

Towards Multiparty System in Uganda: The Effect on Female Representation in Politics

Kari Nordstoga Hanssen

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1. Introduction

Scholars, politicians and women activists today share a concern for the limited representation of women in different political bodies. This was also one of the main issues raised during the 1985 UN conference in Nairobi, where it was stated that governments should effectively secure participation of women in the decision-making processes at the national level, as well as at the local level, through legislative and administrative measures. Statistics comparing female representation in sub-Saharan African legislatures suggest that a small group of countries in Sub-Sahara Africa contribute to the relatively high female representation (Table 1). Uganda is one of these. With 24% women in parliament, Uganda is not far behind the countries with highest female representation, like Rwanda (49% women) Mozambique (35% women) and South Africa (33 % women). Uganda's high level of female representation in parliament is linked to the fact that in addition to the 214 county MPs, each of the 56 districts in Uganda elects one District Woman Representative to Parliament through separate women's elections.

The separate elections for women have contributed to Ugandan women's strength in Parliament, an on-going gender-equality debate and a constitution containing articles directly affecting women. However, these developments have taken place within the Movement system, where political party organisations have been prohibited and where all members of Parliament have been elected on merit. After the July 2005 referendum¹, Uganda is now set to return to a multiparty system of government in the Presidential and Parliamentary elections scheduled for March 2006. This transition to multiparty politics raises a number of questions with regard to the political power of Ugandan women. In this context, it is necessary to carefully consider both the positive and negative aspects of the current model and ask to what extent the new multiparty political dispensation may affect Uganda's gender equality debate. In the current political system, women have been elected to parliament and have raised matters important for women. However, as this paper will argue, the mode of electing women to parliament, and the interpretation of the reserved seats, has also meant that women representatives have found it difficult to challenge the government in controversial matters². It will here be argued that the separate women's elections have been used by the NRM government to increase support in Parliament, and among women in general. The gender-equality debate is therefore influenced by the women's closeness to the current regime: In return for reserved seats in Parliament, women elected to Parliament are expected to be loyal towards the NRM-government. These tendencies are emphasised by way most women are elected to Parliament; through electoral colleges consisting mostly of local politicians supporting the incumbent regime. As no political party in the opposition so far have placed issues important for women on the

¹ On 28th July 2005, Uganda held a referendum for the purpose of changing the political system. The referendum question posed to the Ugandan voters was: "*Do you agree to open up the political space to allow those willing to join other political parties/organizations to do so to compete for political power?*" The options presented the voters were "Yes" and "No". The "Yes" vote emerged victorious in all the 56 districts of the country. After the exercise, the "yes" side was declared the winner with 92.5% of the votes. The "no" side received 7.5% of the vote.

² This article is based on my master thesis "Can you really fail to support the one who feeds you? An analysis of female representation in the Parliament of Uganda". The thesis was submitted in November 2003, in partial fulfilment of the cand.polit degree, University of Bergen, Norway. The data is collected from interviews with 20 (total of 74) female parliamentarians' summer 2002, newspaper reports and secondary sources. I interviewed district female parliamentarians, as well as directly elected women. The selection of key informants was targeted at women representative from the northern part of the country due to the predominance of MPs critical to NRM from this part of Uganda. The second group of targeted key informants was women MPs from the western part of the country, as MPs from this area were known to be strong supporters of the Government.

political agenda, it is possible that the gender-equality debate may be weakened in the new multi-party system.

The paper is divided into five parts. Following the introduction, the second part discusses the positive effects of having separate elections for women, emphasising that after the NRM came to power, a number of gender sensitive issues have been put on the agenda. In the third section, the discussion focuses on the way women are elected to parliament and the relationship between female representatives, electoral colleges and the NRM government. The fourth section confronts the question of women as representatives of political parties and the gender perspectives of the political parties in the opposition. The fifth and final section summarises the discussion and asks: Is the gender – equality debate in Uganda dependent on the no-party movement political system?

Table 1. Sub-Saharan countries with highest female parliamentary representation in Sub-Saharan Africa

Country	Elections held	% Women
Rwanda	2003	49%
Mozambique	2004	35%
South Africa	2004	33%
Seychelles	2002	29%
Namibia	2004	27%
Uganda	2001	24%
Eritrea	1994	22%
United Republic of Tanzania	2000	21%
Senegal Burundi	2001	19%
Equatorial Guinea	1993	18%
Angola	2004	18%
Sierra Leone	1992	15%
Guinea Bissau	2004	14%
Malawi	2004	14%
Gambia	2002	13%
Zambia	2001	13%
Niger	2004	12%
Dem. Republic of Congo	2003	12%

Source: www.ipu.org

Women elections in Uganda's no-party system of government

In 1986, the National Resistance Movement (NRM), led by the current president Yoweri Kaguta Museveni, gained power in Uganda and introduced a political system that prohibited the activities of political parties. The NRM introduced a no-party system where candidates were elected on individual merit. Candidates have been allowed to speak freely, and run for election on their own merit, but they have not been able to stand as a member of a political party. The Movement system of government and the suspension of political parties were justified with reference to the country's brutal history after independence. The leadership of NRM claimed that the previous political parties' foundations were built on religious and ethnic foundations, thus exploiting the divisions within society (Ssenkumba, 1998:179). The NRM system created a broad-based and all-inclusive political system which made it possible for women to enter into the political sphere, previously heavily dominated by men.

2. Securing female representation in Uganda

Female representation in Uganda's parliament is to a large extent secured through the separate women's elections. In the current 7th Parliament, most of the women are elected through separate women's elections. The Ugandan way of including women, by having introduced reserved seats, is very much an "add-on" procedure as the women are elected *in addition* to the 214 county MPs who are elected on a 'first-past-the-post' basis (the representative with the majority of votes is elected). Each of the 56 districts in Uganda elects one District Woman Representative to Parliament. Each district consists of an average of three to four counties.

Elections for women can be traced back to the establishment of the National Resistance Council (NRC) in 1989. In this election affirmative action measures for women were introduced, and 34 women were elected to so-called "women's seats". Some women were also elected on the "regular" seats and in total women constituted 17% of the NRC (41 seats) (Tripp, 2000:39, 71). During the 6th Parliament (1996-2001) there were 39 districts in Uganda, accordingly 39 women were elected as female district MPs. When the current 7th Parliament (2001-2006) was elected, Uganda had introduced 17 new districts, securing women with at least 56 seats in Parliament. Women's strong numerical presence in Parliament has had some positive effects in Uganda. First, it has led to one of the most gender sensitive constitutions in the world in the sense that it contains articles directly affecting women in particular. Second, together with the civil society, the women in Parliament have been important in passing legislation important for women.

Women's caucus and a gender sensitive constitution

In 1994, the Constituent Assembly (CA) was elected to draft a new Ugandan Constitution. In the CA, the women elected formed a women's caucus to better enhance the interests of women. Out of 286 delegates, 52 (18%) were women – and most of them participated in the women's caucus³. (Tripp 2000:77). The women's caucus turned out to be effective and the women were able to talk with one voice and raise common objectives, turning the women's caucus into the most coherent caucus (Tripp :2000:77, Women's Landmarks:15). The women's caucus did not take a stand on the debate on the country's political system, since it was non-partisan. It did not establish a relationship with the multiparty caucus called The National Caucus for Democracy (Goetz, 2002:560).

The support the CA delegates got from the women's movement was important, if not decisive, in the process of fighting for the provisions in the Constitution concerning the status and participation of women in Uganda (Oloka-Onyango, 2000:11, Tamale, 1999:117). During the CA, a Gender Information Centre was created which was organised by the National Association of Women's Organisations in Uganda. The information centre soon turned out to be an important meeting place for the electorate, delegates, as well as NGOs focusing on women (Women's Landmarks, 19). The caucus, in co-operation with the women's movement, were effective in implementing Article 31 (on the family), Article 32 (on affirmative action) and Article 33 (on the rights of women) of the Constitution. In contrast to the two previous constitutions, the 1962 Independence Constitution and the 1967 Constitution, the 1995 Constitution has Articles which specifically take women's rights into account. Despite the fact that the Ugandan Constitution acts as a fundament when discussing issues important for women, it needs to be backed up by laws in order to secure women rights in every-day life. The tactic that has been used by the women's caucus, right from the CA to the present, is to lobby and get the support from gender-sensitive male members of Parliament. In controversial issues, the caucus persuades some of the male members to argue their cases, and as a result alliances are made with 'gender friendly' male colleagues. After years of debating the

³ Also in the CA, there were reserved seats for women.

Domestic Relations Bill, four men were asked to campaign for the passing of the Bill. When men move motions for women, it is believed that their colleagues regard the message more meaningful and applicable to men and women (New Vision, 12.11.2002).

After 1986, with the introduction of the Movement political system, and for the first time in modern history, women in Uganda have been well represented in decision making bodies⁴, and they have been able to stand together in issues important for women, leading to Articles in the Constitution that specifically take women's rights into account. These Articles acts as a fundament when fighting for legislation important for women.

Fighting for legislation important for women

When the all-inclusive NRM finally gained power in 1986 the number of women's organisations increased for various reasons: The country stabilised, the availability of donor funds increased, as well as the retreat of a state which proved to be unable to provide services like taking care of orphans, elderly and the sick. Especially the AIDS pandemic has placed new burdens on women, as it has always been women's responsibility to care for children and sick people in a community. But, perhaps more importantly, the NRM regime's rhetorical language on the empowerment of women seems to have encouraged many women to become members of NGOs (Tripp, 2000:115-122).

The women's movement and the women in parliament have been successful in implementing acts important for women, among them the Land Act. The Land Act, which was passed in Parliament in the 6th Parliament, is supposed to provide for the tenure, ownership and management of land (Land Act, 1998: Introduction).

The Land Act was passed in Parliament in 1998, but without a co-ownership clause securing women the right to inherit and co-own land. According to women rights groups this was the most important clause. The basic principle behind the co-ownership clause is that both husband and a wife shall equally own the land where their home is situated. It is argued that if women were co-owners of land, together with their spouses, they would have been in charge of their own income, and consequently financially independent of their husbands (Asiimwe, 2002b:127). The land bill, with the co-ownership clause, was discussed and approved of by the members in the 6th Parliament. However, when the Land Act came back to Parliament from the executive, the clause was missing. As a result of this, the co-ownership clause is now referred to as the "lost clause" (Asiimwe, 2002a, Asiimwe, 2002b:121).

The Land Act was again brought to attention in April 2003.⁵ The Ugandan Land alliance, a network consisting of different NGOs, took advantage of the situation and demanded for an inclusion of the 'lost clause' in the amendment. One of the major events was on the women's day in year 2000, where thousands of women marched in Rukungiri district, where the national celebrations took place. Members of women's groups from all parts of the country came to Rukungiri. The women had big banners demanding that they had the right to own land. The women's movement declared the women's day as a day of mourning rather than a day of celebration. In various parts of Africa mourning signifies a great loss, especially when it is done publicly (Women in Action, Asiimwe, 2002b:126-130).

⁴ In the period from 1967 – 1979, no women were represented in the National Parliament. In a short period from 1979 – 1980, two women were elected to the national Parliament, while only one woman sat in the national Parliament from 1980-85 (Tripp, 2000: 39,71).

⁵ The President wanted the Land Act to provide for acquisition of land for private interests, for example in large private investments Article 237 in the Constitution only gives the government powers to acquire land if it is to be used for public interest (*The Monitor*, 28.03.2003).

Despite the fact that the co-ownership clause was left out, the women's caucus won one important battle. Article 40 in the Land Act stipulates that it is not allowed to sell land without a written consent from both spouses. The chair of the women's caucus, Loyce Bwambale, in Parliament (UWOPA) argued that this was very important as men tend to sell off family land when they meet for a drink in bars etc. (Interview, Kampala 06.08.2002).⁶

There is yet another controversial issue Ugandan woman have fought for the last forty years - the contents of the Domestic Relation Bill (DRB). The DRB is a spill over from the 6th to the 7th Parliament, and is currently in Cabinet. The Bill aims at protecting the rights of women in areas like polygamy, abolition of the bride price, child custody, divorce, inheritance, consent in sexual relations and property ownership. This Bill is highly controversial, and has met resistance from various parts of society; for example many Muslims have rejected the parts regarding polygamous marriages, while some men object to the issue regarding marital rape (Goetz, 2002:564).

Members of the Government, as well as Members in Parliament have not wanted to be linked with the DRB due to its controversial issues. When the DRB was debated in the 6th Parliament, Janet Mukwaya was the Minister of Gender, Labour and Social Development. She is a Muslim, and refused to be associated with the Bill. In the 7th Parliament she was appointed Minister of Justice and Constitutional affairs, and is not likely to front the DRB in this Ministry either. Overall, there seems to be a lack of will among the women MPs to advocate the DRB in Parliament. Goetz (2002) claims that the prominent women like Winnie Byanyima, Miria Matembe, or Proscovia Salaamu Musumba, who have been vocal on women rights issues have not wanted to risk their political career on such unpopular legislation. The latter withdrew an offer to table the DRB as a private members bill. (Goetz, 2002:565). Given the female representatives' lack of will to speak up for/support the Land Act and the DRB in Parliament, these issues have been most vigorously fought in civil society.

President Museveni seems to have taken a personal interest in the DRB. In October 2002, he wrote to the Minister of Justice and Constitutional Affairs and took personal responsibility for the delay of the family law. The President argued that the DRB was shallow and unable to address the issues of Ugandan society. Furthermore, he argued that the DRB is a bill that are trying to copy the extravagant western life style – a lifestyle which he argues has lead to an enormous damage to humanity and thousand of broken families (Mishambi, 2003).

The DRB was again put on the agenda in May 2005, when President Museveni claimed that it was not urgently needed, and could be shelved temporarily to allow consultations from all stakeholders. He said the delay would calm Muslims and other men who feel the DRB is infringing on their rights. (*The Monitor*, 05.05.2005). This led to a demonstration with 200 people, mostly women, chanting “No DRB, No Kisanja⁷”, indicating that women activist link the Presidents' support to the DRB to the political transition debate and that they will not support the President if the DRB process is shelved. The DRB coalition sent out a press statement claiming that the ultimate test of the 7th parliament is to ensure that the DRB is debated and passed before the political transition

⁶ This view was supported by Khadiagala (2001:69), where she argues that there seems to be a strategic use of beers among men. Local Councils officials use their positions to accumulate land, buying it from men in bars. The LCs are supposed to solve disputes in matters concerning land and property rights. However, as the men who sell off family land are often drinking partners with the LC officials, it is frequently hard for women to win the case. Khadiagala also refers to a nation wide study on poverty found that enforcement of laws against alcohol is weak, in part because police and LC officials are frequently among the brewers or local customers (Khadiagala, 2001: 69).

⁷ Kisanja means “dry banana leaves” and a term symbolising a “third term” for President Museveni.

debate. Miria Matembe, an outspoken women activist and Member of Parliament, claimed that Museveni was not interested in the DRB, but in a third term, referring to Museveni ambition to gain support from Muslims as well as men opposing the DRB. In the end of May 2005, the women's caucus said that they were ready to drop (or harmonise) some of the proposals in the Bill (*The Monitor*, 290505).

Both the Land Act and DRB cases show that Uganda is still a society with a patriarchal culture, but the two debates also illustrate that matters important for women in Uganda are on the political agenda. Ugandan women have been able to set their own agenda, and press for changes in order to advance their own status. This means that there is an on-going gender-equality debate in Uganda, and like men, women play a part in forming the political agenda. Nevertheless, the affirmative action seats as well as the use of electoral colleges may also be seen to negatively impact on female representation in the Ugandan Parliament.

3. Negative effects of the form of female representation in Uganda

Affirmative actions seats

Women's effectiveness in Parliament is influenced by their strong connection to the current NRM regime. One reason for their closeness to the regime can be found in the *nature* of the regime itself and how the reserved seats in Parliament are interpreted. The idea that NRM shall include all parts and interests of various segments of the society may have increased the possibilities for women to enter "smoothly" into political life in Uganda. Among some women in Parliament, political parties are looked upon as male-dominated institutions. The no-party movement system is, on the other hand, regarded as an all-inclusive no-party system which secures female representation (*The Monitor*, May 4, 2003). Moreover, by placing a special emphasis on women, and their contribution to Ugandan society, NRM may have secured support from a very big constituency. It has also been argued, however, that only women supporting the NRM are elected to Parliament.

The NRM and President Museveni efficiently promote their role as 'saviours' for women. The women are constantly reminded that if it had not been for the NRM, they would not be where they are today, and this influences the gender-equality debate. For instance, during the 2003 celebration of the Women's Day the President stated that the immediate symbol of women's liberation in Uganda is the fact that there is a women vice-president in Uganda. (*The New Vision*, March 11, 2003). Museveni made no secret of his reasons for choosing Kazibwe, a woman, as his Vice-President. He has more than once told the public that he appointed her to appease women (*The Monitor*, May 23, 2003). Thus, it is not emphasised that Vice-President Kazibwe has been appointed to the position because she is a good politician.

The role NRM has taken on makes the women in Parliament somehow dependent on the current regime, thus securing their loyalty. A general understanding expressed is that if the Movement system for some reason should collapse, the same could easily happen to the reserved seats for women. As the women become dependent on the current regime, it can be argued that they also become 'victims of patronage' to the NRM. Cecilia Ogwal from the UPC claims that most of the female district representatives are "in debt" to the Government since it is the Government which has brought them where they are today, adding that the affirmative action seats are turned into

patronage which again defeats the whole purpose of affirmative action⁸. Now, Uganda has decided to leave the Movement system of governance and allow aspiring candidates to represent political parties. However, as will be looked further into below, the position of women in a new multiparty era is not yet clear. The current status is that the special seats for women will remain and that the women will be elected directly by all voters in a district (and not through Electoral Colleges).

When NRM and Museveni keep reminding the women that their presence in Parliament is because of the government's policies towards women, it may be difficult for the affirmative action women to challenge the Governmental position in Parliament. This was confirmed by some of the female legislators⁹. They argued that since the affirmative action seats are top-down initiated, and not a result of a strong women's movement, the women in Parliament have not been able to set their own agenda and really push for it¹⁰. Others have argued that the female district representatives find it hard to freely make political decisions since they are in gratitude to President Museveni and his group (Byanyima 2003). The actual role the women's movement has played in initiating the seats seems to be ignored or forgotten, - especially by the NRM leadership, but also by some of the women themselves. Instead it is replaced by a belief that NRM have been the sole promoters in launching the reserved seats. Hence, it is not surprising that a large number of women beneficiaries of affirmative action, not only feel obliged to the NRM government, but also dare not challenge the status quo. They find it easier to fit into, rather than transform systems cultures and structures that have marginalised them, which is the intended purpose of providing for affirmative action in the constitution (Kharono, 2003). Despite the fact that the women's organisations did not have autonomy from the state during the Amin and Obote era, there was, and still is, a strong women's movement in Uganda. This is most likely also one reason why Amin and Obote felt the need to control the different women's organisations. The strength of the women's movement can be illustrated by the fact that President Obote in 1984 at the first celebrations of the women's day ever in Uganda was forced to declare 8 March, the International Women's Day, a national holiday (Tripp, 2000:51). Moreover, the fact that Museveni, and the NRM leadership felt the need to appease women, speaks volumes of the strength of the women's movement.

Thus, the NRM government appears to regard themselves as initiator of the affirmative action seats. Accordingly, many women in Parliament expressed an obligation to the NRM. If the affirmative action seats continue within the new multiparty system, as currently planned, it may become a political campaign tool for the NRM to gain female voters arguing that they are the only political party who have taken women seriously, constraining the gender-equality debate further¹¹. And as will be argued below, it appears as if most aspiring female candidates will choose to run for NRM-O, the NRM political party (The National Resistance Movement Organisation), the party which gave them access to state-power. Hence, it seems most women still interpret the seats as a 'gift'. This is, however, not the only reason why women elected from the affirmative action seats may be looked upon as representatives of NRM. It is also strengthened by the current mode of electing women to Parliament.

The use of electoral colleges

Today, most women in Parliament are elected indirectly, through electoral colleges. The Electoral Colleges for female district MPs consist of Local Council officials, as well as councillors from the

⁸ Interview, Kampala, 12.08.2002

⁹ Interview, Kampala 05.08.2002

¹⁰ This has also been supported by Tamale 2004

¹¹ In official documents and websites from NRM, it is emphasised that NRM has empowered women "in a very special way" (e.g. in their Constitution adopted in 2003, available at www.nrm.ug)

parallel women's councils¹². The population of the Electoral Colleges for women varies from 1500 to 36000 voters; most of them have between 8000 and 15000 registered voters.

The LC officials, who are a part of the Electoral Colleges for women, appear to have a close connection to the incumbent government in Kampala (Okoku, 2002:26). As the female district MPs are elected by LC officials, this suggests that the close bond that seemingly exist between the LC officials and the NRM impact the female representation in Parliament. Some argued that as with the Local Councils, the Movement will also make sure that the members of the Women's Councils support the Movement¹³. The LCs, as well as the women's councils, are by many regarded as decentralised Movement structures the government uses to spread their political ideas and bring development to the people (Kabwegyere, 2000:110-111). Apparently this is not something new: During the guerrilla years, when Resistance Councils (RC) was set up in the whole country, political parties tried to infiltrate the RCs. This was soon reacted against (Kabwegyere,2000:62, Oloka-Onyango, 1992:95).

The strong ties between NRM and LC officials are indicated in a report by Human Right Watch on election violence in the 2001 presidential election. Campaign agents for the opposition presidential candidate (Agori Awori) were arrested in Busia district, and reported to Human Right Watch (2001) that members from the Local Councils had called the police when they did not remove the posters of Awori. The campaigning agents were put in a cell and told that they could be released if they gave up Awori and joined Museveni.

When most women in Parliament are elected by officials supporting the Movement, women critical of the Movement may have difficulties being elected to Parliament. Cecille Ogwal, a directly elected woman supporting the Ugandan People's Congress argued that the use of Electoral Colleges when electing women representatives is based on the Movement structure. The Government will make sure that the members of the Electoral Colleges supports the Movement, which again will encourage people who support the Movement to stand as candidates and be elected. This makes it hard for women in opposition to be elected as female district representatives, and accordingly most of the women in the 7th Parliament are NRM supporters¹⁴. When the Parliamentary Election Act was passed in Parliament, reinstating the Electoral Colleges for affirmative action women, the opposition in Parliament sent out a press release: "In a country where the local councils have become appendages and organs of the NRM, it would appear as if all the Women District Parliamentarians have been truly given to the NRM with both hands" (quoted in Tripp, 2000:232). This press release shows that how the affirmative action women are elected is indeed considered a problem, and that it is difficult for women critical of the regime to be elected.

Given the observed strong ties between the LCs and NRM, it may be argued that the district women representatives are elected by predominantly NRM controlled constituencies. The Government has not only secured votes in parliament, they have also identified and made one group in parliament

¹² The Local Councils, as well as the parallel Women's Councils (WCs), are a five tier structure from village level to district level. Organisationally, the LCs run from the village level (LC1), through the parish level (LC2), and sub-county/town level (LC3), county level (LC4) and district level (LC5). However, only councillors from the three lower levels in the Local Council structure, as well as officials from the three lower levels in the parallel structure of Women's Councils, are part of the Electoral Colleges (Parliamentary Election Act, Part V). The Women's Councils have been in limbo since their inception in 1993 (Tamale, 1999: 63, New Vision 10.07.02. Also supported by my respondents

¹³ Interview with Sylvia Tamale, Faculty of Law, Makerere University

¹⁴ Interview, Kampala, 12.08.2002. This has also been supported by Sylvia Tamale (2004) who argues that female district MPs form the core of the Movement caucus (a caucus whose task is to lobby for and push government policies through parliament). She also argues that the current 7th Parliament has attempted to counter NRM patronage by reviving the women's caucus, Uganda Women Parliamentary Association.

distinguishable in an otherwise rather big parliament. There are as much as 304 MPs, and the Parliament has to a certain extent been “atomised”. Accordingly, it can be difficult for the executive branch to get a good picture of the political platform of all the parliamentarians. After the 2001 parliamentary election, Museveni spoke to journalists telling them that the Movement is increasing its support. He had counted more than 170 Movement MPs in the Parliament out of the 214 directly elected MPs. He further argues that by adding the special interests seats¹⁵, as well as the female district representatives he has the support of 230 MPs out of 292. (*The Monitor*, July 11, 2003). This suggests that Museveni takes the loyalty of the women for granted; women representatives (along with the special interests seats) are by Museveni regarded as loyal supporters of the NRM. It also adds credence to Byanyima’s (2003) argument that the affirmative action women are agents of the system. Parliament is weakened by the fact that most women are placed in the hand of the Movement system, and they become accountable to them as well. She argues: “This doesn’t help to build the Parliament as a strong institution” (Byanyima, 2003).

The mode of electing women to Parliament has influenced the gender-equality debate in a negative manner, as the female representatives’ closeness to the incumbent NRM regime makes it hard for them to challenge the governmental position in matters they find important. In a new multiparty era this may change given a new political environment allowing a stronger political opposition. All the same, there are strong indications that women district representatives will maintain their close relationship to NRM, also negatively affecting the gender equality debate in a new political era. As will be argued below, few women have been identified with political parties, other than NRM-O.

4. A new political era: Women political party representatives

In the July 28 2005 referendum, Ugandans overwhelmingly voted to reintroduce multiparty politics. This political transition is also likely to affect the female representation in Parliament.

According to the political roadmap (which was released by the Government in July 2004) the government should produce a Government White Paper stating its position on the report of the Constitutional Review Commission (CRC)¹⁶ which was set up in early 2001. The white paper was released at the end of September 2004. According to the report of the CRC there should be a total of 120 elected members of Parliament, and the special representatives of women should continue, but representatives should not serve more than two terms. The government rejected this, saying that the size and composition of the Parliament as well as the constituencies should remain as they are. The government argues that the present arrangement gives maximum representation to the population and that it would be unfair to reduce the number of representatives. However, the Parliament passed on July 20 2005, a resolution creating 20 new districts, 13 of which will take effect July 1, 2005¹⁷ (*The New Vision*, December 22, 2005). Accordingly, the size of the Parliament has increased with 13 more district women representatives (up to 69).

¹⁵ The 7th Parliament of Uganda consists of 214 Constituency Representatives, 56 District Woman Representatives, 10 Uganda People’s Defence Forces Representatives, 5 Representatives of the Youth, 5 Representatives of Persons with Disabilities, 5 Representatives of Workers and 10 Ex-officio Members

¹⁶ (The government white paper, including the CRC report found at www.monitor.co.ug. Also available at www.parliament.go.ug. Cited January 2005)

¹⁷ The remaining 7 will take effect on July 1 2006. Accordingly, there will be 82 district women representatives after the next election.

The CRC report and the Government White Paper (as well as the report of the Parliamentary Committee on Legal and Parliamentary Affairs) are still under debate in Uganda. The mode of electing women has also been brought to the surface in these debates. The CRC is of the view that the election of women district representatives should be by universal adult suffrage, and not by electoral colleges as it is today. This recommendation is accepted by the government (as well as the parliamentary committee) stating that “No doubt in a multi-organisation/multiparty political system the parties will assist their candidates with funds for such elections.” (Government White Paper). One of the main arguments previously used when continuing to elect women through electoral colleges has been that it is too expensive for them to be elected by adult universal suffrage since they have a much bigger constituency. The Government now trusts the campaigning political parties to assist women with the necessary funds for elections. This implies that the NRM are willing to let go of the Electoral Colleges, and consequently the control NRM have had over the female district MPs. This suggests that NRM counts on the fact that they have the support of women. Nonetheless, there is an on-going debate in Uganda as to whether or not the special seats should remain. In an attempt to slash the NRMs hold on women, the opposition want to review the special representation on women (The East African, October 10, 2005)¹⁸.

Not many of the political parties have focused on questions important for women. The main reason is the prevailing patriarchal elements of Ugandan society. Despite lack of will to advance the strategic interests of women, the NRM have gained the support of many women in Uganda (Tamale, 2004). For instance, NRM has continuously delayed the DRB process. Enactment of the DRB into law has the potential to address gender-based inequalities such as land rights, decision-making, and the invisibility of women’s work, all of which are core gender dimensions of poverty in Uganda. Furthermore, the effectiveness of the Land Act, which provides for spousal consent, may also very well be questioned. First, land registration is not common in Uganda today. Second, the LCs which administer land sales (and whose work is done within their cultural context) assume consent is given *when a women do not complain*. A balanced relationship within a marriage is almost non-existent in many households in Uganda, and the probability that a woman complains in these matters is diminished (World Bank Report, 2005).

Uganda being a patriarchal society is also reflected in the political parties and their lack of a clear agenda regarding women issues. When the old political parties, Uganda People's Congress (UPC) and the Democratic Party (DP) were active in the 1960s and 1980s, they did not take issues regarding women seriously. It is also worth mentioning that these political parties had backup of strong patriarchal institutions; UPC was backed by the Protestant Church and DP by the Roman Catholic Church. Even today, none of these parties (not even the emergent Uganda Young Democrats) have thus far signalled any alteration in their deeply entrenched patriarchal character or practices¹⁹. The fact that few women have taken up the challenge to stand as candidates for other parties can also indicate that women still see their achievement as privileges handed to them by the Movement system and are therefore not certain whether to subscribe to other parties or remain paying allegiance to the Movement. Furthermore, there has been some outright intimidation of the opposition by the Government, and women might feel insecure and afraid to express their political conscience (*The New Vision*, November 29, 2005). As the opposition parties have shown little or

¹⁸ In December 2005, a motion which seeks to reconsider the representation of special interests groups came to Parliament. However, according to the law two thirds or 196 members are required to be present in Parliament. Only 189 members of Parliament turned up to vote. Mainly the opposition MPs and those that lost in the NRM primaries were absent. During the debate on the motion, there was general agreement on the retention of special interest groups, apart from the army (*The Monitor*, December 29, 2005). Legislators also challenged the representation of women when the Political Parties and Organisation law was enacted to regulate political parties. They argued that women representation was not practical in a multi-party system and hampered the aspect of merit (*The New Vision*, November 29, 2005)

¹⁹ S. Tamale: <http://www.wougnnet.org/documents.html>, cited 10.01.2005).

no interest to take issues important for women seriously, it seems unlikely that they will grant special support for women in a multiparty era. Furthermore, the opposition parties have lacked stability within their own political set-ups, and their activities have very much reduced themselves to disputes over whom to front for candidature (ibid).

Nevertheless, there are some exceptions. On the women's day, women coordinator, Ingrid Turinawe, in Forum for Democratic Change (FDC), one of the opposition parties in the G6 coalition, said that women will constitute 40% of an FDC government. Turinawe further argued that women have been kept ignorant, with no capacity building, networking or information. This has been made even worse with the dormant women's councils. She argues that women should not be settled in 'vice' and 'deputy' positions, but rather be charged with key positions at all levels (*The New Vision*, March 8, 2005). Then again, FDC and NRM-O have recently conducted party elections where the positions of women have been pushed to lower levels²⁰. Even the UPC sacrificed their strong lady, Cecilia Ogwal, in the local party elections, which again may affect her participation in the final national party elections (*The New Vision*, November 29, 2005).

A strong united women's caucus?

In the spring 2004, the women's caucus in Parliament organised a three day workshop where they formed a coalition to build and maintain a non-partisan initiative during and after the transition to multipartyism. The women MPs in Parliament have proposed to draft a charter to cater for women's needs during the transition to a multiparty system. They resolved to demand 40-50 per cent representation in cabinet, as well as other decision-making bodies at national levels. The aspiration for presidency was ranked as the least priority among the nine major areas of concern (*The New Vision*, May 18, 2004). During the conference it was stated by several members of the caucus that women should put women issues above political differences (Ibid). They also pointed out that the political parties had few or none female representatives in political offices, and they raised concerns on how this would be in a fully fledged multiparty system. Sylvia Tamale, Dean at the Faculty of Law, Makerere University, called upon women to start their own political party so that they can be respected when they forward their views. According to Tamale, this will also help retain and add achievements they have made under the Movement system of governance. Her calls have, however, met resistance and ridicule among many men and women in majority (*The New Vision*, April 27 2004)

Regardless of the non-partisan initiative taken, most of the women in Parliament have been supporters of the government, and have also dominated the women's caucus. As Tamale (2004: 41) argues, like male politicians, a good number of female politicians run for offices aspiring for an increased personal health and access to state power. And as indicated above, female district MPs form the core of the Movement caucus, whose task is to lobby and push forward government policies. At times the Movement caucus persuade female MPs into compromising on matters concerning the interests of women.

Also the women's caucus will be influenced by the new multiparty era. There will most likely be stronger conflicts and differences of opinions, as the women will represent different parties. Although, the discussion is bound to be quite limited given that it appears that most women elected to the new parliament will represent NRM-O.

²⁰ Except for Alice Alasso from FDC who has been elected Secretary General (*The New Vision*, November 29, 2005)

5. Concluding remarks

This paper started out by asking the question: What will happen to the gender equality debate if the NRM- political system doesn't exist anymore? Or to put it differently, what do women in Uganda risk without NRM?

As shown above, the opposition in Uganda is not very gender sensitive. Women activists have called upon political parties to include women and gender concerns in their programme. Women also fear that a change of political system from Movement system to multiparty politics will have negative impact on the female representation, due to the competitive nature of multiparty politics. The fact that there are only 12 women out of the 214 directly elected representatives is a testimony of women's weaknesses, if they were to compete directly against men in a multiparty election (*The New Vision*, April 27 2004). As no political party in opposition have included women in their political programmes, women in Uganda fear they risk quite a lot without, or outside, the NRM. As shown above, women in Uganda have gained a lot after the NRM take-over. The Ugandan Constitution contains articles that specifically take women's needs into account, and which acts as a foundation when fighting for matters important for women, like the Land Act and the Domestic Relations Bill. Women's issues are on the political agenda, and there is an ongoing gender-equality debate going on in Uganda. The affirmative action seats in Uganda have constituted a mixed blessing. It is acknowledged that the creation of space for women within parliament is a fundamental break with the past. Despite some of the short-comings, the significance of including women into top political decision-making bodies and the place of gender in public discourse is indeed important and cannot be ignored (Ahikire, 2001:21).

It is not only the women who have achieved a lot after the NRM take-over. Also, the NRM have achieved a lot securing support by female voters. It may be argued that the Ugandan female legislators have less real power, but strong symbolic power. To some extent the district women representatives have until now symbolically reflected the gender-friendly NRM agenda. Thus, the reserved seats in Parliament have fostered loyalty and satisfaction among the voters, especially the female voters. One indication that the Movement system and President Museveni have managed to build political capital on women's numerical strength by their intentionally gender-sensitive policy can be illustrated by a poll, where people were asked if they were for or against a third term for Museveni, conducted in June 2003 by the newspaper *Monitor* and by *Strategic PR & Research* in Nairobi: 42% of women supported Museveni to stand for a third term, while only 22% of the men did so (*The Monitor*, June 6, 2003).

Women delegates attending the International Women's Day celebration in 2004 from over 10 districts called for the lifting of the presidential term limits. Hundreds of delegates veiled themselves in dry banana leaves, the symbol for third term agitators. Marching past the VIP tent where Museveni sat, the local female leaders as well as women activists put their thumb up and made the three finger salute (another symbol of the call for Museveni to rule for a third term). Women activists interviewed said that women, especially in the rural areas, trace their emancipation to the Movement Government, which is why they support the lifting of the presidential term limit (*The New Vision*, March 16 2004).

In April/May 2005, the Afrobarometer conducted a survey with a random sample of 2400 adults in Uganda. This survey revealed that there is a gender gap in public opinion on key political and constitutional questions. In Uganda today, men are more likely than women to prefer democracy to alternative political systems. Women, on the other hand, are more open to consider the prospect of a one-party state which they may associate with the Movement system. As noted in the survey: "It is

clear that, over time, women have gradually been willing to come out in open affiliation with the NRM, up from 20% in 2000 to 46% in 2005” (Afrobarometer Briefing Paper No. 16, July 2005). Furthermore, women have been much more cautious in coming out openly in support of anti-incumbent organisations. They are also more likely to hold back from politics by remaining unaffiliated to any political party. This does not, however, mean that women have opted for authoritarian alternatives. It is rather an indication of greater uncertainty about what democracy mean in a Ugandan context²¹. Womens’ support for multiparty system has moved slowly from 33 % to 43% from 2000 to 2005, while men’s support has maintained a majority status from 40 % to 60%. Explanations to this gender gap given in the survey are that women may feel they have benefited from the Movement system, which they do not wish to abandon for an untested and possibly disruptive multiparty alternative (ibid).

The incumbent regime has a strong impact on the nature of female representation in Uganda. This is mainly because: (i) the incumbent regime regards itself as a “saviours” for women, expecting loyalty in return, and (ii) the district women representatives are elected to Parliament through Electoral Colleges consisting mostly of local politicians supporting the Movement. The latter factor will most likely no longer apply under multipartyism, as it appears as if the female district representatives will be elected by adult universal suffrage. The first aspect, however, is it reasonable to assume will still be visible in the new multiparty era. If NRM continues to emphasise that it is because of them Uganda has a strong female representation (and it is likely that they will), they will still have a significant advantage with regard to female voters. This is strengthened by the fact that most of the women in the 7th Parliament appear to support the current Movement-regime. If these women choose to run for the 8th parliament, they will have an incumbency advantage in the electoral campaign. This is something the CRC may possibly have tried to prevent when they proposed that the District Women Representatives (as well as persons with disabilities) should not serve more than two terms. Furthermore, if they choose to be elected as representatives from the NRM, they will also have more resources available during election time, and thus have a significant advantage compared to first time female candidates from other political parties. Nevertheless, the major obstacle for female candidates during election time is the patriarchal culture. Despite the fact that women are relatively well represented in Parliament, they have not managed to articulate a critical voice within higher decision-making bodies in Uganda. Their strong connection to the incumbent NRM- regime may in part explain this. As a columnist in *New Vision* put it: “All said and done, the Movement system of governance, is the only one that has brought women to the forefront and could still hold the best hope for women” (*New Vision*, April 27, 2004). And, she might very well be right; women in Uganda may loose a lot without the NRM. The opposition parties have not expressed issues important for women on the political agenda leaving the women continue supporting the incumbent regime. This may also lead to a gender-equality debate in favour of the current regime, and in a new multiparty era; to the NRM-O. Hence, Uganda may still have women in positions with no power. They may continue to support the NRM and the NRM may take advantage of the situation arguing that they are the only gender-sensitive political party as they have brought women where they are today. This will make it hard for women to challenge the patriarchal culture in Uganda, a culture the NRM is part of and maintains.

²¹ 40 per cent said they didn’t know or didn’t understand the concept.

References

- Afrobarometer Briefing Paper No. 16, July 2005. Is There are Political Gender Gap in Uganda.
- Ahikire, Josephine, 2001: "Gender, Political Space and Electoral Processes: An Overview of the 1996 Presidential and Parliamentary Elections in Uganda". Research Paper No 1. Makerere University, Kampala: Department of Women and Gender Studies.
- Asiimwe, Jaqueline, 2002a: "The Uganda's Women's Movement and the Land Struggle". Paper presented at the Women's World 2002 Congress at Makerere University, Kampala.
- Asiimwe, Jacqueline, 2002b: Women and the Struggle for Land in Uganda. In Tripp, Aili Mari and Joy C Kwesiga (Eds) *The Women's Movement in Uganda. History, Challenges and Prospects*. Kampala: Fountain Publishers.
- Byanyima, Winnie Karagwa, 1992: Women in Political struggle in Uganda. In Bystydzienski, Jill M (ed) *Women Transforming Politics. Worldwide strategies for empowerment*. Bloomington and Indianapolis: Indiana University Press.
- Byanyima, Winnie Karagwa, 2003: *Why Museveni and Byanyima divorced*. Interview given in Monitor, 23.07 2003
- Constitution of the National Resistance Movement (NRM) as adopted on 22nd May, 2003. Available at www.nrm.ug. Cited October 2005
- Government White Paper. Available at www.monitor.co.ug, January 2005
- Goetz, Anne Marie, 2002: "No shortcuts to power: constraints on women's political effectiveness in Uganda". *Journal of Modern African Studies*, Vol. 40 no 4. (pp. 549-575).
- Human Right Watch, 2001: "UGANDA: Not a Level Playing Field. Government Violations in the Lead-Up to the Election". Vol. 13, no 1 (pp1-14). New York: Human Rights Watch
- Kabwegyere Tarsis B, 2002: *People's Choice, Peoples Power. Challenges and prospects of democracy in Uganda*. Kampala: Fountain Publishers
- Khadiagala, Lynn S.,2001: "The Failure of Popular Justice in Uganda: Local Councils and Women's Property Rights". *Development and Change*. Vol 32, (pp 55-76).
- Kharono, Elisabeth, 2003: *Review of Affirmative Action in Uganda*, Kampala, July 2003. Found on www.Wougnet.org. Cited January 2005
- Tamale, Sylvia, 1999: *When hens begin to crow. Gender and Parliamentary Politics in Uganda*. Kampala: Fountain Publishers.
- Land Act, no 16 of 1998. Reproduced by: The Law Development Centre, Kampala, Uganda

Oloka-Onyango, J., 1992: "Governance, Democracy and Development in Uganda Today: A socio-legal Examination" *African Study Monographs*. Vol.13, no 2 (pp 91-109).

Oloka-Onyango, J. 2000: *On the Barricades: Civil Society and the Role of Human and Women's Rights Organizations in the Formulation of the Bill of Rights of Uganda's 1995 Constitution*. Working Paper no. 60 Kampala: Centre for Basic Research

Ottemoeller, Dan 1999: *The Politics of Gender in Uganda: Symbolism in the Service of Pragmatism*. In *African Studies Review*. Vol.42, no 2. (pp 87- 104).

Parliamentary Election Act, 1996 with Amendments from 2001.

Ssenkumba, John, 1998: The Dilemmas of Directed Democracy: Neutralising Ugandan Opposition under the NRM. In: *The Politics of Opposition in contemporary Africa*. Ed. Olukoshi, Adebayo O. Uppsala: Nordiska Afrika Institutet

Tamale (2004): Introducing quotas: Discourse and Legal Reform in Uganda. In ed. Julie Ballington.: *The implementation of Quotas: African Experiences*. International IDEA. Available at http://www.quotaproject.org/publications/Quotas_Africa.pdf. Cited 10.01.2005

Tamale, Sylvia. *Gender implications for opening up political parties in Uganda* Dr. Sylvia Tamale, Faculty of Law, Makerere University Found on www.wounget.org Cited 10.01.2005

Tripp, Aili Mari, 2000: *Women and Politics in Uganda*. Oxford: James Curry, Kampala: Fountain Publishers and Madison: The University of Wisconsin Press.

Tripp, 2002: Introduction: A New Generation of Women's Mobilisation in Uganda. In Tripp, Aili Mari and Joy C Kwesiga (Eds) *The Women's Movement in Uganda. History, Challenges and Prospects*. Kampala: Fountain Publishers.

Women's Landmarks in the Democratisation Process in Uganda (1995). Kampala: Friedrich Ebert Foundation

Women in Action: "Uganda: Exclusion of women from Land Ownership – The "Lost Clause" Available at: www.equalitynow.org . Cited 10.01.2005

World Bank Report No. 30136-UG Uganda: *From Periphery to Center A Strategic Country Gender Assessment*. Poverty Reduction and Economic Management Africa Region Office of the Sector Director

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SUMMARY

Scholars, politicians and women activists today share a concern for the limited representation of women in different political bodies. Statistics comparing female representation in sub-Saharan African legislatures suggest that a small group of countries in Sub-Sahara Africa contribute to the relatively high female representation. Uganda is one of these, with 24% women in parliament.

This article is based on my master thesis "Can you really fail to support the one who feeds you? An analysis of female representation in the Parliament of Uganda". The data is collected from interviews with 20 (total of 74) female parliamentarians' summer 2002, newspaper reports and secondary sources.

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