land whether as an asset for current services at low cost through market as well as non market channels, is central in expediting land access by the productive land-poor producers, and once the economic environment is right, the development of the financial markets that rely on the use of land as collateral (Stern, 2003: x).

Specifically, the World Bank had a direct influence on changing Uganda’s Land tenure system to a uniform freehold system with the intentions of promoting a free land market (Nyagabyaki, 2000a; Makerere Institute of Social Research and Land Tenure Centre, 1989). The other big donors including DFID have been influential in the development of the Land Act in Uganda (Republic of Uganda Parliamentary Hansard 1998). Small donors have tended to focus on safety nets for the poor, including women’s land rights, without challenging the wider discourses of privatisation and liberalisation that are embedded within the Land Act. Although with different roles, the interest of the donors, is the neo-liberal modernisation project. Commoditisation of land and agriculture modernisation provides government with strong allies among the donors.

The public interest for the gender focused NGOs has been women’s land rights use, control and ownership (Nyagabyaki, 2000a). The basis for the NGOs’ challenging of the Land Act has not so much been about its principles of making land a marketable commodity as of the implication of the Act for women’s rights, especially, control and ownership of land. Land redistribution law reform in favour of women through

spousal co-ownership and control of land may not completely tally with the broader interests of turning land into a marketable commodity. According to the commercial banks, spousal co-ownership may affect efficient use of land titles for the acquisition of bank loans. I need to highlight that all actors seem to agree that gender inequalities have impeded agricultural productivity and poverty eradication (PEAP, 2000; PMA, 2000). However, they differ in focus and policy options. While gender focused NGOs lay emphasis on transformation of the land ownership patterns between men and women, the other actors especially government, are interested in how women can be integrated to become effective agents in poverty eradication and agricultural modernisation, and not necessarily on the benefits that accrue to women. In other words, the public gender interest of government has been gender efficiency and not the re-distributive policies advanced by the NGOs (Kabeer & Subrahmanian, 1996).

The government frames of reference seem to tally with those of donors, with regard to gender efficiency. Donors fear that enshrining women's land control and ownership rights into law will lead to land fragmentation, and that it would affect the application for bank loans and impede the commoditisation of land by imposing unnecessary delays (Walker 2002; Olson & Berry, 2003). Government fears the destabilisation of the status quo through the provision of women's land rights, a fear that is non-apparent in land commoditisation and agricultural modernisation. It is hence easier to accept the privatisation than the gender equity discourse. Dislike of the gender equity discourse provides a major point of departure between government and donors. Donors like NGOs would like a destabilisation of the status quo, since cultural transformation would further their own interests especially in regard to changing customary land practices. In other words, the donors want both, commoditisation of land and cultural transformation; the government wants the former without the latter.

In terms of cultural transformation, it is not clear whether the kinds of cultural transformation the donors hope for are similar to those envisaged by NGOs. A review of secondary literature showed contradictory arguments on the issues of cultural and customary land ownership. On the one hand culture has privileged men through inheritance to deny women control over land and to have access and user rights through their male counterparts. On the other hand, culture is perceived to have provided for both men and women's land rights by ensuring that land belonged to the

clan and that a group of men (clan leaders) acted as trustees on behalf of the clan members, both men and women. Individual land rights, promoted through the land liberalisation drive, are privileging men and eroding the cultural protection of both men and women's rights (*Other Voice*, March 2000).

It is important to note that gender focused NGOs are not by and large challenging the individual security of tenure based on market principles. NGOs challenge the use of market principles against their campaign for spousal land co-ownership that would guarantee women control and ownership rights. It also seems that it would not matter to the gender focused NGOs if customary land practises were eradicated as long as women's land access, use, control and ownership rights are protected by whatever means to ensure security of tenure. Though theoretically distinct, in reality, the boundaries between the interests of donors and NGOs are somewhat blurred. Laying emphasis on women's control and ownership of land increases the NGO transaction costs that underscore the ability of the NGOs to achieve their interests (Harris, Hunter, & Lewis, 1997).

It is not only the transaction costs of the NGOs that are high, government has other interests – women form the largest percentage of the population (potential voters) - an interest that the gender focused NGOs are aware of. Women are important to the survival of government in power but they are also an important constituent to the gender focused NGOs (Asiimwe, 2001). NGOs and government also have a common interest - resources (mainly financial) from donors. Government and donors have a shared interest, that is commoditisation of land. NGOs and donors have a common interest - the participation of 'civil society' in the policy-making process. With the NGOs, the interests are mainly about social inclusiveness; with the donors it is mainly reduction of resistance of its programmes in poor countries (Craig & Porter, 2005). In the next section we explore the Land campaign to understand the ways in which the various actors pursue their interests and how this affects the campaign.

5.2 Key issues in the Campaign in 1997

In 1997 UWONET wanted to engage the public in the debate about the need to protect women's secure access to land. Using integrationist advocacy strategies, NGOs argued that it was unjust for women to own only 7% of land yet they provide "70-

80% of labour in agricultural production and over 90% in food-production and processing”, (UWONET, 1997). UWONET also carried out research in six districts in 1997 (Kampala, Kibale, Lira, Luwero, Mpigi and Mbale) to ground its contributions to the land rights debate in the “reality of peasant farmers” (UWONET, 1998). As a way of influencing policy makers, UWONET published the research findings in its 1997 annual report. Influencing policy makers was also done through holding meetings with some Ministers, linking up with parliament, use of the media, holding public dialogues and workshops (UWONET, 1997). UWONET in collaboration with ULA advocated for the need to guarantee for land ownership and women’s user rights in the Land Act. In addition, UWONET also called upon the cabinet to ensure that the proposed certificate of ownership includes the names of all stakeholders in the family that is to; the wife, or wives in the cases of polygamous unions, husband and all other beneficiaries (UWONET, 1997). In a bid to increase its bargaining power, UWONET, who began the campaign on women’s land rights, was now collaborating with Uganda Land Alliance (ULA), an organisation that it initially challenged for paying lip service to gender and land issues.

5.3 Key Issues of Focus for the Campaign in 1998

The 1998 government discourse on land focused on the need for the commoditisation of land. Government argued that this would foster agricultural production and the overall economic development. The Minister of Agriculture observed that, “in a monetary economy, land market is crucial” (*The New Vision*, May 10th, 1998). In addition to commoditisation, government discourses tried to separate family relations from land issues as shown by the remarks of the President in a workshop:

Uganda is characterised by diverse tribes with different values. We are confronted with different marriage laws - customary, Christian and Muslim. To compound it all, in Uganda we have citizens in the pre-industrial age, others in post modern age, not to mention those living in between. Each carries a different baggage of values. What should constitute matrimonial property? Assets owned by each partner, assets acquired during the marriage? How should the computation of contribution of the wage earner be made against that of the homemaker? What value should be put on helping preserve the property? When should co-ownership take place? Co-ownership is difficult during marriage, how is it manageable at all when the parties have divorced? Shouldn’t we then talk of reallocation of property upon divorce? What of many who do not marry but live for a long time in de facto relationships? How should we treat property acquired during their stay together? In other words are we going to apply a one size fits all mentality? Where does the sense of justice lie? Is Uganda ready to tackle these questions wholesale or incrementally (*The New Vision*, Thursday, 6th May, 1998)?

The President depoliticised land co-ownership by relegating it to the Domestic Relations Bill which deals with private sphere issues and not the Land Act. He also challenged the automatic right of women to own their husband's property. The President's remarks might have reflected the general attitude of the policy makers in that in June 1998, parliament failed to adopt the co-ownership clause into law with claims of omission and not a deliberate action.

However, it is not very clear whether government's non-decision making on the co-ownership of land clause was an omission or not (Republic of Uganda Parliamentary Hansard, 1998). The Hansard of June 25th 1998 shows that after the presentation and parliamentary discussion of Matembe's motion, the speaker said that

...we can approve the principles but not finally. We let the draftsmen come back tomorrow with a text. The principles are, where land is occupied as a home, where land is used, it should belong to the husband and wife. Then in a polygamous situation it should be the wives and husband, where they work the land and reside it should belong to the husband and each of the wives. Where they work on the same piece of land, they shall hold it jointly with the husband (Republic of Uganda, Parliamentary Hansard, 1998).

The above statement shows that the contents of the clause were to be agreed upon the next day and when another member of Parliament tried to further discuss the Matembe motion, the Chairman said that,

As far as I am concerned, we have made a decision. It will be referred to the drafting committee of experts and then it will come back here for us to baptise it with a section and adopt it. Otherwise these are drafting instructions to what appears to be a popular position, subject to clarification and drafting (ibid.).

It is [or seems] technically clear that parliament never passed the clause. The approval by the chair was not final; hence it was non-approval. A review of the Parliamentary Hansard showed that there was no redrafted clause presented to parliament. Miria Matembe the Member of Parliament, (founder member Action For Development and member FIDA), whom the gender focused NGOs used to articulate

their position in what has now famously come to be known as the Matembe clause⁶⁸ told me that she thought that since the speaker had agreed with the principles and

⁶⁸ The Matembe Clause was drafted by “a coalition of Hon Miria Matembe, Hon Baguma Isoke, a technical team from Ministry of Lands and Parliamentary Council, Uganda Land Alliance, Uganda Women’s Network, FIDA and Law Reform Commission” (Kyokunda 2003: 4). The provision stated:

Co-ownership of Family home

40 A (1) Land acquired by a person before the marriage of that person or by that person after the marriage of that person shall be and shall remain in the ownership of that person during the marriage unless, on and after the second day of July 1998-

- a) It becomes during the marriage the principle place of residence of the family; or*
- b) It becomes the principle source of income or sustenance of the family; or*
- c) That person freely and voluntarily agrees that the land shall be brought within the scope of the subsection*

(2) On and after the second day of July 1998 where land acquired by a spouse individuals or by spouses jointly used as principle place of residence or becomes the principle source of income or sustenance of the family or where a spouse family and voluntarily agrees that land to which paragraph (c) of subsection (1) applies shall be treated in accordance with this subsection, then shall be an irrebuttable presumption that such land if and shall accordingly be treated for every purpose thereafter as land owned in common by the Spouses, notwithstanding any statement in any document relating to the acquisition of that land to the contrary.

(3) On land after the second day of July, 1998 in a polygamous marriage, where:-

- (a) land is used by the husband and one or more' of his wives as the principle place of residence of the family or as the principle source of income or sustenance of the family, then' shall be an irrebuttable presumption that such land is and shall accordingly be treated for every purpose as land owned in common by that husband and that wife or, as the case may be, those wives, notwithstanding any statement in any document relating to the acquisition of that land to the contrary;*
- (b) Land acquired by the husband is used by a wife as her principle place of residence or as her principle source of income or sustenance, either with or without the husband using that land, there shall be an irrebuttable presumption that such land is and shall accordingly be treated for every purpose as land owned in common by that husband and that wife, as the case may be not withstanding any statement in any document relating to the acquisition of that land contrary.*

4) Where land or any interest in land is owned in common or jointly under this section, both or as, the case may be, all parties owning the land or the interest in land must either,

(a) sign each and every document relating to any transaction with that land or that interest in land;
or

(b) sign any document which shall be witnessed by not less than two independent witnesses that he or she understands the nature of the transaction, which is to be entered into, and authorities one of the parties to the transaction to sign any document on his or her behalf

(5) Any transaction to which subsection (4) applies in respect of which one or more of the parties does not either sign each and every document or sign a document to which paragraph (b) of subsection (4) applies shall be void

(6) For the purpose of this section, the principle place of residence of a family shall be taken to be the home where the spouses and their dependant, children, if any are living on. where the spouses are living a part, the home where the spouses and their dependant children, if any used to live as a family.

(7) For the purpose of this section, land shall be taken to be the principle source of income or sustenance of the family when it provides substantially for the livelihood of that family

(8) In any case where there is a dispute between parties as to whether a home is or is not the principle place of residence of the family or that any particular plot of or not a principle source of

what was needed was a technical input, it was not her duty but the technical team to determine the final approval. Parliament did not return to this issue the next day.

An employee of parliament told me that Matembe never moved the motion on the co-ownership clause⁶⁹ and it could thus not be included in the Land Act. Technically, if Matembe never moved the clause, it cannot then be called an omission. This analysis refutes the claims by various scholars and gender focused NGOs who claim that the clause was omitted after it had been agreed upon in the parliamentary session (Nyagabyaki, 2000a: *Other Voice, December 1998*). In her critique of the parliamentary handling of the co-ownership clause, Kyokunda (2003) provides the likely cause for government's non-decision making on the co-ownership of land clause. She states that if the clause had been included in the Land Act, it would have contradicted another law (Section 61 of the Registration of Titles Act) that recognises the certificate as conclusive evidence of title. She further notes that unregistered interest, and any rule of law or equity to the contrary, does not affect the purchaser of the registered land but that this is subject to court interpretations and will not necessarily affect the co-ownership clause (Kyokunda, 2003).

The non-approval of this clause, or technical omission as considered by some, are indicators of the non-decision making tactics of policy makers on gender issues (Lukes, 1974; Kabeer, 1999). The statements by the President and the actions of parliament provided a changing point in the NGO gender advocacy work on land specifically and in general. One of the clearly observable effect during the research was that the leadership of the campaign shifted from UWONET to ULA. The brief by ULA to the Ugandan Vice President then, Dr. Specioza Kazibwe, shows that it is ULA and not UWONET that brought the omission of the clause to the attention of the Ministry of Water Lands and Natural Resources. A review of the subsequent activities shows that from 1998, ULA started playing a central role in advocacy for the co-

income or sustenance of a family, the burden of proof shall lie on the person who alleges that the home is not the principle place of residence or, as the case may be, the plot of land is not a principle source of income of the family.

⁶⁹In an Informal discussion with one employee of parliament on 5th, September 2003 at the Parliamentary building, he told me that Matembe is lying to the public; she never moved the motion to include the co-ownership clause in the Land Act. However my discussions with Matembe indicate that it was a technical oversight on her part in the sense that she felt her motion had already been agreed upon in principle, she did not need to table it again.

ownership clause. It might be deduced that ULA took advantage of the situation to ensure that it retained its identity and status as a key player on land issues. The co-ownership issue was very controversial and it gave ULA the clout needed for its own identity that would in turn ensure its own resources. On the other hand, ULA playing a lead role on gender issues can also be seen as a gain to the women NGOs for having drawn the attention of a non-women NGOs to gender issues. In other words, the ULA intervention in the co-ownership campaign from 1998 onwards can also be seen as a success indicator for women's organisations because ULA is seen as a mainstream organisation.

In addition to ULA taking over the lead role in the co-ownership campaign, NGOs intensified their campaign in anticipation that they would influence the policy makers including the president. Using the efficiency criterion, NGOs held workshops across the country to solicit public support for their worldview through educating the masses about the Land Act and the importance of ensuring women's control and ownership of land in the Land Act. Rather than focusing on justifying the need for co-ownership, the NGOs started focusing on explaining why co-ownership should be treated as a land question and not a marital or Domestic Relations Bill issue. The Co-ownership of Land campaign was no longer a women but development issue. NGOs made alliances with parliamentarians and non-women organisations that supported or had the potential of supporting their cause and on whom they could rely to articulate their agenda. Matember, observed that: "They [NGOs] work but cannot sit in parliament to influence the law. They cannot sit on cabinet". In other words, NGOs have institutional limitations that affect the effectiveness and efficiency of their advocacy.

Amidst these limitations, the UWONET (1998) Annual Report lists its Land rights advocacy achievements:

UWONET can ...claim credit of engendering the Land Act 1998 and particularly section 28 on the Rights of women, children and persons with disability, regarding customary land, section 40 on restrictions of land transfer by family members and section 58 on membership of the District Land Boards which stipulates that at least one third of the members of the Board shall be women⁷⁰. ...there was a

⁷⁰ It is not clear the extent to which these provisions can be attributed to UWONET and not the affirmative actions tendencies of government that are also provided for in the constitution.

lot of discussion in the media and public places on women's right to own land. President Yoweri Museveni and a number of public figures have made reference to this issue on several occasions. UWONET is a member of the Land Act implementation unit under the Ministry of Lands, Water and Environment (UWONET, 1998: 5).

In spite of these achievements, the report further states that UWONET was still lobbying Parliament to amend the Land Act to include the 'Matembe' co-ownership clause. In December 1998, in a bid to defend their interests, the strategy of the gender focused NGOs changed to radical feminist advocacy. The lobbyists attacked patriarchy and lashed out at the capitalistic principles of the Land Act as despicable because they derogate the human and land rights of vulnerable groups.

The fact that the act derogates the human and land rights of vulnerable groups in favour of a capitalistic act to make land marketable, a commodity for sale is despicable. The land market is a male dominated market, women have no land to sell, yet they have to participate, how then can they join (*Other Voice*, December 1998)

In addition to the above, the NGOs challenged the basis of the Land Act without a National land policy to account for the principles of ownership of land by spouses as articulated by Matembe in Parliament (*ibid.*). This means that in addition to an attack on the Land Act, the NGOs were attacking the donors' technical knowledge. DFID provided the government of Uganda with the technical resources for the production of the Land Act (Republic of Uganda, Parliamentary Hansard, 1998). Thus, one can conclude that essentially, the NGOs were indirectly critiquing the quality of technical support provided by DFID. The actions of the NGOs might have provided the change of attitude and the mode of the relationships among the various actors in the NGO Co-ownership of land rights campaign. After this incident, as shown by the trend of the campaign in 1999 in the next section, donor agencies (big donors and small donors) including DFID seemed to have increased their interest in the Co-ownership advocacy work of the gender focused NGOs.

5.4 Key issues of Focus of the Campaign, 1999

In February 1999, DFID took on the role of an arbitrator by holding a meeting in London with the Minister of State for Lands, Water and Mineral Resources. The then British Foreign Secretary, Clare Short sought an explanation for the omission of the co-ownership clause from the Land Act. The Minister claimed that it was a technical

error and that the ministry was “in the process of drafting amendments to the Land Act to include the clause on co-ownership of land by spouses” (ULA Brief to her Excellency the Vice President, n.d). The Minister promised the British Foreign Secretary that his Ministry was going to re-introduce the co-ownership clause to parliament for its inclusion in the Land Act. The Minister made the promise after Short’s expression that “the government of the United Kingdom expected the co-ownership clause to be re-introduced in the Land Act” (*Other Voice, February 1999*).

It is no surprise that in March 1999, the President underscored the importance of the clause on the occasion of International Women’s Day. He said, “women need to own land, which is a very important factor of production. They need to control the proceeds of their labour. Today women are cheated” (*Other Voice, March 1999*).

In April, NGOs sought explanation from the parliamentarians (demanding accountability from them as their representatives in parliament) of the omission of the clause from the Land Act. In this meeting, Mutyaba (Chairperson of the Land Committee) reiterated the “willingness and intention” of the Ministry of Lands to reintroduce the clause as an amendment (*Other Voice, April 1999*). He said that it was a priority issue and that the procedures of tabling bills would be waived for it to be tabled in parliament and that there was no need of pressure from the women’s movement. “Everybody agrees including the President that the co-ownership amendment is important and should be included in the Land Act” (*ibid.*). In the same meeting, the Minister of Lands refused the petition with over 50,000 signatures that the NGOs had brought to him. He said that there was no need for the petition because he had already forwarded the amendment to parliament. He advised the women to lobby the speaker of parliament to include the clause in the parliamentary business (*ibid.*).

In May, the NGOs met the speaker of parliament (probably a reaction to the recommendation of the Minister of Lands) and he told them that they still had the opportunity to press for the reintroduction of the amendment to parliament if they had “the capacity to lobby” (*The New Vision, May 2nd, 1999*). He also encouraged the women to pressure the Law Reform Commission to own the Domestic Relations Bill but he observed that it was not yet a bill but a report. He also advised the women to

lobby men so that it is discussed in parliament (ibid.). He further claimed that he himself was a supporter of women's rights and observed that:

The struggle for women's rights has taken so long but that they (women⁷¹) should not give up because it requires changing the old way that men used to regard women and changing people's minds is a gradual process (ibid.).

The Minister referred the lobbyists to the speaker of parliament and the speaker referred them to the Law Reform Commission⁷². While the chairperson of the Land Committee told the NGO representatives that the procedures would be waived and that there was no need of pressure from women, the speaker of parliament encouraged them to lobby more. He advised them to continue with the campaign and to specifically lobby men so that they would argue and vote in their favour. He did not claim to have the Bill, he only said that the bill was to come to the house and it is not clear what he meant by this. He was concerned about the limited capacity of the NGOs to lobby. He advised the NGOs, to think of introducing a private members bill, and referred them to a (non-existent) Domestic Relations Bill. He also claimed that changing people's minds takes a long time(ibid.). The Speaker was indirectly telling the lobbyists: 'you have an impossible task ahead'.

The behavioural patterns of government personnel show a form of non-decision making that manifests itself in a number of ways. First, government personnel reduce the co-ownership of land issues to women's issues. This is seen in their use of statements such as 'women activists'; 'hundreds of women'; 'lobbying men'; and 'women's movement' yet it is not only women who are involved. In so doing, by and large, men are alienated from the campaign and indeed the campaign is portrayed as a war of the sexes over property ownership especially land. Secondly, government personnel provide contradictory advice to NGOs to keep them busy lobbying. Thirdly, government policy makers manipulate government's bureaucratic inefficiencies to frustrate the NGOs while at the same time appeasing them through making verbal

⁷¹ Words in brackets are my addition

⁷² I indeed recall that we actually went to the meet the Minister of Justice, Honourable Joash Mayanja Nkangi about the domestic relations bill. In the same year, the Domestic Relations Bill coalition was formed. It can thus be said that this process rejuvenated a campaign that had become inactive.

sympathetic claims of the recognition of the importance and urgency of the issues articulated by the gender focused NGOs (Kabeer, 1999; Lukes, 1974).

NGOs faithfully followed the advice of government key policy makers. Therefore, to a certain extent, through non-decision making, government controlled the agenda of the NGOs. Inter-institutional and intra-institutional relationships assisted government in its non decision-making tactics without offending the NGOs. Due to the apparent support of the policy makers, the NGOs focused not on justifying the need for the co-ownership but rather on arguing that as a development issue, it should be included in the Land Act.

It is very important because we are not looking at it as a 'women issue' but as a developmental issue. If women provide 70-80% of labour in Agricultural production and 90% of food production, it means that if Uganda is to develop, the women who work on land must have power to control it somehow (*The Monitor*, Tuesday April 27th, 1999).

NGOs mainly use the efficiency criterion and instrumentalist arguments to articulate their discourses. Demonstrations and the media were important strategies. The Other Voice, a newspaper specifically focusing on gender issues and managed by women journalists specifically dedicated its monthly pullouts to the Land campaign. One heading read "hundreds of women flooded the parliamentary building to seek clarification on what could have happened to the co-ownership clause" (*Other voice*, April 1999). Mainstream newspapers also carried sensational headings such as, "50,000 angry over the Land Act" (*The Monitor*, Monday, April 12th, 1999). In addition to the media, NGOs openly claimed to have the support of donors in their campaign. In an interview with the Monitor newspaper, the then co-ordinator of ULA is reported to have said:

All the donors support the idea of co-ownership. They don't look at it as a women's issue but as a development issue. The British Department for International Development (DFID) is back rolling the implementation of the Land Reform on the understanding that the land co-ownership proposal is to be provided for in the Land Act (ibid.).

In other words, NGOs recognised the power of the development discourse, the media and donors, and used this to their advantage. However this was short lived as the trends of the campaign in 2000 show, a trend which might have been started by a

study in November 1999 whose findings claimed that the Land Act only benefits the rich. It went on to say,

...households do not have ownership rights over land and that it is not widely accepted as collateral for credit. ...The evidence does not indicate a clear cut relationship between security of tenure and farm investment, and suggests other constraints are more important. The Act is therefore unlikely to make a major impact on the governments agricultural modernisation programme. As the Act does not specifically target the poor in terms of absolute income/and or assets it is also unlikely to make a major contribution to the governments poverty eradication ...no developmental benefits exist to justify investing scarce resources in land ownership transfer...and warns: Donor involvement is extremely unlikely considering the lack of identifiable benefits and because the windfall beneficiaries are likely to be among the wealthiest (*Uganda Confidential*, 12th – 18th, November 1999).

The same study claimed that section 40 of the Land Act that provided for spousal consent before disposal of land, had affected the value of land especially for purposes of collateral and that commercial banks recommendation for the workability of the section is to reduce the number of dependants (*ibid.*). The report refutes the earlier claims that the Land Act was a tool for poverty eradication, as it had been earlier claimed by government, an ideology that NGOs had also taken on board in their defence for women's land rights.

5.5 Key Issues of the Campaign, 2000

In February 2000, during a public dialogue, the Minister of Lands observed that a number of stakeholders, including Matembe, drafted a new motion to amend the Land Act to include the lost clause. This draft clause was presented to cabinet who referred it to the Domestic Relations Bill, a decision that accordingly drew up new "battle lines" with some women leaders (Baguma-Isoke, 2000). The Minister observed that according to public opinion, the lost amendment was originated and was being pushed by Europeans and Americans.

But one should examine the European and America Economic base to realise that these people depend for their livelihood largely on employment of skilled labour in services and industrial sectors; only about 5% of them live on the land as farmers (*ibid.*).

In a letter to the Minister of Constitutional affairs, the President reiterated these anti-imperialist sentiments when he said that he:

...caused the Ministry of Gender Affairs in the previous administration (1996-2001) to withdraw the Domestic Relations Bill....The Bill was trying to copy western (European-American) ways of life and incorporate them into Ugandan Law and therefore societal practice....Western Societies have completely ruined the family and the society...Therefore those pushing us to copy the West in everything are not helping the human race; certainly they are not helping us (Museveni, 25th, October 2002).

Therefore, it seems that the Domestic Relations Bill to which the co-ownership clause had been recommended by parliament was not to be passed by government into law. The President had instructed the Ministry of Gender to withdraw the DRB from parliament. However a State house attorney wrote in the *New Vision* newspaper commending government for its decision to include the co-ownership clause in the Domestic Relations Bill, that deals with divorce and other matrimonial matters, and not the Land Act. He stated that it should come into effect after the death of one of the partners or at divorce. He cited scepticism about the clause and that it would lead to commercialisation of marriages. Further, he claimed that the opponents of the co-ownership clause saw it as an elitist ploy to use marriage to acquire men and clan property, a move that was not likely to be supported by rural women. He argued that it would be difficult to implement the co-ownership clause because most of the rural land tenure system was non-registered customary land. Rather than co-ownership of land, he recommended the adoption of girl's rights to property inheritance which according to him would ensure women's protection whether married or not (*The New Vision*, 3rd, August 2000). These recommendations had earlier been expressed by a Member of Parliament, also a key member of the National Resistance Movement. He questioned the relationship and implication of the clause to the existing land tenure systems and communal land ownership (*The New Vision*, 10th, March 2000).

Amidst government's non-decision making and diversionary tactics on the subject of co-ownership, in March, 2000 during their Consultative group meeting, application of objective capacities (Foucault, 1982) seemed to be the available option to donors to further their interests of ensuring that the Land Act is generally accepted. Donors expressed their willingness to co-operate in the implementation of the Plan for the Modernisation of Agriculture (PMA) and the Poverty Eradication Action Plan (PEAP) "on condition that among other action, GOU undertakes to bring into law the 'lost amendment' of co-ownership of land by spouses" (Baguma-Isoke, 2000). It is no

wonder that in August 2000, government released findings of a research commissioned with financial support from DFID on the subject of gender and land. Linking gender, poverty and land security, the report states that

...the low tenure security, lack of participation in decision making and lack of control of income, constrains women's incentives and ability to introduce new crops and adopt new agricultural techniques (*The New Vision*, 8th, August 2000).

The study further claims that commercialisation of land places undue pressure on women's security of tenure and that there is no substantial linkage between women's co-ownership of land and the credit market or the land market (*ibid.*). These findings contradict the results of the November 1999 study that claimed that spousal consent had affected the value of land and its use as collateral with the banks. Unlike the 1999 report, the study links the capitalist mode of production to gender inequality.

In December 2000, in a meeting that I attended, the Vice President disapproved of the NGO land co-ownership campaign. She also challenged the findings of the research commissioned by ULA in partnership with DFID that linked women's control of land to poverty eradication as baseless, flawed and full of technical errors. She said that there is no relationship between security of tenure and increased agricultural productivity. She further stated that

...the issue in contention should be access to land and its productivity and not co-ownership of land. To say that without land we(women) will go nowhere is pushing the women back to the last millennium...and confining them to the hoe... what we should have is education to enable girls to use more of their brains(*The Monitor*, 7th, December 2000).

However my critical review of the findings of the ULA research shows that they are similar to the findings of the research of the Ministry of Lands, Water and Natural Resources discussed above. While the Vice President challenged the NGO land co-ownership campaign, the 25th, June 1998 parliamentary proceedings show that she supported the co-ownership clause and that she participated in campaigning for its support in parliament (Republic of Uganda, Parliamentary Hansard, 1998).

The foregoing discussions show that there is acceptance of the need to overcome gender inequalities but the point of divergence between government and the NGOs was how to achieve this. In his letter to the Minister of Constitutional Affairs, the President observed that,

The thrust of the Domestic Relations Bill was to 'free' the woman from servitude in the family; to 'free' the girl child. Is there servitude for the woman, for the girl child, in African Societies? The answer is 'yes'. There is servitude in the Africa Societies and there was servitude for women in all pre-capitalist, post primitive communal societies...Therefore the issue is not whether there is need to emancipate the girl child, the mother or the widow...The issue is how we do so?...Education for all...Secondly, we should entrench in the law that the girl child inherits from her parents because she is equal to all the other boy children (Museveni, 25th, October, 2002).

The Vice President and the State House Attorney also underscored the need to educate the girl child as one of the solutions to problems of women's ownership of property including land. However, this recommendation did not feature in the Ministry of Lands Water and Mineral Resources study. Instead, the study recommended that there was need for a comprehensive law to legislate against gender inequalities. That the law should be based on equity and development concerns with special focus on the relationship between female land tenure, poverty eradication and agricultural modernisation. The study made three alternative recommendations; family title over home and productive property (integrationist), co-ownership among spouses (gender mainstreaming) and presumption for independent land ownership by each spouse (transformative or redistributive policies)⁷³ (*The New Vision, Wednesday 9th, August 2000*; Ovunji et al, 2000). Having three choices meant that time had to be spent studying each of the options. This suggests that the making of these recommendations was a deliberate action by government of buying of time in order to maintain the support of donors and NGOs. One Member of Parliament who observed the whole process confirms this line of thought:

... Uganda was a signatory to the charter on Social Development, which deals with eliminating poverty. Government must be seen to effect social justice and account to the international community...what has been done to help women (Minutes of ULA meeting with Buganda Caucus Group, 3rd, August 2000).

⁷³ The words in the brackets are my interpretation of the policy implication of the recommendation from a gender perspective

It may also be said that the anti-imperialist and cultural preservation arguments by government personnel are political non-decision making strategies to divert the public (Lukes, 1974. Kabeer, 1999) away from the NGO controversial land rights advocacy work. A critical review of the Land Act shows that government prioritised market principles against social principles including customary land practices. It provided for the conversion of Customary Land into individual certificates of occupancy that can act as security in accessing bank loans. The Land Act had included a clause that provided for the consent of both spouses before any sale of the land, but the act prioritised market principles against the social implications of these decisions (Nyangabyaki, 2000a). The Land Act provides for the spouse not to unreasonably deny consent in the sale of land, without a definition of what is reasonable or unreasonable. The focus is on economic development based on Western capitalist modes of production, and provision for women's land co-ownership is seen as a hindrance to economic development and the move towards the capitalist modes of production (Walker, 2002; Olson & Berry, 2003; Woodwiss, 2005). There is clear evidence that the man is perceived as the head of the household and reference is made to customary practices, but at the same time the cultures that impinge on women's rights were declared illegal by the 1995 Constitution. The Land Act does not provide for security of tenure to widows/widowers and divorcees. It is only applicable to legal marriages yet so many Ugandans are in customary, unrecognised marriage relationships. In other words, the policy makers concerns are willing to adopt the Western values as long as patriarchy is left intact.

It is important to observe that "gender relations do not operate in a social vacuum but are the products of the ways in which institutions are organised and reconstituted over time" (Kabeer & Subrahmanian, 1996: 17). In the Ugandan context, the institutional organisation and operation of gender relations manifested themselves in the person of the President whose views on the whole thrust of the campaign might have led to the inconsistency of government policy makers. The role of the President is clearly emphasised in a meeting organised by the NGOs with one Member of Parliament in which she told the NGOs that there was "strong male resistance even from the President" whose emphasis was more on the traditional than the economic implications of the clause (Minutes of the meeting with Buganda Caucus Group, 3rd,

August 2000). She further informed the NGOs that “the President was the deciding factor of passing the co-ownership” clause (*ibid.*).

These arguments provided the transformative direction that the NGO campaign took in 2000. Discourses of entitlements (rights) and the structural limitations of government to provide these entitlements dominated the campaign. This is a departure from the 1999 trend in which efficiency and effectiveness arguments dominated the campaign. In January 2000, government was challenged for its failure and inaction to ensure that the Domestic Relations Bill was debated in Parliament and enacted into law (*Other Voice, January 2000*). In March, the NGOs questioned the reliance on the person of the President to achieve women’s rights. They also questioned the democracy of the NRM government and lobbied for the need of structures to further law reform (*Other Voice, March 2000*). In May the same year:

A group of women advocating for land ownership accused the President of double standards on the controversial Matembe clause...I am the driver of the vehicle and therefore women must listen carefully to my advice. Do not make the vehicle collide because of high speed. ...as much as the president accused the women of trying to make his vehicle collide, the women themselves are trying to ensure the vehicle does not collide (*Other Voice, May 2000*).

Taking into account the allegations by some policy makers that the campaign was elitist and Western, research became a key component of the NGO agenda. This is because NGOs felt it important to prove beyond any reasonable doubt that the co-ownership campaign was not elitist as claimed by those in government. In addition to research, NGOs used a number of tactics to enhance their bargaining power. Among these was emphasis on the sources of their financial support, the donors a sign of indirect ‘power’ in their campaign messages. In addition to the donors, NGOs used the discourse of entitlements and women’s contribution to agricultural production in their campaign messages. They referred to International Instruments to which Uganda is a signatory and the 1995 Constitution as yardsticks for the women’s entitlements. NGOs also claimed that instruments such as the government Poverty Eradication Action Plan, the World Bank Country Assistance Paper, the Uganda Poverty Status report, the Uganda Poverty Participation Assessment programme, were all recognising the need for women to access productive resources including land (*Uganda Confidential, 5th -11th, May 2000*).

Enhancing social capital in their advocacy was important to gender focused NGOs. Events such as International Women's day, and newspaper supplements assisted NGOs in this strategy. Through newspapers, various organisations would write newspaper supplements that showed their support for the co-ownership clause and how its enactment would lead to the achievement of human rights and sustainable development. Building a public image as representatives and mouthpieces of the people was an important power enhancement mechanism. Showing your support as an organisation for co-ownership, a topical issue that everyone was talking about would build your institutional public image. The effect of the NGO actions was that they kept the co-ownership issue going. Power relationships were in the form of relations of communication. NGOs would write an article in the media and a government response would prompt action mainly through funding from donors to NGOs, and the cycle continues. It is important to note that it seems that government attacks on the NGOs, by arguing that their issues are foreign and elitist, prompted action from the donors to support the NGOs to prove that their issues are local. Power is not a "zero sum game but simply for the moment staying in the most general terms, of an assembly of actions which induce others and follow from one another" (Foucault, 1982: 217).

5.6. 2001 Onward: Building Grassroots support: The Rights-Based Discourse

Building grassroots support was paramount if the campaign was to make any headway. In other words, government non-decision making led to processes to make the campaign more people-centred. By 2001, a number of NGOs had received funding to build local bases for their advocacy agenda. Below are examples of some of the initiatives that were undertaken by the NGOs in 2001.

5.6.1. DFID Uganda Land Alliance Partnership

Aware of the power of NGOs, especially if they attacked the fundamental principles of the Land Act, 'partnership' seemed to be the only option that would lead to a realisation of the overall interest of the donors, that is consensus on the new Land Act. In February with facilitation from the DFID Social Advisor, a ULA project was funded for a one-year period to campaign for women's land rights. In a workshop

facilitated by this advisor, she suggested that ULA should try to lobby for a family title instead of co-ownership. The suggestion that was rejected by the workshop participants on the basis of the difficulty of defining a family in the Ugandan context and that the interests of the family as a whole may not be favourable to all the family members. The participants felt that co-ownership was the most favourable option for protecting the interests of women. The purpose of the project for which ULA received funding from DFID was states as:

To enact the co-ownership clause in the law and to ensure its implementation through mobilisation of the rural population, to intensify the debate and support for it from the grassroots (Kharono, 2003)

The premise of the project was that the grassroots would be able to demand their members of parliament to enact the clause into law. Specifically the expected outputs from the project were: to develop a rural constituency in support of the project; new information and research on women and land shared with policy makers and the media; the co-ownership clause legislated and the programme co-ordinated and administered. The ULA-DFID partnership project was reviewed in 2003 to verify the extent to which the project had achieved its intended outcomes. According to the review, ULA carried out a series of one-day workshops around the theme of family relations and land rights centering on the question of the co-ownership of land by spouses. The concept of family relations that was rejected by the workshop was carefully linked to the co-ownership clause. Of particular note is that most of the planning and major review of such projects was done in Kampala and yet implementation took place in sub-counties outside of Kampala.

The review indicated that it was not possible to establish the extent to which ULA had influenced the actions of the policy makers. The review further noted that the enactment of the clause into law was “outside the direct control of the Alliance as the amendment of the Land Act and enactment of the Domestic Relations are a function of the government” (Kharono, 2003: 3). The review also observed that the major weakness of the project lay in its design. The time frame could not produce the anticipated results and the outputs themselves were beyond the possible achievements of ULA. ULA can only influence but not enact policy. There was structural resistance to co-ownership and it needed a process rather than a project approach with mutually

reinforcing strategies and a rural constituency in support of the clause was yet to be built, implying that it was elitist and Kampala based. The one-day sensitisation workshops did not provide the necessary space and opportunity for addressing the serious conceptual and ideological underpinnings of the co-ownership clause. It was observed that the project achieved some tangible results of bringing aspects of people-centred advocacy to the campaign. The project also assisted ULA to strengthen its relationships with its members (organisations and individual) through their participation in some of the activities of the project (Kharono, 2003).

5.6.2 ActionAid and Uganda Land Alliance Partnership

Another example of initiatives geared towards linking the national and grassroots processes was the ActionAid Uganda and Uganda Land Alliance partnership. Land Rights, but not specifically women's Land Rights, was a focus for ActionAid, who in collaboration with Oxfam, had contributed to the formation of ULA. However, women's Land Rights became an issue for ActionAid due to its national level engagement with the women's organisations campaigns on land and because land had become a topical issue in Uganda since the enactment of the Land Act. UWONET invited ActionAid to the land rights campaign meetings in 1998. Through attending on behalf of ActionAid, the gender co-ordinator [myself] updated other staff members and management including the Country Director on the progress and the identifiable shortcomings in the campaign. Such updates were also reinforced by media reports on the campaign.

The management of ActionAid was convinced that they needed to involve the grassroots level, which was 'analysed' as the missing linkage in the on-going campaign. They recommended that ActionAid in partnership with gender focused NGOs undertake research documenting women's experiences of land in their 'own' voices. The gender co-ordinator tried to interest Uganda Women's Network but the co-ordinator seemed to be preoccupied with other issues or possibly was not interested in the partnership. ULA was the second option. The ULA co-ordinator was more enthusiastic. She requested ActionAid to write a concept note. Note here that in asking for a proposal from ActionAid, ULA was behaving like a donor agency. In addition to writing the concept note, ActionAid provided the funds to ULA. ULA contracted two researchers to do the work. The research was carried out in the districts

of Palisa and Kapchorwa. The research findings were published in a booklet entitled “Included yet Excluded”. The booklet was also translated into the local languages and developed into posters in order to make the research findings user-friendly to the community men and women.

Kapchorwa and Palisa districts were selected because the ActionAid Development Initiative team welcomed the idea in comparison to the remaining six Development Initiatives (DI). Secondly, while women’s Land Rights had not been a key issue for these initiatives, land scarcity was a problem in Palisa and the Benet Land Question⁷⁴ was a key concern for the Kapchorwa DI. At the same time, ActionAid was in the early stages of its new Country Strategy paper in which Women’s Rights were among its five thematic areas of focus. ActionAid was changing its focus to advocacy and lobbying, from its earlier emphasis on service delivery (school, road, health units, micro finance, and agricultural inputs). The grassroots women’s land rights campaign was thus timely as an entry point on advocacy on women’s rights and the Benet land question in Kapchorwa district and the organisational developmental initiatives as a whole.

After the research, the issue of continuity became critical for ActionAid. During the same period of time, ULA was establishing Land Rights Centres and it requested ActionAid to host one of the centres. Having an interest in building local advocacy initiatives on land rights based on the research findings, ActionAid agreed to host the centre and to meet its costs. ActionAid did this on the understanding that the centre would meet the objective of building local advocacy.

In 2001 the ULA was contracted by the GOU to disseminate information on land rights. One consequence of this was that ULA requested ActionAid to establish a Land Rights Centre in Kapchorwa. Interestingly, ActionAid was not aware of the link between ULA and the Ministry when it agreed to become involved. A review of the Ministry of Water, Lands and Natural Resources 2001-2011 Land Sector Strategic Plan (LSSP) shows that the partnership between the Land Rights Centres and ULA

⁷⁴ The Benet are an ethnic group in Kapchorwa whose land rights were affected by the gazetting of part of the forest without compensation and clear boundaries between the Gazetted land and the land belonging to the Benet. The Benet land question focuses on the displacement of the people by

can be linked to the plan of government to enable women and vulnerable groups to access justice and dispute resolution, and land rights information. The plan states that,

Provision of information on land rights is a key strategy for improving the security of land rights and therefore livelihood sustainability of vulnerable groups. Under LSSP, public information will be developed to address the broad range of sector issues at national, local and individual levels and capacity will be built in both public and private/NGO providers to provide land rights information services (Ministry of Lands, Water and Environment 2001: 12).

Like the Ministry, ActionAid contracted Uganda Land Alliance to do work in which it seemed to have a shared interest. Although there is no clear proof, ULA might have influenced the Ministry to include the land rights information activities within the plan since it seems to have started the work of the Land Rights Centres in 2000. It is interesting to note that one implementer (ULA) was able to draw in three donors to fund different aspects of the same project in Kapchorwa. In addition to the partnership with ActionAid and the Ministry, Uganda Land Alliance also received funds from DFID for the implementation of the co-ownership clause. Several donors who are not co-ordinated and may not even be aware of what the other donor is doing fund one project. Each is focussed on achieving their own goals, so long as the project manages to meet the specific interests of each donor, the overall picture is of little concern to the various parties (Hamilton, 2000). These kinds of funding arrangements have had some very particular implications for advocacy work and how it is funded.

In addition to attracting funding, through asserting that its work was informed by field experiences, ULA has managed to counter claims by critics that the advocacy work undertaken by NGOs on gender issues is an elitist concern. ULA also succeeded in nurturing a good relationship with the Ministry of Lands and was employing some of the staff from the Ministry to disseminate information on land rights. The work of ULA was aligned to the Plan of the Ministry. The Kapchorwa Land Rights centre is an expression of the struggle of an NGO, in this case ULA, to negotiate for its interests amidst competing interests of others.

Like ULA and ActionAid Kampala, the Kapchorwa Development Initiative also had interests of the Benet Land Question that it added to the programmes of the centre.

government through creation of a mountain reserve.

While the initial immediate interests of ActionAid was to facilitate processes of encouraging grassroots women's experiences on Land, the agenda of the centre has grown so big and a number of different issues became apparent. ActionAid Development Initiative has taken some deliberate efforts to ensure that marginalized groups, including women and children, have their rights protected. The specific strategies included:

1. Creation of awareness of the Land Act and its provisions, especially among community leaders such as women councillors and local councils
2. Forging partnerships with other human rights organisations such as the Human Rights Centre in the district and region
3. Training of paralegals that work as community mediators on land conflicts involving the disadvantaged groups including women. Nearly 50% of the cases reported at the Land Rights Centre are gender related, mainly following the denial of land to widows after the death of the husband, and sale of land by spouses.
4. Deliberate efforts to enhance the capacity of the paralegals in understanding gender and the Land Act. Paralegals act as mediators in land disputes and difficult cases are referred to the Land Tribunal and the courts of law.
5. Use of committed local staff who act as links between ActionAid and various local partners.
6. Funding of community based organisations in the district.
7. Production of Information and Education and Communication materials on land and especially on women's Land Rights.

The ActionAid Kapchorwa District Initiative has mainly used the rights-based discourse as a way of articulating its advocacy agenda on women's control over and access to land. This was noted in the use of the term land rights, and the reference to the Land Act and the Constitution in their activities. The human rights discourse is very appealing and easy to articulate but it is not clear to what extent it will increase women's access and control over land. Talking about rights in a community is quite complicated because according to culture (as claimed by most of the male research participants irrespective of education levels), women are part of the property that a man owns in a household. Men therefore do not see why women should be granted ownership rights especially since they too do not have land rights.

This line of thought is also shared by some women especially in community discussions on the subject, where women may argue against property rights for women, at least publicly, and would be reluctant to support such property rights publicly. It is plausible to say that the community has gone into defence or denial of their situation. In the mixed focus group discussions in Kapchorwa district, both men and women justified the subordinate status of women and were unwilling to acknowledge that women do not own land. When one man tried to say that women do not own land, the other men quickly silenced him. They might have wanted to portray to the outsider (me) that everything was well in their community and that women were not really regarded as property (Focus group discussions, 10th, October, 2003, Kapchorwa).

However the discussion with women alone, contradicted this image. In their own spaces (focus group discussion with no men) women told me that they do not own land. When it came to the plenary, however, most women kept quiet and allowed men to dominate the discussions. The few who spoke defended their male counterparts. They said that it is just and fair for a man to have more control over the household and its resources since he brings the woman into the household. However, I observed that the same women when they met alone complained bitterly that they do not own land themselves. One woman said that it would never be possible for women to own land. "Men even claim ownership over the chicken that women bring to the household as gifts from their parents" (Focus group discussion, 9th, October 2003). Gender and power relations play an important role in the negotiation of interests (Guijt & Shah, 1998; Murthy, 1998; Kabeer, 1999).

However, in the pursuit of their interests, NGOs are at times unable to take into consideration the important role played by gender and power relations and hidden scripts in development (Scott, 1990). In my discussion with one District Officer, he said that it is important that these issues (women's land ownership issues) are articulated in ways that the community men and women identify with. He said that if they are articulated in relation to poverty, it might be easier for the community men and women to identify with them. He said that the ActionAid project, the District Initiative in Kapchorwa may have to become less politically 'correct', as well as more

diplomatic and culturally sensitive, to be more effective. The officer seemed to mean that the DI has used the top-down approach, one that was largely unresponsive to the community's own understanding of land issues and gender relations. He was critical of the NGOs (ActionAid and Human Rights Initiative) use of Constitution and Land Act to create awareness on land issues. He felt that such instruments are far removed from the local people's own understanding of land rights (Interview District Officer, 9th, October 2003). A paralegal⁷⁵ also told me that women fear reporting their husbands for violating the provision concerning spousal consent before selling land. In doing so, they may suffer a strained relationship with the husband, or even face disgrace, violence, divorce and destitution.

Tangible and measurable achievements seem to be the most crucial for the Land Rights Centre. Uganda Land Alliance requires the Programme Officer in charge of the centre to report on a quarterly basis how many cases have been handled in that period and how many awareness programmes have been carried out. There is concentration on having the awareness programmes carried out and 'delivered' rather than focusing on the quality of the programmes or how they are received. The information that is passed on in a day's training involves the following:

- Expectations and fears
- Historical background to the law (Land Act)
- Land management systems
- Women's Land Rights
- Marriage
- Succession

This was a lot of work for those involved, particularly for those who could not speak English and had gone without lunch! In addition, the relationship between the team and the community seemed to be that of giver and recipient. The ActionAid staff (a man) received training from Uganda Land Alliance, and he in turn facilitated the process of passing on the information to the paralegals. He is now working closely with the paralegals (a man and a woman), to give back what they learned to the community. They are not necessarily engaging in discussions of understanding the

⁷⁵ Para-legals were trained with support from ULA and FIDA

land ownership patterns in Kapchorwa, nor is much time spent on considering what can be done creatively at local level other than use of the law to foster the process of negotiating changes in land ownership patterns between men and women.

I was disheartened to observe that the focus on land, had ignored the core issues underlying the land problems: the social, political and economic empowerment of women. It was noted that a few educated women who are earning income are buying land but this is a very small number because most women lack money and assertiveness. In this respect, from a cultural point of view, land ownership is more of a privilege for women than a right as is the case for men. Secondly during the informal discussions women said that there were cases of rape during encroachment on natural reserves, beating by the husbands or separation in cases where a woman challenges a man who wants to sell family land.

I also observed that there was limited critical engagement of the NGO staff and the local people in the agenda setting processes. I observed that the consultant focused on collecting the data and she did not observe the feelings of the staff. According to one staff member at the DI level, they never knew her terms of reference because someone made them from the head office. One of the staff said, "I wish we sat together to decide the terms of reference and work out the modalities of how we will achieve them". He further said that though he was not happy with the way the process was handled, he would not share his feeling because he did not want to offend the staff member who brought the consultant from Kampala. He felt that if he shared his feelings they would say that he was "sabotaging their work"(Discussion with Staff member, ActionAid Kapchorwa, 9th, October, 2003) The same pattern of behaviour was observed among the NGOs where members who were unhappy with the direction of the advocacy process would opt to hidden resistance rather than openly confront each other. The silence is in itself a tool used by NGO personnel to exercise what would be termed as the exit option and it affects the direction of the advocacy campaigns (Hirschman, 1970). This kind of behaviour was also seen in the response of the NGOs to the donor discourses. I also observed that rather than resist the discourses of the donors, they are embraced by the NGOs to access financial resources. They then add these to their own issues of concern. In other words, access to resources becomes a mechanism of addressing the NGO's own advocacy agenda

with donor agendas. As already noted, NGOs maintained their focus as co-ownership of land by spouses but articulated it differently including the use of the family land rights concept so as to meet the donors' expectation. In other words because they need to satisfy the donors demands they do not resort to open resistance of such discourses.

During the course of fieldwork in 2003, I also observed something that I was partly aware of but was more evident now that I had stepped aside. The interpersonal relationships between the ActionAid DI office, the ActionAid Kampala office and Uganda Land Alliance, and in some instances, consultants had an effect on the willingness of the staff members at the district level to work on gender and land issues. For example, while the Kapchorwa team supported me in gaining access to the communities, I was by and large treated as a person who is seeking information and not necessarily seen as someone who would contribute to the improvement of the programme. My intention and I had been presented to the team as with the aim of improving the DI work on gender and land. The extent to which the DI team felt I would make an added value to their work was not clear to me nor was it clear that they wanted a value added to their work.

The issue of the Benet Land question seemed to be more important to staff than the women's land rights issues. The DI seemed to be aware that it needed to be seen to be doing something on women's land rights since this was the major reason for the establishment of the Land Rights Centre. Due to institutional constraints, it is not easy for the Land Rights Centre personnel to achieve the varying interests of the different actors. He was recruited and is working as a staff of ActionAid, seconded to ULA. His first allegiance in this case is ActionAid but then his relationship to ULA is important because he is working for ULA. Meeting the interests of the different actors was indeed having a big toll on him. His priorities, which of course were influenced by ActionAid, became the key focus of the Centre. However, now and then, with pressure from Land Alliance, he has to change these priorities. This in a way affects continuity due to scattering already limited resources. Secondly it reduces the ability of staff to listen to the community men and women. They become much more concerned with getting the activity done rather than creating processes that give a real opportunity for the community to meaningfully input into the advocacy processes.

The problem is that in order to be participatory, NGO personnel come under pressure to work primarily with community leaders. This approach is based on the partnership discourses with an assumption that such leaders, either in CBOs or local councils, represent the people. There is of course no guarantee that community leaders listen to the people to any significant extent. Unsurprisingly, in my experience, leaders often fail to consult unless doing so furthers their own interests. Amidst these challenges, the DI was able to convince ULA to take up its main concern, namely the Benet Land Question. By the time of the research, ULA had hired a lawyer to represent the Benet in Court against the government. Priorities were being directed away from a strong concern with women's land rights towards the specific question of Benet land rights, which was in the first instance the interest of the District initiative. In this way, the interests of a sub-group, the Benet, had become linked to national advocacy processes and became the main focus.

It is very important to note that in addition to the Land Rights campaign, it was evidently clear to ActionAid that most of the campaigns had concentrated in Kampala and that there was need to link national advocacy with local level experiences of women (Samuel, 2002). It became part of ActionAid Uganda gender policy and strategic direction to strengthen the women's movement at the national and grassroots levels. Through institutional processes of participatory reflection, review and planning meetings at district, regional and national level⁷⁶, ActionAid enhanced the achievement of this strategic policy direction. Such forums and meetings contribute to taking on of new concerns including advocacy on women's land rights due partly to the 'demonstration effect' but also the 'carrot and stick' methods used in such meetings and forums.⁷⁷ After the Kapchorwa District initiative, Women's Land Rights had become an issue for various other ActionAid Development Initiatives. ActionAid Apac, Nebbi, and Masindi were all working on Women and Land Rights as part of their agenda by the end of 2002. Those not working on women's land rights were involved with conflict, girl child education, domestic violence or women's domestic

⁷⁶ The meetings focus on five thematic areas (education, HIV/AIDS, Food security, emergencies and conflict resolution and women rights). Each theme holds its own meeting but they also organise meetings in which all the themes are discussed together.

⁷⁷ I noted that SNV had similar meetings with its partners and they even made Action plans. I came to learn from a key informant that SNV/NOVIB partners took on advocacy initiatives as a result of this process and the technical advisors who played a key role in the planning of these organisations.

relations. Currently the Land Rights campaign continues, and still mainly uses the same strategies, the media and workshops. It remains focused on the land co-ownership issue, although not exclusively.

5.7 The Domestic Relations Bill Campaign

FIDA (U) started the DRB campaign among gender focused NGOs. This is due to the close association of some of its members with the Legal Department of the Ministry of Gender in the early 1990s. In 1990, the department undertook research on domestic relations with the intention of making recommendation to reform the various laws relating to the domestic sphere. Aware of what was going on in the Ministry, FIDA began a campaign to pressure government to enact the recommendations by the Ministry into Law. According to FIDA, UWONET became part of this campaign due the realisation by FIDA that there were advantages of working on the campaign with other organisations (RT, 18th, July 2003). Partly, the active role of annual meetings organised by SNV for its partners.

The engagement of UWONET and other gender focused NGOs was more clearly marked in early 1999 when the Domestic Relations Bill (DRB) Coalition was formed. The increased NGOs involvement (40 organisations) in the DRB advocacy can be directly linked to the then ongoing land co-ownership campaign. Government personnel and policymakers referred most of the issues relating to spousal co-ownership of land to the DRB that was expected to cover all family matters. The basis for the reference of the Co-ownership clause to the DRB was the element of presumption of a marital relationship for a woman and man to be called spouses. The NGOs argument was that co-ownership should be part of the Land Act. However, they could not take chances, so they challenged government over the fact that the Bill had been a pending law for 34 years and it was not even clear when it would be passed. They therefore lobbied for the enactment of the DRB into law, despite reservations about inclusion of the co-ownership clause into the DRB. The aim of the DRB is to regulate marriage through the amalgamation of all marriage laws into one. It covers laws on types of recognised marriage and procedures of marriage, marital rights and duties, break down of marriage (separation and divorce) and lastly the institutional framework for implementing the law. Appendix three provides information on the chronological account of the NGO DRB advocacy work.

There are few critical issues to note in relation to the DRB in this study. The President of Uganda took overall responsibility for directing the DRB debate and its subsequent withdrawal from parliament because he deemed it to be an anti-African and elitist document (Museveni, 2002). This very position of government tended to make NGOs⁷⁸ increase their advocacy in the hope that they could pressure government to at least debate the DRB Bill. The government's continued and prolonged discussion of the DRB seems to have encouraged donors to continue funding NGOs to maintain their advocacy work in relation to the Domestic Relations Bill campaign. When President Museveni took personal responsibility for the withdrawal of the DRB from parliament, the Netherlands Embassy, being typically proactive on gender issues, requested UWONET and other NGOs to bid for money to campaign for the enactment of the DRB into law. UWONET won the bid. The funding was initially for a period of six months. The important thing to note here is the way the actions of government shape the agenda of NGOs and also donor agencies, directly and indirectly. Donors use NGOs to counter the anti-imperialist arguments of government. Chapter 6 will reflect further on these kinds of complex inter-relations between different agencies.

By forming a coalition that extended beyond UWONET, the DRB formed the basis for a more inclusive form of advocacy beyond women organisations. At the time of the field study (2003), the DRB campaign had been funded by a number of donors including, the Netherlands embassy, USAID, and more recently ActionAid. Working through the institutional framework of the DRB coalition enables UWONET to wear 'more than one hat' by campaigning simultaneously on two fronts - first as a women's organisation, and secondly as an organisation that reaches beyond women's rights advocacy. Informal discussions on this question revealed that the formation of the

⁷⁸ It is important to note that while the increased focus on the DRB by gender focused NGOs may be a reaction to the reaction of government to the co-ownership clause, the fact that the two laws focus on the issue of property ownership and control which is central to the NGO gender campaign is important to note. This may also explain the donor's support of these campaigns because this links the capitalist arguments. I observed this linkage and as the major focus of the NGOs during the meeting to review the gains and losses in the land act that the key issues in relation to property ownership for women in the DRB and the Land Act.

- The provisions for matrimonial home in the DRB agrees with the Land Act
- The DRB provides for incremental shares in the matrimonial home
- It provides for Property ownership in common in polygamous marriages where property is owned separately by different wives individually and in common with the husband
- Property not disposed of without consent of the spouses

DRB Coalition was based on the perception that UWONET was not properly fulfilling its co-ordination role. In other words, the creation of the DRB Coalition was not only in response to a perceived deficit but to some new opportunities in terms of resources. It is possible to link the formation of the coalition to the fact that at that time (1999) USAID had made funds available to NGOs involved in networking activities through some form of 'partnership'. As one respondent narrates:

One staff [member]...in (organisation A) got to know that [there were]... some funds in USAID that could be given away and you know donors give money to a face. So that is the way (organisation A) came to write the DRB proposal (Informal discussion with Beth, 31st, July 2003).

Through formation of the coalition, it was possible to show the funding agency that NGOs are working together as some donor agencies demand. However working together in coalitions and partnerships can also be problematic. Funds are generally given for specific 'project-type' activities and rarely are funds available for the costs of coordinating activities. This type of funding arrangement can lead networks to operate as if they are implementing organisations. Institutional diversification can thus become a strategic way of accessing resources that are themselves subject to changing conditions and fashions. It is also a mechanism to avoid direct competition and avoid confrontation. The creation of DRB coalition partly arose out of tensions between UWONET and its members, but also the donor demands of working in partnerships. It was hoped that the formation of the coalition would be an alternative way of overcoming these problems and addressing the donor demands. As one research subject said:

I think when UWONET was not fulfilling its co-ordination role then coalitions were formed to co-ordinate the advocacy activities of the various NGOs, the purpose for which UWONET was formed...This problem is complicated and unless Network can raise funds (for networking) but donors give money for implementation so for networks to survive they have to implement also but in the process they do the activities of the members and this causes problems (Lez Interview, 31st, July 2003).

Not surprisingly the same accounting difficulties that faced UWONET were subsequently encountered by the DRB coalition. Working together, with only one organisation having to receive and account for funds from donors, can certainly complicate relations among NGOs. As one research subject observed, "it led to a quiet

withdrawal of some of the members” (Rt. 13th, June 2003). When the recipient organisation passes on money to another organisation to implement a shared agenda, it starts to be seen as the implementing agency. In the case of ULA, the organisation overcame this accounting problem by asking member organisations to have a staff member whom it could pay directly. In comparing the two organisations, it seems that ULA has developed strategies for dealing effectively with conflicts that may arise between the membership and the organisations’ competing agendas. UWONET has still to devise such strategies, and has instead diversified its institutional forms.

This trend can be illustrated by looking at the UWONET 2002 annual report. The report shows that a number of activities were carried out by the different organisations that form the DRB coalition. All organisations targeted more or less the same people. UWONET organised a public dialogue discussion, and held a workshop. It also held meetings with Women Members of Parliament. WOTODEV organised a public dialogue for women councillors. Law Uganda held a consultative workshop targeting Members of Parliament. The report also says that FIDA in conjunction with NGO forum organised a round table discussion with Members of Parliament, religious leaders, academicians and civil society on the DRB. Funding has been piecemeal and uncoordinated. However what may seem as non-co-ordination has a number of advantages to the NGOs. It makes their advocacy issues seem popular and at the same time it ensures that NGOs access resources which are essential for their survival.

Reporting on the activities of the various NGOs in UWONET’s annual report is a clear indication of competition and how NGOs and their networks cope with this. In the report, UWONET acknowledges the activities of each of the member organisations which is also a way of claiming success by virtue of the membership of these organisations to the network. All of these organisations are targeting the same people, thus competing. However, one needs to be careful with this assertion as NGOs claim that this makes their issues seem to be popular because everyone is talking about the same thing. In other words, they use the method of all of them doing the same thing to shape public discourse.

5.8 A Comparison: Co-ownership and Domestic relations

It is observable that from 1998, onwards, UWONET, which used to provide leadership to the Co-ownership of Land campaign, was now working in partnership with Uganda Land Alliance. It had accepted that ULA had become the lead organisation on co-ownership of land issues. Collaborating with ULA reduced the likely tension between the two organisations, but also increased their negotiating power. The UWONET 2002 annual report states that UWONET (UWONET is a member of ULA) had undertaken a number of activities with ULA. The activities included sharing of information, public sensitisation through radio talk shows, and holding meetings with the Minister of Water, Lands and the Environment (*ibid.*). This kind of shifting alliance is possible because of the informally structured collaborative and competitive relationships among NGOs involved in gender advocacy in Uganda. By working collaboratively and reporting back to other actors on women's land rights activities, UWONET was able to manage the accountability questions with donors effectively. It could show what it had done with their funds and could at the same time assert its own leadership on the Women's Land rights within its constituency of women's NGOs. In this way, allowing ULA to play a leadership role may not have enhanced or negatively affected the identity, resources or status of UWONET.

In addition to collaborating with ULA, UWONET undertook its own independent activities. The UWONET 2002 annual report shows that it held what it called Women's Rights advocacy workshops in 5 districts. The workshops focused on the DRB and women's right to control and own land. According to the report, the one-day workshops realised the following:

- raised awareness of the need for fair family and land laws,
- strengthened UWONET's national level campaigns by creating linkages with women's groups at local level
- contributed to the creation of a critical mass required to promote women's rights on land in the family
- Consulted with grassroots men and women on issues of the family and land; and highlighted them in the national level campaign (UWONET, 2002).

Through undertaking its own activities, and reporting about them in its annual report, UWONET is able to assert its identity as an organisation that exists to promote women's rights. Undertaking the workshops in the districts is mainly about showing that it has a rural base and that it is not necessarily elitist.

In comparison to the DRB campaign, donors quickly embraced the co-ownership campaign. This may partly be due to the major interest of the donors in the land campaign but it could also be due to the fact that ULA was faster in adjusting its discourses than UWONET. ULA used the family land rights discourse in the workshops that it conducted, a concept that the NGOs had rejected during the strategic planning workshop. On the other hand, UWONET used the concept of women's rights as the theme of its sensitisation workshops. It is probable that Land Alliance used the family land rights because of its 'partnership' with DFID. DFID uses the terms equity (but not women rights) and safety nets for the poor in its discourses. The term family land rights seemed to fit within these discourses and was also acceptable to policy makers who had problems with the discourses of women's rights as articulated by the NGOs. It is interesting to note that the parliamentary committee that is charged with the responsibility of amending the Land Act used the same concept in its 'family land rights clause'.

ULA adjusted its discourses much faster than UWONET and this could be linked to the fact that UWONET is established as a women's organisation and tends to favour feminist discourses. UWONET's ability to adapt itself is affected by its membership - women's organisations whose identity is shaped by the feminist discourse. The inability to quickly adjust its discourses might have affected its campaigns including the Domestic Relations Bill whose momentum has been slow in comparison to the co-ownership of land campaign. ULA and UWONET retain their core focus - women's control and ownership of land, but use different methods to articulate this depending on whom they are dealing with.

ULA is more flexible and responds more to its context than UWONET. Unlike UWONET, ULA used either the concept co-ownership or family land rights depending on whom it was interacting with. ULA used the 'women control of ownership of land' with the parliamentary committee because they know this is what

is demanded of them by their constituencies but then used the term 'family land rights' with the donors because they knew that this is what DFID and other donors wanted. The ability of ULA to tactfully use these terms might have earned it more development partners (donors) and resources in comparison to UWONET that retained the co-ownership clause and women's rights in its discourses. The report shows that DANIDA, Irish Aid, and ActionAid had contributed to the campaign for family land rights. I also noted that its funding base had grown from Oxfam to include Novib, ActionAid Uganda, DANIDA, Friedrich Ebert Stiftung and DFID which according to reports has agreed to fund the Alliances administrative costs effective July 2003. Oxfam has requested NOVIB to take over the funding of Land Alliance (ULA, Annual Report, 2001-2002). It could be that Oxfam sees that ULA is sustainable (an adult child) or it has indeed lost its control over the Alliance. UWONET, who began the campaign and due to its inability to quickly change its discourse articulation, had received mainly one off funding from various agencies such as DFID, Netherlands Embassy, DANIDA, and ActionAid. It still has one major donor, NOVIB.

In addition to attracting donor attention, the status and identity of ULA seems to have grown more in comparison to that of UWONET. The 2002 ULA report further shows that the profile of ULA was enhanced. The ULA 2002 report states that ULA met the parliamentary committee on land several times and continued to "lobby on the clause that would give ownership rights to women on land". The same report indicates that ULA met with the World Bank group and DANIDA to brief them on the family land rights clause and "discuss possible funding for women's land rights". DFID and the Ministry of Water, Land and Mineral Resources contracted ULA to implement a capacity building programme for the orientation and training of District Land Board Tribunals. The report also shows that ULA had attracted the World Bank Group and that the co-ordinator attended one of its meetings where she presented a paper on "Land Access by Women and, the Uganda Experience" to inform the World Bank Land Policy. In addition to the World Bank meetings, the ULA Co-ordinator participated in other high profile international workshops, seminars, meetings, including one International Land Rights workshop organised by VECO-Belgium that took place in the Netherlands. She also facilitated a workshop to develop a strategic plan to lobby for women's land rights in Zimbabwe and South Africa (ibid.).

5.9 Conclusion

The reading of the past has not generally informed the present or more recent advocacy work. NGOs have continued to use the same strategies and approaches (conferences, media, and workshops) that have yielded limited results in terms of policy change. The NGO focus remains mainly on the issue of law reform (policy centred advocacy). In this context, it is not surprising that this chapter has found many points of similarity between current issues and debates, and post-independence debates in Uganda during the 1960s and early 1970s around the issue of gender and women's status as shown in Chapter 4. These include property rights, personal rights (e.g. monogamy, divorce) remain highly contested today as they were in the 1960s. From one generation to another, issues and problems are not resolved but rather carried forward. Although the term 'advocacy' is a recent one, similar strategies have been tried in Uganda in previous decades. The major change is in the increased discussion on this kind of activity across different sectors and development agencies.

The actions of the grassroots, the policies of government and the international context all act as catalysts for the continuation of NGO gender advocacy in Uganda. This scenario is strengthened and reinforced by the changing donor focus on rights based approaches to development in the context of a wider neo-liberal agenda. The media, by reporting on the actions of the various actors reinforces advocacy by providing publicity for campaigns and issues raised in advocacy work. It shapes the advocacy actions of the NGOs by making something a 'topical issue'. Most of the research respondents said that topical issues are a major determinant of their advocacy agenda. It is hence important to explore how the various actors work together to foster the continuation of the current trend of gender advocacy.

The chapter has also shown that by the 1990s, as shown by Co-ownership of Land Campaign, advocacy-type activities had become abstracted from the lived local context, with its evident material realities and instead, represented the worldviews of donors, government and NGOs. It is all too easy to focus on the role of institutions when looking at advocacy. Single individuals as shown in the person of the President can also play a major role in influencing advocacy strategies. This has been the case

irrespective of the historical period concerned. The point here is fairly simple but still worth reiterating: individuals' actions can affect the work of their organisations, as well as vice versa. In the following chapter, the importance of key individuals will emerge in a different way. Despite the commodity status of advocacy, it still depends on context. In particular, inter-organisational and interpersonal relationships can play a vital role in maintaining the status quo and preventing real change, in this case in the law concerning Domestic Relations and the Land Act.

The chapter has shown that government uses the patriarchal status quo, its bureaucracy and the weaknesses in the NGO advocacy agenda to further its interests. Donors use their resources and their identity to further their interests. By acting as neutral (arbitrators) on the one hand and on the other hand as supporters both financially and technically of NGOs, and government, donors are able to curve discursive spaces that enable them to further their own interests. NGOs mainly use their donors and the grassroots as objective capacities to negotiate for their interests. Aware of the importance of these relations to government too, NGO use a number of strategies including the media to popularise their agenda within the population so as to force government to respond, lest its identity before the donors and the general public will be at stake. They also build alliances among themselves and with donors to enhance their status worth listening to by government. The chapter has shown that it is quite difficult for NGO to establish meaningful relationships with the men and women at the grassroots level especially since their advocacy agendas are mainly negotiated on the basis of their interactions with government and donors. Essentially, the chapter has shown that relationships are important in negotiation of interests. Thus the next chapter explores these relationships in detail.

Chapter 6

Relationships and NGO Advocacy Work in Uganda

6.0 Introduction

In this chapter the key actors in the land rights and domestic relations advocacy campaigns were purposively sampled to explore the characteristics of the different relationships; NGO and donor; NGO to NGO; NGO and government; and NGO and the grassroots. These are: the Federation of Uganda Women Lawyers (FIDA); Uganda Women's Network (UWONET); and Uganda Land Alliance (ULA). As shown in Chapter 5, relationships among the various actors act as modes and sites of agenda setting (Kabeer & Subrahmanian, 1996). This chapter presents a subjective exploration of how the complex 'web of relationships' among the various actors are developed, reinforced, and maintained. The chapter also examines the dynamics of these relationships and their implication to the gender advocacy agenda in Uganda.

Due to the complexity between structure and agency, it is not easy to isolate the various relationships for an in-depth 'objective' analysis. In this study, the relationships are subjectively analysed on the basis of data collected through; use of five main research methods: case study, in-depth interviews⁷⁹; review of organisational documents; participant observation and my previous work experiences as a gender and women rights activist in Uganda.

The first section presents the NGO-Donor relationships; the second section presents the NGO-NGO relationships; the third section presents the NGO-Government relationships; the fourth section presents the NGO- Grassroots relationships. The chapter ends with a discussion of the various relationships. The framework of analysis of resources, identity and status (including recognition) was used in this study. The assumption was that these are the determining factors of the nature of relationships nurtured.

⁷⁹ It is important to note that where deemed necessary, the names of the research subjects have been changed to protect their identities as much as possible.

6.1 NGO-Donor Relationship

As we saw in Chapter 3 and 4, the dominant patterns of the donor relations with other actors gives donors a prominent role in development relationships. This study has attempted to explore the behaviour patterns of various aspects of the donor-NGO relations and then analyse the ways in which these relations influence the NGO-NGO relations and even NGO relations with other actors such as the government and the grassroots. In the Ugandan context, donors can be classified into two types, small donors (International Non-Government Organisations) and the big donors, sometimes referred to as official donors (Edwards, 2002). This chapter confines itself to the small donor agencies, the INGOs (such as ActionAid, Oxfam and SNV), though larger donor agencies are occasionally referred to as well. These INGOs were selected because of their relations to the key gender focused NGOs in this study that is ULA, FIDA (U) and UWONET. An analysis of the general and thereafter the specific aspects of the NGO-Donor relationships are hereby presented below.

6.1.1 General features of the NGO-Donor Relationships

The NGO-donor relationships depended mainly on the type of donor rather than the type of NGO. There was only limited observable competition between international organisations (donors) and local organisations. This could be because by virtue of their social positioning, INGOs have an international identity thus a comparative advantage in terms of status and access to financial resources, critical factors in enhancing one's agency (Kabeer, 1999; Lister & Nyamugasira, 2003). By virtue of their location in the development market, INGOs have more secure funding as well as a broader understanding of the donor policies (international context) and the local context. In spite of this superiority, they are however less privileged than the LNGOs (local NGOs) in influencing government. Thus in order to overcome their institutional weaknesses, INGOs nurture relationships with LNGOs including gender focused NGOs (Edith 4th, August 2003; Edwards, 2002). Rather than competing with the local NGOs, INGOs including Oxfam and SNV, and ActionAid create 'partnerships' with local NGOs (Power, 2003; Pearce, 2000; Fowler, 2000). The INGOs set the modalities of these partnerships, which the local NGOs accept due to limited resource opportunities. The INGOs mainly influence where these organisations work, and which districts and issues they cover.

Generally, on the basis of this fieldwork and my personal experiences, relationships between NGOs and donors can be classified into the following ways:

1. Pseudo-familial relations
2. Market type of relations / Economic/Exchange
3. Subordinate/dominant relations
4. Relations of domination and subordination

Now we turn to the specific aspects of each of these relationships.

6.1.2 Pseudo-Familial Client Relations

Pseudo-familial client relations are in the form of producer, nurturer, maternal or paternal types of relations. They resemble the family relations of a parent (INGO) nurturing her or his child (local NGO). They also exhibit clientele relations, in which the local NGOs are clients of donor organisations that have the capacity to assist them [local NGOs] to solve their overarching problems. INGOs - gender focused NGO relationships exhibited the pseudo familial relations more than the big donors/NGO relationships. This is because INGOs enjoy a more cordial relationship with the local NGOs than agencies such as the World Bank and DFID, where relations could even be of opposition. This could be partly due to the greater degree of INGO (Oxfam, SNV, and ActionAid) engagement with the gender focused NGOs [LNGOs] in comparison to the big donor organisations. In a sense, unlike big donors, the INGOs seem to exhibit a double identity, being NGO and donors. The double identity gives INGOs an institutional comparative advantage over big donors and local NGOs in the advocacy nexus.

Being NGOs, small donors have direct access to the functioning and programming of the local NGOs as those with whom they have shared interests something that big donors do not have. It also gives them the opportunity to distance themselves from the big/official donors whose policy-making and approaches to development may not be popular among the local NGOs. The double identity also gives INGOs the opportunity to access the big donors that value their experiential knowledge on the implication of macro development policies to the micro levels. Thus, the double identity enhances the status and identity of INGOs both among the big donors and the local NGOs,

which gives them greater power and thus the opportunity to exert influence over the local NGOs (Edwards, 2002: 99).

Like local NGOs in Uganda, INGOs are subject to similar dependence on the mother countries including their tax payers for resources and are subject to similar levels of vulnerability in their home countries. Issues of funds (resources), identity and organisational profile (status) are important to INGOs (Edwards, 2002: 105). Thus lack of observable competition among the donor agencies and local NGOs does not mean lack of competition among small donor agencies. Each INGO wants to be recognised for its contribution to a particular area of development work, including advocacy work. They want to show off their parental role or close mutual relationship with the local NGOs. For example, in case of ActionAid, the organisations name appears on publications, banners, media statement and on T-shirts of all local organisations that it sponsors. The same ‘branding’ happens with all donors but more especially the small donors. It seems that showing their contribution to an initiative is as important to the identity of INGOs as it is a question of identity and status to local NGOs. There are even instances in which the INGOs contribute only marginal resources but still want to have their names mentioned on all public statements etc. Edwards observes that the UK Charity Law “demands that international advocacy is rooted in direct experience” (Edwards, 2002: 98) attained by working with those that are in direct contact with the poor.

By having their labels attached to the activities of gender focused NGOs, INGOs attain the needed leverage for engagement in international advocacy in their home countries. One research subject observed that Novib was doing advocacy on development for the south in Netherlands and it had “funds to enhance this strategy” (Matty Interview 15th, June 2003). She further observed that focus on gender and human rights meant automatic support by Novib (ibid.). It was also observed that Oxfam was in a similar situation:

Oxfam put the lead on launching the campaign it was having in UK on basic rights and then different NGO’s were formed in Uganda to take action on different issues according to their mandate...So land alliance was a result of that original coalition where Oxfam was the chair when it became too dynamic and moving, land alliance was formed and was housed by Oxfam ... mainly looking at formation of the land

act, women issues and issues of the poor people so that was Oxfam's involvement (Edith Interview, 4th, August 2003).

Thus having pseudo-familial relations that are mainly characterized as dependency relations assists INGOs to achieve their interests. INGOs have markedly nurtured paternalistic and maternalistic relations with local gender focused NGOs, which can be reinforced through a number of mechanisms including; local NGO capacity development; employment of Ugandans; participating directly in meetings and workshops organized by gender focused NGOs; building interpersonal relationships with staff in local gender focused NGOs; being in the forefront of formation of structures such as networks and alliances; funding gender focused NGO; and development of their organisational Country Strategy papers. The use of these mechanisms varies among the donor agencies but their general pattern is now explained below.

Capacity development can assist us to understand the 'paternalistic' nature of the relationships between donors and the local NGOs. In these kinds of relations, the donors nurture and train the local NGOs in their role in Development. Most donors see local NGOs as lacking capacity and theoretical frameworks for effective advocacy. They view local NGOs as agencies whose capacity needs to be reinforced and strengthened. INGOs have worked towards increasing the knowledge and skills of their employees and their partner organisations mainly through in-country short courses or workshops. Training has been provided to individual organisations or several organisations. For example SNV supported workshops especially in advocacy and gender with facilitators from the Netherlands complemented by Ugandans. In certain instances some people would go to the Netherlands to attend short courses. In addition to training, SNV supported exchange visits among the partners in Uganda, Kenya, Tanzania and Addis Ababa. ActionAid provides similar support to staff in its partner organisations (Matty Interview, 15th, June 2003).

In an interview with Matty, who used to work with an INGO in the mid 1990s, she said that SNV and Novib were both interested in their partner organisations acquiring all the skills they needed to do their own jobs better. This research subject emphasised the point that in her view, the INGOs really did provide and contribute towards the

acquisition of skills, knowledge and material that these agencies needed to advocate. Such nurturing forms of donor assistance also helped to improve farming systems, manage day to day affairs and management and contributed to making local NGOs more gender sensitive. Offering in-country and overseas training opportunities to their staff and in some cases to staff of local 'partner' organisations (Matty Interview, 15th, June 2003).

In addition to training, donor agencies offer ongoing technical support to gender focused NGOs. Like SNV, ActionAid also offers similar technical support to its partner organisations especially the CBOs. This support is justified on the basis of perceived lack of capacity among the local NGOs, which affects their performance. On the basis of Matty's interview, this seems to be the case, however, whether non-performance by some local NGOs is mainly due to lack of technical capacity is subject to debate. Research findings indicated that the implementation failure may probably be due to lack of conviction. A research subject said that donors fund what fits in their agenda and NGOs focus on fulfilling this from a rhetoric point of view by choosing a selected advocacy issue (theme of focus by the INGO or donor agency). They write a very good proposal to get funding but may fail to translate it into practice (Lez Interview, 24th, June 2003). In situations where implementation takes place, lack of this conviction reflects in the messages⁸⁰. In other words, like the small donors, the local NGOs and CBOs aim at lowering their transaction costs. Indeed I do think that the increased interest and role of international agencies in lobbying and influencing led to a repackaging of advocacy that it became a specialised skill that was different from what the local NGOs were doing initially. As one research subject observed,

...Advocacy was one of those that most partners wanted to do. Some didn't know what name to give it, but as they described what they wanted to do, it came to be called advocacy and training facilities could be offered to acquire certificates...many Ugandans thought of advocacy as a skilled something and so we would call trainers from Netherlands (Matty Interview, 15th, June 2003).

⁸⁰ This situation is more reflected in rural areas and mainly in cases where INGOs have funded CBOs to implement advocacy programmes especially in the area of women rights such as Women's Land rights.

The offering of continuous training and technical support to build local capacity to fit within the changing development pattern presents local NGOs as a chronically sick patient or child who needs special parental or medical attention from the all knowledgeable parent or skilled doctor, the INGO (Foucault, 1982; Power, 2003). These kinds of relations are similar to the relations that were observed between donor agencies and the local community in Mexico (Fox, 2003⁸¹). Here, there is hidden patronage and insidious dominance, on the part of the donor organisations and it is exercised through the consent and complicity of the gender focused NGOs (Kabeer, 1999; Lukes, 1974).

Capacity building is reinforced with employment of local staff. INGOs and donor agencies also use the strategy of employing local staff. Donors tend to employ those Ugandans who share their particular views, outlooks and concerns, often as a result of familiarity with INGOs 'home' models, because of prior training overseas or recent university education have been brought up to speed with the most current thinking and language of development policy and practice. They also train their staff and provide them with exposure opportunities that tend to enhance the thinking and language of these agencies. Such persons, are mainly called 'advisors' a term that down plays their power in that it implies their advice can or may not be taken by the local organisations. The reality is different as seen in the quotation from one of such persons;

I was the program officer for NGO's...I was coordinating the...partners programmes... I used to organize that one meeting in a year for NGO's where they could share successes and failures. And in that meeting, they could bring out their needs for the coming year. So if they were similar to like three NGO's I could bring them together to see how... could help them and solve their problem. (Matty, Interview, 15th, June 2003).

⁸¹ In his reflection of donor-NGO relationship in Mexico with special reference to the bank that its institutional power and technical expertise, Fox observes that it is portrayed as objective when in actual fact it is patronising the local people. "They project the image of resolving problems and changing the painful reality of poverty if they were to decide to do so-if we could only convince them. Their visiting mission of experts creates a climate in which we are expected to try to win them over by courting them with polite proposals" (Fox, 2003: 526)]. He further says that in reality the discussion with the bank officials turn beneficiaries into petitioners and not real participants. This relationship is worsened by the grassroots lack of the WB and its policy process enhancing its manipulative and clientele relations. "Funding is seen as a discretionary donation by the powerful who expect loyalty and gratitude in exchange rather than as an exercise of economic, social and political rights" (ibid)

Bringing NGOs together could involve organizing activities that might include training, meetings, and workshops. The advisor or the local NGO would organize such activities. Irrespective of the organizer of the activities, the staff members of donor organisations use such forums to convey their organisational agenda and to identify potential partners. In comparison to the representatives of local NGOs, personnel of INGOs often carry more weight and when they express themselves in such meetings, it tends to be seen as gospel truth. The multiplication and the shift towards all NGOs focusing on gender and advocacy can partly be attributed mainly to the annual SNV/Novib 'partners' meetings in which the local NGOs shared their progress, challenges and future plans. Such meetings ended with commitments that would determine access to resources. The research subject observed that:

In Uganda the partners of Novib had a meeting once a year and could discuss how they were doing their own things to see whether one was doing things that were quite different and whether others could learn from it. In the meeting, they could identify their needs; it became easier for Novib to satisfy those needs instead of going for one organisation to another organisation (ibid.)

The ability to access resources depended on the extent to which one's plan was within SNV/Novib thematic focus (ibid.). Although this may be the case, the research subject observed that:

... they were not imposing advocacy on any organisation but the moment any organisation said we want to advocate but we do not know how to go about it then Novib could come in and train the organisation. And so it helped partners very much. I remember we had more than one training on advocacy for the NGOs that Novib supported (ibid.).

In the Ugandan context, many non-women organisations started working on advocacy on gender issues including the Domestic Relations Bill because it was a requirement of their donor, SNV/Novib (Matty interview, 15th, June 2003; Lyn interview, 5th, June 2003).

It is also important to note that while Ugandans may be employed to realise the INGO institutional goals, research findings show that they utilise their location within these agencies to also further the interests of the gender focused NGOs. One research subject noted that:

Sometimes I had to negotiate- had empathy. If proposals are presented-I make suggestions to the boss. I would influence what SNV would take (i.e. do) because I was also part of the women's movement. I was an insider in the women's movement. I was inside both... I had been inside ACFODE, knew what other organisations were doing. (Lyn Interview, 5th, June 2003).

Similarly, another donor agency personnel observed that because her bosses do not understand gender relations in Uganda, she has an upper hand in the issues which they as an agency fund (Field notes 27th, July 2003). From my own personal experience, on the presumed potential of the local gender focused NGO, I would guide the gender focused NGO on how to best present a proposal to ensure that it fits within the organisations' mandate to access the needed resources. Held accountable by my organisation, the success of the initiative undertaken by the gender focused NGO was very critical to my own career and I would thus want to keep my own transaction costs as low as possible.

Direct participation in gender-focused NGO activities is complemented by building of interpersonal relationships that assist INGOs to overcome their institutional hindrances of working with local NGOs. Interpersonal relationships are mainly based on personal contacts with identified key individuals within local organisations. Like donors, local NGOs take advantage of the individual relationships to access donor funds and to influence the agenda of donor NGOs. For example, local NGOs are aware of the mediatory role of the advisors. Thus advisors will be accorded important roles through electing such persons to their organisational boards or on advocacy task forces. Having a name of a key person of a donor agency on your board or advocacy task force enhances the social position of the task force or organisations. Gender focused organisations will use such individuals to gain access to the directors or managers of the INGOs and big donor agencies. In this way the local NGOs will be able to enhance their status and identity and even at times access resources. They will also try to influence the specific agenda of the donor agency. Individual relationships are nurtured and these increase the engagement of the 'gatekeeper' roles in the campaigns.

A case in point to illustrate the utilisation of the agency of the local personnel is the way in which ActionAid got involved in the DRB and Fair Land Rights campaign. It was due to the influence of the coordinator of UWONET who continually invited me,

then a gender advisor to AAU to the meetings on the land campaign. She requested me to influence AAU to get involved in the activities around the DRB campaign. In attending these meetings, I appreciated the importance of this campaign. I thus identified the gaps and what role my organisation could play based on its interests as per the country support frameworks. Donor agencies usually have broader frameworks. For example AAU had a broad framework on Women Rights and the DRB campaign fitted within this framework. The local NGOs articulate their issues to suit the interests of the donor organisations. This explains the multiplication of the same agendas among the donor agencies themselves, in that Oxfam, ActionAid through the influence of UWONET was now also actively engaged in the Land Rights campaign. The experiences of ULA in Chapter 5 show that gender focused NGOs can attract more than one donor to fund the same issues.

The local organisations also use the interpersonal relations (with the technical frontline staff) to gain direct access to the management of the donor agencies. Once direct access is attained, the local agencies will optimise their interests. For example, they will invite the management of the donor organisations to specially organised functions to enable them to appreciate their 'cause' and the urgency of the intervention of their agency. In addition to stating their case, such access enables the local NGOs to know what is likely or not likely to be funded by this donor agency. Information is a useful tool in reducing transaction costs (Uphoff, 1996). Managers are the decision makers. From my experiences, I know that there were instances in which local organisations received funding pledges from donor agencies on a specially organised function such as public dialogues, workshops etc. In such cases, project proposals just become formalities.

However, these formalities are important because the proposal has to be stated in such a way that it fits in the discourses of the donor agency to justify the financial support. Here the front line personnel of the donor agency are critical because they assist the local organisation in the formulation of the proposal. This is where the key issue becomes the wording used and the extent to which the proposal reflects the discourses of the donor agencies. At this stage, organisations are striking a deal, the local organisation has accessed the support of the donor agency but this organisation has also ensured that its interests are taken care of.

Other than utilising individuals within donor organisations, NGOs also use their own resources. For example, if a donor agency will give money to organisation or individual A and not B, then this donor preference will be taken into account by local NGOs who will allow the 'key partner' individual or organisation to take the leadership role so that their organisation or 'followers' can also have access to these funds. The market is imperfect because individuals have different conceptual understanding of the world around them (Harriss, Hunter & Lewis, 1997). On the part of donors, working with individuals reduces their transaction costs, but some of the research subjects in the gender focused NGOs noted that working with individuals has resulted in the formation of cliques and advocacy work may be nurtured and maintained on the basis of individuals rather than NGOs as institutions.

In an informal group discussion, I was told that donors nurture individualism through their focus on 'star' individuals with whom they can relate, rather than dealing with the formal structures of the entire organisation when providing funds. They said that donors establish personal relationships with individuals in organisation and then fund the organisation on the basis of individual relationships (Field notes 31st, August, 2003). One person commented that, "they lift the veil and see the individual yet this individual is supposed to represent the organisation" (Liz Interview, 15th, July 2003). This assertion was confirmed in another informal discussion with a person who said that their organisation (local NGO) led the Domestic Relations Bill coalition because one of their staff had been informed that a donor agency had money that could be accessed by her organisation (Field notes, 2nd, August 2003).

Although it cannot be over-emphasised because of the influence of the pseudo-familial relations on their own agency, it can be observed that through interpersonal relations, key individuals and coalitions have quite a bit of 'agency' in the Development 'donor' game. This comes out in their ability to influence donor approaches, in their 'gatekeeper' functions (e.g. key individuals act as negotiators, mediators or interlocutors, interpreters) as shown in Chapter 4 in which ActionAid started working on the Land Rights and Domestic Relations Bill advocacy as a result of the influence from UWONET leadership. Then there is also the second level agency of the relatively less influential who tend to 'drag' the key individuals and

successful, well-connected NGOs back and hold them accountable for redistributing the 'goodies' they have relatively privileged access to.

It may be worth mentioning that when key individuals leave a gender focused NGO or donor organisation there may be a 'crisis' in the relationship between the INGO and local organisation, as well as within the local NGO. This vacuum may even result in the end of the relationship. For example, in the case of the Domestic Relations Bill coalition, a departure of one key individual who had direct links with the donor organisations weakened the coalition in terms of its effectiveness and access to financial resources (Field notes, 2nd, August 2003). Interpersonal relations can also lead to conflicts over the utilisation of funds. The organisation which receives money may tend to see the funds as coming to itself and through their own connections; other local partner organisations may resent the 'leadership' role of key organisations within a broad coalition or network, and come to demand a 'fairer' sharing out of resources obtained through these 'special connections'. It is evident that interpersonal relations reduce transaction costs but they can also increase them because of poor interpersonal relations (Mathew, 1986).

In order to reduce their transaction costs in the pursuit of their interests, donor organisations have facilitated processes of forming organisations that bring actors that work on a particular issue together. Edwards states that "...the real strength of Northern NGOs (INGOs⁸²) lies in their simultaneous access to grassroots experience in the south and to decision makers and their funders in the North (Edwards, 2002: 98). Edwards is asserting that the INGOs use grassroots' experiences and share them with their northern target population. Getting the right information, in an efficient and cost effective way and packaging it to suit the taste of their target population is critical to their own identity, recognition and access to funds. It is important to have structures that will provide such information in a timely manner. This may explain the approach the small northern donors have of forming alternative partnerships and supporting new network and coalition structures, which they can control and through which they can get what they want. Specific examples include Uganda Land Alliance, which was formed mainly through the efforts of Oxfam, and the Uganda Women's

⁸² My addition, as what they are referred to in this study

Network brought together through the efforts of SNV (Netherlands Development Organisation) among others.

Formation of these structures brings us to the relationship of producer, mother and nurturer. In order to overcome limitations on their own legitimacy in intervening and effectively influencing government policies within Uganda, INGOs have specialised in influencing and facilitating the formation of alliances, forums and networks to do this on their behalf, as it were. During interviews, several former SNV staff referred to UWONET with considerable pride as 'their baby' (Matty Interview, 15th, June 2003; Lyn Interview, 5th, June 2003; Rice Interview, 28th, August 2003). This frank appraisal of the close, intimate relationship between SNV and UWONET immediately caught my attention, and suggested a maternal approach to donor funding on the part of this organisation. UWONET was indeed nurtured by SNV/Novib nurtured into what it is now - it was almost literally their creation!

One research subject said that they (SNV) needed an organisation that could work beyond a practical/welfare approach to address the strategic needs of women, by challenging the status quo. According to her, it was not available. NAWOU lacked this ability, and forming UWONET was inevitable. She said that they capitalised on the Nairobi Forward Looking strategies and later on the preparations to Beijing to further their idea (Gema Interview, 10th, September 2003). The context at the time also dictated that the local NGOs needed to work together to effectively prepare for Beijing. Oxfam, Novib and ActionAid all played a critical role in the formation of Uganda Land Alliance (ULA). ULA had initial funding from these three organisations. Oxfam provided ULA with an office. A person from one of the INGOs said that the formation of Land Alliance gave Oxfam the opportunity to link with many NGOs in a short time (Nic Interview, 6th, October 2003). In other words, it was cost effective and efficient. At the same time, Uganda was in the process of drafting the Land Bill. ULA was going to offer NGOs the opportunity to engage with the process.

However, it is possible the donors and the local agencies had different priorities in the formation of these structures. For INGOs the critical issue was linking with their southern partners due the changing development discourses and especially when it

came to scaling up and advocacy (Fowler, 1991; Edwards & Hulme, 1992). Influenced by prevailing circumstances within the country and the international context, the tendency to form parallel structures in the form of new coalitions and networks for specific issues, has had three major effects on NGO-INGO relation, increased the NGOs focus on advocacy; increased the rifts among organisations and has made partnerships fashionable in development practice.

1. *Increased NGOs focus on advocacy:* Through formation of new structures, donors have succeed in increasing the number of NGOs engaging in advocacy, whether actively or inactively through their membership in the resultant networks and alliances. As shown by Chapter 5, within a situation of competitive relations, being tied into networks and alliances has a notable effect on the agency and thus priorities and programmes of the membership organisations themselves.

2. *Working in partnerships, coalitions and networks is fashionable:* The second effect is that working in coalitions, partnerships and alliances are currently considered highly fashionable in international and national development thinking and practice (Craig & Porter, 2005; Power, 2003; Abrahamsen, 2000). NGOs as we shall see in the section on NGO-NGO relations form shifting coalitions in order to lobby on policy related to specific issues. Government and donor agencies in Uganda have, for example, created various forums/task forces on the various thematic areas in the PEAP (Poverty Eradication Action Plan). NGOs and donors tend to view the formation of such structures as a way of strengthening 'civil society' to do advocacy work. The added value of such processes to civil society participation in the policy process is yet to become clear (Edwards, 2002; Anderson, 2002). However, at times structures formed with major input from donors have at times become ways of manipulating, controlling and co-opting NGOs into big donors' decision-making processes. Causal links between NGO participation and other forms of social change are, to say the least, somewhat elusive. In reference to lobbying World Bank, Nelson states that:

...now that NGOs have been admitted to the dialogue, some argue, the high volume, public critique is at best back-ground noise, at worst a distraction from serious dialogue(Nelson, 2002: 141).

Another analytical insight into the formation of coalitions and partnerships is that the transaction costs are lower because it is often easier to form a new institutional structure than working with already existing ones. This may be because, it is difficult to influence or shape the agency of an already existing structure with its established agency on the basis of its procedures and programmes. Given the difficulties of changing existing practices, donors may prefer to initiate new partnerships in order to obtain more immediate results in a cost effective and efficient manner. This option will also seem easier to manage for the purposes of accountability.

3. *Increased rifts among parallel structures (competition)*: The third effect is that formation of various parallel structures alongside existing structures can produce rifts among existing organisations. This is the case, for example, when new organisations or alliances are felt to be doing the work - including the advocacy work – which the already existing structures were claiming to be doing. This can result in quite overt resistance to such newly formed structures by many of the more established organisations (UWONET, 1996). When UWONET was formed, the National Association of Women Organisations was already in existence but UWONET, became the darling of donors. It was popular and thus worth identifying with - in part because of the resources from donors, and the special status and identity that it was accorded as an organisation that exists to advocate for women's rights. Its leadership's ability to take advantage of its strengths also enabled it to survive amidst internal membership struggles as we shall see in the section on NGO/NGO relations.

INGOs tend to ignore the NGO/NGO relations including relations of resistance. In their continued interest in UWONET and in their obsession with building local capacity, and local linkages seen as blue prints to effective advocacy, the donors may have contributed to the relations of resistance between the network and its membership as we shall see in the section on NGO/NGO relationships. The research findings seemed to suggest that the donors pay more attention to their interests and limited attention to the implication of their agency to intra-NGO relationships (Uphoff, 1996; Hamilton, 2000). Although highlighted in the subsequent reviews (UWONET, 1996; Chigundu, 1999; Koda & Okayi, 2003), the need to be seen to be

(and actually be) in 'partnership' with local NGOs INGOs might have led donors to ignore the key relational problems between the network and its members. SNV/Novib continued to fund UWONET after all; its membership struggles were in any case not visible to an outsider. These conflicts were thus not a threat to the identity and status of international agencies. Some might ask whether they were so focused on the growth of their 'baby' that they paid too little attention to UWONET's relationship(discussed in the NGO/NGO relationships section) with its other siblings.

Financial resources act as the medium of exchange or as the carrot and stick in pseudo-familial relationships between donors and NGOs. In addition to increasing and improving the skills and knowledge of their partners, donors provide finances for administration and programme work (Matty interview, 15th, June 2003). In this case the local NGOs become clients of the donor agencies. According to one research subject, Uganda has been the darling of donors and Ugandan NGOs have been seen as particularly deserving. This has meant that competition for funding has been much less noticeable than might be expected. The main disadvantage of this, in her view is that without a struggle to access funds there is less need to clearly think through priorities for funding and action (Nancy Interview, 11th, June 2003). Organisations that work in ways that are appreciated by the donors are rewarded by the possibility of getting financial resources and as a result those that are not favoured copy the good organisation in the hope that they too would be rewarded in the near future (Beckman, 1993).

In this situation the donors may actually compete to fund local NGOs, particularly those with a good reputation for advocacy work and adopting a rights-based or partnership approach. As seen in the last chapter, Uganda Land Alliance and UWONET had several donors, each funding a specific component of the same activity. There is not always a shortage of resources; shortages will tend to be for certain issues and perhaps for running costs. It is also important to note that funding NGOs assists donors to get inside the NGOs agenda and general functioning to influence their agency. This may explain the major interest that the official donors have had in funding the Land Act perceived to be critical to economic development in comparison to the Domestic Relations Bill.

Lastly, as a way of strengthening pseudo familial relations, donors use their country Strategy Papers (CSP) or policy positions as both, instruments or signs of the objective capacities of donor organisations and relations of communication to convey this power (Foucault, 1982). Through these documents, power is exerted over NGOs that are expected to adopt the discourses contained in these documents and in turn, NGOs are expected to pass these discourses on to the local people. Donors' agencies and INGOs usually have areas of focus and themes such as human rights. They usually seek these out in the proposals received from the NGOs. As Foucault states, through relations of communication, language is transmitted and response is dependent on the interpretation by the recipient (Foucault, 1982). It could be argued, on the basis of broad experience in the field and in this research as shown in Chapter 5, that INGOs and big donor agencies make NGOs take on reformist approaches in advocacy. Reformist approaches rule out a more radical role in the form of an outright rejection of such policies and organised opposition to them. This is because, like local NGOs, the INGOs are increasingly dependent on the development arms of their own governments for their survival (Edwards, 2002). It is not clear the extent to which ActionAid or Oxfam may completely oppose the policies of DFID or of their other funders either. DFID and World Bank in turn are agents of the governments that give them mandate.

In summary, pseudo-familial relations act as an insidious exercise of power by donors to localise their discourses (Lukes, 1974). These relations are diversionary measures from the Development 'market' inefficiencies (Hirschman, 1970). Local NGOs have been deflected from analysing problems and solutions on the basis of the experiences of the grassroots. Most of the planning is done with elites in workshops on the basis of the institutional instruments of donors including training manuals, policy positions and Country Strategy Papers and one-off research projects that are by and large influenced by the funding organisations. Currently the focus is on the discrepancy between the laws and international instruments, a process that has facilitated the growth of corporate capitalism, the new economic hegemony (Kothari, 1998).

6.1.3 Market Relations

Market relations discussed ensures compliance to donor demands. Edwards (2002) states that structural macro reforms have been accepted as prerequisites to overcoming

the fundamental causes of poverty. In market relations, NGOs become agents of donors, subcontracted by the latter to carry out particular projects with specific bundles of funding linked to a particular idea in the form of partners or intermediaries (p. 109). The relations are in form of a market with buyer and sellers which involve fairly straightforward relationships of supply and demand. These relationships can also be observed in the relations between donors and gender focused NGOs in Uganda. In these sets of relations, the donors are the buyers in symbolic terms, and the NGOs are sellers. NGOs' 'products' include proposals, advocacy options, skills and other capacities for action. The exchange between the donors and local NGOs is like a market where the buyers have particular tastes and the sellers work tirelessly to meet the buyer's demands, competing to 'sell' their wares. Some of the research subjects noted that several gender-related NGOs specialise in the 'same product'. They commented that the catchy or marketable issues of the day were differently 'branded' by different NGOs, in order to meet the varying taste of the diverse donors or the same donor to ensure that it is funded (bought).

The NGOs may voluntarily share their proposals with various donors in the hope that the later will show interest in their product. In certain cases donors like specific products and will solicit for project proposals from specific NGOs. There are instances in which donors ask for bids from various sellers and pick the best proposal that suits their interests. During fieldwork, the then ongoing DRB project managed by UWONET and funded by the Netherlands Embassy was a result of bids submitted to the embassy by several NGOs, some of which are themselves members of UWONET. The Embassy asked for bids from various organisations and UWONET won the bid. Another research subject re-echoed Lister & Nyamugasira (2003) assertions that currently, donors are forcing all NGOs to do advocacy. Such relations nurture and reinforce competition among the NGOs and at the same time alienate NGOs from their constituencies (Hearn, 2001; Pearce, 2000; Wallace, 2004; Kajese, 1987; Lister & Nyamugasira, 2003). In an informal discussion with a staff of a member organisation of UWONET, she told me that they favoured NAWOU to UWONET in the bid for the election sensitisation and monitoring project. This is because the MOs were unhappy with UWONET. In essence the bidding process has created a situation of 'survival for the fittest' among the NGOs and choice on the part of donors. NGOs

continuously seek out information on the demands of the various donor organisations in order to tailor their products to the demands of these donors (Hirschman, 1970).

In situations where they interact as buyer and seller, the relations between the donors and local NGOs are governed by relations of accountability. Metaphorically speaking, the donors, who act as buyers have control over the NGOs', or sellers', production process. The proposal stage is just the beginning of the buying process; donors wish not only to control the discourses of the proposal but also the financial costs of the project and would like to know how money is going to be used. Donors therefore acquire an interest in the cost effectiveness of NGOs' operations (the production process). The NGOs have to account for the resources received from the donors. The various donors have varying accountability mechanisms with some more strict and rigid in comparison to others (Wallace, 2004). The donors' accountability and competitive mechanisms result into disjointed advocacy initiatives because they buy the products in different packages and at different times. NGOs market particular advocacy initiatives to particular donors. This at times results into passing on contradictory messages to the people at the grassroots as was seen in Chapter 5 the case of the land rights campaign in which UWONET was advocating for co-ownership of land and ULA was advocating for Family Land Rights. As Hirschman (1970) observes, competition does not necessarily result into quality products but instead may act as a divisionary measure for those that are challenging the status quo (Hirschman, 1970: 28). In the Ugandan context, due to the need for resources, NGOs cooperate in the nurturing competitive relations among themselves even though this may negatively affect their advocacy agenda and contribute to their disempowerment (Kabeer, 1999).

Without the donors, the NGOs can hardly do any thing as one research subject noted, "because NGOs do not have resources, they cannot work on an issue that is not funded. They have to tailor their activities to what donors want" (Lez, interview, 24th June 2003) mainly for resource and accountability purposes. The element of accountability between the recipient NGO and donor provider results into relations of fear. Resources in this case act as objective capacities to illustrate the power that is inherent in donors (Foucault, 1982). This is because the nature of accountability to the donors makes donors dominant or superior and local NGOs inferior.

6.1.4 Dominant/Subordinate relations

The superior position of donors mainly emanates from the programmatic and financial accountability of local organisations to donor agencies. The thematic areas provide the funding and thus financial access boundaries. The local organisations account for the utilisation of 'advice' and funds, usually disbursed to them through signing of legally drawn or inspired memorandums of understanding that state the specific goals, objectives, activities, outcomes all of which are time bound. These memorandums are structured in ways that nurture fear of divergence by the local agencies that may cause denial of future resources or even court action⁸³. Accountability to donors gives the donors a superior position over local NGOs that at certain instances donors are excessively respected, taken as 'gods'. Donors also portray their image as so especially the official donors reinforcing the relations of superior and inferior. For example, one research subject noted that in order to access DFID money, you are told what to do and the expected out puts, and as shown in DFID/ULA partnership in the last chapter, some of the expectations are beyond the capabilities of NGOs.

Sometimes they (donors) are not focused. They funded ULA and one of the outcomes was to have the land co-ownership passed but this is not feasible because this is not the power of ULA. She said that donors mess up the advocacy agenda rather than helping it (ULA) to be focused. This is because they do not ask questions that will help the NGOs to be focused. They (donors are understaffed to have meaningful relations with the NGOs beyond funding (Nancy Interview, 11th, June 2003).

The local NGOs are in constant fear of losing funds from the donors either due to a change in donor priorities or their own poor accountability in term of activities and funds. This also affects the relations among the local NGOs themselves. For example member NGOs feared critiquing UWONET because they felt that donors liked it so much and that criticising it would affect their own organisational identity and status and hence access to resources.

While there are changing patterns, accountability remains a key component of these relationships. During a workshop on monitoring CEDAW held by UWONET on 29th July to 2nd August 2003, sponsored by ActionAid, members were not satisfied by the

⁸³ From my experience it is rare that court action has been taken. Even divergence is not usually with the discourse, it usually misuse of funds and INGOs and local NGOs would rather discontinue the staff rather than deal with the courts of law that is time wasting and at times may taint their name if the

modalities of work that UWONET had agreed upon with ActionAid. They questioned the extent to which the donor, ActionAid, would be flexible enough to accommodate suggested changes in the proposal by taking into account the views of those present and vocal at the workshop. When it was suggested by a representative of ActionAid [myself] that it was possible for ActionAid to be flexible, and UWONET should listen to their members' concerns and then proceed to renegotiate the MOU (Memorandum of Understanding) with ActionAid, the network secretariat seemed very reluctant to consider this possibility. Indeed the way it was treating the members showed that its allegiance was more inclined towards ActionAid than its own members. UWONET sought to avoid any open challenge to the existing relationship. The NGOs like the INGOs would like to keep their transactions costs low and to maximise their benefits in the form of resources from donors.

The same fearfulness was expressed in a meeting held on 20th November, 2003 to present my fieldwork research findings to a cross section of Ugandan NGO staff. While they were interested in the findings of the research, those who took part in the meeting were also mindful of its implications for donor funding. The NGOs did not want to expose what was going on in their organisations just in case the donors decided to stop funding them. There was reluctance to be open about their feelings concerning the donor agencies. There was no desire to 'lift the veil' on what they thought of the donors. Over respect of donors also affect the allegiance of the organisations, which results in strained relations among the various actors.

The fear of being seen as hostile or critical or 'rocking the boat' of donors, leads NGOs to keep quiet, and even if they are not happy with a situation. Indeed NGOs will not voice their opinion against donors unless they completely feel safe that their organisations are unlikely to be punished. Workshops, research projects and conferences in which anonymity is assured tend to provide those spaces. Loyalty to donors is partly due to working in a context where a few donors control the market (Hirschman, 1970). NGOs compete among themselves to provide 'products' to the donors. Issues of security, are critical as in a competitive situation, NGOs would rather keep quiet than expose their negative feelings just in case this later affects their

media got involved.

access to donors' resources because of 'sour grapes'. In other words, loyalty reduces the NGO transaction costs.

Due to deeply entrenched but unexpressed dissatisfactions, at times the relations between NGOs and donors tend to shift towards conflict and open opposition. The findings of this research indicated that embedded within the relations of subordinate superior are feelings of mistrust between NGOs and the donors mainly big donors especially the World Bank. The mistrust arise mainly from agenda setting. Advocacy work is also seen as a top down process that responds to constantly changing donor agendas (Lez Interview 24th, June 2003 and 18th, June 2003; Nancy Interview, 11th July 2003). Response to donor agendas in advocacy is linked to the "dependence on specific donors who may force you to do certain actions they want, sometimes being compromised or tailor the activity to the sponsors objectives" (Nancy Interview, 11th, June 2003). There is a common view among many research subjects that most advocacy work is 'rhetoric'. One research subject said that donors started meddling into the activities of the NGOs in 1997/98 (ibid.).

A 1997 advocacy training workshop report stated that "many NGOs had problems over donor driven agendas whereby they keep slotting programs like gender, environment and/or advocacy to be able to get donor funding when actually those were not their (NGO) issues of focus" (DENIVA, 1997:17). In the same report after presentation of a Structural Adjustment Participatory Review Initiative which was being carried out by the World Bank in collaboration with NGOs in ten countries and coordinated by the NGO forum in Uganda, the participants felt that it was another initiative that was being imposed on them and they needed to question the trend of events (DENIVA, 1997: 21).

The concerns over donor agendas are not only with the World Bank. One research subject noted that

...some donors like DFID want to initiate the idea for you, they pick it and say this is what we are funding: if they liked an organisation, they would fund it. Sometimes they just jump on an issue, put three organisations together without thinking through the relationships-sometimes this is not feasible (Nancy Interview, 11th, June, 2003).

The problem does not only limited to big donors. In the same 1997 advocacy workshop when Oxfam presented its strategy, the participants observed that they “would have been better partners to work on the strategy rather than receive an already made one for comments” (DENIVA, 1997: 21). The issues of concern for Oxfam were debt, poverty reduction, health, education, and land⁸⁴(ibid.).

It was noted that NGOs respond to donor agendas, which are in turn responding to macro Development policies. The research subject said that there is a broader framework by the World Bank whose aim is to link the macro and micro policies and that this explains the current situation in which everyone is doing the same thing but with different words being used. She also said that the macro level influences the micro. She gave an example of how the World Bank and IMF brought PEAP to Uganda. According to her, World Bank works on poverty eradication in its own ways using policies that are not necessarily pro-poor. She said that in this respect World Bank is presenting structural adjustment policies using various names. She said that World Bank is mainly interested in trade and politics but not poverty. She noted that women are not seen to be related to development and that what the World Bank writes is just rhetoric (Lez, 24th, June, 2003). Several NGOs are suspicious of the PEAP, the blue print to Uganda’s development (Nyamugasira & Rowden 2002; ActionAid International Uganda & ActionAid International USA, 2004).

Irrespective of the NGO sentiments towards the PEAP and the development relationships that have been closely nurtured to realize the goals of PEAP, most donor agencies are subscribing to the PEAP and have agreed on it as Uganda’s PRSP, the ‘cardinal instrument’ of poverty eradication and developing Uganda. For example, DFID does not have Country Strategy Papers in countries with Poverty Reduction Strategy Papers instead it subscribes to these plans through its Country Assistance Plans (Mat 27th, July 2003). The mistrust of the World Bank policies is mainly due to the feeling that there is a missing link between the micro realities and the macro policies especially the policies of the World Bank. Non-negotiable macro economic

⁸⁴ The report notes that the focus on land was new to Ugandan NGOs and Oxfam in this meeting acted as the spokesperson for Uganda Land Alliance, the NGO that it founded. In other words, Oxfam was the NGO that was explicitly focusing on Land. The formation of ULA was to recruit Ugandan NGOs into the Land Rights Campaign. Secondly it is also important to note that in 1997, that was organising the advocacy workshops but by 2001, it was UWONET and not SNV that was organising the advocacy

donor interests such as “economic growth rates, exchange and inflation rates, liberalization, privatization and the sequencing of reforms” and their implications to the interests of NGOs seem to be the major cause of conflicting relations between donors and NGOs (Lister & Nyamugasira, 2003: 24)).

Having non-negotiable interests makes some of the NGOs to feel that the concern of the donors is not poverty: for example one research subject observed the World Bank lends so much to the African nations and that its survival as a Bank is dependent on the loans to these nations (Digo 18th, July 2003). Like Kajese, (1987), she questioned the concept of development partners.

Development partners? They are donors, it is not a relationship. He who plays the piper calls the tune. They play the piper, they call the tune. It is an unhealthy relationship, the double rule game. The donors do not apply the rule to themselves (Digo, 18th, July 2003).

In this case the respondent meant that the neo-liberal policies are only applied to developing, countries. She said that we concentrate on good governance, human rights, dealing with a global system that cannot facilitate processes acting against the realisation of these things for example, telling governments to reduce military spending. She wondered where the power was: was it at government level or with multinational corporations that give government funding conditions. She said that at the international level, the relationship simply involved pulling strings in an instrumental way (Digo, 18th, July 2003).

In making sense of the relationships between the local NGOs, and the big donors (World Bank, DFID etc) and small donors (INGOs), one research participant proved quite useful. He told me that although DFID has a mixture of both social protection specialists and economists, the trend has been the negligence of social issues. This negligence could be linked to the subscription to macro-economic policies and differences in the levels of appreciation of the social cost of Development. He said that for example through their collaboration with the World Bank, DFID is working closely with World Bank to enable it to recognise the value of social protection in

training workshops.

Development. “As you do the economic intervention-look at the costs” (Mat Interview, 27th, July 2003).

Mat’s arguments are similar to the arguments of Edwards (2002) who observes that NGOs relationships with donors are mainly about the extent to which NGOs can assist the official donors’ realisation of structural reforms either through reformist advocacy or becoming contractors (Edwards, 2002). By taking steps to ensure that neo-liberal policies do not adversely negatively affect the poor, the interest of DFID is basically to reduce the transaction costs of implementing the neo-liberal policies in Uganda. Depending on donors reduces the ability of NGOs to challenge the orthodoxy of powerful official donors. The challenges of gender focused NGOs in Uganda apply to INGOs in their mother countries. “We cannot after all bite the hands that feed us and hope to find a meal waiting for more than a week or so” (Edwards, 2002: 109). Acquisition and accounting for resources affects INGOs. Like local NGOs, they may need to take on agendas that are of interest to their governments or to multilateral organisations such as the IMF and World Bank so as to access resources.

INGOs are in a precarious situation in terms of allegiance especially since at the moment there are no clearly tested orthodoxies. INGOs have thus opted for a reformist approach with incidents of confrontational advocacy (Edwards, 2002). Secondly like local NGOs in Uganda, they also compete for resources, identity and status, and may lack a common vocabulary or strategy in terms of policy priorities (Edwards, 2002: 109). It is no wonder that donors’ labels on advocacy initiatives are important and as shown by the DRB and Land Rights Campaign, several donors may fund the same initiative with one NGO. In other words, each values its autonomy; each seeks collaboration with other INGOs when it suits them instrumentally. Resources, identity and status affect the ability of small donors to undertake initiatives that are likely to offset the existing status quo and this affects the actions of INGOs and thus their relations with gender focused NGOs in Uganda.

Provision of limited resources to NGOs may be linked to the need for INGOS to have several partners for purposes of accountability on the basis of the number of partners that they have. INGOs, like local NGOs, are all working on similar issues leading to the multiplication of their discourses in the country, creating the same development

thinking among most the actors with very limited room for manoeuvre. Thus the Economic/Market relations that affect the INGOs at the international level and the subsequent relations that they nurture with the local NGOs result in a situation where it is possible for one NGO to have partnerships with three INGOs on one issue for example Land rights advocacy or even specifically women's Land Rights advocacy. Having similar discourses, tends to result in all actors 'singing the same tune', a tune which seems to have been composed with local needs in mind, rather than being an importation from afar. Thus having a partnership with ActionAid or Oxfam or SNV will not affect the content of the discourse, what it may affect is the wording.

Big donors are now funding local NGOs through government under the 'one basket funding' or sector funding (Hearn, 2001). Funding NGOs through government has affected the voice of the NGOs that donors themselves nurtured (Power, 2003; Craig & Porter, 2005; Wallace, 2004; Thomas, 1998). It seems donor agencies (especially big donors) fear a strong 'civil society'. In the context of a weak state, a strong civil society is likely to damage not only the interests of the government but also the donors that fund the government (Whaites, 2000).

The donor/NGO relations suggest that aid or development resources are a necessary evil, a medium of exchange that assists the various actors to pursue their interests. It is a sort of market in which donors take on the role of arbitrators or brokers that assist NGOs to work with the development market framework. The politics of aid in the context of the NGO/donor relations maintain the current status quo between the rich and the poor countries (Craig & Porter, 2005; Power, 2003; Wallace, 2004; Beckman, 1989; Hearn, 2001). Development discourses are maintained and reinforced through the use of objective capacities of aid, relations of communication such as training, and power relations such as subordinate dominant or market relations.

Although not necessarily coordinated, or constant, pseudo-familial relations and other relations are selectively nurtured, and applied depending on the context to direct the NGOs to a desired situation with limited transaction costs. However the relationship between structure and agency is quite complex (Weedon, 1987; Giddens, 1993; Kabeer, 1999) and power itself is not a zero-sum game. Thus before concluding that NGOs are implementing donor agenda as a result of the latter's dominance, it is

important to understand the ways in which NGO exercise their agency in these complex set of relationships.

6.2 NGO-NGO relationships

The NGO relationships manifest themselves in four major ways:

1. Relations of competition and resistance
2. Member organisations seeking recognition
3. Relations of loyalty
4. Relations of collaboration and cooperation.

There is an overlap and multiplicity in the ways in which NGO/NGO relationships manifest themselves that like NGO/Donor relationships, it is at times difficult to even discuss them separately. However for purposes of critical analysis, I will attempt to do so.

6.2.1 Relations of competition and resistance, the Example of UWONET

The operations of UWONET do not and should not weaken the autonomy of its member organisations (Uganda Women's Network Reflection Retreat 4th - 7th January 1996, Lake View Hotel Mbarara)

The pattern that emerged from the fieldwork data analysis was that competition among the NGOs was generally for resources, status and attention. Competition among the NGOs is mainly due to limited funds in comparison to the NGOs' perceived needs. In line with the need for resources are the issues of identity and status (including recognition) that enhance the potential of receiving funds from donors.

Competition tends to be greater among NGOs with similar interests and characteristics, for example women organisations such as UWONET, and FIDA. Competition takes many complex vertical and horizontal forms among alliances of membership organisations within the same 'community' of NGOs. There seemed to be limited apparent competition between the international organisations and the local organisations. Competition among the NGOs manifests itself in both overt and hidden ways. By and large UWONET exhibits hidden competition with its member organisations (MOs); it is not obvious that the network and its members are competing with one another.

The competition between UWONET and its MOs has gone on for a very long time, since at least 1996 when the institutionalisation of UWONET began. According to available records, competition between the network and its MOs was envisaged at the early stages of the institutionalisation of the network. In 1996, during a reflection retreat for its membership, fears were expressed that UWONET might compete with its member organisations. This was highlighted in the opening quotation to this section. Probably due to fear of losing their autonomy, the members agreed to form a “loose network with a focal point to which the member organisations would convene to review progress in priority issues, and the members were to play the lead role” (UWONET, 1996). through what they termed as task forces rather than an institutionalised network. The focal point(coordination centre) was to be based in the offices of the membership organisations. One of the founder members told me that “we had an idea of a small advocacy unit, secretariat not supposed to become an NGO” (Interview Karim, 25th, June 2003). The need for the women’s movement and maintenance of institutional autonomy dates back to 1965. It was then observed that there was need for a:

...united, strong and recognised women’s voice in Uganda to co-ordinate their work and further their interests...to remove jealousies, overlapping and unnecessary competition...exert influence; women’s status must be equitable to that of men with reasonably equal employment opportunities...each of the member organisations should retain its identity and be completely autonomous (*Uganda Argus*, April 26, 1965: 5).

In its early stages, UWONET was seen as the strategic rallying point for the women’s movement in Uganda to address gender inequalities by focusing on strategic and not practical gender needs. However the expectations of UWONET being a rallying point and not an NGO were short lived. In order to hire staff and hold a bank account (a pre-requisite for donor funding), the network was legally required to have a constitution and to complete registration with the government (UWONET, 1996).

Registration made UWONET an independent legal entity, an NGO. The hiring of staff that needed to perform their work enhanced the independence of the network from its MOs. This marked the beginning of stiffened and persistent competition between UWONET and its own MOs. The network had become an independent entity that had

its own interests and the potential of competing with the MOs to defend and enhance its own interests.

UWONET is a network. But many Member Organisations (MOs) do not differentiate UWONET from other NGOs; for many UWONET is one of the many Women Organisations in Uganda. Generally, members look at themselves as organisations or individuals that are invited to participate in, support or cooperate with UWONET. The owners are seen to be the donors and the Secretariat in general, but particularly the Coordinator (UWONET, 1997: 3).

MOs resist the network possibly because it exhibits characteristics that they do not want such as the weakening of the autonomy of its members. From the research findings, the MOs cooperate but at the same time compete and resist the network depending on what they want from it or what it wants from them. They have a very strategic view of the costs and benefits of the membership of UWONET. Organisations like individuals are rational entities that are aware of the likely transaction costs if they are to maximise their benefits or self interests (Uphoff, 1996) that is resources, identity and status. It is the awareness of the transaction costs that has guided the ways in which gender focused NGOs have nurtured and maintained relations among themselves and with other actors and their subsequent advocacy agenda.

It was observed that MOs use various mechanisms to resist and compete with the network and the network through its secretariat reacts to these actions to promote its aims in the face of MO competition. The reactions to each other's actions or the bargaining processes or power relationships between the network and its members have played a critical role in the shaping of UWONET's advocacy agenda and that of its member organisations. The competition and resistance of the network by its MOs exhibits itself in a number of interesting ways including; provision of limited information; poor participation of MOs in UWONET activities; apparent MOs misunderstanding of the concept of networking; non inclusion of the network activities into the MOs plans; and seeking identity and status outside the network framework.

Provision of limited information is one of the ways in which the members have resisted the network's competition. Information is critical for effective advocacy

planning. Limited information has put the network in precarious situations that have seen it take on advocacy issues at the suggestion of the members and then with limited information to back up these initiatives, the network stops the active advocacy (Liz interview, 15th, July 2003). This is a historical problem. The 1996 retreat report states that;

It was observed that effective communication between UWONET and the member organisations was almost non-existent. It was learnt that even where attempts have been made for members of the planning committee to report to their respective organisations, some of the later have continued to isolate themselves from UWONET activities (UWONET, 1996: 17)

Poor participation in UWONET activities is another way in which MOs enhance their ability to withhold information from the network. The Managing Institutional Change report (1997) states that the Executive Council of MOs and their constituencies take little interest and/or do not play any active role in UWONET. It further states that participation in UWONET committee activities is on individual and not institutional basis without “systematic mechanisms” of reporting back to the management of MOs (Managing Institutional Change, 1997: 3). The result is a failure to “put the full weight of the MOs behind the work and life of the network. UWONET committees are poorly attended; the few who attend take decisions on behalf of the many” (ibid.).

In 1999, it was observed that “the missing umbilical” relationship between UWONET and its members was a real threat to the sustainability and efficiency of the organisation and prevented “UWONET to reverberate with dynamism in its activities” (Chigundu, 1999: 40). Challenges included lack of institutional representation in network meetings, poor communication, and non-attendance of meetings by senior staff (ibid.).

In four meetings of UWONET that I attended during field work for this research, most of the senior personnel of the member organisations were absent. During the discussions in the meetings, I witnessed episodes of disgruntlement with decision-making but few open complaints were voiced (Field notes, 13th, June 2003; 20th, June 2003; 30th July 2003; 20-22 October 2003). In addition to poor communication, and poor attendance of meetings by organisational heads, active individual participants covertly withdrew from the network. It was also observed that at times the MOs do

not pay their membership fees on time. For example there were no elections in 2002 due to non payment of membership fees and during the general meeting of 2003; only 2 MOs and one individual had paid their membership fee and most of them did not attend the meeting. It is only paid up MOs and individuals who have decision making power. I also observed that representation on the network is not based on the decision making power of the representative of the MO, which affects the mainstreaming of UWONET's activities into the MOs plans and budgets. The network's executive committee by and large chooses not to exercise its power and one of the committee members observed that the executive should be blamed for the failure of the network (Field notes, 30th, July 2003). In other words, MOs use relations of communication to disempower the network thus fostering non-decision making (Lukes, 1974; Kabeer, 1999).

Competition through fostering non-decision making (disguised exit) and all the other forms of MOs resistance of the network could be linked to institutional loyalty and the interests of the various NGOs (Hirschman, 1970). Being a member organisation of UWONET but at same time independent NGOs in their own rights, means competing with UWONET for the same donors and their funding and attention generally (Managing Institutional Change, 1997; Chigundu, 1999).

One of the major problems we face with the network is the nature of the organisation. The challenges of networking have even contributed to that you are trying to do something on land you are a member of network, you want also to do things on land, you are asking the donors for the same money therefore with many organisations to come and support UWONET on land I know... the participation keeps on reducing. (Liz interview, 15th, July 2003)

The identity and status problems between the network and its member organisations have also been linked to

...a general lack of understanding of a Network and how it is different from an NGO. The concept of a Network is new to Ugandan NGOs and variously understood/misunderstood. There are questions of when is UWONET programme the programme of the Network and not UWONET the NGO? UWONET and the member organisations develop and plan their own programmes in isolation of each other. This hampers the building of synergies between and among the MOs (Managing Institutional Change, 1997: 11).

The belief that UWONET is a competitor fuels inter NGOs rivalry within the network, with some NGOs and individual leaders undermining each other in front of donors (ibid). This is akin to a 'branding' of NGOs who resist being 'swallowed' by networks and coalitions created for advocacy purposes. It is possible that it is not that the MOs do not understand what networking is about, but rather use 'lack of knowledge on networking' as a disguised exit option or survival strategy to pursue their own individual institutional interests (Hirschman, 1970).

The inability to network assists in the non-institutionalisation of the network and its activities, another form of non-decision making or a resistance of the power of network over the MO agency (Lukes, 1974; Kabeer, 1999).

UWONET's work is not institutionalized; it rests on the shoulders of individuals who attend UWONET meetings. Representatives of member organisations are set to meetings but top-level involvement is limited. Few members take back to their organisations the issues discussed during networking and hence the constant fear expressed by member organisations that UWONET might be hijacking their work. There is also a fear that UWONET is over shadowing other NGOs. (Chigundu, 1999: 40-41)

In one of the meetings that I attended on 30th July-2nd August 2003 to review the progress made on the achievement of CEDAW, most of the representatives of the MOs did not have the authority or power of decision making. Thus, there was an apparent failure to make key decisions as most of them only took note of the action points for presentation to their management at a later date.

6.2.2 MOs seeking identity, recognition and status - lessons from FIDA

In addition to use of disguised exit and non decision making mechanism, overt competition by MOs was shown by holding independent activities including workshops with media coverage to enhance institutional status and identity. In other words MOs voice out their independence from the network. Such voicing could be in the form of one off activities undertaken with the anticipated result of recognition by the general public. The need for recognition of the MOs identity was frequently expressed in the discussions and noted in observation of the membership organisations.

The MOs recognise that even though they are part of a network, they still need to retain their own individual identities as NGOs, and occasionally to 'show their own initiative'. I observed that a strategic approach was taken by FIDA to voice its independence by ensuring that its name appears on each of the activities that its individual members undertake on its behalf, whether as an MO with UWONET or under the umbrella of ULA. It was interesting to note, however, that the extent to which these engagements are part of the formal agenda of FIDA was not clear. Certainly they were not reflected in the organisational plans and budgets as far as I could ascertain. Some staff and FIDA members interviewed did not appear to be aware of FIDA's ongoing program on advocacy. The activities of UWONET and ULA were not institutionalised into the programme of FIDA. It was claimed that this oversight was simply due to poor documentation. Another possible interpretation is that these activities may not be considered to be part of the mainstream work of FIDA, but rather initiatives that are undertaken mainly for identity and status, as well as recognition, purposes. FIDA last organised a workshop on the DRB in October 2001 and according to the research subject, it was organised because FIDA felt that it is really expected to play an active role in legal reform.

Rt: As FIDA we think that we can do a lot especially as far as the law is concerned. The DRB, one of the things you are talking about is the competition between NGO's...because every one wants to be striking more than others and it happens even in coalitions. There was that concern that we hadn't done and yet we are as lawyers who should have taken on issues just as the law plays as far as the domestic relations are concerned and we think we must have done something as FIDA to protect the people because that one would have sounded so much that you know UWONET, FIDA is not doing anything.

Ma: It would have sounded you know UWONET and FIDA..?

Rt: Though we are members but in most cases when it comes out they first mention UWONET but they don't mention organisations under UWONET.

Ma: Does that have any implications to you as FIDA?

Rt: Of course because we have a lot of meetings, we do a lot of work in the coalition and people are complaining that its not recognized over our target group knows that we should be protecting them, advocating for change of laws. But then we are doing something but there is no evidence and even us we should do something and we thought we should have a big view but you find that two people are taking over everything. That happens in coalitions.

Rt: We like to network but at times you network to your disadvantage. You do a lot of work, you fail to have time for your own work that was to be accounted against you and in a coalition you would not be recognized. None will say that you did something and we think that the DRB has stuck somewhere and thus we need to do something (RT Interview, 18th, July 2003)

It is evident from the above interview extract that FIDA is trying to assert its identity in advocacy for women's legal rights. Thus image (identity) building, "to be seen that they are doing something" affects working together and complimenting each other's activities (Nancy Interview, 11th, June 2003). The previous chapter showed us that competition for recognition at times results in the production of contradictory messages and competing for constituencies. With limited advocacy monitoring mechanisms (Roche, 1999; Anderson, 2002) the closest proximity to measuring one's role in advocacy is the extent to which one is perceived to be advocating⁸⁵. One research subject said that one is likely to lose or gain donors based on the perception of whether they are working hard or not. Unfortunately networks and alliances do not reward or recognise members on the basis of their input into the advocacy initiatives (RT interview, 18th, July 2003) but rather on the basis of who has attended advocacy workshops, and meetings.

UWONET and ULA recognise organisations that subscribe to an advocacy issue, because numbers show that their advocacy agendas are popular. Hence, some organisations join to ensure that their names appear on these lists. Even if one organisation joined an agenda after it had been designed, it would receive the same recognition as that which joined before. Accessing most development funding on the basis of the extent to which an organisation is a 'team player' has also affected recognition of individual input. This situation leads to limited utilisation of the available resources to agenda setting because there are no enticements to work more. The MOs are rational institutions and thus unwilling to invest much in networking if it is not likely that their organisations will gain more from their input (Weedon, 1987; Giddens, 1993). Constrained resources make each actor to fight for survival within and outside the web of relations but in ways that ensure that the relations with the other actors are not strained. Overt conflict is avoided because NGOs are aware of its price (Uphoff, 1996).

⁸⁵ One research subject observed that while NGOs are involved in advocacy, there is a big gap in policy implementation and monitoring. He linked this to the immaturity of the NGO sector where very few have experience in social and economic analysis.

6.2.3 Managing resistance and competition: A case of UWONET

Networks and alliances have devised coping mechanisms to strengthen their agency that is threatened by the increasing transaction costs due to the competitive relations with the MOs. The UWONET secretariat has adopted a number of coping mechanisms including: deciding on behalf of the member organisations; fundraising for its own activities; organising advocacy initiatives in collaboration with a member organisation; sharing of information with member organisations; use of consultants; use of interpersonal relationships; expansion of network membership and use of two identities depending on need.

Deciding on behalf of the members and informing them of the decisions is one of the ways in which the network's secretariat manages the competitive relations. Due to differences in mental models, (Uphoff, 1996), the actions of the networks' secretariat have bred resentment among some MOs. Rather than viewing it as a way of ensuring effectiveness and efficiency amidst complex institutional relations, some MOs feel that the secretariat oversteps its boundaries and that it does not value the MOs input but rather consults them out of formality. The MO dissatisfactions with the network's decision making process have affected the gender advocacy work. Inability to engage with the network in meaningful terms affects the quality of the advocacy agenda. One research subject said that the network's secretariat habitually makes decisions without the members' input (Liz, 15th, July 2003). The 1999 external evaluation report noted that the secretariat is overburdened and that UWONET programmes

...lack the detail, depth or close and sustained follow-up necessary to make a difference... programme seems to be a listing of activities without deliberate coherence or internal linkages and synergies. This type of programming is symptomatic of an organisation without a precise constituency...and one a good deal of whose programme is ad-hoc, spontaneous and... "bandiwagonic" (Chigundu, 1999: 3)

The DRB and Land campaign clearly show that the activities of the network and Land Alliance changed on the basis of government actions but not because NGOs had a strategic approach to their advocacy work.

The second coping mechanism used by the secretariat is to fundraise for the network's activities. In so doing, they enhance the secretariat's ability to undertake advocacy work without the MOs input. The secretariat is aware that the key factor in their work is the availability of funds for the network's activities. Assured funding means that with or without MO support, an advocacy project will be implemented. Independent fundraising by the secretariat enhances the network's objective capacities in comparison to those of the MOs who are in a way disempowered. The network does not need to depend on its membership for its survival confirming the notion that power is not a zero-sum game but rather a positive-sum or even negative-sum game (Foucault, 1982). While MO endorsement of network's activities is needed, it is not the determinant of whether the activity will or will not be done.

The third coping mechanism used by the secretariat has been organizing advocacy initiatives in collaboration with a member organisation. Working in partnerships assists in the originations involved to manage the accountability to donors (implying access to resources), status and recognition concerns. Further, collaborative activities as shown in Chapter 5 assist the MOs and the secretariat to overcome mistrust. The secretariat used to accuse MOs of using the information from the network meetings to make individual proposals that they use to quickly obtain funding from donors resulting in everybody doing the same thing. The MOs were also accusing the network of hijacking their information for funding purposes (Chigundu, 1999; Speke Interview, 29th, August 2003).

However the 1999 external evaluation report of the network states that undertaking joint programmes proved problematic because some donor agencies required member organisations to show tangible results leading to conflicts among member organisations due to competition with the network for recognition and the fear that their identity might be swallowed by the network (Chigundu, 1999). The same concern was noted by one research subject who said that donor accountability mechanism make it difficult to ensure that the organisation that has a cooperative advantage undertakes a particular initiative because they expect accountability from the recipient organisation (RT Interview, 18th, July 2003).

The fourth coping mechanism is the use of consultants. Consultants undertake most of the major activities of the network including planning, training and reviews.

Knowledge is power (Power, 2003; Foucault, 1980). Considered neutral and knowledgeable, the consultants assist the network not only to understand the perceptions of the MOs but to also direct them to a specific direction with limited resistance (Power, 2003; Foucault, 1982; Lukes, 1974; Kabeer 1999).

The fifth coping mechanism used by the network to enhance its power is sharing its annual reports and proposals with the member organisations, as a form of awareness creation on the activities of the network. The documents are written in such a way that while showing some form of networking, they also enable the network to assert itself as the organisation that is leading and coordinating gender-related advocacy in the country. The secretariat shares these documents with the donors. The media assists the network to share its work with the general public. In other words, the network uses information to enhance its identity and status as an organisation that fights for women's rights and gender equality.

UWONET has been recognized by policy makers as a serious organisation to the extent that it was invited to participate in a TV dialogue with the Minister of Lands, Minerals and Natural Resources." UWONET has established links at high political level and as an activist organisation; it needs to keep in touch all the time and cannot afford to miss an opportunity (Chigundu, 1999: 31).

By strengthening its social position, the network attracts donors and MOs to seek to identify with it as a successful and leading women's rights organisation in Uganda.

The sixth coping mechanism that the secretariat has used is making individual relationships with individual members of MOs, government and donors. One research subject said that the relationship between the individuals within the different organisations were critical in getting that organisation's support of the network's activities. It was important to know the individuals personally. Knowing people beyond the organisations assisted in understanding them individually and their values. It made them feel important. It also made the secretariat know how to relate with them at the organisational level. Informal individual relations are important in fostering the minimal formal relations required in agenda setting and management.

The more people you would relate with, the more people you would likely to get them on board to support the network activities. When you look at the organisation that we really worked with, I made them to be personal friends, that you know them beyond the organisation (Speke Interview, 29th, August 2003).

However, like the other coping mechanism, individual relationships have their own shortcomings. One research subject noted that the mutual trust was among individuals and it never trickled out to the whole organisation (Liz, Interview, 15th, July 2003). Reliance of individual rather than institutional agency creates discontinuity when those persons leave the organisation. In addition to discontinuity problems, one informal group discussant said that the process of building individual buddies or 'mercenaries' that the network would rely on resulted in the formation of cliques among some of the members and staff of the gender focused NGOs (especially among women organisations) that made some members isolated and feel unimportant. The cliques were mainly based on age, old school friends or belonging to the same tribe (Field notes, 31st, July, 2003). The cliques also made agenda formulation to depend on the views of a few individuals. Although they assisted in quick decision-making, rather than consolidating relationships and reducing the resistance, some individual relationships alienated some of the members who felt that the secretariat was not respecting and recognizing them.

I need to highlight here that like UWONET, individuals played a critical role in the Alliance, especially during the formative years, the only difference is that unlike UWONET, the Alliance reduced the influence of these individuals to its way of functioning (relied more on the MOs themselves). According to one research subject, individuals belonging to the academia, NGOs, and even those linked with the World Bank played a critical role especially in the early stages of ULA especially in the formulation of its agenda. However, unlike UWONET, it never gave these individuals the opportunity to over influence its direction. Indeed, there was a case in which someone was removed from the committee because they felt she was over influencing the direction of the Alliance (ET Interview, 14th, July 2003).

The seventh mechanism that the network is using is to expand its membership or active participants in its decision making body. Since its inception, the network has kept a small membership. The current secretariat has embarked on the recruitment of new members. It also invites non-members to the general assembly and if elected they are given a period of time in which to register. Mathews observes that recruitment of

new membership assists in changing an institution because usually the new members may be unaware of the existing rules (Mathews, 1986).

The eighth coping mechanism is to strategically use the network's two identities, highlighting the importance of social positioning in agency (Kabeer, 1999). In an informal discussion, I was told that the network has two identities, the network and the individual NGO identity that it applies depending on the situation. The two identities are illustrated in the circles that the respondents used to explain the network's identities and how the secretariat strategically applies them in the relations with the MOs.

Diagram one- UWONET as a network organisation

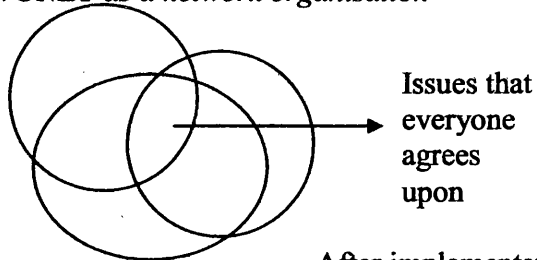
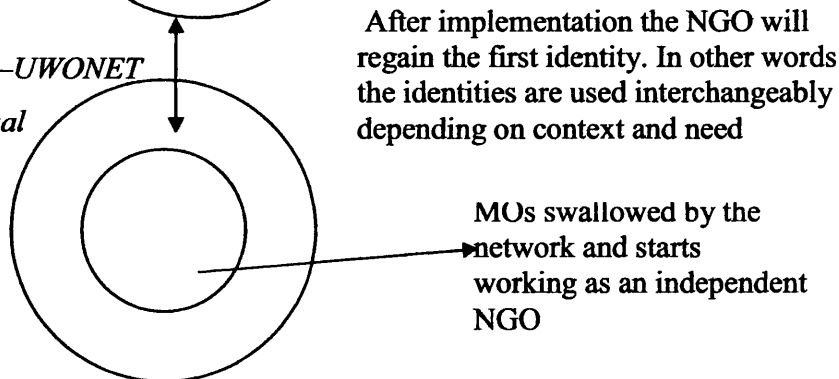


Diagram two -UWONET as an individual organisation



Diagrams drawn by NGO staff focus group discussion, 31st, August 2003

Each of the circles represents the various NGOs, and the intersection represents the issues that the NGOS have in common that bring them together in a network. Diagram one represents one of the identities of the network as a 'network'. Diagram two represents the individual identity of the network. Using the circles the informal discussion group explained to me that the network uses the two identities interchangeably depending on the circumstance. The network uses the first identity when it comes to generating ideas, lobbying and influencing. In this case, the network

recognises the importance of networking. They said that when it comes to applying for funds, it uses its second identity (diagram two) in which (according to the persons who made the drawing) it swallows the members and claims to speak on their behalf. They further said that the network uses this identity when implementing the programmes. It then regains the first identity after implementation to share whatever was done using the second identity.

While the MOs are aware and unhappy with the way the network uses its identity, they continue being a part of the network. According to the informal group discussion, the members believe in the issues that the network is working on. They said that the problem is not with the issues but the mechanism; that is strategies of handling the issues. One person called the relationship between the network and the members a 'marriage' in which there is some allegiance but also some form of 'bandwagon' where organisations join to follow others. They also pointed out that the members benefit from the network through profile raising and capacity development (they learn advocacy; they get ideas, strategies etc.) (Field notes 30th July 2003).

6.2.4 Managing Relations of resistance and competition – A comparison of Uganda Land Alliance and UWONET

Like UWONET, ULA has also faced similar resistance and competition from members. The findings also show that ULA handled the issues of resistance from its membership in a different ways including, institutional identity readjusting; adjustment of its advocacy agenda; starting of Land Rights Centres, and fostering grassroots participation in agenda setting

ULA has readjusted itself institutionally and programmatically to cope with its challenges. ULA was closely linked to donor agencies especially Oxfam that played a critical role in its formation which was not the case for UWONET in as much as SNV and Novib did the same for UWONET. As shown in the previous chapter, Land alliance received a lot of criticism from government as an instrument of foreign donor agenda. Probably boosted by the government accusation, ULA member organisations complained that Oxfam was playing an upper role in the functioning and programming of the alliance. To offset these accusations, ULA began its institutional formalisation process so that it became an independent entity from Oxfam. It acquired

its own independent office, an account, staff, registration, soliciting for more donors and the removal of Oxfam staff from its Executive committee. This process resulted into the graduation of the alliance from association with an international NGO to a local NGO/alliance. It also built close relationships with government, something which UWONET never did.

Gaining 'independence' enhanced its identity as a local NGO. Oxfam's control over the alliance reduced as one research subject said, Oxfam "could not hold the alliance at ransom" (ET Interview, 14th, July 2003). It also became easier for ULA to build close relationships with other actors including government and as we saw in the previous section, ULA in comparison to UWONET has been able to draw big institutions including the World Bank to its attention. By having the attention of the various actors, the status, identity and even access to resources of ULA were enhanced.

The need to survive as an actor after the passing of the Land Act in 1998 may have fostered the trend that the ULA took. UWONET has a wider scope than the alliance; there are many areas in which gender transformation is needed. On the other hand, due to focusing on legal advocacy on land, the passing of the Land Act in June 1998 meant that ULA needed to reinvent itself to remain in business. The need to remain in business may have contributed to the various agendas that the alliance took on after 1998, including the campaign for women's co-ownership of land.

ULA has also had to adjust itself institutionally to respond to some of its critiques. it redefined its target group and started focusing on specific districts in the country (Kibale, Kapchorwa, Mpigi) so as to create a "semblance of dealing directly at the lower level"(ET Interview, 14th, July 2003). ULA also started implementing programmes through its MOs. In order to cope with struggles of MOs desires of accountability and keeping the alliance as a coordinating rather than implementing organisation, ULA started four Land Rights Centres located within the members' organisation's offices. The member organisation second personnel to the centre and the ULA pay the person's salary. In addition to creating awareness on the Land Act; the centres have also been seen as away of assisting the alliance to generate its

advocacy issues from the grassroots level. This is discussed further in the section of the partnership between Uganda Land Alliance and ActionAid Uganda in Chapter 5.

There are difficulties with such arrangements especially where the personnel are paid by the host organisation. One staff member who works for a Land Rights Centre and paid by the host organisation was struggling with accountability. He said that the two organisations have different missions and it is at times difficult to reconcile the two. In spite of these difficulties, the benefiting organisations were quite happy with the alliance because it shares resources with them, they are recognised, their status is maintained and it is also able to further its initiatives. One of the things that created dissatisfaction with UWONET was its failure to share financial resources with the membership organisations. The Land Rights Centres in away enable the alliance to share its resources with the membership organisations. However the alliance can only utilise a few of its MOs who are in four districts of its operation, which has affected its relationship with the other members who do not have this opportunity. The members were also happy with the alliance because it provided consultancy opportunities to its members and by large most of the time UWONET contracted its consultancy to non-network members. This could be because it wants to ensure objectivity but in the process it alienates members.

In addition to the above initiatives, based on the review and evaluation of its programmes in 2000-2001, the alliance facilitated a process to enable the grassroots to feed into the advocacy issues. This is through quarterly reports from its centres where one of the requirements is to have suggestions for advocacy. One of the research subjects said that they received recommendations from the grassroots that requested the inclusion of children on the co-ownership campaign. This was due to the absence of children as those who need protection under the co-ownership clause. She further said that the review raised concerns of national campaigns without feedback at the grassroots level. The review also recommended for the need of visibility of the poor people in the ULA campaign framework, concentration to know issues at the grassroots level and to develop a working strategy. The alliance has taken a number of steps to address these concerns. It has refined the poor to refer to men, women, boys and girls. It also provided for provisions that ensure that women participate in their

programmes. The alliance has developed a strategy document (ET Interview, 14th, July 2003).

6.2.5 Relations of Loyalty-An example of UWONET and its MOs

One of the key research findings is the fact that loyalty and resistance of the network have gone on concurrently within the network. Loyalty of the MOs is an expression of their commitment to the network and its mission and purpose that is gender equality and women's rights. However, not all loyalty, cooperation – or resistance - can necessarily be attributed to the membership's attitude towards the network. At times, the network and its member organisations have agreed to be loyal and cooperate with the network as a better alternative to competition. In other words, necessity or mutual self-interest can also be the basis for loyalty and cooperation. One can also say that duplication of activities is in itself a sign of loyalty to the network, rather than exiting or voicing dissatisfaction, members undertake the same activities as the network.

By the same token the MOs and UWONET may agree (without articulating it) to use strategies that resemble competition quite deliberately. For example, during interviews, two research subjects informed me that duplication of activities in which the members undertake the same activities by using similar strategies and at time targeting the same people can be an advocacy strategy that NGOs use in order to demonstrate that their concerns are popular issues, worthy of the attention of policy makers. One research subject said “for us the more people out there talking about these issues, the merrier” (Speke Interview, 29th August 2003). In this case, what may be seen as competition through duplication of activities becomes a diverting of attention from the weaknesses of the campaigns that is, it pressures the policy makers and the general public, in this case the customers (target population) of the NGOs to buy the NGO advocacy agenda (Hirschman, 1970). While use of competing strategies may be seen as a sign of loyalty and accepted in the maintenance of customers, as shown in the previous discussions, it also becomes a source of tension, competition and resistance among the internal membership of the network especially when it comes to their self-interests of resources, identity and status.

6.2.6 Relations of Cooperation and Collaboration-The Case of UWONET and its MOs

As already noted, resources, status (including recognition) and identity are important considerations in nurturing inter-NGO relationships. Indeed as a way of managing conflict, NGOs opt or undertake coping mechanism of cooperation and collaboration with the network due to the realization of the advantages of these relations. This realization may explain the kind of relationship between UWONET, and its MOs, the way this relationship has been and continues to be maintained within the network.

A review of the networks constitution and the actual functioning of the network led me to assume that the MOs have designed the network in such a way as to enable the secretariat to have a reasonable amount of authority so that it can continue to function amidst the competition. MOs value the network and have regularly chosen not to exercise their power to undermine the network even in instances where the secretariat has made decisions without consulting them. Yet it should be emphasised that the MOs do retain the power to change the functioning of the network since these organisations themselves form the leadership bodies of the network (executive, planning, programming etc). As Arendt has said power is not power unless it is exercised (Arendt, 1958).

Membership Organisations have also ensured that even when they are not happy with the network, they do not express overt resistance through use of the exit or voice options. As I have already suggested, the MOs recognise of the importance of the web of relations among the various actors mainly nurtured and maintained by the network.

UWONET helps members to link up and promote what they are doing individually. A collective voice achieves greater results and members get emotional and professional satisfaction from being members of UWONET. This enables organisations to deal with politically gender sensitive issues as a collective. Members take advantage of numerical superiority to challenge power centres. Providing a platform to sharing common concerns and speaking with one voice. Women issues have become part and parcel of the public debate. UWONET enables members to respond to urgent issues in a timely manner (Chigundu, 1999: 43)

The report also says that segments of civil society, personnel of donor agencies, universities and several NGOs have benefited from their interaction with UWONET and have incorporated gender concerns and findings of UWONET into the policies of these institutions (ibid.).

In addition to findings from secondary data, several research subjects noted that networking provides opportunities for unity among the NGOs. Networking reduces the NGOs transaction costs and increases their social position and thus bargaining power or agency (Kabeer, 1999). In the context of a top-down state gender project (Goetz, 1998; Tripp, 2000) there may be dangers for an NGOs to 'go it alone' to challenge its gender sensitivity. Such an NGO may be perceived to be 'against' the government or the system of alliances. MOs realized that there are limitations to working alone as independent organisations. One research subject said that because some issues are controversial and some NGOs fear staking out alone, the network provides protection. The network provided an opportunity to link beyond the women's organisations (Speke Interview, 29th, August 2003). A second research subject said that networking provides a "bigger voice"(RT Interview, 11th, July 2003) while another called it "a collective voice" (DR 21st, July 2003).

Networking provided opportunities of pulling together resources. I also observed those networking provided opportunities of accessing donor funds. Most donors currently want to work in partnerships. Another research subject said that networking provided opportunities of getting ideas (RT Interview, 18th, July 2003). One of the founder members of the network, also a former employee of one of the network's member organisations said that she was frustrated by competition that had affected the advocacy work negatively. She said that she did not see why MOs should compete with one another since they had similar concerns and were working in the same districts (Betty Interview, 24th, June 2003). The network was formed to assist the women organisations to overcome these forms of 'unproductive'⁸⁶, competitions and to nurture and foster a form of working together among the various NGOs. It was believed that the network would break isolation among the various organisations. It was also believed that the network would provide a forum where issues can be handled with a concerted effort. Networking would provide social capital that is very important in advocacy (Chigundu, 1999).

⁸⁶ The competitive relations may be productive or unproductive depending on the angle of analysis, internally they may be seen to be competitive but on the outside as already noted they contribute to the popularisation of gender issues within the country as shown by the Land rights and domestic relations bill advocacy work.

As a way of maintaining co-operative relationship without tainting the identity and status of UWONET various alternative forms of social capital such as the Domestic Relations Bill Coalition-(DRB coalition), Coalition of Politics and Women (COPAW), Coalition against Violence against Women (CVAW coalition), alliances (ULA) and forums (Women Leaders Forum) have been formed.⁸⁷ Membership in these networks is open to local women's NGOs and individual women such that those in government can be enrolled as individual members. In terms of the coalitions and the ULA, membership is open to individuals (women and men), international and national NGOs, and government institutions. Local NGOs play the lead role. Donor agencies have also played a critical role in the formation and maintenance of these relations. Women's NGOs, dominate the alliances, networks and coalitions in the country partly because they began this way of working through the Uganda Women Council formed in 1945 and the increased resource allocation to these institutions by donor organisations (Hearn, 2001).

Like resistance, cooperation is done in such a way that it does not infringe on the status, recognition, and resources of the individual NGO. Indeed they do it in ways that will ensure that they optimise their opportunities of getting or maintaining or enhancing the interests of the individual NGO. That is why members will join a network/alliance or coalition; attend meetings for representation's sake to ensure that their name appears on the list of those belonging to the network even if they are non-active or do not necessarily contribute ideas. This may also explain why their dissatisfaction with the network is aired in discretion to ensure that their relationship with the network is not endangered.

However in the process of ensuring that those cooperative relations are not endangered, inter-NGO relations have at times turned into dealings of political convenience. The relations between the network/alliance and some of their members are of political convenience for both the network/alliance and their members. It is important for the MOs of these organisations to show the outside world that they belong to such an important and sizeable network or alliance. It is equally important

⁸⁷ One needs to be careful in analysing the trend in which coalitions, task forces etc have been formed, sometimes this is an echo effect, or a situation in which it becomes trendy to work in a certain way. Government and donor agencies have also started working this way but they call their formations

for the network and alliance to show that they have a large number of NGOs subscribing to their advocacy agenda. Beyond the network itself and its member organisations, UWONET also forms the hub of wider coalitions of organisations and networks. The formation of such coalitions for the specific purpose of advocacy work was to enlarge the list of advocacy agencies beyond the original network membership.

In the case of the Domestic Relations Bill coalition, under the leadership of UWONET, up to forty separate organisations can be mobilised around one specific issue. Such an approach (i.e. the coalition approach) is adopted mainly due to the current orthodoxy of working through and with partnerships (ActionAid, 1999, 2000; Power, 2003; Abrahamsen, 2003; Hearn, 2001). It is a 'fashionable' way to implement a number of initiatives by all the actors in development, that is donors, government and NGOs. There is added value in showing in funding application proposals that your organisation is a member of a much wider network, task force, alliance or coalition. At times, the price of staying aloof from such networks is to forego resources, status and recognition and to risk marginalisation.

Some of the advantages of network membership have already been noted. Forming partnerships is not only strategic for the local NGOs; it is also strategic for the donor agencies who wish to be seen as more than simply 'resource providers' and want to be regarded as full 'partners' in the local development process (Power, 2003; Craig & Porter, 2005; Edwards & Hulme, 1997). Besides this, the concept of coalitions and networking is embedded generally in the contemporary discourse on advocacy, being seen as central to effective advocacy in any context (Cohen, Rosa de la Vega & Watson, 2001). Thus non-confrontation through apparent cooperation and collaboration may be an important factor in nurturing social capital among member organisations and between organisations and members (Uphoff, 1996).

However, one research subject linked non-confrontation especially in UWONET to women's general coping mechanism in Uganda's patriarchal society. She said that women are by and large not overtly confrontational in their relationships with others. According to her, this is women's own management style based on their experience of

forums and task forces or working groups.

a traditional patriarchal system in which they need to survive. In other words, non-overt confrontation is a survival mechanism in a very complex and potentially threatening situation. The same informant noted that these coping mechanisms are also expressed in women's work patterns. She said that even when they do not agree with what is being done, they would tend not to adopt a position of confrontation, instead they would simply for example not come to the meetings or actively participate in decisions concerning any issue they do not agree with (Speke Interview, 29th, August 2003).

This argument may have implications to our understanding of the formation of the various parallel gender focused coalitions and networks with similar objectives such as COPAW, UWONET, FOWODE and ACFODE, and Women Leaders Forum. The advocacy agenda of these organisations appear to be quite similar. It may be that several organisations are formed to nurture competition that serves as a diversionary measure to avoid overt confrontation (Hirschman, 1970). Thus while formation of coalitions and forums may be recognition of the strength of the web of relations; it may also be explained by women's wider struggles to cope with patriarchy. Rather than confronting each other, that is use the voice option to share their dissatisfaction, they would rather form an alternative forum or organise an alternative activity in the hope that this newly formed alliance would take care of their concerns.

My understanding that there is a rational consideration of the price of whatever action is taken prior decision making by any actor (Uphoff, 1996). I believe that most members of women's coalitions and networks have thought through their choices and their modes of working. From an analysis of the fieldwork it emerges that the way MOs decide not to confront the network, even where they disagree with it over strategies, is in itself a strategy and a deliberate choice for the organisations concerned. The women organisation's choose not to exercise their power to voice their opposition because it may be costly to be listed as a saboteur. Similar insights into the 'fear of truth' have arisen from within psychiatry. In line with a Foucauldian approach to the 'subject' and to 'truth' one author's question resonates for the women encountered during this research:

At what price can subjects speak the truth about themselves?...At the price of constituting [themselves] as absolutely other, paying not only the theoretical price but also an institutional and even an economic price as determined by the organisation of psychiatry (Foucault, 1988: 30).

Not willing to pay the price of telling the truth about hidden conflicts among themselves, the NGOs within their networks and coalitions opt to avoid overt conflict. In terms of the model (resources, identity and status) used to explain relations of conflict and cooperation adopted in this chapter/study, competition is combined with cooperation, through attending meetings but with limited or constrained representation that may not effectively further the work of the network. The context is complex and characterised by limited resources and a patriarchal power structure (Kabeer, 1989). This can potentially or actually undermine one's status, recognition and security, resulting into increased vulnerability. These findings depart from past findings that have tended to see relations among the NGOs as the outcome of a lack of the understanding of the dynamics and processes involved in effective networking, coalition building and advocacy in a wider context of partnership (Nyamugasira, 2002; Nabacwa, 2002). Lack of knowledge, familiarity or isolation are not the main factors in explaining 'passive' network membership in the Ugandan context.

It is worth mentioning that cooperation can be fostered by relationships of mutual interest. One respondent gives an example of this:

I think everybody has an interest. Most of the people who have worked with us as a coalition have some gender related bias, others are children related NGO's but of course children have a lot to do with women because what affects women also affects children. Others are land NGOs like Uganda Land Alliance but land and DRB and matrimonial homes have a lot to do with that [women]⁸⁸ (RT Interview, 18th July 2003).

Cooperation is mainly manifested and nurtured in collaborative efforts such as workshops, meetings, whose objectives range from agenda setting, review, evaluation, and skills development in advocacy. In one meeting with the aim of working out ways of cooperating to overcome the situation in which NGOs opted to work in isolation, in order to 'preserve' ownership over particular ideas or approaches which they 'protected' from poaching by the network, one research subject said that, people in MOs sometimes felt that the network might steal their ideas.

UWONET was still new and people thought they would steal its information; they were like [feeling⁸⁹] after all UWONET was an organisation like us. Since we are funded, we can still get that money and say that this was our nice idea⁹⁰ (Speke Interview, 23rd, August 2003)

Partnership is important, but it is also important to retain a separate and distinct identity. The same research subject confirmed that questions of 'ownership' of ideas could be a source of creative tension when she said that;

When we started bringing it into the executive [the issue of hijacking of each others ideas⁹¹] and say it was wrong, we shouldn't have done like that, some people would still insist but we would say that UWONET would still organize in conjunction with ACFODE about an activity and both of them can report about that same activity. So, we came over it and sometimes we would agree on something and it's done well (Speke Interview, 23rd, August 2003).

6.3 Government/NGO Relationships

NGOs have not nurtured their relations with government in strategically visible processes as one might expect, especially given that we are considering NGOs that are involved in advocacy to change policies of the government. This is also the case for the NGOs relations with the grassroots as shown in the proceeding section. NGOs relate much more with each other, and almost always also in relation with donors. Chapter 7 provides a more detailed analysis of the causes of the wobbly relations between gender-focused NGOs and government. Generally the NGO-government relationships can be classified in the following ways; relations of fear; relations of confrontation and manipulative relationships hereby discussed in detail below.

6.3.1. Relations of Fear

The relations between NGOs and government can be relations of fear. One research subject said that NGOs fear to be seen by government as challenging the status quo because this may mean that they are in essence challenging the effectiveness of government. This might be due the historical patriarchal principles of governing at household and the wider community in which male leadership should not be challenged, should be in control and should be recognised as the only leadership (Kabeer, 1989; Kabeer, 1995; Goetz, 1998). Gender focused NGO advocacy tends to challenge these principles and this causes tension and conflict between government

⁸⁸ Brackets are my addition

⁸⁹ words in the brackets are my interpretation of what the research subject was saying

⁹⁰ my presumption is that they would take UWONET ideas and turn them into their own ideas.

and the NGOs. NGO gender advocacy is seen as a threat to the privileged position of most of the leaders who are men (Lez, Interview, 24th, June, 2004). Women leaders at all levels of government bureaucracies fear to overtly challenge the status quo. This is because they are brought into these positions by the mostly male dominated electoral colleges (Nabacwa, 2002; Mugisha, 2000; Tripp, 2000; Tamale, 1999; Asimwe, 2001). Rocking the boat may come with a price.

6.3.2. Relations of Confrontation

In addition to relations of fear, gender focused NGOs see women parliamentary leaders in government as people they need on one hand but on the other hand as traitors. So they at times confront them as unsupportive of gender concerns in the country. NGOs also see the executive arm of government as ‘traitors’, who call on civil society organisations to participate in the identification of problems, but then sign memoranda of understanding (MOU) with the World Bank in their absence (Lister & Nyamugasira, 2003; Nyamugasira & Rowden, 2002). It is these MOUs that contain the conditionalities that are then so difficult to openly contest for the reasons described above including the need for resources.

Confrontational relations are also observed in the undermining of each other’s knowledge. Government technical personnel undermine the capacity of NGO personnel in policy analysis. “Government personnel say we go to do advocacy without looking at the broader policy” (Nancy Interview, 11th, June 2003). Another respondent said that government personnel especially at district level do not understand the advocacy issues on gender (Lez Interview, 24th June 2003). The campaign on the Land Act and DRB showed that confrontational relations are employed at specific times and this is usually when government negatively criticises NGOs by labelling them to be foreign and non-grassroots based.

6.3.3. Relations of Manipulation

The government/NGO relationships have exhibited manipulative tendencies by both the NGOs and government. The government/NGO relationship is partly influenced by the government/donor relationship. Uganda is a key target for the World Bank, which

⁹¹ words in the brackets are my own addition

has put the two institutions in a delicate situation. In an informal discussion, one person said that government and World Bank are in a “symbiotic relationship”. She also said that the World Bank (WB) and IMF need Uganda as a showpiece of the success of their policies. She compared this to “a pharmacy that would like to show that its medicine is good” (Field notes, 23rd September 2003). She resonates Bratton’s views on the state and NGO in neo-liberal paradigm, that “...although uncomfortable bed fellows...they are destined to cohabit” (Bratton, 1989: 585). Both the government and the World Bank are very much aware of the importance of this relationship to each one of them as Hearn states: “Donors have found in the government of Uganda, an African ‘partner’ willing to be the ‘star pupil’ for its latest ‘development’ paradigm” (Hearn, 2001: 50).

The relationship between government and its major donors might have influenced the perception held by the NGOs, who view themselves as complementing rather than challenging government. One research subject working with a women’s NGO said that “rather than critiquing a policy, we sort of agree and participate, being involved rather than step back” to understand its implications to the men and women at the grassroots level (Nancy Interview, 11th June, 2003). It can hence be said that the NGOs take their neo-liberal role seriously.

It could be argued that donors and government see the role of civil society as providing the service of ‘accountability’. Foreign aid is no longer channelled through NGOs but is provided directly to government through sector budgets and CSOs act as external monitors ensuring current poverty reduction policies are implemented accountably (Hearn, 2001: 50).

Another research subject said that while people may have advocacy skills mainly acquired through capacity building processes supported by donors’ organisations, they couldn’t practically apply these skills to contextualise NGO advocacy work. They carry out advocacy work in an abstract manner (Edith Interview, 20th September, 2003). The focus tends to be on what things need to be (based on modernisation theories) rather than using the analytical skills to critique the local context within the historical social, economic and political context of Uganda. Resources are often the critical factor in understanding how identity and status (or recognition) are sought (or contested) and through which relationships and advocacy strategies are negotiated. However, relationships are complex, and seeing them as complex means that although

unequal, it does not mean that all power lies on one side. In part this is because of the shifting and overlapping identities of different actors. An actor's 'identity' and 'status' is not fixed in all contexts, but will vary depending on the particular stage of the specific lobbying or advocacy activities being undertaken etc (Foucault, 1982; Kabeer, 1999; Weedon, 1987; Giddens, 1993). An insight into the NGO-grassroots shows the complexity of advocacy relationships in the Ugandan context.

Generally there are limitations to the ways in which NGOs can influence government policy-making processes. One key official in the Ministry of Lands observed that the inclusion of gender issues in the policy formulation process of the ministry has been more due to the goodwill of those in power or the influence of donor pressure and not necessarily due to NGOs influence. He also observed that the major hindrance is that by and large NGOs have no place in the policy-making body of Uganda. He observed when the Ministry re-introduced the co-ownership clause to parliament, they were ordered to put it into the DRB and they had no option. They are technical people whose actions are subject to the decisions of policy makers (RK Interview, 10th November 2003).

6.4 NGO - Grassroots Relationships

As with government-NGO relations, NGO/grassroots relations are not central to the NGO advocacy work. This is due to the highly national policy centred nature of advocacy in the Ugandan context as shown by the Co-ownership of Land and DRB campaigns. Until as early as 2002, most of the NGO advocacy has been reactionary: responding to the demands of the moment either as a result of the influence of international instruments, government or donors demands rather than strategically planned on the basis of NGOs' experiences of working with the people at the grassroots (Lister & Nyamugasira, 2003). As shown by Chapter 5, the process of making advocacy more people centred has started but most of the gender-focused advocacy continues to pay lip service to the role of the grassroots. Relations with the grassroots as shown by the DRB and Land Rights campaigns have mainly been as a result of the pressure from government for NGOs to prove that they are not elitist and that their issues are grassroots based. The level of relations with the grassroots differs among the various NGOs. For example FIDA had a direct relationship with the grassroots through their district offices; ULA and UWONET are related with the

grassroots through their membership organisations, with the Land Alliance generally keener to nurture these relations than Uganda Women's Network.

According to the findings of this research, the relations between the NGOs and the grassroots can be classified into three categories; manipulative; giver/recipient; and conflict and resistance

6.4.1. Manipulative Relations

The relations between the NGOs and the grassroots are by and large manipulative on the part of the NGOs and the leaders of the grassroots men and women. One research subject said that through research and consultations NGOs legitimise their advocacy work. She said that this does not mean the issues they are talking about are not important to the people. According to this research subject the agenda is set at international level such as conferences like the Nairobi Forward Looking Strategies. Such relations obscure listening to what the people have to say because such processes set strategies and most organisations follow these recommendations without subjecting them to the local realities (Lez Interview, 24th, August 2003).

The grassroots, especially the leaders, also view the NGOs as having material and non-material resources that they would like to access. Relations and identification with the NGOs provide opportunities for identity, status and recognition enhancement, things that are critical for local politics. The leaders at the grassroots are also very much aware of the importance of their relations within the local community and are thus careful not to upset the status quo. One research subject said that the leaders go to workshops and when they come back they do not pass on the information to the other community members at the grassroots level (OC Interview, 24th, September 2004). The NGOs view the leaders as representatives of the people (intermediaries) making it difficult for the NGOs to know the exact situation at the grassroots level. NGOs appraise the local problems through community leaders, rather than through direct consultation or discussion with the 'silent majority'. The leaders tell the NGOs what they feel is appropriate depending on the implications of this information to their own status and identity.

6.4.2. Relations of Giver and Recipient

In instances where NGOs have related directly with the community it has mainly been through relations of giver/ recipient. Through workshops, NGOs have created awareness at the community level of ongoing policy advocacy initiatives. In certain cases NGOs have taken the initiative to encourage grassroots groups/organisations to advocate for themselves - for example the Benet community in Kapchorwa. The challenge is that this is done within set boundaries because of the relations of control at the various levels. The relations of control over the grassroots level are exercised through strategy papers, which stipulate the areas of focus of the various institutions and even actual strategies to be used. There is limited room to incorporate the sometimes divergent agendas of the 'grassroots' constituencies in the overall advocacy work of Ugandan NGOs, whether working individually or in their networks and coalitions. Lack of time and low staff levels and the search for outputs and not outcomes are another factor that prevents NGOs from understanding the grassroots (Wallace, 2004). NGOs view themselves as the knowledge holders and when knowledge is sought from the grassroots, it is within predetermined frameworks that most often than not, there is selective listening to the grassroots.

Taking into account the reality and educational discrepancies in the Ugandan context (Obo, 1988; Furley, 1988), it is not clear the extent to which NGOs appreciate their ideological differences with the grassroots. Some men and a few women use 'cultural' beliefs⁹² as basis for the justification of the existing gender inequalities. Such boundaries give limited space to the community to exercise their power and thus determine the relations that they would like to have with the various actors. The dynamics are such that most communities including women seek to present a united 'front', that there are no gender inequalities but rather cultural preservation practices and the few who would talk about these inequalities would be considered 'subversives' (rebels). Understanding the complex relations of communication at community level is critical in understanding the power relations between the community's various groups of people and the NGOs (Foucault, 1982).

⁹² In both Kapchorwa and Apac, culture was used as a basis for the gender inequality in property including land and domestic rights. It seemed that by and large, that both the educated and uneducated men were frightened of the implications of equal rights with women.

6.4.3 Relations of Resistance and Conflict

Amidst the NGO/grassroots relations lies a salient resistance to the NGO gender advocacy activities. The major cause for resistance of gender issues seems to be in the institution of patriarchy. Patriarchy manifests it self mainly in the clan structure and the organisation of the marriage institution. Women get married to other clans. However the clan to which they get married seems to view them as property that they have paid for through bride price. Women in such relationships are seen as no more than property or bearers of children. The status of such women in the clan is equated to that of the child. The lack of a permanent place in a clan structure was sighted as the major hindrance for men's acceptance of the co-ownership clause. Patriarchy also constrains women's alternative opportunities to resource acquisition. Most decision making structures are dominated by men and as already shown in Chapter 5, they foster non-decision making on gender issues at all levels.

At community level, resistance to the NGO gender advocacy work manifests itself in the inability of both the men and women who attend the NGO workshops to share the knowledge attained with the wider community. The existing relations between the NGOs and the grassroots have not fostered an improved understanding of the grassroots on the part of NGOs. It may be possible that the grassroots representatives render the knowledge received from the workshops as irrelevant and workshops are attended to appease the organisers, receive attendance rewards and maintain their status as representatives of their community. Secondly, as shown in Chapter 5, gender advocacy agenda are framed within the discourse of rights as provided for in international instruments, the Constitution of the Republic of Uganda (1995) and the Land Act (1998). Such instruments tend to ignore the cultural and community dynamics on rights. The statutory law does not figure greatly in the decision-making processes of individuals and communities at grassroots level. Those involved in advocacy and with the benefit of a wider 'national' outlook on Ugandan affairs, will tend to see things in terms of laws and formal policies. Things can look very different from the bottom up, where priorities may be highly specific to context. In the case of Kapchorwa a community within forest reservation, most of the people including men are legally landless, and thus relate to legal instruments with suspicion and even women owning land within a context of landlessness for all seems a far fetched ideal (District Officer 1 Interview, Kapchorwa, 10th, October 2003).

Resistance of NGO discourses has two implications especially in the context of Kapchorwa. On the one hand, the 'knowledge' gained, especially on gender equality, becomes confined to those individuals who attend workshops, who appear as a kind of 'club' of 'cognoscenti' rather than being disseminators of new knowledge and insights to the other community members. On the other hand, the community have used these processes to further an agenda that is of relevance to them (that is the Benet Land question which as discussed in Chapter 5 became the primary focus of the Kapchorwa Land Rights Centre) and relegated the gender agenda mainly set by the NGOs to the secondary position. The Benet Land question resulted in very strong collaborative relations between the NGOs and the community which is in a way willing to accommodate the gender agenda as bait for NGOs to address the Benet Land question. The community strategy seemed to have worked because by the time of this research, ULA had hired a lawyer to take government to court over the Benet Land question.

The relations between the NGOs and the grassroots have implications for the effectiveness of the strategies applied by the NGOs in the shaping of their advocacy agenda. In terms of input into these processes rather than focusing on the actual situation, NGOs spend time telling the community of the ideal situation (modern situation) that needs to be in the community. Such workshops have created limited space for men and women of the grassroots communities to discuss what they would like to change about their community and how to act collectively. Lack of active engagement in the advocacy processes does not mean that they are powerless. As it has been argued, "no amount of power, influence and effective advocacy can take the locus of struggle away from those hardest hit by the decisions of the powerful" (KIT, 2001: 3). My understanding of this situation is that while the relations between NGOs and the grassroots may show the NGOs as more powerful; the grassroots still hold the key to social change, and this is itself a very significant form of power. It has often emerged that changes in practices have proven to be more influential in changing gender relations at the grassroots level than law reform and policy changes from 'on high'(ibid.).

Lack of practical examples of role models that is community women who co-own land with their husbands complicates, the gender advocacy work at the community level. Most of the women who talk about the need for land co-ownership neither have their own land and nor co-own land with their spouses (OC Interview, 24th September 2003). An interesting question for future research might be whether it could be more effective to employ resources currently spent on advocacy in order to try and encourage changing practices at the grassroots level.

6.5 Conclusion

The findings indicate that the interpretation of power relationships is quite subjective. In the case of this research, relationships are themselves an indicator of the NGO agency in strengthening the NGO social positioning, in the Ugandan context, a form of security in the form of identity and status that are critical to NGO access to resources and thus to the agency of that NGO in advocacy (Kabeer, 1999). Secondly, relationships are an indicator of social capital to popularise the advocacy agenda that is critical to managing controversial issues within a controversial and complex institutional context (Harris, Hunter & Lewis, 1997). Thirdly, relationships are also an indicator of the influence of structure (government, donors and the grassroots and even NGOs themselves) over the agency of NGOs in the NGO advocacy work. Thus, as Foucault asserts, understanding of power relations depends on the location of the one giving the meaning in relation to the subject to whom meaning is being given (Foucault, 1982). Location is affected by the geographical, social, economic and political experiences of the one giving meaning and the one to whom meaning is being given. It is thus difficult to subject power relations to rational analysis (Foucault, 1982; Kabeer, 1999; Power, 2003; Harding, 1987). While it is possible to conclude that the members are resisting the network/alliance, it is difficult to quantify the magnitude of their resistance. This is why a qualitative approach has been adopted in this chapter, one which relies heavily on the interpretations and 'subjective' viewpoints of those involved. To corroborate these viewpoints, I have sought to juxtapose field notes with secondary data. This takes the form of a 'triangulation' of the qualitative data obtained from primary research.

Secondly, the findings show that power relations' analysis can be misleading as relations can have multiple intentions. One example is the duplication of activities by the gender focused NGOs, which may be seen as non-coordination and a sign of competition for resources (Nyamugasira & Lister, 2001; Nabacwa, 2002; Edwards, 2002). Duplication of activities can also be interpreted as a way of increasing your own power or agency to resist the influence of other actors, in this case the government and donors. Indeed the assumption that dominant relations move from the top to the bottom is more apparent than real. The resistance from below has a lot of implications for actions from above and indeed can probably be more dominant in terms of having an effect on the top just as the top is having an impact on the bottom. In other words, the research has also shown that the relationship between structure and agency is more complex (Kabeer, 1999; Giddens, 1993; Weedon, 1987). It is thus difficult to account in concrete terms and attach meaning to a particular action because it has various meanings depending on one's vantage point and hence qualification of analysis is important. This means that there are divergent truths, since meaning is subjective and the analysis itself is interpretive (Uphoff, 1996).

Interpretative analysis enables the researcher to give meaning to the actions of the various actors by interpreting them from a relational point of view. As Foucault asserts if the doctor is also affected by the epidemic he/she⁹³ is trying to treat, it is difficult for her or him to claim objectivity in the analysis of the disease but this may mean that by experiencing the disease, the doctor is able to provide an objective insider perspective. The ability to understand that there exist multiple power relations means that I have been able to see beyond subjective position of which Foucault has stated, "the world is composed of subjects and objects"(Foucault, 1982: 202). The question is the extent to which I can claim to understand the reality in these perspectives.

The findings show that the sources of conflict nearly among all actors are utilisation and access to resources that leads to the need to preserve one's identity and status which are important assets in resources acquisition. It has been shown in this chapter

⁹³ My emphasis

that it may be misleading to conclude that NGOs are simply implementing the donors' agendas or the agenda of government. First, it is evident that all the NGOs are resisting interference in their own identity and status that are important in their access to resources. Secondly there is a link in the NGO relations with the donors and the government. This is because the way the NGOs relate with government affects the way NGOs relate with each other and with donors. Thirdly, the relations between NGOs and donors not only affect the inter-NGO relations but also the relationships between NGOs and government. It is also evident that the core NGO agenda is the hidden agenda that is their identity, status and access to resources. The subordinate/dominant relations are complex that the subordinate may also be leading and setting agendas.

Chapter 7

Analysis and Discussion of Research Findings

7.0 Introduction

The chapter provides an analysis of the research findings. It links the research to the broader body of literature. The chapter tries to address the key research question: how do gender-focused NGOs set their agenda taking into account their relationships with the various actors (donors, government, and the people at the grassroots)? In other words, how do the relationships among the various actors affect NGO advocacy agenda setting? The analysis focuses on understanding the relationships among the various actors and the implication of these relationships for agenda setting. The research also indirectly addresses a number of other questions such as: Who sets the agenda? What is the agenda? Is it the agenda that which is stated in project proposals and programme documents? What are the relationships between identity, status, resources and advocacy agenda setting? Lastly, the research links the research findings to broader development discourses. Chapter 7 is divided into the following subsections: media relationships and Advocacy agenda setting; inter-relationships and agenda setting, intra relationships and agenda setting, links of the research to the broader national and international policy frameworks; links of the findings to the broader body of literature and lastly the conclusion.

7.1 The Media and Gender focused NGO Advocacy Agenda Setting

One of the research findings of this thesis is the importance of the interventionist role for the media in NGO advocacy agenda setting. The key role accorded to the media by the various actors may be attributed to the media's power as a tool of communication, but also due to a shortage of agreed-upon neutral sites of constructive dialogue and negotiation of interests in the policy-making process. While NGOs have the freedom of access to policy-making corridors as spectators like any Ugandan, they have no guarantee of any direct input into the policy-making process. They also have no guarantee that their views will be considered by parliamentarians or by the technical committees drafting specific policies.

In the same way government does not have clearly demarcated mechanisms of constructive communication and dialogue with gender focused NGOs, and has to create such mechanisms. As shown in Chapter 5, the media by virtue of its nature has also tended to become the major site of communication among the various NGOs, government and donors. In this way it is acting as both a site and a mode of influence in agenda setting. NGOs seek to create their own mechanisms or spaces of directly engaging with policy makers. The media has become one such mechanism, and now constitutes one of the most potent areas of advocacy activity by NGOs. Each actor starts responding to the other in what can be a virtuous or vicious cycle of advocacy and response, action and reaction. Negotiation and bargaining are part of power processes and the media becomes the *de facto* institutional site, making up for the limited neutral spaces for NGO-government dialogue (Hirschman 1970; Harris, Hunter & Lewis, 1997).

Through use of the media, discourse shaping, contestation and consensus building among the various actors takes place. While on face value, it may seem that the media is articulating the policy positions of the various actors; in essence it is providing an opportunity for gender focused NGOs to assert their identity as advocacy organisations. Reporting on the initiatives that they have undertaken on a particular advocacy issue in the media - as illustrated by the Land Rights campaign in Chapter 5 - provides an opportunity for gender focused NGOs to assert their identity as advocacy organisations. Simply put, the media provides opportunities to the NGOs to be seen to be doing advocacy. As already observed, it is difficult to monitor advocacy and the media can therefore be particularly useful insofar as it acts as a proxy indicator. Media exposure can be a way of enhancing the status of donor organisations at the same time as the NGO itself. This operates in ways that are analogous to certain forms of brand sponsorship in arts or sports. Identifying with their donors by including their names on media advocacy supplements and advertisements not only enhances the status of the donor, because of being identified with NGOs, who are presented as major players in the development process of the country, but it also enhances the status of the NGOs, and highlights the plight of the poor and marginalised for whom the NGOs claim to speak.

The use of the media by NGOs leads to the rhetorical visibility not only of gender issues but also of the organisations and at times of the individuals involved. It also leads to public discussion of these issues. In other words, the process of shaping public discourse mainly takes place through this medium. The degree to which government is hostile or conciliatory towards NGOs will in part be a response to what it sees as the implications of media commentary for its public image. Government will tend to be threatened if the public discourse that is formed contradicts official government discourse directly. This is because government assumes that the formed discourse is likely to have an effect on its identity and status in relation to the yardstick for good governance and may undermine its political position in the eyes of the public and the donors. Government reaction thus depends on the anticipated effect of media reports on NGO actions for government's own identity, status and access to resources. Government will either seek to build consensus or to contest the NGO advocacy positions.

Depending on the government's reaction, the NGOs in 'partnership' with their supporters (donors) are likely to react in turn, which may be followed by government reacting once again, so that a cycle begins. This can result in a chain of actions by the various actors to defend their interests of identity, status and access to resources. Sometimes both sides may seek to undermine the claims of the 'other side'; at other times their interventions can be mutually reinforcing. It is these actions that shape and determine the nature of relationships nurtured that then affect the NGO advocacy agenda and the reverse is true (Foucault, 1982). This is for example shown by the advice given by government to NGOs that they should consult the grassroots instead of allowing their agenda to be set by foreign interests (i.e. donors). This kind of discourse is an obvious bid to discredit the 'nationalness' of NGOs. As the research findings show, NGOs resort to a grassroots responsive agenda to counteract the government.

The important factor to note is that in the process of responding to the non-decision making tactics of government; NGOs have sometimes been led to focus narrowly on topical issues. The nature of media reporting, which is mainly interested in sensational or newsworthy stories and using it as the basis for agenda setting may hinder NGOs to focus on longer-term, less newsworthy grassroots initiated and based agendas.

Specifically, there is a danger that the need to address patriarchy is kept out of the policy-making process (Luke, 1974; Kabeer, 1999). If the current status quo that causes denial and lack of open discussion about gender inequalities at grassroots level is taken for granted, then it becomes difficult to address patriarchy itself. This danger was well-illustrated by the findings of the Land Rights campaign that changed depending on what the media was reporting and not necessarily on the grassroots perspectives. The danger of being media-led was apparent most apparent in Kapchworwa district. The concerns of the grassroots were more on having their community rights to land protected before they can even talk of gender equality.

7.2 Key Factors in NGO Advocacy Agenda Setting

One of the major research findings is that relationships are important to the NGOs and the other actors. The study explored in some detail the complex intra-agency, inter-agency and interpersonal relationships that make up the world of gender-based advocacy in Uganda. The political and economic nature of these relationships emerged, including the ways in which the various actors frame their choices and make optimal use of their political and economic assets (Hirschman, 1970; Fraser, 2003; Nelson, 1989; Power 2003). As was the case for the media, in this respect, the findings of this research have shown that social relationships are manifested by a complex web of relationships that are important in enhancing the socio-political interests in terms of identity and status, as well as the economic interests in terms of access to resources, of the gender focused NGOs as well as the other actors namely, government, donors and the grassroots. As shown in Chapter 5 and 6, the interests of identity, status and access to resources affect the advocacy agenda of the gender focused NGOs as well as the other actors.

The findings suggested that while viewed and portrayed as social entities, NGOs like government and donors are essentially political and economic entities and this is manifested in their relationships with each other (that is NGOs, government and donors). As Brown states: “development cooperation encapsulates particular political and economic relationships. It is not a technical or apolitical endeavour” (Brown 2000: 367). The importance of maximising the benefits of the inter-relationships and intra-relationships for the various actors in achieving and protecting their interests explains the ways in which the various actors maintain largely cooperative

relationships among themselves, tending to avoid overt conflict where possible. The research findings show that the various actors (NGOs, government, donors and the grassroots) negotiate and manoeuvre their way through their inter-relations and intra-relations to protect what have been identified throughout as their interests that is identity, status and access to resources.

The research also refutes the idea that gender-focused NGOs are in some sense passive recipients, or simple implementers of donors' or government's externally imposed agendas. Although not overtly confrontational, this research has clearly shown that gender-focused NGOs in the Ugandan context just, like government and donors have carefully and consistently invested in negotiating spaces for the expression and promotion of their own agendas. Although most of the relations with the dominant agencies and donors foster the interests of these organisations, the funded organisations as well try to manoeuvre these relations in order to assert their separate and distinct interests. Moreover the complex processes of cooperation and (covert) conflict played out through the web of relationships engaged in by gender-focused NGOs in Uganda to maximise their interests demonstrate that power itself need not be a zero-sum game (Foucault, 1980; Foucault, 1982; Kabeer, 1999). Further reflection on this point forms part of the discussion in the following sections, which explore the role of relations in process of agenda setting by gender focused NGOs in Uganda.

7.3 Analysis of NGO-Government Relations and the NGO Advocacy Agenda

One of the major findings of this research is that the goal of the government of Uganda in its relationship with the NGOs ('civil society') is to keep them engaged and to make the on-going process of engagement visible, without in any way threatening the government's own identity, status or its access to resources. Being seen to be broadly receptive to the concerns of civil society organisations (NGOs being a major component of civil society) is important to the government's self-image. This in turn is based on a concern with being seen to be responsive to local groups, including marginalized groups such as women. The government seeks to demonstrate its responsiveness to all sectors of the population. It publicly issues sympathetic policies on gender issues without antagonising male voters; even if women form the majority of voters, men are the majority decision makers.

Government considers its own identity and status before the international community that depends on being seen as generally democratic and supportive of good governance, key conditions for aid resources (Fowler, 2000; Goetz, 1998; Hearn, 2001; Abrahamsen, 2000). Government's interest in gender issues has more to do with political and economic self-interests than with ideology or an *a priori* commitment to gender issues. On the one hand, government carefully and skilfully acts as a promoter of civil society participation in the policy-making process, involving gender focused NGOs through their advocacy work. On the other hand, government seeks to ensure that it retains ultimate control over the NGOs' gender agenda to ensure it does not affect its interests and does this by identifying and publicly critiquing the weaknesses in NGO relations with other actors especially with donors and grassroots communities (Nyamugasira & Lister, 2001).

Government of Uganda is sensitive to its public image, and seeks to recognise gender issues while not antagonizing public patriarchal sentiments (Goetz, 1998; Tripp, 1998; Tamale, 1999). While government acknowledges that household level gender inequalities are detrimental to development at all levels, it calls on policy technocrats and NGOs to build consensus among the various actors before the legislation against such inequalities. The call for a consensus arises from the differences among the various social groups, men, women, clans, tribes, religious institutions, NGOs, and the private sector's understanding of acceptable household gender relations. Government's standpoint on how to legislate against gender inequalities which is mainly non antagonism of any social grouping's standpoint has important implications for the way in which government will interact with gender-focused NGOs. Government recognises the need to be seen to be adhering to 'good governance' principles. Thus being sympathetic to gender advocacy work, which can result in rewards from donors and the international community generally in terms of recognition and financial aid. How the donors view government is clearly an important influence in terms of access to development resources, which can in turn reinforce high status internationally and nationally. This does not mean that government will zealously promote changes in the status quo in response to NGO advocacy.

Government certainly recognises the need to provide opportunities for dialogue and interaction with ‘civil society’, especially NGOs which are considered to be more representatives of the marginalised members of society, such as women. Government is aware of the close relationships between NGOs and donors(its donors too), and that the latter are interested in a ‘partnership’ approach to relations between the private sector, government and ‘civil society’, by ensuring that all actors including the ‘grassroots’ representatives are involved in policy-making (Fowler, 2000: 5, Craig & Porter, 2005; Power, 2003). Inclusion at least in a tokenistic manner of civil society so as not be seen to be entirely excluded, is critical to the government’s policy-making process and its subsequent access to resources (Pearce, 2000; Hearn, 2001; Nyamugasira & Rowden, 2002; Power, 2003; Abrahamsen, 2000; Craig & Porter, 2005; Fraser, 2003; Fox, 2003; Tembo, 2003). According to Fowler, partnerships are premised on the assumption that the “state, market and third sector can apparently be persuaded or induced to perform in consort” (Fowler, 2000:5) that is inclusive neoliberalism (Craig & Porter, 2005) and building social capital (Power, 2003). Abugre observes that partnerships are designed to assist in promoting local ownership of programmes and policies, ensuring mechanisms of control of donor relationships, and promoting harmony among the various actors.

Partnerships seek to address inclusiveness, complementarily, dialogue and shared responsibility as the basis for managing the multiple relationships among stakeholders in the aid industry (Abugre 1999: 2).

Government is able to reduce its transaction costs in achieving its goal in a number of ways, each of which has implications for NGO advocacy work. It is important not to exaggerate the degree to which government acts in a single, consistent manner. Rather it seeks to juggle a number of approaches to maximise its leverage and choices, as well as the rewards. Government actions can be analysed separately for the purposes of this chapter, however interlinked they are with other kinds of actions and policies in real life. Although it is difficult to logically separate government actions from other kinds of actions, according to the findings of this study, government can combine any number of the following forms of action:

1. Advising NGOs
2. Sympathising with Gender-focused NGOs
3. Cooption of organisations and individuals

4. Publicity for gender issues
5. De-legitimising gender-focused NGOs' activities

1. Advising NGOs

In its advisory role, this research found that government acts in a seemingly impartial manner. This was a notable finding of the analysis of government statements and actions in meetings with NGOs on the Land Rights campaign (see Chapter 5). In such meetings, government officials provided advice on what should be done to elicit the support of policy makers and the public to ensure the success of the campaign. The research shows that the advisory role of government takes three major forms. They may advise NGOs to provide more information to the government and supplement the information they have already made available. Secondly they may also direct the NGO to lobby some other official identified as responsible for a particular, required change. The advice may be presented as 'insider information' disclosed to the NGO. Finally, the NGOs may be told that they need to elicit more grassroots support for the advocacy campaign in order for their agenda to reflect popular priorities at the local level.

2. Sympathising with Gender-Focused NGOs

In addition to the advisory role, government takes on the role of sympathiser with the gender issues and the women's cause. This approach is exemplified by government officials taking the opportunity to publicly pledge their support for gender equality, women's empowerment and women's rights. As the research findings showed, this characteristic is more commonly used in public forums, or in meetings such as International Women's Day, or workshops to which government personnel are invited in their official capacity as guests of honour. As Chapter 5 shows, during such occasions, government officials articulate their recognition of the importance of the increased ownership and control of resources including land by women and agree that this is likely to lead to the overall development of the country. They also claim that they will include co-ownership of land in the law and that they are working on this issue. However, they rarely make such statements in smaller, private or policy-related gatherings.

3. Cooption of Organisations and Individuals

In doing this, government usually opens up dialogue with NGOs and seeks to co-opt NGOs and leading individuals within NGOs into meetings and onto technical committees. In part, the aim is to provide government with much-needed information and ideas on what it can do to protect and promote the gender interests of women and men (Lister & Nyamugasira, 2003). In addition, as shown in Chapter 5, once the government had coopted NGOs onto its technical committees, it tended to neutralise the political role such NGOs could play as overt critics of government in relation to the Land Bill (ibid.). For an NGO, becoming part of a committee means that decisions made by that committee become the result of a joint effort of NGOs and government. This obviously makes it more difficult for NGOs to criticise government, since the latter appears to be acting in ways that recognise the seriousness and importance of NGOs' concerns, and seems to address them. The result is that NGOs are presented as visible, but non-threatening actors in the policy-making process. Donors support the work of such committees because the committees in themselves are an expression of the success of broader policy goals such as partnership and good governance (Abrahamsen, 2000; Power, 2003). It should also be noted that having government and NGOs in partnership provides donors with an efficient and effective mechanism of achieving the same development discourses in the country (Hearn, 2001).

4. Publicity for Gender Issues

One of the research findings was that government mainly turns to the publicity role during times of increased pressure from gender focused NGOs, especially at times when donors openly back these NGOs. The research findings in Chapter 5 show that at such times, government will be keen to be seen to be 'doing something' about the issue in order to relieve itself of the NGO pressure. The response involves increasing media coverage of what is being done on gender issues and showing how existing policies are helping the development of the country. Chapter 5 shows that government spoke of the importance of women's ownership of land for agriculture as a whole, and the overall development of the country. Government may even decide to set up a

committee to which it can co-opt NGO representatives to provide technical assistance in handling the issue (Lister & Nyamugasira, 2003). Government also undertakes a lot of publicity and provides indicators that matters are being sorted out and that NGOs should not be worried because it is in the process of responding to their concerns.

5. De-legitimising Gender-focused NGOs' Activities

The research findings in Chapter 5 show that when government falls short of expectations and does not sufficiently integrate NGOs' concerns into the policy-making process, NGOs may react by undertaking a radical advocacy (Razavi, 1997) or advocacy for transformation (Kabeer, 1999) agenda by attacking government as patriarchal and undemocratic and that there is need for gender transformation. This failure by government to respond to NGOs' demands can undermine the NGOs' identity and status since they in turn will be seen to have failed in their advocacy role. In no win-no win fashion, a pattern of blame is likely, with each side claiming the other has let them down. If government feels threatened by accusations of being unresponsive through the NGOs being 'civil society as an antidote to the state' (Van Rooy, 1998) then government may respond by attacking the NGOs concerned by delegitimising their agendas. One way of doing this is to label the gender-focused NGOs as 'foreign' and 'elitist' as shown in the case studies of the Land Rights and Domestic Relations campaigns. In so doing, government undermines the identity and status of the NGO as being part of civil society. Government accuses NGOs of failing as 'representatives of the people'. NGOs instead are accused of being agencies designed for the self-aggrandisement of narrow minded elites (Pearce, 2000) or even agents of imperialism (Tembo, 2003).

As it was observed in Chapter 5, the anti-imperialist statements of government prompt NGOs, often with donor support, to react by seeking to localise their advocacy agenda in order to overcome the accusations of government so as to assert their institutional existence as being civil society or the third sector (Van Rooy, 1998). Donor support in such situations can tend to undermine NGOs' claims to be 'grassroots', but the additional resources can enhance NGOs' status and identity and as Chapter 5 and 6

showed, can provide the means for NGOs to survive in institutional terms. It may inadvertently strengthen the status and identity of NGOs that seems to be threatened or undermined by government. Civil society as a space for action seems to be threatened and hence some donors will align themselves with gender-focused NGOs in the face of government hostility, because this can be seen as supportive of civil society. The donor alignment with NGOs is in itself a threat to government's access to resources and hence its identity and status.

In Chapter 5 and 6, it also emerged that in a bid to show that NGOs are 'legitimate' and that their agenda is genuinely popular, local and grassroots based, local men and women are sought out and encouraged to have their agendas included in the broader agenda of the NGOs. The analysis suggested that such re-engagement could be marred by superficiality, for instance in the case of one-day awareness workshops on gender and land rights that were carried out in various communities by NGOs with a view to soliciting meaningful inputs within a narrow time frame. It is also the need to account for the use of resources that obliges NGOs to undertake such hasty consultation exercises, and focus on inputs and outputs rather than outcomes. Generally most NGOs focus on measurable and immediate outputs, such as the number of workshops conducted and the persons who attended and so forth, rather than considering the impact of their intervention in the long run, for instance in terms of lessons learned (Nyamugasira, 2002; Wallace, 2004)

Rather simplistic methods of engaging with grassroots work may also be intended to win government favour by seeming to build broad grassroots support. Inadvertently, however, this may also appear threatening to government. Hearn observes that "the mobilisation of rural women around the joint co-ownership clause threatened the government" of Uganda (Hearn, 2001: 51). Government prefers to deal with civil society organisations that confine themselves within the spaces sanctioned for civil society by the state (Hearn, 2001; Nyamugasira & Lister, 2001). From the foregoing discussions, there are preferable understandings of civil society. Government prefers civil society as a noun, existing in institutional terms but not as an antidote to the state, the understanding that NGOs tend to take on, more emphasised in conflicting relations with the state. The donors may not mind either as long as their understanding

of civil society as a space for action is in line with the good governance agenda and neo-liberal discourses (Hearn, 2001).

Another interesting insight from this study is the way government influences the inter-linkages among the various actors to its own advantage. By either building or destabilising connections among NGOs, donors and the grassroots, government can appear to be more 'populist' than the NGOs. By being seen to be promoting processes of building consensus policy positions with NGOs, government can appear to be supporting the participation of civil society in its policy-making processes. Exerting its influence over the NGOs through the advisory, publicity, cooption and sympathiser roles, government is thus able to simultaneously exert its influence and protect its interests, and fulfil donor demands for partnership with civil society in the policy-making process. What applies to NGOs also applies to government; overt conflict is avoided wherever possible. Being seen to be working in partnership with civil society and to be doing something about their demands is important to government's identity, status and access to donor resources (Hearn, 2001).

The critical finding which emerges is the way in which all actors involved in the gender advocacy nexus, including government, seek to maximise their interests. In the case of government, this involves balancing a concern with resources, with protection of its identity as tolerant of the third sector, and status as a popular and responsible government. It wants to be seen as guiding a participatory policy-making process and that it is not under undue donor and NGO influence. However evidence also shows the whole notion of 'civil society' is undermined when government attacks NGOs and their relations with the grassroots and donors. Secondly, when one considers the actions of the partners involved in 'civil society' and the state relations on gender issues, it seems that there is little practical commitment at all levels to change the patriarchal status quo. For example, as a result of government criticism of co-ownership as elitists, donors funded ULA to popularise the co-ownership campaign: however, as we observed in the case of Kapchorwa, one day workshops could not really change people's beliefs. The community leaders shifted the campaign from mainly on gender equality to the Benet Land question, making the campaign people-centred but at the same time relegating gender to the second place.

Non-decision making by government on overcoming gender inequality may protect the interests of all actors NGOs, donors and government. This non decision making is most apparent in relation to Land Rights. By claiming to be sympathetic to the NGOs and encouraging them to publicise their advocacy issues so that they are accepted by parliament, government deflects NGOs from the actual problem, its non commitment to changing the status quo on Land Rights. Not only has this brought a stream of resources to NGOs (in the hope that advocacy can move the policy agenda along); non-decision making can also be beneficial to donors who fund government and thus have their own interests in ensuring that government meets their minimal conditions (e.g. land privatisation). Such complicity between government, NGOs and donors disadvantages only the grassroots women who have no place in this set of compromises and deals (Hintjens, 1999; Scott, 1990).

The non-decision making tactics of government seem to have obliged NGOs to adopt a rather reactionary, or at least narrow advocacy agenda, rather than a visionary one. They have agreed, in effect, to narrow the scope of their agenda and to confine their analysis to what is thought possible. For example, the research shows that NGOs have focused on the co-ownership clause rather than the wider gendered implications of the Land Act. All that has happened in practice is that land has been made a marketable commodity. Donors, who promote the commoditisation of land as a mechanism of enhancing the privatisation process, similarly tend to play down their stated concerns to tackle gendered inequalities in access to land.

Knowingly or unknowingly, by obeying government and thus implicitly accepting its advisory role and other roles in their advocacy work, NGOs have given an influential voice to government. Through internalising many norms imposed through the notion of 'partnership', NGO relationships with other actors are remoulded, including those with donors and the grassroots. This has a major impact on the way in which NGOs set their advocacy agenda. The research shows how the strategic direction of the NGO agenda on land rights was shaped at critical moments by the advisory role of the government. NGOs adapted their campaign voluntarily, anticipating, as well as responding to criticism of their work by government personnel. The NGOs acceptance of this role might have been partly enhanced by their need to defend their own interests, flatter their providers and protectors, protect their own identities whilst

maintaining status and continuing to have access to resources. NGOs may also adopt recommendations made by government officials in the hope that this might lead at least to some NGO claims being adopted by policy makers. As Chapter 5 showed, there is a close relationship between the government and donor agenda: that is commercialisation and privatisation of land. In economic terms, NGOs seem to be operating in ways that limit their transaction costs by avoiding to severe relationships with other actors in general. Ties are not so much wholesomely nourished as drip-fed, and maintained at a 'just enough' level to ensure that they survive. The result has been a tendency to lack long term focus based on the needs of the people, and rather to elaborate ad-hoc agendas depending on recent advice from government policy makers and the current likes and dislikes of donors. What defines many gender-focused NGOs is their flexibility in terms of their overall advocacy discourses. By adding their 'flavour' to wider discourses available in the public sphere (often through the media), they seek to make visible their involvement in advocacy work and the policy process.

Some of the weaknesses in the NGO engagement of the government of Uganda include: the domination of these processes by urban elites and organisations; a limited understanding of deeper gender issues due to the limited time allocated to documentary as well as grassroots analysis; short time notices to attend meetings; use of complicated technical language; government initiation of agendas that remain narrow in scope; and as well as an extractive approach to NGOs on the part of government (Fraser, 2003; Nyamugasira, 2002; Marsden, 2005; Pearce, 2000; Bratton, 1989). Clearly, gender-focused NGOs engaged in advocacy are involved in various indirect ways in the policy process. Having said that, it is difficult to agree with Asiiimwe (2001) that NGOs have generally had an influential role in government policy-making processes in a practical sense. All too often the appearance of involvement is because of the failure to confront the hegemonic ideology. As Feldman states: "Today the discourse of democracy and popular commitment to decentralisation and good governance works within, rather than counter to, the political space that is dominated by an already established NGO sector" (Feldman 2003: 22). Similar concerns have been raised by McGee when she argues that "NGOs and coalitions have been totally unable to influence macroeconomic policy or even engage governments in dialogue about it" (MacGee, 2002: 14). In Uganda, as in many other contexts, it seems that NGO efforts to influence government can be described as

at best ‘information-sharing’ or ‘consultation exercises’, a view echoed by other recent research on this issue (Afrodad, 2002; Hearn, 1999; Nyangabyaki, 2000; Nyamugasira & Rowden, 2002; Lister & Nyamugasira, 2003; ActionAid International USA & Action Aid International Uganda, 2004).

What may be interesting is that the insights of authors such as Asiimwe (2001) of the success of NGO participation in the policy process can perhaps be better explained by examining the hidden (access to resources, status and identity) agendas rather than the explicitly stated agendas of gender-focused NGOs. It is by having a deeper understanding of what their own concerns might be from the inside that the advocacy strategies pursued by the NGOs which are the focus of this study can be said to be relatively successful in several respects. ‘Success’ in an environment of extreme resource scarcity⁹⁴ can include sheer survival of an institution, and maintenance of its complex connections with other organisations. Thus NGOs like government and donors are rational institutions that have maximised their benefits in the partnership relations. The status of donors, such as the World Bank or bilateral donors, themselves has also been enhanced. Donors now parade Uganda as a success story of their prescribed good governance medicines for fighting poverty. We now consider donor-NGO relations and their implications for gender-focused NGO advocacy agendas.

7.4 Analysis of NGO/Donor relationships and the NGO advocacy agenda

Financially speaking, the survival of NGO advocacy work depends mainly on their relationship with donor agencies (Wallace, 2004; Hamilton, 2000; Nyamugasira & Rowden 2002; Onyango-Oloka; 2000a, Hearn, 1999a; Fowler, 2000). Donors, especially small donors (INGOs) need local NGOs to enhance their identity and status and their overall legitimacy as external actors engaged in the local and national context (Nelson, 2000, Pearce, 2000; Edwards, 2002). As Tembo states, NGOs have become vehicles or “transmission belts” for foreign ideologies as well as foreign funding, and it is therefore perhaps not surprising that such NGOs may “transmit a pro-market development” based on neo-liberal approaches that perpetuate rather than decrease inequalities including gender inequalities (Tembo, 2003: 529). This may be

⁹⁴ NGO administration resources are very scarce. As noted in chapter 6, donors usually fund activities and not NGO administration costs

more explicit for NGOs funded by larger donors than NGOs that work closely with smaller donor agencies.

Larger donors are more concerned with making known the success of their macro-level frameworks, based on such notions as partnerships, good governance and civil society. Relations of big donors with NGOs involve strong elements of dominance. Smaller donors tend to have a narrower focus on civil society partners, and seek to nurture relations with NGOs, such as gender-focused NGOs, that can foster their concern with legitimacy and of being seen as ‘magic bullets’ to fix the short comings of macro level policies (Edwards & Hulme, 1997). In particular, smaller NGOs seek to be seen to protect the most vulnerable from the fall-out of macro-economic policy reforms. The relations with NGOs in this case tend to be closer to the paternal or familial model outlined in Chapter 6. How relationships are nurtured will have implications for intra-agency relations among the NGOs and for their agenda setting. Following similar categories to those elaborated in Chapter 6 and summarised in the table below, this section first considers economic or market type NGO-donor relations, before looking in more depth at relations of domination/subordination and familial or paternalistic relationships.

Table two: Summary of the NGO/Donor relationships

Type of donor	Type of relationship	NGO coping mechanism
Big donors including agencies such as World Bank, Embassies, and Development Cooperation organisations Small donors -INGOs	Economic/Exchange/Market type of relations: Buying NGO project proposals	Competition among the NGOs which may not be good for their advocacy work Cooperation with the one who has comparative advantage to access the money so that they can do their advocacy work
Big donors and small donors	Subordinate and dominate relations: enforced mainly through accountability and monitoring frameworks	Doing advocacy from a rhetoric point of view so as to access the donor funds Carrying out joint activities to meet the donor demands to ensure

		continued access to resources Making relationships with individuals in donor agencies to influence the relationship
Mainly with big donors	Conflict and resistance	Cooperation among the various NGOs to criticise donors depending on the context, and safety - conferences and research is where criticism is not likely to affect NGO access to funds.
Mainly with small donors	<p>Pseudo-Familial relations</p> <ul style="list-style-type: none"> • Capacity development • Funding gender focused NGOs • Formation of networks and alliances. • Interpersonal relationships • Employment of Ugandans • Country Strategy papers • Direct participation in NGOs activities 	<p>Cooperation with networks, coalitions and alliances formed with major influence from donors depending on advantages of doing so.</p> <p>Resistance of structures formed through this process for self preservation</p>

7.4.1. Implications of Economic/Market Type Relations

As expected, the findings of this research confirmed that donors play a critical role in shaping the advocacy agenda of gender focused NGOs in Uganda (Wallace, 2004; Hearn, 2001; Oloka-Onyango, 2000a). This is not surprising given the high degree of dependency of such NGOs on international donor funding. As this research has shown: “The relationship is simple: without donor funds NGOs cannot exist, and to exist they must work in areas that donors wish to fund” (Hamilton, 2000: 50). While the market image suggests a straightforward exchange, the result can be intensified complex forms of competition among gender focused NGOs (for instance within a network) for identity and status as well as over resources. The dependence on donor funding is problematic. In the first place, it creates external accountabilities that can compete with the justification of working in networks and alliances. The assumption of working in networks and alliances is that the major forms of accountability will be internal, namely to the membership (Feldman, 2003).

However, the market relations create multiple accountability and competition among different constituencies. NGOs compete among themselves for limited resources often in the form of customers competing for the limited goods (financial resources). Like NGOs, donors also compete to work with the successful NGOs. For most NGOs, donor accountability becomes a priority that overrides other forms of accountability (e.g. to the grassroots, other NGOs, and government). In such a situation some individuals may respond by exiting from the NGO or network. Organisations may remain in membership, not voicing opposition, but partially exiting by simply shifting their priorities or changing their 'brand' label. One response is for NGOs to form new alliances that can compete with the existing institutions for receiving donor funding, creating a form of development market in which old brands are improved or new brands are made to attract buyers (donors). Again, at stake here are power relations and the promotion of each party's own interests. Without donors, many NGOs simply would not exist.

The situation is more complex than this picture might imply. The sheer delicacy of their relationships with other actors can explain the way in which NGOs and networks pursue multiple identities, rather than pursuing a single set of interests (Tembo, 2003). As the findings have shown, some gender-focused NGOs like UWONET and FIDA are managing two identities or more: with donors, among NGOs themselves, and with the grassroots and government. The way in which such identities are manipulated affects not only agenda setting but also the actual implementation of agendas. ULA changed its focus beyond co-ownership to include family land rights, partly due to the influence of DFID. However, the ULA membership expressed reservations and some felt that the co-ownership clause alone would have protected their interests, ULA tried to include both concerns within its campaigns (see Chapter 5). When the discussion of the family consent clause arose in parliament, it created a problem for gender-focused NGOs in the ULA. They felt that the clause did not address their own priorities and concerns, because the law would require registration of family land rights under a corporate family name, and hence most probably under the husband's name (Kyokunda, 2003). Here is an example of how competing forms of accountability can affect the gender agenda. In order to please the donors, the ULA and UWONET in a way ended up supporting the same policies that gender focused NGOs had been

campaigning against, without perhaps realising the implications of their position (Kabeer, 1999).

Some scholars suggest that donors may not necessarily be interested in the officially declared activities of the NGOs, and therefore may not be predisposed to learn from past experience, for instance in advocacy among gender-focused NGOs. Donors too have hidden agendas and interests; as Hamilton candidly observes: "There is also an apparent lack of donor concern for the previous work done by any particular NGO, contributing to a sense that being an NGO is what matters rather than what programmes have been pursued" (Hamilton, 2000: 50). Which compromises learning. There is rarely any in-depth analysis beyond the recent past, since most donors do not fund long-term activities. Hamilton further observes that while the relationship between donors and NGOs are called partnerships, assuming equality among the various actors, in reality this is not true. She states that the concept of partnerships hides the complex and lopsided relationship by portraying it as mutually exclusive (ibid.). At one level, the resource providers 'call the tune' and, for instance in memorandums of understanding, set the terms of the relationship by explicitly and formally setting agendas. According to this research, at another level within a lopsided and dependent set of relations NGOs manoeuvre these relations to their advantage. Evidently there is inequality between donors and NGOs which they fund, but we should not ignore the ability of the weaker partners, the NGOs, to access resources, enhance their status and identity and to manage their dependency in a way that maximises their room for manoeuvre (Scott, 1990).

Within a lopsided and dependent set of relations, this research has shown that NGOs employ a number of mechanisms to overcome their weakness, or at least to manage its consequences. An example is ULA that was mainly funded by Oxfam from the late 1990s until around 2003. During this period, Oxfam's control over ULA was increasingly resented. The members and government felt ULA was over-accountable to Oxfam, and challenged the ULA to become more independent of Oxfam. ULA sought premises outside the Oxfam compound and got additional donors including DFID, ActionAid and Novib, and DANIDA. Additional funding reduced financial dependence on Oxfam and thus its influence over the agenda of ULA. The research findings show that financial resources provide donors with the power to influence the

agenda of the gender focused NGOs. Having many donors reduces the control of any one particular organisation over the agenda of an organisation, but increases the transaction costs of gender focused NGOs because they are constantly trying to please the various customers, the donors. It is also important to observe that organisations like Uganda Land Alliance usually maintain the ideals instilled in them during the formative phase (ibid.). In other words, the approaches and frames of reference of ULA are likely to be similar to those of Oxfam, its nurturer.

The other coping mechanism as shown by the findings of this research (see Chapters 5 and 6) is agenda multiplication by the networks, and NGOs, in the advocacy field. NGOs use their individual organisational identities to develop their own institutional advocacy programmes and these in turn are employed strategically to promote their perceived self-interests. Agenda multiplication has the advantage of increasing the number of actors (NGOs and donors) working on the same issue, thus popularising the issue. The aim is to influence public discourse. The second effect of agenda multiplication is to intensify competition for limited donor resources. Several organisations will tend to target the same groups, including policy makers. As shown in Chapter 5, competition for contacts and resources from donors' makes NGOs justify their own agendas using the discourses of the donors. While this may benefit the donors, since it also serves to localise their discourses, it can work to their disadvantage since it provides room for government criticism of external influence on NGO agendas. This in turn may tend to undermine the identity and status of NGOs as representatives of the grassroots communities. As was discussed in the last section, when government attacks the credibility of NGOs, the reaction of donors may be to increase funding for such NGOs in order to 'defend' them leading to a cycle of various form of power relationships (Foucault, 1982).

7.4.2. Implications of Subordinate/Dominant Relations

The findings suggest that the Subordinate/Dominant pattern of relations that accompany certain forms of funding can contribute to adoption of a very limited and decontextualised advocacy agenda (Lister & Nyamugasira, 2003; Oloka-Onyango, 2000a; Hearn, 2001). Agendas may be identified from a rhetoric point of view, but with limited analysis of the local context. Rather advocacy arguments in ways that will not interfere with the need for NGOs to access donor resources. This can result in

cooperation and or loyalty among gender-focused NGOs in order to enhance their collective bargaining power to overcome the conditions imposed upon them by the donors.

Relations of domination and subordination are particularly likely in situations where a few donors have control over limited resources critical to the survival of the NGOs. The findings show that whilst NGOs carry out joint activities, they tend to report upon such activities individually. Each NGO seeks to account for the utilisation of funds in line with strict donor requirements. This is one of the conditions for continued access to resources under a relationship of dominance and control (Wallace, 2004). In essence, working jointly on an issue creates conciliatory ties amidst competitive relations among the gender focused NGOs, while reporting back in the desired format is used instrumentally to overcome the influence exerted over NGOs by dominant donors through their various accountability and control mechanisms. In addition to the above, NGOs like donors use interpersonal relationships between key staff members in both NGOs and donor agencies to negotiate the agenda and nature of partnership.

These gate keepers can be important in improving relations between the donor organisation and the NGO or network, and making them less impersonal by introducing an element of trust. The overall argument here is fairly straightforward; even if control is asserted by donors in a dominant manner, organisations will creatively devise ways and means of trying to promote their own agendas. The subordination of NGOs to dominant donors cannot therefore be taken at face value. Even in this weak position, NGOs can use their dependent position to overcome structural constraints on their advocacy work and can influence donor agendas, in a behind-the-scenes manner. As Tembo states: "...neo-imperialism goes beyond openly manifested economic and political forms of hegemony to the sociological and cultural forms of exploitation of the powerless by the powerful both in local and the wider context" (Tembo, 2003: 529). He continues to say that in certain instances "local knowledge and priorities are subjected to northern meaning and priorities" (ibid.). On the other hand, there are also hidden forms of resistance, as much research on development has shown (Scott, 1990).

7.4.3. Pseudo-Familial Relations and Agenda Setting

The findings of this research show that both small and big donors seek to nurture familial types of relations with gender focused NGOs. Small donors play a lead role in this respect for a number of reasons. In the first place, smaller donor agencies are established on a charitable basis, unlike the bilateral and multilateral donors. They are more in tune with playing a supportive, as well as a controlling, role in relation to activities on the ground. Some NGOs alliances and networks in Uganda were initially formed through the direct influence of the small donor agencies' initiatives and priorities (Hearn, 1999). Establishing networks like ULA gave relatively small donor agencies considerable influence in a cost efficient manner over the discourses and agendas of a number of the most active, and effective gender-focused NGOs in Uganda. However, once the formation of networks and alliances is initiated, it can extend the small donor support beyond one organisation to those that adopt the same discourses.

The familial relationship has some practical implications for relationships and how agendas are set. Relations are generally more friendly, less conflictual and perhaps more compliant as a result. The implication for advocacy agenda setting of such close ties tends to be a hybrid sort of agenda where compromise tends to be possible, and such relations are considered ideal if not too paternalist or applied in combination with the market or subordinate/dominant relations. Networks and NGOs tend to consider their own agendas as in harmony with those of their partner/parent funding agency. However it also needs to be observed that familial relations provide opportunities to small donors to induct and to build the capacity of gender focused NGOs staff members to work with the constantly changing global development discourses such as the rights based approaches, partnerships, globalisation, and advocacy among others.

Networks and alliances act as rallying or focal points of action, and as discussed in Chapter 5 and 6, being clearly elaborated upon through the examples of Uganda Women's Network and Uganda Land Alliance. Through these two networks a wide range of other NGOs were rallied to support the mainstreaming of fair land rights issues into their work. The status of the pioneer NGO alliances and networks is enhanced by their close association with the donor organisation as the main resource

providers. The familial relationship between the donor agency and the network starts off as almost one of mother and child. For a time, this special relationship lends a kind of protection from too much overt criticism from its member organisations. The family analogy is useful; however, it should not be taken too far. What would 'becoming adult' mean in this context, after all? ULA has shown that it is by and large outgrowing its relations with its main founder Oxfam. There is also a danger in the familial relationship that in this happy atmosphere of mutual respect, broader more divisive questions of inequality, including broader gender inequalities embedded in the partnership discourses and globalisation policies including north-south relations may be ignored (Luke, 1974; Hearn, 2000; Feldman, 2003; Tembo, 2003; Power, 2003; Afrodad, 2002; Abrahamsen, 2000; Craig & Porter, 2005; Wallace, 2004).

In conclusion, each of these models of interaction between donors and NGOs, or networks, has implications for how gender-focused NGO advocacy agendas are set and promoted. As several scholars state, NGOs and government dependence on donors can create problems (Lister & Nyamugasira, 2003; Hearn, 2001; Abrahamsen, 2000; Power, 2003). This research has shown that gender agenda of the gender focused NGOs in Uganda is influenced by the kinds of relations that NGOs can establish with donor agencies. The relations ranging from co-operation, conflict and competition will influence whether agenda setting is covert or open, consensual or competitive. Feldman (2003) provides a more general point, namely that the economic dependence of NGOs makes them ignore "the structural inequalities of the market place" and may even lead to new forms of gender inequalities (p. 14).

For example, seeking for legislation as a mechanism of promoting gender equality including women's rights, gives the state an upper hand in the protection of women's rights, a new form of dependence on the state. However, dependence on the state to provide and protect women's rights in deeply patriarchal systems may rather than undermining patriarchy lead to increased patriarchal control (ibid.). According to this research, seeking for gender equality through state legislation has seen gender focused NGOs dance to the tune of legislators in the hope that they will be pleased and meet their demands. In reality, the policy makers prefer to enjoy the music while maintaining the status quo. The demand for promotion of formal legal systems to protect women's rights departs from dependence on the social support systems that

are part of the traditional African societies. It is important to note that even African traditional systems have their own problems and need not be romanticised because they have been accused of being patriarchal in nature and work to the protection of men's interests at the expense of women's interests.

7.5 NGOs and the Grassroots Relationships

Relationships between the NGOs and local men and women at community level contain elements of manipulation, collaboration, avoidance of conflict and some joint agenda setting. NGO-Grassroots relations tend to mirror elements of both government-NGO and donor-NGO relations. On the whole NGOs realise the importance of the participation of the grassroots in the setting of their gender advocacy agendas. However, the complexity of the web of relationships within which the agendas are set, limits the grassroots participation and control of the agendas that affect their lives. Most often, NGOs have their frameworks decided upon mainly in workshops based on their interests and interpretation of their context. Grassroots interactions with NGOs are mainly confined to awareness training and opinion seeking about the agenda, although these processes are at times confused with agenda setting meetings. Thus participation in agenda setting processes as seen in Chapter 5 can become an insidious form of power that serves to legitimise NGOs as representatives of grassroots men and women (Lukes, 1974).

The challenges for gender focused NGOs are complex especially at the grassroots level. On the one hand is the diminishing importance of women's councils, which are starved of a role and of funding. On the other hand, the predominantly patriarchal decision-making structures at local level persist almost everywhere, and are often justified on 'cultural' grounds. Policy-making structures at grassroots level, as at national level continue to be dominated by men who strive not to change the status quo, but to enhance their own issues (Mugisha, 2000; Nyakoojo, 1991). Thus at national policy level, it is visible that there is a lot of advocacy work geared towards promoting gender equality. This is exemplified by the increased visibility of women NGOs at national level, in Kampala focusing on national policy. However, this is not obviously translated into the increased visibility of gender issues at grassroots level (Nabacwa, 2002).

There is a silent majority at the grassroots level who are assumed to be represented by their leaders. On the other hand, there is the informed leadership, which takes it on itself to protect their community from information that they fear might cause conflict or dissension. This places an effective communication barrier between the NGOs and the wider grassroots community. A more structural problem is that the way in which advocacy agendas are set can be related only with great difficulty to local people's priorities, both men and women. It takes time and flexibility for the process of translating such macro-level concerns into local terms to be meaningful. However the need to reduce costs tends to push NGOs to have a generally narrow focus and to work with leaders mainly men, as representatives of the entire community. When NGOs work with community leaders on gender issues, these leaders fear the implications of any change in the status quo between men and women, and fear local reactions to such changes (Kabeer, 1989). Those who are trained will tend not to pass on lessons learned if they are judged likely to cause political conflicts, especially along gender lines. The Benet question became the main focus of the Kapchorwa Land Rights Centre rather than the initial focus on women's land rights because the leaders were by and large cynical about gender equality. The rift between the national and local levels is further complicated by the current neo-liberal reform gender-focused NGO advocacy that cannot comfortably accommodate into its agendas the multidimensional and complex nature of gender issues at the individual and community level.

In summary, the NGO/grassroots relations question the development understanding of representation. The findings question the extent to which NGOs can be mouth-pieces of the people especially women if they mainly work through patriarchal structures and individuals at the grassroots level whose main interest is preservation of the status quo due to the fears associated with gender equality especially in the absence of successful practical experiences in some communities. The research has questioned the extent to which NGOs working with community leaders can help to achieve local agendas.

7.6 Intra-Agency Relations: NGO/NGO Relationships and Agenda Setting

Usually government and donors have leverage over NGOs, because of their stronger bargaining power, based on a combination of legislative powers and resources among other things. Amidst the questions on the representativeness of NGOs, as shown by

the NGOs relations among themselves, there is a sense in which NGOs are not necessarily powerless too. While government and donors seem the dominant partners in relation to NGOs, NGOs strategically use their identity and status as representatives of the people to minimise the power of these dominant actors. The kind of power that NGOs draw on is akin to 'popular power' identified with 'the people', a form of power drawn from consent and popular participation. There is a significant difference in the identity and status accorded to NGOs in comparison to other actors, which is based on the persistent notion of their rootedness in various forms of popular power linked to the grassroots.

The power of government and donors often fails to divide NGOs among themselves, which is perhaps surprising given the relative weakness of NGOs in organisational terms and in terms of resources and personnel. However, what this research found was some very interesting forms of associative power being exercised by NGOs among themselves; various kinds of 'collusive' behaviour, preventing government and donors from necessarily having their way. Government policy-making structures provide legality for NGOs and in this way seek to control the functioning of such NGOs. To some extent this provides the formal identity and status of NGOs. Donors too have financial resources which are critical to the survival of NGOs as functional entities. NGOs are quite aware of the dominant position of both government and donors. An interesting finding of this study has been the ways in which NGOs strategically nurture relationships among themselves and with other actors in ways that will assist them to overcome the control of both government and donors, and thereby to maximise their own opportunities and pursue their own priorities. NGOs emerge from this study as 'maximising' rational entities that, within the limits imposed by risks and transaction costs, relate in ways that reduce these costs to a minimum while maximising their own collective, individual and organisational benefits (Uphoff, 1996; Hunter, Harris & Lewis, 1997; Hirschman, 1970).

Thus, a major finding is that in their advocacy work in gender-related issues, NGOs in Uganda engage in cooperation, and coordination in a calculated manner. In the process, transaction costs are included in NGOs' calculations. Identity, status and access to resources are the means by which these cost-benefit calculations have been analysed in this research, but these are not the only possible dimensions of NGOs

pursuing their individual and collective self-interests. As they nurture, maintain and strategically (but discretely) pull out of collaborative relationships among themselves, what can be observed are complex mechanisms of negotiated power enhancement. These operate especially well in the management of sensitive issues likely to threaten government or alienate donors, and thus impact negatively on NGOs' individual organisational identity and status.

Working on issues collaboratively within a network, which acts as a 'catch all' identity, not only provides group support, but ensures a degree of anonymity for the participant NGOs, thus reducing the dangers of blacklisting by government for perceived hostility or challenges through advocacy work. Working collaboratively in a network or alliance only not protects the identity of NGOs; it can also enhance their access to donor resources, since in many situations working in partnerships has become a pre-condition for funding (Pearce, 2000; Fowler, 2000; Power 2003; Craig & Porter, 2005; Hearn 2001). For example, as shown by Chapter 6, UWONET can operate strategically as if it were simply a network, as if member organisations did not retain separate identities. At other times, the network explicitly mentions the identities of member organisations for strategic purposes (e.g. funding proposals).

NGOs do have conflicting interests at times. What is revealing is the way in which such conflicting interests are handled. The study showed that handling conflicts is a major issue in the relations between the network and its members; both at the level of organisations and individuals. This can explain the formation of new coalitions for purposes of managing of conflict. Conflict is mainly manifested through duplication and non-coordination of activities among NGOs. This is not 'mistaken' or done without awareness. Duplication can be a deliberate strategy to avoid overt conflict that may be detrimental to the interests of the individual NGOs and the network or alliance. Duplication is usually perceived as the inadvertent and undesirable outcome of non-coordination among NGOs themselves and their donors (Nabacwa, 2002; Nyamugasira, 2002). However, this research breaks new ground in our understanding of NGOs in advocacy work; it shows that in Uganda, gender-focused NGOs changed and duplicated their identities not necessarily out of a lack of co-ordination, but also as a means of enhancing their own identity, status and access to resources.

In addition to the experience of UWONET, another example of this was presented in Chapter 6, where FIDA that undertook independent activities on the DRB even though it was a member of the DRB coalition. This study shows that NGOs creatively use institutional frameworks to cope with potential conflicts and dissatisfaction among themselves, as well as with government and donors. What is significant in this respect is that NGOs influence one another's agendas as well as being influenced by donors and government. This point needs to be appreciated if the strategic nature of NGO decision making in the advocacy field is to be understood. Duplication of activities is seen in some sense as mechanisms of popularising gender advocacy issues to policy makers and the general public. If NGOs duplicate activities that may be all the better! What it means is that their cause will receive more publicity and more attention. Conflict avoidance can end up promoting advocacy agendas on the basis of "the more the merrier" (Speke, 29th, August, 2003).

The whole issue of accountability can be a cause of conflict and problems among NGOs. Conflict is partly caused by feelings that the network is not responsive to member organisations' needs. Accountability to donors can conflict with internal accountability. Gender focused NGO modes of networking generally have expectations of reciprocity, mutual support, and obligation among members organisations (UWONET, 1996; Chigundu, 1999; Fowler, 1987). This situation contrasts with the reality where funding on a larger scale has introduced a new set of dynamics among NGOs. The main emphasis is on resource use or financial accountability (Feldman, 2003). The problem is that NGO financial reporting is always conducted in response to the requirement of their funders, whose conditions must be a priority (Lister & Nyamugasira, 2003). This means that accountability to other networks or member organisations must become secondary. Member organisations usually want to share with the network secretariat the financial resources, and more often resources are provided for the network as an independent and not membership organisation. In this sense, external accountability can reduce internal relations of mutual support and reciprocity and hence the effectiveness of gender focused NGOs in the Ugandan context.

However, financial accountability may not be the sole type of accountability that matters to NGO membership of such networks and alliances. This may explain why

when the main form of accountability is financial, mutuality and reciprocity can diminish. Tensions are caused by the often-disappointed expectations of member organisations within the network or alliance. Wider forms of 'traditional' accountability cannot be met by the networks because of the reality that networks operate according to new forms of accountability to outside agencies (primarily donors). Some NGOs as shown by the case of ULA may skilfully seek not to antagonise member organisations, and will seek to placate them wherever possible. The costs of conflict are seen as high, judging from the elaborate and complex ways in which overt expressions of difference are avoided among the NGO community involved in advocacy work on gender issues in Uganda.

Where conflict either cannot be avoided, or remains latent, creating new coalitions and other forms of duplication can be viewed as an expression of hopes of improved accountability in future. The case of the Domestic Relations' Bill (DRB) coalition was one example of this explored in Chapter 5. The likely implications of antagonism for the identity, status and access to resources of NGOs are paramount to NGOs in their decision making. Ideally, even when engaging in advocacy work, NGOs would like to retain older modes of networking of mutual trust and reciprocity because of the trust and self-reliance that they provide (Fowler, 1992). Such largely unfunded modes of reciprocity and mutual support can generate the capacity to act autonomously that funding cannot always guarantee. In this sense, the qualitative relations among NGOs are critical to their gender-focused advocacy work, and enhance their capacity to act and power to articulate their agendas. For NGOs, therefore, some element of mutual support is needed to enhance their status and identity. What this means is that advocacy agendas will be set in such a way that financial accountability is juggled with other, more conventional or traditional forms of inter-NGO accountability.

7.7 Interpersonal Relations and Agenda setting

In this thesis, five forms of relationships were identified: NGO-government, NGO-donor, NGO-grassroots, inter-NGO relations and the final one, considered in this section; interpersonal relations among individuals working at all these levels. The individuals considered here represent a hybrid cross-section, from foreign consultants and experts to local professionals, community and government members. What is apparent is the ways in which the Ugandans involved in processes of advocacy

(workshops, media) interpret the problems of the grassroots. The main spheres of interpersonal relations are capacity building programmes such as workshops, facilitated either by consultants or staff from smaller donor agencies. It is most often at such events that interpretations of the claimed constituencies – the rural and urban poor, and women in particular – emerge and are expressed by individuals. For this reason workshop and consultants' reports were a major source of information, as well as attending meetings and interviewing individuals.

It can be argued that in terms of their advocacy agendas, NGOs make decisions on the basis of what donor agencies and government propose. People also bring their own experiences into any such setting where views are expressed. The individual's worldview is shaped by his or her background and life experiences, as well as by professional training and so forth. It is important to note that interpersonal relations introduced another dimension into the research, namely the personal identities and outlooks of staff involved, as well as the dynamics of their relationships. Personal convictions and abilities, including leadership, communication skills, team working ability etc, should be part of the picture. However these are not fixed, but are used in relation to other people, particularly in seeking to influence their views. How much influence one person can hold over another depends to some extent on a shared worldview. However, the fact that world views in the case of this study are shaped by experiences beyond engagement with government and donor agencies complicates the extent to which individuals' actions – in this case in relation to gender-focused advocacy - can be interpreted as a result of the action of another person, structure or agency. As already noted, it is difficult to analyse the complex relationship between structure and agency (Giddens, 1993; Kabeer, 1999). However, it can be argued that informal and formal interpersonal relationships provide opportunities for influencing each other's institutional 'stand points' making key individuals an important factor in the shaping of the advocacy agenda of NGOs (Uphoff, 1996). Much attention has been given to the importance of inter-institutional connections in advocacy and policy-making. What this research seeks to insert into our understanding of these processes is the importance of agency at the individual, as well as institutional, level, especially in the 'world of NGOs'.

It is hard to clearly demarcate the discursive ‘spaces’ of government and NGOs in which individual actors operate. This is because there is intense and constant interaction among various actors because some government and donor agency officials are also members of NGOs. This creates crosscutting and complex interconnections, and means that there are strong links among various actors and sometimes a high degree of overlap between formal roles and actual individuals (persons). As the research findings show, gender focused NGOs use mechanisms such as interpersonal relations – something referred to earlier in passing when the role of ‘gate keepers’ was discussed – in order to influence the agenda of the donors. Repackaging of development discourses further complicates the analysis and makes it necessary to constantly identify changes in the use of particular discourses by specific actors and institutions.

7.8 The Global and National Policy Context

Throughout this thesis, in analysing the relations of various actors involved in gender-related advocacy in Uganda, it has been essential to bear in mind the broader national and international policy context (Abrahamsen, 2000; Escobar, 2002; Power, 2003; Craig & Porter, 2005). The broad policy environment in Uganda is based on the dictates of the World Bank and IMF, with the current emphasis being on PEAP (Poverty Eradication Action Plan) as the blueprint for development. The PEAP is thus regarded as the national development policy and strategic development framework that determines government’s access to aid resources, debt relief and credit. The perceptions of the IMF and World Bank (higher-level gatekeepers) are thus critical determinants of access to resources. Through the instruments associated with the PEAP, World Bank and IMF influence both the performance of Uganda and of agencies and institutions working within the country (Fraser, 2003; Abrahamsen, 2000; Foucault, 1982).

Thus, the PEAP is an important instrument in the overall national policy context of Uganda especially where structural adjustment policies are inter-woven with poverty eradication programmes. In Chapter 4, the PEAP was presented as little more than Structural Adjustment Policies (SAPs) in ‘poverty clothes’ in order to lend

liberalisation policies what Kothari has called an *African*⁹⁵ “human face”. Many observers have recognised the “cosmetic nature” of the changes involved (Kothari, 1998). It is this desire to ‘humanise’ structural adjustment for instance that has led many donors to support NGOs directly. NGOs are funded directly because they are seen as directly linked to popular grassroots organisations and ‘voices’. However, the move towards privatisation has continued unabated and is largely unchallenged by NGOs. Neo-liberal ideals, which explicitly seek to ‘modernise’ and transform Uganda, are embedded within the PEAP and the associated plan for agricultural modernisation. The PEAP still mainly regards poverty from an economic point of view, just as World Bank has tended to do.

One might expect NGOs’ solutions to differ radically from those of the PEAP, but they do not, for the simple reason that in order to preserve their interests NGOs are in alliance with government and donors on the PEAP⁹⁶. NGOs have extended the importance of modernisation discourses by building them into their advocacy campaigns. For example women’s ownership of land, the belief is often expressed that this will promote a more gender-equitable distribution of resources in the future and will increase agricultural productivity. The problem is that there is no focus on the broader issue of land commercialisation and its implications for poverty and gender inequities more broadly. There is also a problem of a discrepancy in the PEAP between problem identification and problem solving that is hardly criticised by NGOs in the gender advocacy work. As an example, while the PEAP recognises that gender inequalities exist, like other government documents, it falls short of providing any means to actually tackle such inequalities in practical terms. Since PEAP is the model for development in Uganda, NGOs are as bound by its overall conception of development as other organisations. Once again, the focus on accountability to external agendas tends to undermine the linkages between NGOs and the grassroots. Critical analysis of the underlying structural causes of gender inequalities, for instance, is not undertaken in any consistent way, let alone publicly expressed, by NGOs engaged in gender-focused advocacy in the Ugandan context. On the basis of

⁹⁵ *Italic is my emphasis.* Poverty is portrayed as the major problem of Africa that you cannot talk about Africa without talking about poverty.

⁹⁶ Some scholars such as Nyamugasira & Rowden (2002) and Afrodad (2002) have critiqued the government of Uganda and the World Bank/IMF for sidelining the NGOs in the last processes of the PEAP.

the case studies this thesis has considered, including the Land Rights and the DRB, a number of important more abstract conclusions can be drawn in relation to the literature:

Firstly, gender-focused advocacy seems to have become part of a much wider development game in which NGOs are taking on the role of advocates or voices for the 'poor' in the policy process (Lister & Nyamugasira, 2003; Eade, 2000; Pearce, 2000; Wallace, 2004; Fowler, 2000) to legitimise this game. The actual focus of government is access to donor resources, and access is only possible through meeting set conditions, one of which is inviting NGOs to participate in policy processes (Lister & Nyamugasira, 2003). The actions of government personnel show that they take care to formally meet the demand of giving a human face to SAPs through "encouraging all actors to self-censor demands that might jeopardise desperately needed funds" (Fraser, 2003: 7). This relates to something mentioned earlier in this chapter, namely the tendency of NGOs not to engage in overt conflict. Rather they tend to divert any conflicts or misplaced expectations they might have into various forms of more constructive institutional engagement and interaction at times at the expense of the expectation of their constituencies, the grassroots (Lister & Nyamugasira, 2003). In the case of the DRB this process of protracted prevarication has persisted for more than fifty years. The game seems to continue making a mark and realising outputs without making any actual difference.

A persistent pattern of non-decision making characterises the position of government on transformation of gender relations. On the one hand government commits itself to gender equality, as exemplified in the land campaign and in its claims that the relationship between access to land and family rights is critical to national development in Uganda. On the other hand, it cannot follow through on these commitments. Patriarchy is a force to be reckoned with, and policies affect politicians at a personal level (Kabeer, 1999; Kabeer, 1995; Kabeer, 1989; Kabeer and Subrahmanian, 1996). Also, obliging a person to ask permission from his or her spouse before selling land or taking out a bank loan complicates the commercialisation of the land market, which is the main goal of government and the World Bank (Olson & Berry, 2003; Walker, 2002). Government may use a variety of manipulative bureaucratic procedures to shy away from responsibility for meeting

gender-focused NGOs' demands for gender equality. For instance, they may propose the need for further research, or just deny their responsibility altogether. By and large, NGOs take broader policy frameworks for granted as given, just as government policies are. At both levels, policy is market-led. Human development indicators show that poverty needs to be defined and interpreted in broad terms, including its non-economic dimensions (UNDP, 2000). The problem is that through the PEAP, government has fallen into the trap of seeing poverty as mainly monetary incomes. Secondly, while the social cultural factors are recognised as vital, the PEAP gives limited overall attention to the effectiveness of the solutions (Nabacwa, 2002).

Secondly, the poor can be invited into the policy-making process, usually in the name of the NGOs (Lister & Nyamugasira, 2003). This not only serves the interests of NGOs and government in accessing funds; it also benefits the World Bank and other bilateral donors. NGOs in these policy processes act as the 'antennae' of lending institutions, a filter for public attitudes and a way of assessing whether policies are likely to work in practice (Craig & Porter, 2005; Tembo, 2003; Fraser, 2003; Fox, 2003; Afrodad 2002; Nelson, 2002). The relations with gender-focused NGOs – and other groups of NGOs - can however obscure some of the wider key issues that may be contained in the policy frameworks.

At best, within this overall structure, NGOs can act as providers of protection or as social safety nets, against the negative effects of the IMF and World Bank policies. NGOs operate as some kind of control indicators for donor agencies, especially big donors (Nelson, 2002; Edwards, 2002; Fox, 2003). Fox states that civil society networks work as "early warning systems concerning the likely long-term consequences in social terms of the World Bank's reforms" (Fox, 2003: 521-2). Furthermore, the good governance agenda creates additional spaces for NGO participation in the policy process, where they can become engaged as critics of mainstream policies (Fraser, 2003: 4; Van Rooy, 1998).

When NGOs and government come into conflict over neo-liberal reforms, donors also in defence of their interests can become facilitators or arbiters of a dialogue between the state and civil society. An example of donors playing this role was seen in the case of the Land Rights campaign in Chapter 5. In this case it was noted that donors

continuously tried to persuade government and NGOs to agree to include some kind of gender provisions in the proposed Land Act.

Thirdly, it is not clear to what extent NGOs serve the interests of the people they represent in the policy process. Just as Fox (2003) observes the forces influencing the World Bank are diverse, so too there are many influences, each of which can have a significant impact on one set of actors or institutions in terms of their policy directions at national level (Fox, 2003: 521-2). Whilst NGOs are definitely engaged in gender-focused advocacy, it also seems that they are distracted from core issues of power and power relations in the policy-making process. This may be because NGOs tend to set their advocacy agendas on the basis of identities that arise out of the negotiated outcome of the interactions with both donors and government (and not grassroots). This can distract them from critically evaluating core policy issues. An example of this was when NGOs paid much attention to ensuring that the co-ownership clause was inserted into the Land Act than on key issues such the gender impact of land privatisation policies in general.

Fourthly the whole issue of the PEAP raises the question of donors' commitments to a rights-based approach to development. Neither the poverty eradication policy frameworks of the World Bank nor of the Ugandan government are explicitly constructed on the basis of a rights-based discourse. Although some donors promote a rights-based approach in their relationships with the NGOs, especially in terms of advocacy work, this is not the case for the World Bank and its allies in their broader policy processes with government (Kothari, 1998; Oloka-Onyango & Udagama, 2001; Abrahamsen, 2000; ActionAid Uganda & ActionAid USA, 2004; Craig & Porter, 2005; Woodiwiss, 2005). However, since much has shown that advocacy has been impinged on human rights discourses and the rights-based approach to development in particular, the economic emphasis of the PEAP of Uganda and the World Bank/IMF approach seems particularly ill-fitting for NGOs engaged in gender-focused advocacy. By becoming engaged in discourses of modernisation and economic transformation/liberalisation, NGOs are taking part in a process of policy dialogue that is so constructed as to sideline the poor and the marginalized, men and women alike (Oloka-Onyango, 2000a; ActionAid International USA & ActionAid

International Uganda, 2004; Tembo, 2003; Craig & Porter 2005; Wallace 2004; Abrahamsen, 2000; Power, 2003; Fox, 2003).

The drive of the government of Uganda was land privatisation, commercialisation and modernisation of agriculture. Gender-focused NGOs engaged in advocacy around the issue of co-ownership rights focused more on how the co-ownership would help in the realisation of agricultural modernisation and thus development. However, the 1998 Land Act, did not include such a clause. The three pre-conditions seen as critical for the realisation of agricultural modernisation were creating a market in agricultural land, enabling farmers to access bank loans and consolidating land holdings. Co-ownership, it has been argued, would have interfered with all three priorities of the PMA (Walker, 2002; Olson & Berry, 2003). Another reason the land co-ownership clause was not included in the law was the fear of land fragmentation, which arguably would have hampered both the process of commercialisation of farming land and access to bank loans by farmers (Walker 2002; Olson & Berry, 2003). After all, the focus of government is to modernise agriculture and to increase both agricultural productivity and production. Protecting the actual rights of those that produce, who mostly are women, is secondary to this main aim.

7.9 Links with Development Theory

Throughout this thesis, I have referred to a range of types of social science scholarship to help clarify the relationships among NGOs, government, donor agencies and the grassroots in the Ugandan context. It is useful to reflect on how such theories have tied in with the research findings of this study. One finding that emerges is the difficulty of juxtaposing frameworks of analysis in a single study due to the very context specific nature of advocacy processes and gender relations, as well as the complexity of policy-making processes. It is evident however that Hirschman's framework of exit, loyalty and voice continues to be a useful and important starting point for any serious understanding of intra-agency relations, including in connection with gender-focused NGOs' advocacy agendas. Among the competing interests of the various actors involved in gender-focused advocacy, selective use of 'Exit', 'Voice' and 'Loyalty' is carefully exercised by all the actors involved (Hirschman, 1970). The research has shown that this framework can be adapted for analysing more complex

inter-and intra-agency relations than the threefold distinction 'Exit', 'Voice', and 'Loyalty' implies.

The analysis was also enriched through the insights of new institutional economics theory, which has the advantage of taking into consideration the ways in which actors use cost benefit analysis and the importance of transaction costs and avoidance of risk in such strategies. This made it possible to assert the rationality of the various actors in their inter-relations, without it implying a narrow maximising approach (Uphoff, 1996; Kabeer; 1999; Harris, Hunter & Lewis, 1997). In other words, new institutional economic insights help to explain how various actors maximise their benefits (in terms of identity and status as well as the more obvious economic incentive of access to resources) and reduce their risks through strategically nurtured relationships.

The recognition of mental modelling and the existence of different interpretations of a single situation are one of the insights borrowed from chaos theory. This too has proven helpful in understanding the varying and shifting meanings that actors can give to the same set of actions or policies. One example is the different meanings that can be read into the duplication of NGO activities. This can be seen as a sign of conflict, as part of a strategy to popularise the advocacy agenda of gender focused NGOs, and as a means of gaining more publicity for their agendas and demands. In this way:

The interactions that development NGOs have with various actors are shaped by meanings that each interlocutor gives to the concept of development...It is therefore possible that different sets of actors have divergent images of dimensions of change being referred to even when they call for the same concrete actions in the part of the individual or groups (Tembo, 2003: 528).

Chaos theory can enable us to appreciate the importance of context to any adequate explanation of social advocacy and agenda setting through complex negotiation of processes.

The research has proved useful in appreciating the layered and hybrid quality of the social, political and economic interests of various actors involved in gender-focused advocacy in Uganda. It has enabled us to understand that open and publicly available positions can differ for very strategic reasons from covert and more subjective

positions held by the various actors involved. Presenting the development discourses as an objective means to overcome social problems has its limitations (Abrahamsen, 2003; Escobar, 2002). Outcomes will always be other than what they appear to be; development processes in this case have a chimerical quality that belies hard and fast 'evaluation' of results. Instead, the facts of a situation tend to disguise the subjective nature of the discourses and how they are used to promote a range of interests (Abrahamsen, 2000; Letherby, 2003; Oakley, 2000; Power, 2003; Amadiume, 1997). The subjective nature of power relations is an important dimension of the development process, because it provides for differing, simultaneously held understandings of the power dynamics involved in any development situation. Discourses are used in the context of specific kinds of relationships and to further certain actions taken by the various actors (Foucault, 1982; Power, 2003; Abrahamsen, 2000).

The study has shown that the notion of an impartial, objective standpoint tends to give an opportunity for dominance for those who hold the 'knowledge' to legitimise their own actions (Lukes, 1974; Foucault, 1982; Kabeer, 1999; Hughes, Wheeler & Eyben, 2005). Often this is through the use of intellectual and policy expertise, whether expatriate or not. Excessive respect for what are considered objective standpoints has led to the neglect of the underlying, and often contradictory, power relationships between 'knowledge holders'- technical experts on the one hand –and recipients, who are regarded as the objects of development processes on the other (or at least gate keepers for ties with the objects, namely the grassroots) (Escobar, 2002). Even where locally embedded, and globally and nationally structured, power dynamics are acknowledged, mapped and recognised, they tend to become objectified in the process, in particular through use of expert processes such as the formation of partnerships or conducting of evaluatory and planning studies (Abrahamsen, 2000; Escobar, 2002; Fowler, 2000; Wallace, 2004). All too often, capacity building fails to recognise how complex power dynamics can be within existing and newly formed partnerships (Wallace, 2004).

This research has sought to show that through a careful analysis of the relationships among various actors involved in gender-focused advocacy in Uganda, it has been possible to uncover some of the subjectively held understandings that can

complement, or complicate, the official, open or objective positions of the actors involved. In particular, this research through attempting to analyse the subjective positions of the various actors in terms of their access to resources, identity and status, has consistently sought to recognise the sheer complexity of the relationships involved in the advocacy nexus. The research suggests that the connections between and within institutions cannot be reduced to simple formulae of 'positive' or 'negative' sum power relations. Simple models, in other words, will not work.

Another interesting possibility, explored at various points in the thesis, is that the privileged position given to so-called objective positions is part and parcel of the 'scientifically' developed control mechanisms of the developed north which protects the 'privileged' position of dominant institutions, especially multilateral financial institutions and bilateral donors, against potential threats and criticism from the 'underprivileged', the 'underdeveloped' of the south, including elites with the capacity to know what is happening (or not happening) at the local level (Foucault 1982; Abrahamsen 2000; Escobar, 2002; Power, 2003). As often as not, this is a process that operates in collusion with the intelligentsia and elites in the South (Bratton, 1989; Pearce, 2000).

The research findings show that especially through pseudo-familial relations with donors, NGOs have become strategic entry points into the lives of the 'underdeveloped' populations. The end of colonialism reduced the direct access of the 'developed' to the 'underdeveloped'. With the arrival of the 'NGO world' some form of access was re-established through the mediation of local NGOs, often in partnership with small donor agencies. It is almost as if the INGOs were the mother or father, of gender-focused NGOs that act as tools of access to the local population. The partnerships INGOs form through networks and alliances take on the role of acquired siblings. At the same time, the INGOs, in their maternal role, nourish their offspring in order to enhance their own status as representatives of the local gender-focused advocacy organisations. Local NGOs in turn use the relations with INGOs strategically, to enhance their own interests. This makes such alliances a means towards enhancing the mutual self-interest of the partners involved rather than the poor people. One example of this is the nexus of ties between UWONET, SNV, the ULA, other local NGOs and Oxfam, as identified in Chapter 5 and 6.

Such complex pseudo-familial relations provide the setting in which the dual functions of INGOs in the Uganda policymaking process can be understood. They operate both as NGOs in their own right with access to information on civil society, and as donors, disseminating resources, status and identities. The dual role of INGOs was discussed in some detail in Chapter 5. Their identity as NGOs facilitates their easy access to government, with gender-focused NGOs as well as major donors providing them with resources. INGOs are intermediaries in the advocacy nexus, able to both negotiate at the highest level of government and donor institutions, and to enter the 'hearts and minds' of local NGOs and to have a grasp of up-to-date 'facts' about the 'underdeveloped' (Escobar, 2002; Tembo, 2003; Fox, 2003; Wallace, 2004; Craig & Porter 2005). INGOs are able to package information for policy makers and government officials in ways that they find palatable. In their intermediary role, INGOs usually seek to reduce the effects or the costs of the neo-liberal policies and may thus end up being vehicles of inequality in subtle ways through their nurturing and caring role that disguise the broader effects of neo-liberalism.

As good governance has become a borrowing condition imposed by the World Bank civil society organisations are increasingly required to become active participants in the policy-making process. This new set of aid conditions enhances the role of NGOs and enables them to play a role in engaging government to further understand the political mind of the 'underdeveloped' or grassroots populations (Abrahamsen, 2000; Escobar, 2002). By design, good governance provides an opportunity for intensified interaction among various actors at different levels of Ugandan society. Good governance as a development discourse dominates not only bilateral agencies but also small donors (INGOs) whose survival depends on the larger agencies (Craig & Porter, 2005, Power, 2003). If good governance is presented as the solution to Africa's economic problems, small donors have expressed their involvement in this agenda through intensifying their pseudo-familial ties with local NGOs, playing a key role in passing on governance and civil society and more recently rights based discourses to local organisations, including the field of gender-focused advocacy.

The research findings show that the inter-weaving of the neo-liberal discourses with gender equality, and the more recent addition of good governance, is a problematic

admixture. It is problematic because it builds a fatal contradiction into the development game. On the one hand neo-liberal policies ignore issues of political participation and good governance and are at best indifferent to gender equality; on the other hand good governance promotes participation and an active civil society with a strong 'voice' (Abrahamsen, 2000; Power, 2003; Craig & Porter, Escobar, 2002; Pearce, 2000; 2003; Fowler, 2000; Hearn, 2001). The outcome is once again a schism between outward appearances and reality. The findings show, for example that government tends to adopt a good governance framework and promote gender equality in rhetoric. This may reflect the way their hands are tied by demands to implement structural adjustment policies. Meanwhile NGOs formulate their own agendas on the basis of the possibly unfounded assumption that the agenda they pursue will almost automatically protect the interests of their claimed constituencies, the grassroots, poor women and the excluded.

NGOs, at least in the Ugandan context are caught up in the pursuit of agendas that are produced by the priorities of the state and the market, rather than those of the poor themselves (Lister & Nyamugasira, 2003; Hearn 2001). This research, however, also suggests that to a certain extent, gender focused NGOs in Uganda amidst the need for resources, identity and status, carefully and covertly resist the imposition of external agendas. The cause for covert resistance by the NGOs is the search for resources that gets them caught up in contradictory policies and ideological differences between neo-liberal policies that are mainly top-down and the ideologies of participation and empowerment that are bottom-up (Tembo, 2003: 529). Through PRSPs and the promotion of participation among civil society, the state appears to be promoting an agenda focusing on the empowerment of the poor and seems to be mitigating the negative effects of market liberalisation on people's social values. However, the PRSP agenda is based on a 'revised neo liberal position' that promotes a specifically top down form of participation and empowerment that "barely challenge the significance of power in shaping social relations. The underlying objective is to create opportunities for market penetration" (ibid.). The identification of NGOs with the poor and with gender equality implies an agenda that "seeks radically to challenge the structural relationship between the state and the market"; yet in reality NGOs are "operating in the shadows of the neo-liberal agenda", an agenda fostered by the donors (ibid.).

The promoters of the neo-liberal project have ignored the conflicting agendas set up by the contrast between economic goals of neo-liberalism and the more emancipatory goals of the good governance and gender equality discourses. This ideological difference can be illustrated by the question of whether state-civil society relations are broadly complementary or adversarial (Power, 2003). On the whole, neo-liberalism does not see NGOs as advocates but rather as providers of services or as social safety net providers, which reduce the effects of structural adjustment policies on the poor (Edwards, 2002). Alternatively, NGOs may be viewed as barometers of the public mood, engaging with a range of interest groups through the advocacy process. While the service delivery role may be easy to undertake, the role of measuring public attitudes has proved to be quite difficult. This seems especially so in the Ugandan context, where the public has experienced not only dictatorial leaderships and civil war, but also the calamities of HIV/AIDS and other social and economic problems for a very long time. Populations facing perpetual crisis in this way develop resistance to immediate responses, and display distrust and resilience of purpose due to the difficulties that they have previously experienced. This makes the task of gauging or measuring attitudes of the public towards government policies and NGO advocacy agendas very difficult, perhaps impossible. Quiet resistance is almost a social norm, and historically silence is a strategy for dealing with conflict. The result can be that low-level conflicts are avoided rather than resolved. There is a lack of meaningful dialogue, and advocacy becomes a difficult exploit to manage. Peaceful engagement needs to be nurtured and socially sanctioned in Uganda as a mechanism of conflict resolution before the ideology of a constructive engagement by civil society in the wider policy-making process can become accepted. Simply enabling NGOs to have access to the corridors of policy-making is not a solution; the problem lies deeper than that.

Rather than building up an autonomous and vibrant 'civil society', neo-liberal economic policies have included NGOs in a purely complementary role to government, entrenching a legacy of mistrust and 'disguised autocratic' governance. Existing structures are propped up with resources. In turn, such governments make public claims to be working in close collaboration with 'civil society', mainly in the shape of NGOs. Because NGOs need resources, and are insecure in terms of their

identities and status, they are led to sacrifice their legitimacy among their local, community-based constituencies (Pearce, 2000). As Tembo has stated, unless NGOs: “understand these image-conflicts and the ways in which they are managed and negotiated with the state” (Tembo, 2003: 529), gender-based advocacy will not be able to move beyond being a rhetorical device that keeps everybody busy. In the context of the increasing emphasis on ‘integration’ into north-south alliances and linkages, local NGOs can experience some of the intensified competition that has also affected the nations of the south in the past two decades. In the context of Uganda, gender-focused NGOs engaged in advocacy work, if not aware of their responsibilities, can end by “...providing legitimacy and economic clout to ruling elites” because like all other institutions, they have become instruments of the “new mode of economic hegemony” (Kothari, 1998: 188).

7. 10 Conclusion

The above analysis shows that social relations in the advocacy field, as in other forms of development work, are about power relationships, which are not constant but rather subject to change depending on circumstances (Kabeer, 1999). The major focus of this research was on the role of subjective perceptions in forming the agendas of various actors, with a particular focus on NGOs engaging with gender issues. For such organisations, it was clear that the elaboration of advocacy agendas and the use of development discourses are used as mechanisms to achieve their interests, individually and collectively. This does not mean that such discourses are emptied of content; indeed Chapter 5 shows how determined gender-focused NGOs were in their refusal to be side tracked from the co-ownership agenda. Gender equality discourses have shaped the identities of such NGOs, individually and in their coalitions. Being seen as defenders of the strategic gender interests of women and therefore of land co-ownerships and fair family laws, is vital to such NGOs, because this is what enables them to maintain their identity, their status in relation to other actors in the field, and ultimately their access to resources.

The question of how to connect agency and structures has recurred throughout this study. It has emerged that in various ways, the actors involved in the field of gender-related advocacy in Uganda exercise their agency through the ways in which they manage their relationships with other actors. Compromise, compliance, covert exit

and other forms of interaction are used to the extent that they are perceived to protect NGOs' interests. While larger donors mainly use their resources to follow their own agendas and thus express their agency, government and gender focused NGOs primarily use their identity and status to exercise their agency. This appears to place large donors in an objectively advantageous position of dominance, it is not always the case. Because donors need NGOs, within the present context, almost as much as the other way round, NGOs have some distinctive comparative advantages in comparison to government and even donors themselves. When NGOs exercise their agency, this research has shown that they largely do so through adopting "...multi-image characteristics in their action with the state, the market and those that they are assisting" (Tembo, 2003: 529).

Chapter 8

Conclusions to the Study

In this chapter, we consider the key conclusions to the study, which are made on the basis of my own understanding of the research findings. The central research questions were set down in Chapter 1 and were as follows:

1. How do NGOs involved in gender-related advocacy processes in Uganda define, promote and defend their interests?
2. How do NGOs' relations with other actors, namely government, donors and the grassroots, shape the gender advocacy work of NGOs in the Ugandan context?
3. What forms of agency can NGOs involved in gender advocacy exercise in this overall context; what structural constraints do they face in their advocacy work?

These questions have structured the study throughout, and the conclusions drawn therefore mainly focus on the agency and relationships of NGOs among themselves and with other actors in their advocacy work.

In a broad historical context, this study has found that NGO relationships with donors (especially larger donors) by and large represent a reworking of colonial relations of control and domination. These relations are mixed with paternalistic or parental ties, mainly undertaken by the smaller donors. As with colonial relations, the elite cooperate with donors because they like the financial rewards that accrue from these relations; elites also resist donors, government and compete among themselves because they resent the loss of their identity and status that such relations – whether in dominant or paternalistic forms - imply (Bratton, 1989).

In economic terms, this research has shown that the relations between various actors involved in advocacy resemble a virtual market (Harris, Hunter & Lewis, 1997). In this market, the regulation of the market seems to operate at two levels. One is the 'higher' level of the World Bank and IMF, which provides the overall framework for the virtual market through their neo-liberal policies. The virtual market can also be seen to operate at the level of government, which provides the mechanisms for the realisation of neo-liberal policies, for example through making land marketable

through the Land Act. The framework set by these institutions not only affects the relationships nurtured among the various actors but also the nature of advocacy itself.

Connected to this economic analogy of the market, another conclusion of this study is that small donors act as agents of the market, both knowingly and unknowingly. International NGOs (INGOs) facilitate the effective functioning of the gender focused NGOs (who act as sellers) in the market by strengthening the bargaining power of the latter for fair prices in relation to government policies. INGOs thus reduce transaction and information costs for local NGOs through capacity building and information sharing, which promote participation in the virtual Development market. Again INGOs reduce the costs of big donors by providing them with information on the likely implication of macro policies for people in poor countries, and in Uganda in this case (Tembo, 2003; Edwards, 2002). The complexity of these chains of relations can lead to greater uniformity in thinking. This is because of the mix of competition and convergence that was explored in details in Chapter 5 and 6 of the thesis. The overall effect is generally to reduce transaction costs for all actors involved in advocacy at the expense of the poor women and men at the grassroots level. Transaction costs are usually highest when opinions on a particular subject are widely divergent (Mathew, 1996: 913).

The findings of this research also show that in analysing gender advocacy in Uganda, it is not so much the meaning of development that matters as the extent to which development (however defined) can facilitate the various actors in seeking to maximise their opportunities for identity, status and access to resources. In their relations with each other, various parties use the mechanisms, processes and institutions of Development - in this case the gender advocacy agendas - to nurture relationships which are a form of social capital. The web formed by these relationships is considered strategically and tactically important in the achievement of NGOs' interests.

It can thus be argued that the failure of development discourses may need to be traced to the nature of relationships between the various actors and the implication of these relationships for the discourses rather than in continued technical analysis of the problem, and resultant technical solutions. Unfortunately the 'technical fix' approach,

which does not seem to work very effectively, remains dominant. This study has drawn attention to the critical importance of power relations among actors, and the mechanisms of virtual markets operating in development advocacy. These kinds of qualitative relations have largely been ignored in the continuing focus on technical solutions to development problems (Abrahamsen, 2000; Abrahamsen 2003; Escobar, 2002).

Through seeking to: “refine and revise its theories and strategies” the development industry constantly attempts to: “‘finally’ resolve the problems of underdevelopment” (Abrahamsen 2000: p. ix). However, what has been argued in this thesis is that most of the focus of NGOs over the past 50 years or so has been to find various different technical solutions to problems of poverty and gender injustice. The findings of the study also suggest that the solution may not lie in better techniques of development policy or aid. Instead, what matters more is understanding relational problems between various actors in development programmes. Even the most sophisticated or adapted instruments of Development including development theories, discourses and strategic frameworks are not able to resolve relational problems on their own.

In terms of outcomes, the research leads us to argue that the political and economic dimensions of actors’ strategies in development need to become an open secret.⁹⁷ In other words, the complexity of real relationships needs to be clearly articulated rather than kept hidden indefinitely. At present, the interests (in terms of resources, identity and status) of each set of actors or each individual remains largely a private affair, or an informal matter. Because so many interests remain hidden, behind the curtain, so to speak, little has been learned from previous experience in advocacy work in Uganda in the gender field. This is how the endless replications of similar discourses can go on for decade after decade, and is likely to continue in the future. Only by learning from real, lived experiences on the ground, for example in such a field as advocacy, can there be any prospect of overcoming underdevelopment. Global poverty poses as great or even greater a threat today as it did at the time of Truman’s

⁹⁷ This term is borrowed from a book entitled making AIDS an open secret by Kaleeba, N., Kadowe, J., Kalinaki, D. & Williams, G. (2000). *Open Secret: People Facing up to HIV/AIDS in Uganda*. Oxford: Strategies for Hope

statement of 1949. Comparing what he said with a statement in the Commission for Africa report of 2005 is revealing:

More than half the people of the World live in conditions approaching misery. Their food is inadequate. They are victims of disease. Their economic life is primitive and stagnant. Their poverty is a handicap and a threat both to them and more prosperous areas (Truman 1949).

Africa has become increasingly uncompetitive as a result of its weaknesses in governance and infrastructure, low capacity in science and technology and lack of innovation and diversification from primary products. Catching up has become more difficult. Barring significant and swift progress, the marginalisation of Africa will become an ever greater problem to overcome and an ever-great threat to global stability (Commission for Africa, 2005: 78).

Development Relations between the north and south by and large remain the same. On the one hand northern relations are still exemplified by dominance, patronage, with new points of emphasis on good governance and building civil society. But the discourse of filling the southern empty vessel remains constant throughout. The increasing dependency on the north is combined with elements of resistance and collaboration in the hope that salvation from poverty is near and that some benefits may result. Security – and threats to security – remain central priorities now as they were in the 1950s. The much-stated and overwhelming concern with overcoming poverty remains misleading and can engender widespread – and growing – disaffection and mistrust of Northern intentions. Learning from the past in order to make more effective policies today could prove a more constructive approach. This thesis hopes to contribute in some small way to that wider process.

The research shows that the ‘development game’ will continue to become more and more complicated as actors at all levels in the South become more strategic in their interactions with Northern agencies. Unless hidden interests are acknowledged, and mechanisms devised to manage these interests in a more constructive way, the ‘wheels within wheels’ will continue to add to the layers of complexity that this thesis has tried to describe and analyse.

As the research has shown in some detail, motives and actions are not mutually exclusive; actions can also lead to unintended outcomes (Giddens, 1993). It is evident that there will be unintended effects as a result of the complex interactions and inter-relations of the various actors involved, for example, in the gender advocacy field.

What the research has uncovered are the ways in which one unintended effect of the advocacy of NGOs has if anything been the further entrenchment of patriarchal relations in Uganda. This is surprising in view of the consensus among gender focused NGOs that they seek to overcome patriarchy through the work they do. However such NGOs find themselves enmeshed in patriarchal relations, and due to their need to survive from a status, identity and resource point of view, can ultimately become compliant, failing to challenge patriarchal relations (Kabeer, 1999). As already noted, NGO gender advocacy seems to be entrenching rather than breaking patriarchy in Uganda.

NGOs might be expected to engage with government in order to enhance their identity and status as representatives of grassroots women and men, boys and girls and ultimately to change the policies themselves. Instead, because of processes of cooption, compliance and integration into the policy processes, often NGOs end up not achieving their advocacy goals. Instead NGOs are caught in a dilemma where, since they have increasingly been identified as tools of imperialist ideas and elitists, seeking self-aggrandisement, they continually feel the need to prove themselves 'loyal'. This was shown by the analysis in Chapters 5, 6 and 7 in particular. While NGOs may have wanted to be seen as at the forefront of civil society in Uganda, confronting state hegemony, or as active participants in the policy-making process, they have instead often become the grateful invited guests of both the state and donors (Lister & Nyamugasira, 2003; Power, 2003; Edwards, 2002). Their terms of engagement can all too easily come to be determined by forces that are beyond their control, individually or collectively. Whether NGOs have actually influenced the policies let alone the policy-making process is a question that cannot be answered with a yes or no response, but it is certainly a problem raised by this research.

Whilst larger donors mainly use their resources to follow their own agendas and thus express their agency, government and gender focused NGOs primarily use their identity and status to exercise their agency. NGO agenda-setting in relation to gender advocacy appears to duplicate wider processes of agenda setting in global and national development policies. This is because gender-focused NGOs tend to set their advocacy agendas on the basis of identities that arise out of the negotiated outcome of interaction with both donors and government (rather than the people at the grassroots).

This study suggests that agendas are set responsively, especially in relation to donors' priorities. Government influences too are significant in setting NGOs' agendas, including in their gender advocacy work. Government's ways of fostering non-decision making among NGOs were analysed in detail in different ways in Chapters 5, 6 and 7. Government does this by keeping NGOs busy, and keeping them in the 'loop of consultation' as part of civil society, visible but not seriously threatening to its image of good governance in the country.

Rather than being driven by academic theories, development practices, for example in advocacy, are being driven by powerful actors who seek to entrench their interests in the development process. As well as being an academic discipline, development studies is also a contested discourse which changes depending on the political and economic interests of the 'powerful' and less powerful actors (Hettne, 1995). If academic analysis is to have any hope of making meaningful recommendations for lasting solutions, then it must engage with these complex realities. This too, the present study has tried to do.

Overall, then, it has emerged that gender focused NGOs strategically adapt and nurture relations among themselves and with other actors on the basis of their interpretation of how such relationships affect their institutional interests. This has been shown through the different examples and levels included in the study. For example, NGOs have been found to strategically nurture relationships that foster non-decision making within their networks. In this way NGOs are exercising what control they have over the network, by protecting their own individual institutional interests, preventing the network from overshadowing them as actors (Lukes, 1974). Wherever possible, the NGOs that form part of the network will neither want to confront nor exit from the network; they will seek joint advocacy activities and cooperate with the network only where this clearly serves to further their own institutional interests (Hirschman, 1970).

NGOs seek to maximise their interests in their relations with the state and donors. There are times when this does not work. In specific cases like the Land Act, in late 1998 NGOs suddenly started to openly question the priority of market principles over social principles in the legislation. The technical expertise of DFID and the Ministry

of Gender were called into question by NGOs. This radical stepping-up of advocacy was exceptional. Confrontational relations like these are resorted to only as a last resort. In other words, NGOs take into account the likely transaction costs in the pursuit of their interests, and the costs of confronting donors and government are usually calculated to be fairly high compared with the rewards. Interestingly, the very rarity of these occasions when NGOs strategically use their latent voice to express their concerns and criticisms, means that outcomes in terms of attention and rewards can be positive and substantial.

Lastly, the study has shown that it is difficult to achieve a feminist agenda in a context of scarce resources and where political consensus among actors has come to be seen as the norm (Hearn, 2001). The key actors in the promotion and protection of the gender interests of the grassroots are pre-occupied with securing and protecting their own interests amidst an imperfect market. Economic but also political and social calculations are important aspects of reducing transaction costs for the main actors involved, including gender-focused NGOs. Individual actors within the institutions at least for the case of NGOs are understandably cautious about the implication of their actions not only for the identity and status of their institutions but also for their personal identities. In other words, a critical understanding of gender advocacy in the Ugandan context needs to go beyond formal development discourses to the institutional and individual processes of negotiation and the protection of a set of interests within a complex web of relationships in the 'Development market'.

Appendix One: Additional Conceptual Understanding of Civil Society

Civil society as a historical moment: Civil society is perceived to have existed in particular societies, mainly western societies at one point of time in the historical past.

Civil society is not an abstract space of free relationships between individuals and groups, not directly controlled by a centralised power, but the specific product of historical and a historical and cultural conditions, which result from both social and political practices and traditions (Castiglione, 1994, 82-3)...the creation of atomized liberal individual, is rare outside of Western states (Van Rooy, 1998:21)

Civil society in this case is implied to exist only within particular systems mainly A capitalist systems that depends on “the division of labour, on inequality, on the perceived division between the political and economic” and (Van Rooy, 1998:22). The critical conditions necessary for the realization of civil society include,

...the stabilization of a system of rights, constituting human beings as individuals, both as citizens in relations to the state and as legal persons in the economy and sphere of free association (Blaney and Pasha, 1993: 4)

The absence of such conditions in a particular society as is the case in so many African countries means the absence of civil society. It is no wonder that processes to create and strengthen civil society in Africa are many. At times this is a funding condition by bilateral and multilateral donors. This raises a number of questions: When, how, and who can create civil society? Can civil society stop being civil? It is hence evident that linking civil society to a particular context and moment of time ignores the complexity and diversity of human associational and individual behaviour. This complexity makes it difficult to subject human beings to certain conditions so as to achieve a desired condition, in this case civil society.

Civil society as value and norm: Civil society is perceived as a morally good society that we desire or aspire to live in. In this case, we can define civil society:

...not as synonymous with the adoption of particular rules of the political game but as those behaviours by which different cultures define the rules of the game (Harbeson, 1994b: 299)

In this case, civil society takes on the role of regulating behaviour and is closely linked to the characteristics of social capital, “the strength of family responsibilities,

community volunteerism, selflessness, public or civic spirit” (Van Rooy, 1998:13). Linking civil society to behavioural patterns has made it a contested and relative concept because it is difficult to agree across cultures and nations over what is morally good and what is not.

Civil Society as Anti-Hegemony: Civil society can also be perceived as the opposite to modern liberalism. Civil society can refer to social and political processes of organizations or movements formally or informally formed to either resist or reform dominant ideologies that seem to favor an existing status quo without consideration of its implications. The pre-occupation of civil society then is to provide alternative ideologies to the dominant ideologies. The alternative ideologies could include gender equality, environmental protection and sustainable development, anti-imperialism, anti-globalisation among others (Kothari, 1996; Van Rooy, 1998). The presence of civil society does not necessarily mean the absence or presence of capitalism, what is clear though is that neo-liberalism has witnessed a resurgence of civil society partly because:

For donors, the implication of this link between oppression and the development of certain types of civil society is the realization that their interventions may be utterly unwanted—a symptom of the perceived cultural dominance by Western ideas (Van Rooy, 1998: 24).

Civil society as an Antidote to the state: Civil society has finally been conceived as a countervailing power to state power. Through its influence, civil society may conflict, cooperate with, or reform the state. That is to say the actions of civil society in its relations with the state are likely to refine the actions and improve the efficiency of the state (Allen 1997; Van Rooy 1998; Whaites 2000). This view has seen NGOs as part of civil society especially in late 1990s in which neo-liberal ideologies amidst the then inherent failure of governments, become subcontractors of the state as service providers and watchdogs through advocacy to influence government policy and ensure accountability (Whaites 2000; Hearn 2001; Pearce 2000; Marcus 2003; Fowler 2000). Civil society organisations are more accepted as representatives of the populace than governments, though not necessarily more powerful. Their acceptance raises critical issues:

Advocacy groups can claim to speak in the name of civil society only if it can be argued that civil society is misrepresented by existing political institutions. The legitimacy of civil society groups is therefore dependent upon the existence of a deficit in democracy, a gap between actual democratic practices and some democratic ideal (Amalric, 1996: 7).

In other words, there are situations in which civil society may seek to cooperate, antagonise or reform the state in the notion of democracy and neo-liberalism. “We are apparently interested in civil society in large because it is placed as the antithesis to the state, even as the state gives it room to function” (Van Rooy, 1998: 24). Civil society is conceived of as a tool for balancing power between the state and the people (Whaites 2000). This means that the absence of civil society may mean the absence of democracy in a state and its presence means the existence of a democratic state. Civil society then becomes closely linked to the state and democracy.

The existence and viability of civil society varies directly with distance (or absence) of state power...Historically conceived, civil society is as much a creature of the state, as it is of society” (Chamberlain, 1993: 204)

Civil society at least in its links with development discourses is closely linked to western ideologies and interests of the 18th century and its meaning has evolved with the changes in these ideologies and interests. Development discourses are “rooted in the rise of the west, in the history of capitalism, in modernity, and the globalisation of western state institutions disciplines, cultures and mechanisms of exploitation” (Crush 1995:11). Civil society has been used as a tool in the modernization project of the south by the western societies. Changes in the ideologies and interests of western countries in the modernization project (Development) furthered by aid conditionalities have directly affected the conceptual understanding of civil society within the development discourse (Whaites 2000; Fowler 2000). The current argument is that “civil society as a buffer against the state the latter must be capable of performing the...role of acting as a buffer against competing social groups” (Whaites 2000: 132). However the influence of the west on civil society in Africa should not be over emphasised because development discourses have also changed due the influence of southern social movements and social actors (Escobar 1995).

Appendix two

Case Study one

My name is Agote Mary. I am 30 years old. I am a wife of Akia Akospheri. We stay in Angodi village, Kachango Parish, Gogonya sub-county. I got married when I was 16 years old. My husband is a shopkeeper and I am a housewife. He paid 5 heads of cattle when he was going to marry me. We had been peaceful until my husband decided to bring another wife whom he cohabited with from 1996. He used to stay with the woman in town for one year during which time, he gave me no assistance. He lost his job and came back to the village in May 1999. He moved with the new wife into the house where I stayed and had been in-charge of constructing using money he used to send. There arose some misunderstandings between me and the co-wife. My husband stayed with the other wife and hardly gave me any assistance for example; I had to use one piece of soap for two weeks. My co-wife brought herbs and placed them in my suitcase and then she told my husband to check it. She accused me of trying to bewitch him. I tried to defend myself but he wouldn't listen. He believed my co-wife's story and he beat me until I bled. I had to be hospitalised. He only paid the medical bill after he was forced to do so by the sub-county probation officer. After that incident he chased me out of the home. He wants my father to pay back the five heads of cattle so that he can marry the new wife. We bought land together. I contributed by digging on other peoples land for money, but now since he has chased me away, I cannot get anything. He also refused me to go with my children and every time they come to see me he beats them. I have reported him to the District Probation Officer, but he has done nothing because my husband and him are former schoolmates.

Source of Case Study: Asimwe & Nyakoojo (2001: 20.).

Appendix three

A Chronological Account of the work done towards the enacting of the Domestic Relations Bill into Law

1953 – 2005 = 52 Years

ORGANISATION	PERIOD	ACTIVITY	WHO PARTICIPATED
<p>Uganda Council Of Women(UCW) YWCA, The National Council of Catholic Action, The Mother's Union, Widows League Young Wives Movement The Native Anglican Church, African Muslim Women Indian Women's Association Uganda Association of - University Women</p>	<p>1953-1960s</p>	<ul style="list-style-type: none"> • In 1953 UCW resolved to pressure government to make the registration of marriages including customary marriages obligatory • In 1956, Young Wives Movement within the Mothers Union launched a grassroots movement to reform family law • In 1956, Acholi UCW women protested against marriage and inheritance customs to the governor. • In 1958 A Widow's League (mainly by members of the Mother's Union) 	<p>Women from different parts of Uganda</p>

		<p>protested against the treatment of widows by clan heads. They wrote a memorandum to the Katikiro to protest against abuse of widows and denial of rights to property and homes after the death of their husbands.</p> <ul style="list-style-type: none"> • Publication on the status of women in relation to marriage laws(1960) • Women pressured Bukendi district to make a bye law to regulate bride price • Conference held in 1960 in which it was recommended to the Attorney General that government reviews family and inheritance laws • In 1960 the UCW status of Asian Women Committee and Indian Association of Women publicized the plight of Indian women and lobbied for a new legislation on Hindu marriages
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<p>UWONET/Akina Mama Wa Afrika – DRB coalition</p>	<p>1999-JUNE 2000</p>	<ul style="list-style-type: none"> • Formation of DRB coalition-July 1999 • Coalition members’ meetings • Meeting with Minister of Constitutional Affairs • Meeting with Speaker of Parliament • Meeting with Chairperson Law Reform Commission • Meeting with Director Gender Ministry • Meeting with Chairperson Law reform Commission • Meeting with religious leaders of Moslem, Christian and Bahai Faith. • Review of Socio-cultural and gender environment • DRB coalition strategy(2001-2004) 	<p>Coalition members and target persons Socio-Cultural and gender environment review done in the districts of Kabarole, Kapchorwa, and Kampala</p>
<p>ACFODE, FIDA, UWONET</p>	<p>1999-2000</p>	<p>Held Public dialogues on the DRB</p>	<p>General public but mainly urban middle class.</p>
<p>ACFODE</p>	<p>1999-2005</p>	<p>Research on marriage and divorce</p>	<p>Mainly grassroots men and</p>

		<p>Mainstreaming of DRB into ACFODE community sensitization and awareness workshops</p> <p>Media campaigns on the DRB(Arise Magazine, Radio and talk shows)</p> <p>Publication of simplified versions of the DRB</p> <p>Held demonstrations in the districts of Kiboga and Tororo to pressure government to enact the DRB into law</p> <p>Special focus on sexual harassment</p>	women in the districts of Kiboga, Pallisa, Rukungiri, Kampala, Tororo, Nebbi, Masaka, Kisoro, Bushenyi, Nebbi
UMWA/UWONET	1999-2000	Production of articles in print media on the DRB	Mainly the urban population
NAWOU	2002-2003	Music, Dance and drama competitions	Katakwi, Pallisa, Kapchorwa, Mubende, Masaka, Kalangala, Kabarole, Hoima, Kanungu and Moyo.
UWONET/DRB coalition	2001-2005	<ul style="list-style-type: none"> Meeting with Uganda Women Parliamentarians and DRB coalition members 	Coalition members Women parliamentarians. UWONET Secretariat

	<ul style="list-style-type: none"> • Media campaigns including Radio and TV talk shows and use of print media to ascertain readership • Public dialogues • Members Workshop • Meetings with Women Members of Parliament. • In collaboration with ActionAid undertook a research linking the DRB to the Poverty eradication Action Plan • Development of DRB position paper- March 2004 • Validation of position paper –August 2004 • Meeting with Anglican Archbishops • Research on the relationship between Domestic Relations and the Poverty Eradication Action Plan(PEAP) • Distribution of Coalition materials to 	<p>Historical members of the Women's Movement such as Dr. Sarah Ntiro</p> <p>DRB coalition members</p>
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ActionAid Uganda	2001-2005	<p>MPs</p> <ul style="list-style-type: none"> • Workshop targeting members of parliament • Workshops targeting media practitioners, • Provision of a media kit on the DRB to media practitioners • Demonstration in Kampala on 4th, May 2005 	
		<ul style="list-style-type: none"> ▪ Support to NAWOU to implement a grassroots project on the DRB. ▪ Survey on DRB in Lango ▪ Staff DRB awareness raising ▪ Collection of people's views on Constitutional family rights in collaboration with the Ministry of Gender ▪ Documentation on property rights especially Land rights in the districts of 	<p>See information from NAWOU</p> <p>Apac and Lira districts</p> <p>AA field staff</p> <p>Kapchorwa, Kampala, Apac, Bundibugyo, Kalangala, Katakwi, Kumi, Masindi, Mubende, Nebbi, Palisa, Kapchorwa</p>

		Kapchorwa and Palisa		<ul style="list-style-type: none"> ▪ Support to UWONET to undertake a research on the relationship between the DRB and PEAP 	
Mpigi Women's Development Network	2002			<ul style="list-style-type: none"> • Sensitized the community on the DRB 	Grassroots women and men in Mpigi district
Mifumi Project	2002-2003			<ul style="list-style-type: none"> • Advocacy to pressure Tororo district to hold a referendum on bride price 	Men and women of Tororo district.
Federation of Uganda Women Lawyers-FIDA (U)	1997-2004			<ul style="list-style-type: none"> • Research on the Marriage, divorce and separation laws. • Strategic litigation on family relations • Submission of views and survey findings to relevant government bodies such as legislators and the Uganda Law Reform commission • Networking with other members on the DRB • Lobbying policy makers to enact the DRB into law 	Districts of Kampala, Mbale, Kapchorwa, Mbarara, Arua, Parliamentarians and FIDA members

		<ul style="list-style-type: none"> • Sensitization and Legal education on the DRB • Media campaigns on DRB • Drafting concept papers and position papers on the DRB 		
WOTODEV	2002	<ul style="list-style-type: none"> • Public dialogue on the DRB 	Kampala Women Councilors	
Law Uganda	2002-2004	<ul style="list-style-type: none"> • Held Consultative workshops on the DRB • DRB publications(10,000 copies of the media kit and 5000 posters depicting key issues in the DRB 	Members of Parliament Journalists and general public	
Isis-WICCE and Tele Media	2003-2004	<ul style="list-style-type: none"> • DRB video documentary(39 minutes) entitled "Becoming one: Revitalising the Family" 	General public	
FOWODE	2003-2005	<ul style="list-style-type: none"> • DRB play • Collected 600 signatures to petition Parliament to have the DRB enacted into law • Mainstreaming of the DRB provisions 	General Public (the play was shown twice at the national theatre) It was also recorded on a video.	

			into FOWODE training programmes.	
UWOPA	2003-2004		DRB stakeholders workshop NB: Kasese, Kamwenge and Kaberamaido reports available at UWOPA offices	Members of Parliament
FIDA/NGO Forum	2002		<ul style="list-style-type: none"> • Round-table Discussion on the DRB 	Members of Parliament, religious leaders, academicians and civil society
Uganda National Joint Christian Council(UJCC)	2003		<ul style="list-style-type: none"> • 2 seminars at Namirembe Resource Center in 2003 • Breakfast meeting with MPs to discuss the about the bill. • Think tank meeting with different church leaders. 	Christians
Uganda Network for law and Ethics on HIV/AIDS(UGANET)	2003		<ul style="list-style-type: none"> • Undertook a research on the DRB 	
Uganda Land Alliance	1998-2005		<ul style="list-style-type: none"> • In collaboration with ActionAid undertook a research on women's views on family property rights with 	Districts of Pallisa , Kapchorwa and Kibale

		<p>special focus on land</p> <ul style="list-style-type: none"> • Legal education on the DRB mainly in the districts of Kibale, Kapchorwa, and Kampala 	
The British Protectorate Government of Uganda	1955	<ul style="list-style-type: none"> ➤ The District Administration Ordinance gave the district Councils the right to pass bylaws regulating matters of marriage and divorce 	
	1961	<ul style="list-style-type: none"> ➤ The Hindu Marriage and Divorce Act was enacted 	
	1960s	<ul style="list-style-type: none"> ➤ Bukedi district enacted a bye law to regulate bride price 	
Government of the Republic of Uganda	1963	<ul style="list-style-type: none"> ➤ A commission on Marriage Divorce under the leadership of W.W. Kalema and the status of Women with an out put of a succession Act 	

	1972	<p>➤ Idi Amin issued Decree No. 22 as an amendment to the statutory Succession Act, which allowed for the wife and children to receive a large enough portion of the deceased husband's estate to be able to maintain themselves</p>	
	1990-1991	<p>➤ Ministry of Gender Labour and Social Development undertook a research on Marriage</p>	A representative sample of the grassroots men and women - Gulu, Kabarole, Kamuli,
	1995	<p>➤ Ministry of Justice-Law Reform Commission undertook a study on the DRB in ten selected districts of Gulu, Kabarole, Kamuli, Kapchorwa, Kasese Kayunga, Mukono, Kisoro, Lira, Masaka and Mbale.</p> <p>➤ The Ministry undertook a study on</p>	<p>Kapchorwa, Kasese Kayunga, Mukono, Kisoro, Lira, Masaka and Mbale.</p> <p>A representative sample of the grassroots men and women - Kampala, Lurero, Bombo and Iganga</p>

		<p>Sharia law to establish the Islamic religious beliefs and practices regarding marriage in the districts of Kampala, Lurero, Bombo and Iganga.</p> <p>➤ The Ministry also undertook a study on customary law with the purpose of establishing the various customary practices and beliefs, and on the Ntugamo, Soroti, Mpigi and Nebbi.</p> <p>➤ Ministry of Justice introduced DRB bill to parliament and was withdrawn on the request of the President due to suspicions over its contents. It was felt that they were foreign and elitist. The Ministry was requested to carry out more consultations with Religious leaders</p>	<p>A representative sample of the grassroots- Ntugamo, Soroti, Mpigi and Nebbi.</p> <p>A representative sample of the grassroots women and men- Kapchorwa, Kampala, Apac,</p>
	1999(Dec)		

	<p>2002</p> <p>➤ In collaboration with Civil Society and support from ActionAid, the Ministry of Gender, Labour, Culture and Social Development undertook a Constitutional review consultation process including views on family and property rights(Kapchorwa, Kampala, Apac, Bundibugyo, Kalangala, Katakwi, Kumi, Masindi, Mubende, Nebbi, Palisa, Kapchorwa)</p>	<p>Bundibugyo, Kalangala, Katakwi, Kumi, Masindi, Mubende, Nebbi, Palisa, Kapchorwa)</p>
	<p>2003</p> <p>➤ Abolition of bride price through a referendum in Tororo district.</p> <p>➤ The bill was tabled in Parliament for enactment into law. It was sent to the Legal and Parliamentary committee for discussion</p>	
	<p>2005(March to date)</p> <p>➤ Legal and Parliamentary committee provides report (March and April for</p>	

		<p>first and second reading). May 2005, Law reform Commission was requested to consult the various stakeholders (especially UJCC and the Muslims for a harmonised position). On 16th June, the debate was postponed debated on 15th, August 2005. The reason given by the Minister of Justice for the postponement is the breakdown in the communication with the religious groups and limited consultation with rural women.</p>	
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Mat Interview, 27th, July 2003

Interview Lez, 31st, July 2003

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Rice Interview, 28th, August 2003

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Interview District Officer, 9th, October, 2003

Interview District Officer 1, 10th, October 2003

OC interview, 24th, September 2003

Field Notes, 13th, June 2003

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