Perceptions from within

A Minor Field Study about the discourses of human rights in Uganda
Abstract

In 2009 a member of the Ugandan parliament presented a draft law called "the Anti-homosexuality bill". The bill included further restrictions against homosexuality, which already is a crime in Uganda. For instance it suggested that homosexuals should be sentenced to death. The world reacted strongly to this draft law and proclaimed it to violate principles of universal human rights. Media, political leaders and non-governmental organisations all over the world condemned the draft law and a discussion about human rights in Uganda rose. The perception of the international society, criticising the draft law, seemed to be that human rights are universal and should be valid in every state of the world, whereas the message from Ugandan politicians indicated that they ought to be able to legislate without any external interference.

This thesis aims to define discourses of human rights within the Ugandan society. We will focus on the Ugandan government and the Ugandan civil society and we will distinguish differences between urban and rural areas. To be able to define a discourse of human right in the Ugandan civil society we performed a field study in the country during eight weeks from April to June 2010. This was made possible through a minor field study scholarship (MFS), funded by SIDA. With our base in the capital Kampala we travelled around the country to visit and interview organisations in both urban and rural areas. The gathered data was then analysed and compared with the data of the Ugandan government, which was achieved through text analyses.

Our thesis will show that there are apparent differences in discourses and perceptions of human rights. We divide the studied areas into three discourses; the government, national NGOs and regional NGOs. In the last part of our thesis we will present conclusions and reflections about the result of the field study.

Key words: minor field study, human rights, discourses, NGO, Uganda
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1. Introduction

1.1 Background

Since the decolonization and the retreat of the European powers in Africa after World War II, the African states has developed in different directions and with different results politically. A wave of democratization flushed over the African continent and democratic elections were held in many newly created African states. However the democratic system was not fully established at this point and shortly after the decolonization many states moved away from democracy towards one-party rule authoritarianism. The democratic attempts have been described as celebrations of liberation from colonialism rather than votes for one party or candidate over another.\(^1\) Thus the decolonization of Africa did often not lead to liberalization and freedom for the peoples of Africa but to non-democratic regimes with authoritarian governments. This period with lack of democratic rule lasted until after 1989 when, as many authors claim, a new wave of democratization emerged in Africa.\(^2\)

The democratization trend was shown by elections held almost throughout the continent in the early 1990's. However the elections could not be seen as a step towards democracy in all cases due to manipulation by the ruling governments and military coups against elected civilian governments. Many African states still have problems with ballot riggings, corruption, ruling party domination and oppression of the opposition, but the change since before 1990 is significant. Even if many of the African democracies are questionable, the number of democratic states has developed from only a few before 1990 to almost twenty-five by the end of 2006.\(^3\)

Uganda has developed politically relatively similar to the average African country. In 1962 the country won its independence as the British colonial power resigned. Shortly after the independence a public election was held with the Uganda People's Congress and the Kabaka Yekka party as the winners. Only a couple of years later the king (kabaka) was overthrown in a military coup and UPC leader Milton Obote took the power. This event was followed by a long period of coups, authoritarian rule and non-democratic governments. In 1971 the army leader Idi Amin claimed power after another coup d'état. He was greeted like a hero and a saviour from Obote's harsh regime, but Amin's rule turned out to be an oppressive, cruel and devastating regime for the peoples of Uganda. Amin ruled the country until 1979 when he went into exile after Kampala had been taken by army forces supporting former president Obote. The years that followed were influenced by civil war. In 1986 Yoweri Museveni and his party NRA took the power after bloody clashes on

\(^1\) Grugel J, *Democratization: A Critical Introduction*, p 171
\(^2\) Karvonen L, *Demokratisering*, p 110
\(^3\) Diamond L, *The Spirit of Democracy: The Struggle to Build Free Societies Throughout the World*, p 252
the streets of Kampala. Ever since that day Museveni has been the president of Uganda. His rule has been coloured by guerrilla wars, one-party system and restrictions on political parties but also economic reforms that have had a positive effect on the development.⁴

In 2005 the "non-party" movement was cancelled and political parties are now allowed in Uganda. However Museveni made it possible for the president to be re-elected a third time, and in the 2006 he won the elections and remained in the presidential office. Uganda has since the decolonization in 1962 had a short history of democracy and a long one of one-party rule, dictatorship and military regimes. In spite of this, the country has lately taken a step towards democracy. Since the elections in 2006 Uganda is classified as partly free, but still as a Competitive authoritarian regime, by the NGO Freedom House.⁵ This classification is still valid in the 2009 survey.⁶

Despite the fact that Uganda has been developing its democratic system, setbacks of human rights in the country has occurred recently. The organisation Human Rights Watch has reported that proposed laws violating human rights has been introduced in Uganda's parliament. The HIV and AIDS Prevention and Control Bill and "The Anti-Homosexuality" bill are examples of proposed laws that would violate human rights.⁷

In February 2011 presidential elections will be held in Uganda and reports have expressed worries about the expected development. Museveni will again run for president, as he has deleted the time restriction for being president, which makes it possible for him to sit another five years. As the elections are closing in there are worries that the political and media space will narrow to hold back the opposition. With this an increase in violations of several human rights are expected in Uganda.

1.2 Problem description
In this section we will present a perception of human rights in Uganda, made through observations of various statements from Swedish and international media as well as international organisations. This we define as the perception of the international society. When speaking of the international society we include all actors, governmental and civil, international and national, who support the agenda of universal human rights. We assume that the definition of human rights in the international

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⁴ Uganda, Landguiden, Utrikespolitiska institutet
⁵ Diamond L, The Spirit of Democracy: The Struggle to Build Free Societies Throughout the World
⁶ Freedom House, Freedom in the World Survey 2009
⁷ Human Rights Watch, Bill threatens progress on HIV/AIDS and "Anti-homosexuality" bill threatens liberties and human rights defenders
society is based on the 1948 UN *Universal Declaration of Human Rights*\(^8\) and that its perception is that these rights should be enjoyed in Uganda as well as any other state of the world. We have chosen to include several expressions in this problem description that will be defined later in the thesis. We believe that this is necessary to establish a comparative discourse and to understand the background to our field study.

### 1.2.1 Concerns of the Ugandan situation

International media has recently proclaimed that the civil society in Uganda face a number of difficulties within the human rights sector. The reasons for the strong reactions are that the Ugandan government has presented new draft laws called *The Anti Homosexuality Bill*\(^9\) and the *HIV and AIDS Prevention and Control Bill*.\(^{10}\) Both law bills were said to violate human rights according to the INGO Human rights watch.\(^{11}\) Particularly *The Anti Homosexuality Bill* drew big attention throughout international media. Many examples of articles where political leaders condemn the proposed law and its violation of human rights could be seen as well as statements claiming that if the homosexuality bill would be adopted it would “*constitute a significant step backwards for the protection of human rights in Uganda*”.\(^{12}\) As the rights of sexual minorities are considered to be a part of the *Universal Declaration of Human Rights*, media argues that the passing of the law would withdraw Uganda from such international treaties.\(^{13}\)

In Swedish media headlines like “*Homosexuals may be executed*”\(^{14}\), “*Friends of homosexuals may be imprisoned in Uganda*”\(^{15}\) and “*Aid to oppression*”\(^{16}\) were published in major national newspapers. The position of Swedish media is that it clearly considers the situation in Uganda to violate universal principles regarding human rights and that Sweden, as a state, as well as the international society should bring pressure to the Ugandan government to respect human rights.\(^{17}\)

Other issues of concerns in Uganda consider laws that contradict the right to freedom and opinion of the *Universal Declaration of Human Rights*.\(^{18}\) The laws also contradict the rights of freedom of

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\(^8\) UN – The Universal Declaration of Human Rights
\(^9\) The Anti Homosexuality Bill, 2009
\(^{10}\) HIV and AIDS Prevention and Control Bill, Appendix 2
\(^{11}\) Human rights watch, Uganda: *Bill threatens progress on HIV/AIDS, Anti-homosexuality bill threatens liberties and human rights defenders*
\(^{12}\) The Times, Uganda proposes death penalty for HIV positive gays
\(^{13}\) The Guardian, Uganda considers death sentence for gay sex in bill before parliament
\(^{14}\) SvD, *Homosexuella kan avrättas*
\(^{15}\) DN, *Homosexuellas vänner kan få fängelse i Uganda*
\(^{16}\) DN, *Bistånd till förtryck*
\(^{17}\) DN, *Bistånd till förtryck*
\(^{18}\) UN – The Universal Declaration of Human Rights, Article 19
press and other media, which are provided for in the Ugandan constitution.\textsuperscript{19} C Radsch from the international organisation Freedom House states that Ugandan laws, like the Press and Media Law, the Electronic Media Act and the Anti-terrorism Act, all can be used to strangle the press freedom in the country.\textsuperscript{20}

\textbf{1.2.2 Discourse – International Society}

The different concerns of the international media regarding situation on the human rights area in Uganda show that the international society recognize several violations of human rights in the country. According to what we have presented in the previous section we argue that the international society considers human rights to be transnational normative and in that sense superior to national civic rights, something that is described by G Delanty.\textsuperscript{21} When highlighting the reactions and publications on the Ugandan situation from an international perspective we find that the discourse of the international society is dominated by the idea that the sovereignty of the nation state, in this case Uganda, should not overrule the universal norms of human rights. We hereby find similarities with the cosmopolitan perception of human rights (which we define further in chapter 3) in terms of the idea of moral responsibilities in a global perspective where national borders are not of significance. By the reactions on violations of the \textit{Universal Declarations of Human Rights} we see that the international society put importance in global institutions and contracts. Consequently we argue that the cosmopolitan standpoint regarding human rights is comparable to the discourse of the international society.

As we now have described, we argue that the international society considers that Uganda is violating universal human rights. On the other hand we have not found any examples of that the government of Uganda are in agreement of the international society’s perception. The articles that have appeared in western media show some examples of civil society organisations opposing the Ugandan government and agreeing to the concerns of the international society. We understand the situation to be problematic and we want to examine how the situation is perceived in Uganda. By doing this we intend to define Ugandan discourses regarding human rights, both from a governmental perspective and a civil society perspective, to see if we can find any explanations to the described situation.

\textsuperscript{19} The Constitution of the Republic of Uganda, 1995, Article 29
\textsuperscript{20} The Independent, C.Radsch, \textit{The Govt gives with one hand and takes away with the other}
\textsuperscript{21} Delanty G, \textit{Medborgarskap i globaliseringens tid}, p 119
1.3 Aim of study
The aim of this bachelor’s thesis is to define discourses of human rights in Uganda. This includes both a governmental discourse and a discourse for NGOs working with human rights representing the civil society. The governmental discourse will be interpreted through text analyses whereas the civil society discourse will be defined through conducting a qualitative field study aimed at NGOs in the context of civil society. By defining and analysing the discourses we also aim to highlight possible differences between rural and urban areas. After conducting the analysis we will see if it is possible to position our preselected political theories on the defined discourses.

To be able to fulfil the aim of our study we have accomplished a minor field study in Uganda. The main objective to define and analyse the discourse of the Ugandan civil society, we argue, would not be able to accomplish be without doing a field study. As we also aim to investigate whether we can discover any differences in discourses within the civil society between urban and rural areas we had to meet people working in different parts of the country.

1.4 Questions
From our chosen problem area we have constructed three main questions. Following questions will be the basis of our analysis and discussion:

- How could one define discourses on human rights based on civil society in Uganda and the Ugandan government?
- To what extent does the discourse for civil society in Uganda differ between urban and rural areas?
- How do these discourses differ and which political theories can be positioned on them?

When working with these core questions a number of new questions unfold. To be able to analyse our field study we have constructed a number of analytic frames. Within these frames the upcoming questions has been categorised and they will used to analyse our semi-open interviews. It is important to stress the fact that the questions in the analytic frameworks are not the same as the interview questions. They will function as descriptive values and measures for analysis for each definition. With descriptive we mean the option to narrow down the study to a smaller amount of aspects that we show specific interest. 22

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22 Patel, R & Davidson, B, Forskningsmetodikens grunder, p 11
NGOs ability to practice their work

How do NGOs in Uganda describe their ability to practice their work?
Do NGOs in Uganda co-operate with the government and then to what extent?
To which degree do NGOs in Uganda feel that their work affects the government’s policies?
How do NGOs in Uganda view the ability to work in either rural or urban areas?
How do NGOs view the differences between internal and external work for human rights?

Prerequisites for human rights

How do NGOs describe human rights?
Do NGOs in Uganda experience an increase or decrease in the prerequisites for human rights?
Do NGOs in Uganda experience different prerequisites for different human rights?
How do NGOs in Uganda view the public opinion on human rights?

Consequences of the government’s policies

In what way do NGOs in Uganda experience consequences of the governments policies?
Are consequences of the governments polices generally seen as positive or negative for NGOs in Uganda?

These questions will serve as the backbone throughout our field study. In order to analyse our material they will have a crucial roll in sorting the relevant facts from irrelevant fact for this study. In order to present any conclusion or analysis in these questions our method will be of most importance.
2. Method

The method of this thesis is mainly divided in two different approaches. To determine the Ugandan government’s discourse on human rights we have worked with analysing media reports and laws to pinpoint the focal discourses. Our main approach through this thesis is to establish the discourse of Ugandan civil society. We argue that it is not possible to successfully complete this through text analysis and therefore we have performed a field study in Uganda. In this field study we have chosen to use a qualitative approach because we believe that a qualitative approach provides a multifaceted description of the interviewed persons reality. It describes with words instead of numbers the strength of the different measurements. These measurements were made through semi-structured interviews. We think that an interview through conversation is the most suitable way to fulfil the aim of our study. We chose the semi-structured interview because we feel that it is important to be able to control the interviews to a certain extent. But we also felt that it is important that the interviews still had the openness not to be leading, which rule out the use of fully structured interviews.

In accordance to our questions we performed interviews with eight Ugandan NGOs working with human rights, four national and four regional. Through our contacts in Uganda we targeted a number of NGOs that were suitable for our study. From there we conducted interviews through a snowball-selection as we learned more about civil society and different NGOs in Uganda. In order to capture differences between urban and rural areas we also made sure that half of the interviews were conducted in rural areas with local NGOs and the other half in urban areas with national NGOs. To reduce the risk of bias we have chosen to target local NGOs from different regions of Uganda that also face different problematic areas and work within different themes and goals.

2.1 Method for the interviews

When constructing the interview we used a technique that builds up the interview through both a thematic and a dynamic approach. We were looking to create an interview that put more weight on dynamic questions rather then thematic questions. Dynamic questions are questions that are easy to understand and gives the respondent motivation to speak more freely compared to thematic questions that are more focused on the subject of interest or theoretical part of the thesis. We

23 Kvale S, _Den kvalitativa forskningsintervjun_, p 36
24 Ibid, p 36
25 Ibid, p121-122
focused mainly on dynamic questions because we have chosen to perform interviews that put the respondent’s thoughts and personal opinions in focus. To build up a structure and more easily control the interview we still have a thematic approach behind our questionnaire. We used the terms What, How and Why to build this approach. What is to gain knowledge about the subject, Why is to clarify the purpose and How is gain more depth in the interview. During the interview focus should be on Why to get more a descriptive approach rather than the kind of speculations that How can produce. With that said Why is used for supplementary questions to focus on the relevant part of the answer on the How questions. This is a technique that forces us as interviewers to take an active role in the interview at the same time as it focuses on the personal story and experience of the respondent.

2.2 Analysis method

To analyse our interviews we have chosen to use sentence concentration as our method. We have chosen this technique since it will make it possible for us to reduce a longer part from an interview to a more determined sentence. These sentences will then formulated and sorted as different themes and also compared against our operationalisations. To perform a sentence concentration our interviews first needed to be transcribed and concentrated. The transcriptions and concentrated sentences are not included in our thesis since they are of sensible nature and make it possible to track the respondents.

Sentence concentration is conducted in five steps. First the interview is read as a whole to capture the overall concept. Then different sentences with the same focal point are separated. These longer parts of the interviews are after that transformed to more simplified and central themes as portrayed by the respondent. The themes are then compared to the questions raised by the research. In our case these take the form of our analytical framework. The themes, presented in chapter 1.4, are labelled NGOs ability to practice their work, Prerequisites for human rights and Consequences of the government’s policies. We use these themes and their underlying questions as operationalisations. An operationalisation consists of translating a concept or a definition to a form where it can be tested empirically. As a final step the themes that were proven to be relevant through the comparison is brought together to stories and then forged together to a main story. This story will serve as the core for our analysis and will also be the subject for positioning.

26 Kvale S, Den kvalitativa forskningsintervjun, p 91
27 Ibid, p 123
28 Ibid. p 174
29 Ibid. p 177
30 Ibid, p 59
2.3 Method of positioning
By identifying discourse in a text or conversation it is possible to use positioning to determine from which context the speaker is referring.\textsuperscript{31} In our analysis we will use positioning to place the different discourses of the perception of human rights in Uganda. Our areas of interests, the international society, the Ugandan government and the Ugandan civil society, will be compared to and matched with the chosen political theories. We think it is crucial to pinpoint their positions and compare them to each other to clarify possible differences in discourse.

2.4 Problematic areas
During our field study we have approached a number of challenges that have hardened the completion of the study and that we feel we are required to highlight. To begin with we have experienced difficulties when it comes to the interpretation and understanding of the English language. Even though English is one of the official languages in Uganda it is generally the second language of the majority of the population. The English skills of the respondents have therefore differed. That together with English being our second language may have created misunderstandings and misinterpretations.

During our interviews we also encountered organisations and people that were anxious about the topics we have brought up. This has resulted in situations where we feel that the respondent has said one thing but indicated that they mean another, choosing not to confront certain issues. The main reason why this is problematic is that as our method is based on the transcribed interviews, these feelings are not captured in the text material. It has varied from organisations being very straightforward and not being afraid of discussing any topic to organisations that have avoided certain issues or been unclear. We have tried in some extent to reflect our interpretations of the interviews in our analysis and maintain awareness that this might reflect a bit different than in the transcribed interviews.

Another problem that has occurred is the difficulty to arrange an interview situation without external disturbances and with only one person present in the interview room. In some cases we have thus been forced to conduct interviews with more than one respondent and with disturbing noises present.

\textsuperscript{31} Davies, B & Harré, R, \textit{Positioning: The Discursive Production of Selves}, p 261
2.5 Generalisability

The research design that we have chosen to use in our study, a qualitative design, is often criticised due to the inability of generalisation from the conclusions of the study.\textsuperscript{32} The research contains data from eight sources, in our case NGOs working with human rights in Uganda. It can be discussed if this is enough to generalise the civil society in Uganda. However we believe that our study gives us a wider understanding of the problem than a quantitative methodology would have been able to give us and we believe that some conclusions can be made from our analysis. Since we have researched different discourses of human rights in Uganda, our conviction is that this study has helped us to understand the situation and identify the core problems in the area. As our field study has covered different locations in Uganda, both in cities and on the countryside, we have done what is possible in accordance to the size of the study to cover divergent problems. This has broadened our study and gives us a result with possibilities to understand and describe the Ugandan situation. We cannot generalise the attitude of the interviewed persons towards a certain question however we can interpret patterns and similarities from the analysed interviews.\textsuperscript{33}

\textsuperscript{32} Marsh D & Stoker G, \textit{Theory and Methods in Political Science}, p 207
\textsuperscript{33} Esiasson P, Gilljam M, Oscarsson H & Wångerud L, \textit{Metodpraktikan}, p 189
3. Theoretical framework

3.1 Definitions

To give a clear picture of the subject of our field study the terms human rights, civil society, Non-governmental organisation (NGO) and Democracy and human rights need to be defined. Three different political theories will also need to be defined, as they will serve as possible alternatives for positioning in our analysis.

3.1.1 Human rights

When mentioning human rights in our study we define the concept on the basis of the Universal Declaration of Human Rights proclaimed by The United Nations in 1948. The declaration consists of 30 articles defining what is to be seen as human rights. The first article states that “All human beings are born free and equal in dignity and rights” and that is to us the core of the human rights concept. We define human rights as basic moral rights that every person is entitled to as a human being. They are separated from citizen rights but not submitted to them. Citizen rights should not contradict human rights.

3.1.2 Civil society

As we intend to study the situation on human rights in the civil society of Uganda, a definition of the concept is necessary. Civil society has been defined in various ways throughout modern history. We have chosen to use the definition of civil society as all individuals and groups in society who are not participants of any governmental institutions. When speaking of civil society in this thesis we have although made some restrictions as it would not be possible for us to argue that our study represent the entire civil society of Uganda. As we are interested in civil society’s position on human rights, we have chosen to limit the representation of civil society to non-governmental organisations working with human rights. These organisations represent different parts of the civil society as they are situated in different geographic areas and they focus on different issues. All of the organisations although have the thing in common that they in some way work within the human rights field. In the next section these organisation are furthermore specified as we define non-governmental organisations (NGOs)

34 The Universal Declaration of Human Rights
35 Ibid, Article 1
36 Delanty G, Medborgarskap i globaliserings tid, p 119
37 Baylis J & Smith S, The Globalization of World Politics, p 125, p 426
3.1.3 Non-governmental organisation (NGO)

NGOs has been defined as a non-commercial and non-violent group of people, relating to each other in some formal manner and engaging in collective action not on behalf of a government.38 These organisations can be both national and international. NGOs that are operating internationally and where membership is open to transnational actors are defined as INGOs39. Even though INGOs form an important role of the Ugandan civil society we have chosen only to include Ugandan NGOs in our study. This is because we aim to study the perceptions of Ugandan actors regarding human rights. In this study we also focus on a subsector of NGOs known as human rights NGOs. Human rights NGOs form a special category and their work differ from other NGO’s.40 They have been described as organisations who:

“seek to benefit society, or at least a significant portion of it, without necessary direct benefit to themselves. They constitute both a precondition for, and a supplement to, the constitutionally defined political process and the formal political bodies of the democratic state. As voluntary organisations in large measure, they often pursue idealistic causes. But these causes are crucial to the functioning of a modern society”41

We have chosen to use this definition since it pinpoints the NGOs that are suitable for our study where human rights are the focal point. It also gives us a more narrow scope of which organisations to target, as it is more specific than the term NGO in general.

3.1.4 Democracy and human rights

Defining the concept of democracy is a very complex thing to do and could be the topic of an individual study. Today political regimes all over the world claim to be democracies despite the fact that they rule their countries in totally different ways, hence we find a discussion about the definition of democracy necessary.42

The core of democracy is rule of people, and as Hydén defines it there are two types of people’s rule; direct or participatory democracy and liberal or representative democracy.43 Democracy has been interpreted in many different ways over the years but there is one central thought that has been described as a unique process for common and valid decision-making.44 In this study we use a

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38 Baylis J & Smith S, The Globalization of World Politics, p 435
39 Ibid, p 440
40 Mutua, Human Rights NGOs in East Africa, p 15
41 Welch C E, Protecting human rights in Africa, p 44.
42 Held D, Demokratiomodeller, p 17
43 Hydén, H, Human Rights as indicators of democracy, p 15
44 Dahl R A, Demokratin och dess antagonist, p 18
definition of democracy not only as a system for decision-making but also the political rule within a society.\textsuperscript{45} Democracy can be comprehended as the relationship between civil society, the state and the economy, by Hydén described as the three major sectors of a society.\textsuperscript{46} The relationship between these constituents and the amount of influence the sectors have decide the shape of the democratic system. As shown in the figure below the most favourable position would be the central point of the triangle. In this ideal position all three constituents have equal possibilities to influence and make an impact in the democratic society.

Figure 1: Hydén’s democracy theory \textsuperscript{47}

![Diagram of Hydén's democracy theory](image)

If looking at the model from a civil society perspective Hydén states that democracy can be seen as a question of citizen influence and private initiatives.\textsuperscript{48} Hence by measuring these aspects the degree of democratic influence of the civil society can be achieved. People’s possibilities to express divergent ideas, criticise the state and their ability to protect themselves against oppression from the state and other actors are consequently questions of human rights. From the point of view of civil society human rights is an important indicator of democracy according to Hydén’s model. Hydén argues that the model is not intended to present an existing reality but to be used as guidance for researching conditions of democracy. In our study we argue that investigating different discourses of human rights and the prerequisites of working with human rights could be used as indicators of democracy in Hydén’s model. Therefore we argue that our study could be used to interpret the situation for the civil society in the model. It would be possible to use our analysis as a part of a wider study of democracy in Uganda.

\textsuperscript{45} Hydén, H, \textit{Human Rights as indicators of democracy}, p 16  
\textsuperscript{46} Ibid, p 16  
\textsuperscript{47} Ibid, p 16  
\textsuperscript{48} Ibid, p 17
3.2 Political theories

We have chosen three different political theories that we think represent possible theories to apply on the discourses. These are cosmopolitanism, liberalism/neo-liberalism and realism. They represent a spectrum of different thoughts about universal law opposing national legislation. Choosing these three theories is motivated by the fact that they are significantly distinguished, where cosmopolitanism and realism are contradictory in many ways and liberalism places itself somewhere in between the two others. As part of our analysis our intention is to see if it is possible to apply these political theories to the discourses. We hope that this will create a greater depth in our analysis and makes it possible to discover political differences between the discourses.

3.2.1 Cosmopolitanism

Cosmopolitan theorists build their arguments regarding human rights on the idea of a global civil society where a global human rights regime control that the rights are not violated.\(^{49}\) Sovereignty of the nation-state is no longer to be considered the only aspect of sovereignty and the global civil society is challenging the nation-state. To cosmopolitan theorists the concepts of nationality and citizenship are separated and the rights of the individual are no longer only founded by the membership of a nation-state.\(^{50}\) Political theorist Benhabib argues that every human being has the right to have rights despite which nationality or citizenship he/she may possess or if the person is an illegal immigrant or an asylum seeker.\(^{51}\) The idea that rights that every human holds are universal and should be regulated by international institutions such as the UN is essential to cosmopolitanism.\(^{52}\) The importance of cosmopolitan norms and regulations is demonstrated by the increasing difficulties for a democratic legislation to justify actions that violate human rights. I.e. cosmopolitan universal norms regarding human rights prevent a democratic legislation to justify for example exclusion and oppression of a minority simply because that is the will of the majority of the people.\(^{53}\) To Benhabib this is one reason why it is fundamental for the cosmopolitan human rights theories that strong international institutions provide to secure these rights.\(^{54}\) Hence the core of cosmopolitan ideas is that all human beings are members of one moral community, meaning that people have moral responsibilities in a global perspective and national borders are not of any significance.\(^{55}\)

\(^{49}\) Benhabib Seyla, *Another cosmopolitanism*, p 71
\(^{50}\) Delanty G, *Medborgarskap i globaliserings tid*, p 114
\(^{51}\) Benhabib, S, *The rights of others*, p ??
\(^{52}\) Held D, *Demokratimodeller*, p 436
\(^{53}\) Benhabib, S, *Another cosmopolitanism*, p 71
\(^{54}\) Ibid, p 72
\(^{55}\) Bexell, M, *Exploring responsibility*, p 70
3.2.2 Liberalism and neo-liberalism

In political theory liberalism can be seen as more of a middle path in relation to human rights. There are many different approaches to liberalism but it can be seen as a political theory with four core dimensions. All citizens are juridically equal with some basic rights, the parliament only have the authority given to it by the people, the right for individuals to own property and that the economic system is mainly driven by the market.\textsuperscript{56} In relation to human rights there are possible problems within these dimensions. This is according to the identity of the state that it has its own right to define human rights. It can be argued that even though different states have different identities they have certain natural rights including the right of non-interventions in a state’s domestic affairs and policies.\textsuperscript{57} This is a fact argued among liberals and neo-liberals where classical neo-liberals argue that national interest is superior to morality and universal ideals.\textsuperscript{58} On the other hand neo-liberal institutionalists place less confidence in sovereignty and more in non-state actors and international institutions.

There are some liberals that have different thoughts about the concept of human rights. Will Kymlicka is a liberal and a multiculturalist who does not fully believe in cosmopolitanism but still argues for the rights of minorities. He argues that the idea of universal and individual rights lacks respect for cultural values.\textsuperscript{59} He means that minority’s needs rights of their own to preserve their cultural choice. At the same time he argues that a minority’s culturally related rights might not be tolerated in the universal thought about the right of the individual. His solution is to not accept internal restrictions and promote external protection. This means freedom within the minority and equality between minority and majority. He argues that individuals within a minority must be protected to not follow cultural traditions that are violating human rights but at the same time the minority has to be protected from outside pressure from the majority. The paradox is that if a minority has to change to preserve human rights on the behalf of cultural rights it will be a subject of a form of colonialism that isn’t a part of a liberal standpoint.

3.2.3 Realism

In contrast to the cosmopolitanism there are scholars who are sceptical towards the thought of universal international rights and international laws. Realism is a theory that dominated the area of international relations in the 20\textsuperscript{th} century. Realist theories are based upon the sovereignty of the

\textsuperscript{56} Baylis J & Smith S, \textit{The Globalization of World Politics}, p 186
\textsuperscript{57} Ibid, p 187
\textsuperscript{58} Ibid, p 207
\textsuperscript{59} Bauhn P, \textit{Mänskliga rättigheter och filosofi}, p 100
state, signifying the existence of an independent political community that has juridical authority over its territory. Different types of realism have developed over the years and today there is a wide spectrum of realistic theories. However, all of them have their base in the thought of a sovereign state and disbelief in the international society. The main responsibility of the state is to protect its citizens and promote the interests of the citizens. In the international community states are described as islands driven only by the interest of their own survival and without moral or legal responsibilities to other states. With this realist approach in mind it is easy to see that realists do not have large faith in international law and global institutions. Realists do not believe in international institutions as a guarantee to the states survival nor that international institutions should intervene in the domestic policies of a state. The conclusion we draw from the realist perspective is that there is no belief in universal human rights that should be regulated by a transnational global institution. The rights that one holds are decided and secured by the nation-state that one live in.

Classical realism might today be considered to be old-fashioned and out-of date. In the late 20th century neo-realism was developed as a progression to realism. Neo-realists such as Waltz put weight in to the structure of the international system when shaping the behaviour of states. International institutions are although not dismissed and could be used by states to establish a balance of power and secure their safety. Still, the thought of universal human rights and a global society is not compatible with neo-realism or classical realism.

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60 Baylis J & Smith S, *The Globalization of World Politics*, p 176
61 Bexell, M, *Exploring responsibility*, p 26
63 Ibid, 210-212
4. Analysis

4.1 The Ugandan government’s perception of human rights in Uganda

When establishing the Ugandan government’s perception of human rights in Uganda we of course recognise that Uganda is a part of UN and aware of the *Universal Declaration of Human Rights*. This chapter has the point of reference that this declaration is a focal point for human rights in Uganda. Instead we will focus on how the Ugandan constitution, the relevant Ugandan laws and media statements from government officials reflect or contradict those rights.

4.1.1 Constitution

The Constitution of the Republic of Uganda\textsuperscript{64}, that was adopted in 1995, states in its national objectives that “The State shall guarantee and respect institutions which are charged by the State with responsibility for protecting and promoting human rights by providing them with adequate resources to function effectively”\textsuperscript{65} and “The State shall guarantee and respect the independence of nongovernmental organisations which protect and promote human rights.”\textsuperscript{66} Furthermore the fourth chapter of the constitution declares the definitions of human rights in Uganda.

The constitution states, “A person shall not be discriminated against on the ground of sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability.”\textsuperscript{67} Compared to international thought of human rights we can see some differences in this approach. To start with the Ugandan Constitution doesn’t bring up sexuality, age or linguistic affinity. There is also a major difference in the protection of these rights. This is stated in the following part of the Ugandan constitution.

“Nothing in this article shall prevent Parliament from enacting laws that are necessary for -
(a) implementing policies and programmes aimed at redressing social, economic, educational or other imbalance in society; or
(b) making such provision as is required or authorised to be made under this Constitution; or
(c) providing for any matter acceptable and demonstrably justified in a free and democratic society.”\textsuperscript{68}

\textsuperscript{64} The Constitution of the Republic of Uganda, 1995
\textsuperscript{65} Ibid, National Objectives and Directive Principles of State Policy, Chapter V - Fundamental and other human rights and freedoms
\textsuperscript{66} Ibid, Chapter Four - Protection and promotion of fundamental and other human rights and freedoms, 21. Equality and freedom from discrimination
\textsuperscript{67} The Constitution of the Republic of Uganda, 1995
\textsuperscript{68} The Constitution of the Republic of Uganda, 1995
As we look into this part of the constitution we can see that there is a clear difference between the international human rights discourse and the discourse of the Ugandan constitution. International human rights discourse is based on universal rights and cannot be altered through legislation. The idea is that human rights are transnational and stands above national legislation. In Uganda on the other hand there is a possibility to pass laws that violate human rights as long as it can be justified against the above quoted criteria. Therefore there is a possibility for the Ugandan parliament to pass laws against human rights, if they are views representing the people or are seen as necessary for economic and social development. Furthermore is homosexuality and abortion illegal by law in Uganda.⁶⁹

Uganda has also signed a number of UN resolutions regarding human rights, including freedom from torture, although in many cases they haven’t reported back about these concerns to UN.

### 4.1.2 Legislation

A couple of laws in particular work against what are by UN considered to be human rights. The *NGO Amendment Act*⁷⁰, *Anti Terrorism Act*⁷¹, media legislation, land rights and different election laws all have parts that counteract or interferes with human rights.

*The NGO Amendment Act* forces Ugandan NGOs to renew their certificates for practice every year, holds directors and the NGOs accountable for offences committed throughout their work. *The Anti Terrorism Act* is broad in its definitions of perpetrators and makes it possible to violate freedom of association, freedom of expression and privacy. It also makes it possible to detain suspects for more than the 48 hours stated by the law and also stretches the maximum time of waiting for a trial up to a year. The law states further that a person guilty of “*publishing and disseminating news or materials that promote terrorism*” also is subject to death penalty. The media legislation also obliges journalists to renew their licenses every year. The petroleum exploration act is unclear about the compensation for land taken by government for exploration purposes. Different election laws makes it impossible to charge people guilty of electoral fraud and don’t prevent re-election.

The Ugandan government has presented new draft laws called *The Anti Homosexuality Bill*⁷² and

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⁶⁹ The Penal Code, 1950  
⁷⁰ The Non-Governmental Organisations Registration (Amendment) Act, 2006  
⁷¹ Anti Terrorism Act, 2002  
⁷² The Anti Homosexuality Bill, 2009
the *HIV and AIDS Prevention and Control Bill*. The first draft addresses to homosexuality as a crime and strengthens the punishment for homosexual acts to include death penalty. It stretches so far that non-governmental organizations in Uganda are not be able to work with these issues because it would be seen as an act of promotion for homosexuality, something that is also considered a crime in the draft law. The second draft law criminalizes attempted transmission of HIV and AIDS which could allow the possibilities of unjustified prosecutions. It also takes away the governments responsibility to provide the necessary medicines at reasonable prices for those with HIV and AIDS.

### 4.1.3 Media statements

In an article in the Swedish newspaper Svenska Dagbladet the author of *The Anti Homosexuality Bill*, David Bahati, says that the law is meant to protect traditional family values. “*Homosexuality is not a human right. It’s a learnt behaviour and can be unlearned. Don’t claim that people are born gay. It’s about foreign influence.*” In a later article the Ugandan minister of ethics, James Nsaba Butoro claims that the death penalty probably won’t be enforced. Though it is not clear what kind of consequences the law would implement.

The Ugandan newspaper The New Vision quotes President Museveni as he repel the recent critique from US foreign minister Hillary Clinton that the government had not taken any action to establish an accurate and verifiable voter registration in the upcoming elections. “*We shall answer her, but what I know is that the elections in Uganda will be the most free in the world*, “*Our constitution is the best in the world, unlike some of these countries with unclear laws*.” A couple of weeks later as he met the US Assistant Secretary of State for African Affairs, Johnnie Carson, The New Vision writes “Museveni advised the delegation and other foreigners, who are approached by the “opportunistic” opposition members about Uganda’s problems to always, offer them a cup of coffee and send them back because Uganda has structures that can solve its problems.” In another article Museveni said in a parliament speech that foreign donors shouldn’t be concerned about the Ugandan elections and giving “*lectures about what I am an expert in.*”

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73 HIV and AIDS Prevention and Control Bill, Uganda Law Reform Commission, 2009  
74 SvD, *Homosexuella kan avrättas*  
75 Ibid  
76 The New Vision, *Museveni hits back at Clinton*  
77 The New Vision, *Museveni defends elections bosses*  
78 Daily monitor, *Museveni tells donors to back off 2011 polls*
4.1.4 Discourse - The Government of Uganda

As we interpret the Ugandan government's discourse, it shows that national civic rights and the sovereign state are values more important than the universal human rights.\textsuperscript{79} The government of Uganda finds some of the human rights in western discourse to be contradictory to their values and culture and that may be a reason to the discrepancy regarding human rights.\textsuperscript{80} When positioning one of the preselected political theories with the discourse of the government of Uganda, we argue that the most suitable theory would be a realist or neo-realist approach. Sovereignty of the state is a key area and also the fact that the Government argues that rights are created inside the state between the government and its people. Still Uganda is taking part of international institutions, such as the UN and the African Union. Therefore it is impossible to fully argue that the Ugandan government’s discourse on human rights is identical to a realist approach.

\textsuperscript{79} Delanty G, Medborgarskap i globaliseringens tid, p 122
\textsuperscript{80} Ibid, p 131
4.2 The Ugandan civil society’s perception of human rights

4.2.1 Description of organisations
We have conducted eight interviews during this field study where four have been with national NGOs and four have been with regional NGOs. Through our method of sentence concentration we have transcribed each interview and concentrated it first into more specific sentences, then into more descriptive stories. Because all of our interviews are anonymous we will not present them one by one for the reason that it makes it possible to use different statements and information to separate and identify them. In this analysis we instead present the combined descriptive analyse for regional and national NGOs.

4.3 The national NGOs

4.3.1 NGOs ability to practice their work
When the national organisations describe their ability to practice their work the image is quite equivalent. They all express that it is possible to conduct work with human rights in Uganda but that you need to work through networks, partnerships and coalitions to be able to make any impact. In different words and with differences in priority they all express that working with these issues is or could be dangerous. This applies mostly to NGOs working with advocacy in addition to being service oriented.

When it comes to how their work affects the government and its policies the answers are quite vague. Even if some organisations feel that they have made impacts on government in policy and juridical matters, they again stress the point of working as a coalition in order to make an impact. Working alone is not possible. All organisations are co-operating with the government to try to influence and implement a human rights discourse in their work. Working with the government is crucial to get any result. No organisation describes their relation to the government as very good but the description varies from okay to tough. The organisations that describe their work as more within the framework of the government express their relation as better than those who work more to change the ways of the government.

When talking about differences of working in rural and urban areas all national organisations agree that the work for human rights is tougher in the rural areas. Lack of education and culture in the sense of tradition is the main reasons, but intimidation from local leaders and weaker governance system is also used as explanations. One organisation stresses that you have to work within the local governments plan if you are to conduct any work.
International pressure is by all but one organisation pointed out as very important. The organisation that didn’t mention the international pressure thought that strong pressure from within is important since the policies will affect the people of the country. It is important to stress that they weren’t opposed of outside pressure. The other organisations stressed the fact that international pressure is needed to support, monitor and legitimise implementations on human rights. National organisations also need protection from international organisations through cooperation. One organisation pointed out that they thought international pressure has been too low until the *Anti Homosexuality Bill* was presented.

### 4.3.2 Prerequisites for human rights

Three out of four national NGOs describe human rights as something universal and meant for all human beings. They view the concept of human rights from an international perspective and work to implement these rights in the Ugandan society. The fourth national NGO does not define human rights further than that they use a human rights based approach within the organisation.

All of the national NGOs are concerned about the human rights situation in Uganda. They describe an environment where political and media space is narrowing, where the freedom of expression, media and information is violated, and where the anxiousness about expressing divergent views is increasing. As an explanation to the decreasing prerequisites of working with human rights two of the national NGOs mention the upcoming elections in 2011. One of the organisations says that as the elections are approaching, it is a fact that they will see “a number of dissident political rights violated”. Another organisation explains that Uganda is moving backwards in every aspect of the human rights field, mainly because of the government’s desire to stay in power; a goal they work towards by terminating all their enemies by violating several political rights.

There is one area of working with human rights that all of the national NGOs consider more difficult. That is the issue of political rights that express divergent views and challenge the government. Working with those kind of questions is described as risky and many organisations are too frightened to handle those issues. Threats against human rights defenders working in such areas are apparent and to work with questions like sexual minorities, that both go against the government and the communities, are very difficult. Three of the organisations also describe issues that clash with traditional culture as very difficult to work with. Particularly gender issues are difficult to handle due to the strong patriarchal tradition in Uganda.
The public opinion regarding human rights is described as problematic. Most people recognise the basic human rights, but the lack of awareness is obvious. The definition of what is and what is not a right is often made internally, and some of the universal rights are seen as for foreigners and not for Ugandans, according to the national NGOs. One of the organisations argues that the government uses media to turn the public against some of the human rights NGOs, for example pointing them out as promoters of homosexuality.

**4.3.3 Consequences of the government's policies**

When speaking about the consequences of the government the organisations in general do not have very good experiences. Even though it is expressed that the government have started to implement some monitoring to uphold certain rights and that the government gives some space for operating, mostly they describe the consequences as troublesome. One organisation feels that the current politics of human rights is only debate but not any implementation. Another describes their work as making it harder for NGOs and civil society as most issues are only for appearances. One organisation feels that the government doesn’t do anything for human rights and instead produce laws that are made to look democrotical but actually are “totally draconian”. All organisations feel that you have to work with and not against the government to avoid being targeted. The organisations mention a couple of laws that they work against and which they feel violate human rights. As they work with different focuses, different laws are targeted but it is clear that working against legislation is a part of all these national organisations’ work. These laws are seen as unconstitutional and violate human rights. Consequences of the government’s policies are therefore generally seen as negative and a way of controlling civil society. Political space is described as narrowing by one organisation and another says that divergent views are treated like being part of the opposition.

**4.3.4 Discourse - national NGOs**

When positioning the national NGOs discourse in a political theory we argue that their position mainly should be placed in a cosmopolitan theory. This is because even if the national organisations work within Uganda and towards domestic laws, their focus is one where universal thoughts of human rights is central. They are mainly trying to influence the domestic law with international thoughts of human rights, not necessarily in accordance of the public opinion in Uganda. Their work is based on treaties and regulations of human rights that are universal. We can also sense that this is the reason that they need support from international organisations and see them as a powerful ally when it comes to advocacy for human rights.
4.4 The regional NGOs

4.4.1 NGOs ability to practice their work

The biggest problem for the four regional NGOs working in rural areas in Uganda is insufficient resources. All of the organisations express that they lack financial and technical means and that they are in need of support. Finding a way to attain international funding is considered to be a problem to all of the regional NGOs and they express that their ability to conduct their work is limited due to this fact. To network and work within coalitions is needed as they feel that one organisation alone cannot contribute.

Regarding the co-operation with the government the rural NGOs express various experiences. Two of the organisations express a positive relationship to the government, both on local and national level. These organisations state that the authorities support their work in terms of information sharing and providing political operational space. On the other hand the remaining two organisations describe a very uncertain relation to the government where corruption and bribes are a part of the problem. One organisation describes their relation to the government as unpredictable and that “they turn against you, especially when you handle these sensitive issues”. One organisation claims that it is not bad as long as they work with issues that are not challenging the government but that they feel counteracted in some cases. All of the organisations point out the importance to sustain a good relation to the government to be able to make an impact. In some cases the regional NGOs experiences that the government respond to their work. Although none of them mention any specific cases where their efforts have affected the governmental policy making, either on local or national level.

All of the four regional NGOs experience it more difficult to work with human rights in rural areas than in urban areas in Uganda. The lack of possibilities to access information and the low awareness of human rights are described as the reasons of the difficulties. One organisation states that in the rural areas where education is low traditional culture prevails, something that becomes a problem as some human rights and cultural practices oppose each other.

When it comes to the relation between external and internal pressure all of the regional NGOs indicate the importance of efforts by the international community. The Ugandan civil society needs external assistance when it comes to implementation of legal framework on human rights, especially in the rural areas. They feel that international pressure doesn’t reach down to the local communities and that this fact increases the difficulties for regional NGOs. The international support of the local organisations and communities is insufficient and only reaches Kampala,
according to all four NGOs. One of the organisations presents a more developed idea for the external work in Uganda than just support. Saying that international organisations, with information provided by regional organisations, could put pressure to the government and thereby avoid the vulnerability of the regional organisations.

4.4.2 Prerequisites for human rights
When it comes to defining and describing human rights the regional organisations are not very specific. They mainly talk about the constitution as the legal ground for human rights but some also say that human rights is something god given or universal. One regional organisation gives a quite descriptive thought about human rights that captures the spirit of how the regional organisations describe and view human rights. They say that the environment in which you live affect the way you perceive the concept of human rights. This reflects that the regional organisations are able to mainly describe the specific human rights that they work with, but they do not describe other rights.

As it comes to increase or decrease in the prerequisites for human rights most of the regional organisations are positive to an extent. One organisation stands out as the have a very pessimistic view of a possible increase in the prerequisites for human rights. But it is crucial to point out that even if most regional organisations are positive they stress that an increase of the prerequisites of human rights has to come with more awareness. Lack of awareness is the biggest threat since many people in the rural areas lack awareness of their rights, misinterpret them and see state obligations as favours.

When talking about different prerequisites for different human rights most of the regional organisation mentions that it is harder to work with human rights that work against the government. Corruption is commonly mentioned and especially when working with legal issues. One organisation says that it is fine as long as you work with soft rights but it becomes a problem when you go for more challenging rights. They claim that this is the reason why many small organisations avoid these areas. That thought is confirmed by an organisation working with judicial and innocently imprisoned people, which they describe as the hardest area to work within. They say that they have created many enemies that have resulted in various threats and intimidations. Further they express that many organisations do superficial work because it becomes dangerous if you go deep. Another rural based organisation mentions working with sexual minorities as one of the hardest areas.
Regarding the public opinion the regional organisations most of them again stress the lack of awareness. People don’t know what human rights are. Clashes between culture and human rights, especially gender issues, are also seen as something common and that this also is connected to low awareness of human rights in the rural communities. One regional organisation stands out as they say that awareness and culture are not as big issues as they used to be. Instead they say that people know that rights are violated all the time but the big issue is the fear of confronting state operatives.

4.4.3 Consequences of the government’s policies
The regional organisations mainly conclude that there is a problem in the rural area when it comes to the government’s policies. The one organisation that says that they have got good provision of political space and assistance still feels that many human rights never reach down to the grassroots. The other organisations are harder in their critique and even though they don’t always think it is too bad or even says that they believed that the government has tried, they feel pessimistic. They express that some policies violate human rights, that government on different levels use the lack of awareness to their advantage and that measures for implementing are too weak in comparison to corruption. They also feel intimidated to work with certain issues and one organisation claims that if you try to pursue the responsible of violating human rights it is the last thing you do as an organisation. As elections are coming up, one organisation believes that it impossible for a change of power in Uganda without taking to violence.

4.4.4 Discourse - regional NGOs
Positioning the regional NGOs is not so obvious. They do have understanding of human rights as a universal concept to a certain level but are mainly experts on their own field of work. The regional organisations, which mainly focus on one or two areas, are far more limited in their approach than the national NGOs. When arguing about human rights they mainly refer to the constitution and legislation of Uganda. Their work is mainly focused on the rights on single groups of people and therefore advocacy is not the biggest part of their work. Regional organisations also face a lot of challenges of culture and intimidation since awareness is expressed as lower in the rural areas compared to the urban. They experience less pressure from the government but this is explained by the fact that almost all regional organisations work as service providers and not mainly with advocacy. They view international organisations mainly as funders for NGOs in Uganda with some exceptions. Because of this we position the regional NGOs mainly in the liberal and neo-liberal theories even though they to some extent are aware of the cosmopolitan thoughts.
5. Conclusion and discussion

The conclusion will summarize our study as we interpret it and we will also give our thoughts about what we have seen when performing it. Taking a step back and comparing the different discourses that we have categorised we can see some differences and also similarities. The first and most obvious example is the similarities in discourse between international society and national NGOs. They have more or less the same approach to human rights and how they should be implemented in Ugandan society and legislation. We can clearly see that their focal points are based on international regulation and treaties. The difference between the international society and the national organisations, that work to make an impact on the government, is that national organisations are exposed to risks when working against governmental policies and doing advocacy. National organisations both have current legislation against them and also suffer from threats and intimidations when practicing their work. They are forced to work within the current system and structures to be able to achieve progress. To be able to challenge the government and to speak their mind they need strong support from the international society, for example from large INGOs working in Uganda. When we interpret the discourse of the national NGOs we argue that they are a part of the international society’s discourse regarding human rights. Although they are more careful about what issues they work with and are forced to work within coalitions and co-operations to make an impact.

When comparing the regional organisations to the national organisations we find several interesting issues. The regional organisations work more with specific issues on a grassroots level and are more focused on human rights regarding their issue. They also express that it is harder to work with human rights in the rural area and that some parts of civil society compose bigger challenges in their work. The stronger ties to culture and patriarchal structures in rural areas explain this, but we also argue that it is because it is more or less impossible to work with more controversial human rights and advocacy in the rural area without strong support. Compared to the national organisations we can see that the regional organisations are more focused on actually making the legislation pass down to the rural areas instead of working to change it. The constitution and working to implement it is more of a focal point than international regulations and treaties, since there is no functioning judicial system in many part of Uganda. The contact between the regional organisations and international organisations is also far less common and regional organisations mainly see international organisations as possible donors instead of a possibility to put pressure for human rights externally. Some of the regional NGOs are not fully aware of how human rights are defined
in the international discourse. They are aware of some international treaties, such as the *Universal Declaration of Human Rights*, but they do not express that these treaties should over-rule Ugandan law and they are not fully aware of the contents of these treaties.

The discourse that stands out most compared to the others is the Ugandan government’s discourse. They have a much more nation state oriented approach and points out that they are sovereign to form their own legislation. The government argues that the legislation of Uganda is based on a democratic process, which makes it legitimate in comparison to international legislation. The international discourse and the government’s discourse clash when it comes to issues of pressure from international society towards governmental policies in Uganda. The government argues that they are a democratic country and that they are not to be lectured by foreigners regarding their internal affairs. Another crucial point of the government’s discourse is that it clearly affects the discourses of the national and regional NGOs in Uganda. For the national organisations this is expressed as even if they want to work differently they feel that they need to the work within the government’s discourse to make an impact. The regional organisations are affected in a way that makes them limited to certain areas of softer human rights due to threats of consequences if they work with more controversial human rights.

After distinguishing three different discourses of the Ugandan society we can conclude that only one of them are similar to the discourse of the international society. The Ugandan national NGOs have more or less the same agenda and the same approach towards human rights as any international institutions. On the other hand the regional NGOs are only to some extent included in this discourse and they are more restricted by cultural traditions and the Ugandan constitution. We believe that the reason to the difference between the rural and the urban areas is a combination of unawareness and ignorance, stronger cultural ties and stronger ties to the local leaders. The third discourse, the one of the Ugandan government, is distinguished from all of the other discourses. Even though the local NGOs express that human rights are protected in the constitution, the government sets its own agenda and fully believes that they as a sovereign state should decide their laws even if it contradicts universal human rights.

### 5.2 Applying Hydén’s democracy theory

As described in chapter 3.1.4 Hydén’s model demonstrates civil society and human rights as indicators of democracy. As we have seen during our field study, citizen influence in Uganda is problematic. NGOs working with human rights experience difficulties when trying to influence and
have an impact on society, since they think working with controversial and political rights is problematic. Many NGOs describe that it is important to have a good relationship to the government to make an impact and therefore choose only to work with soft rights. Due to this situation the civil society’s ability to influence in Hydén’s model is lesser than the state’s. Even though we cannot get the full picture since we only have focused on one area of the model, we can say that there are issues of concern regarding the functioning of civil society. As one of the three sectors in Hydén’s model of democracy we would argue that the problems of civil society indicates that Uganda might not reach the benchmarks of a well functioning democracy.

5.3 Interpretation of existing structures
This section serves to explain how we interpret the structures of the connections between the international society, national and regional NGOs and the Ugandan central and local government in terms of cooperation, pressure and exchange.

Our study indicates that the international society mainly works towards national NGOs in Uganda when it comes to cooperation, exchange and funding. They also cooperate and put pressure on central government. This is of importance since it creates a gap between the rural areas, where the regional organisations conduct their work, and the international society. The regional organisations mainly get funding through their networks with national organisations and have little contact directly with international society. Instead they work with local government and reports to the national organisations. It can be explained as two divisions where one includes international NGO’s, national NGO’s and the central government. The other division includes national NGO’s, regional NGO’s and local government. As the central government appears to control the local governments with one-way communications the only link between all these groups are the national organisations. As national organisations are more or less the only actor that has contact with all other actors it results in a lot of pressure from the government. They serve as the core of the work with human rights in Uganda. It is also interesting to point out that we interpret that even though Uganda is decentralised the communication of policies is directed one way from the central to the local government. The absence of international actors on the regional level also makes it difficult for the regional organisations to adapt an international discourse of human rights. They are not singlehandedly capable to change structures and attitudes towards human rights. The lack of international advocacy for human rights in the rural areas also contributes to the ignorance and unawareness of the people.
We believe that if the two different groups came closer and to some extent merged into one context it would benefit human rights in Uganda. As we interpret the situation the national NGO’s are the key since they have contacts with all other actors. A tighter cooperation between all actors with the national NGO’s as a focal point would hopefully create a more unified discourse. We also believe that regional NGO’s that work at a grassroots level and know which strategies that work in their region need to come in contact with international NGO’s to exchange experiences. Again national NGO’s could serve as a bridge between these actors. More networking and communications is for us the best way in achieving an impact on human rights in Uganda.
6. Reflections

As we have conducted our field study we have also gained more understanding of the situation of human rights in Uganda but also about the structures of NGOs working in Uganda. In this section we will highlight some of these issues, as we believe that they are possible subject for further studies and also serve as means for better understanding of the Ugandan situation.

6.1 Problems of donor outsourcing

One crucial point for NGOs in Uganda that we have discovered in several cases is the function of the donor system. In Uganda there are countless NGOs registered and they are all in need of funding and support from international donors. Although we have seen cases where the NGOs put more effort in applying for funding and trying to fit their organisation into the benchmarks of the donors, than actually conducting important work. Some of the organisations have stated that many donors chose to put funding to visible organisations in Kampala, organisations that are very superficial and do not do any hands-on work. This becomes a problem for the NGOs that have found a functioning model of work that they feel make impact, but does not fit in to the model that the donors are looking for.

We feel that the perception of many organisations in Uganda is that the donor system does not reach out to the organisations that would actually achieve results. Instead some think that the donors are satisfied with giving money to urban organisations just to have visibility back home.

6.2 Strengthening women’s rights through targeting men

During our visits in the rural areas most organisations have in some way worked with and towards women. This is to empower women, make them more confident or for example start a small business. The problem that we have seen is that the question of women’s rights and gender always is directed towards women. This is caused both by the belief that making women aware of their right will make them claim them and also because it is easier to reach women that in rural areas of Uganda mostly works within the home. The problem is instead that no efforts are directed against men. This causes clashes in a patriarchal society with low awareness and strong cultural ties, which cause a backlash for many women in forms of domestic violence and other violations. We argue that further research about the effects of targeting men for women’s rights would be of great interest.
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Interview questions

- Can you briefly describe your organisation for us?
- What is your organization's main focus?
- What approaches do your organisation have?
- What kind of co-operations do you have?
- What are your main concerns regarding your issue in Uganda?

- How would you describe the effect of your work?
- How would you describe the idea of Human Rights in your organisation?
- How do you view the possibilities to work with your issues in Uganda?
- How would you describe the public opinion regarding your issue/Human Rights?
- Are there any Human Rights issues that are harder to work with or less respected in society?
- How does the government work/support your issue? National, regional?
- How would you describe your relation to the Government?
- How would you describe the balance between internal and external pressure on the government?
- How would you describe the relation between culture and human rights in Uganda?
- Are there any differences between urban and rural areas regarding the previous questions?
- How do you see the future regarding your organization and your main issue?