

U4 Helpdesk Answer 2018:12

Women's empowerment and corruption in Uganda

Author(s): Nieves Zúñiga

Reviewer(s): Monica Kirya

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Query

We would like to get an overview of the corruption challenges that currently exist in West Nile and Karamoja, in Uganda, and the measures that could potentially be designed in a project to mitigate them.

Purpose

We are working on a project whose main goal is the economic empowerment of women in the regions of West Nile and Karamoja in Uganda.

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Summary

West Nile and Karamoja sub-regions, in the Northern Region of Uganda, are characterised by a history of conflict and a current state of latent conflict. Ethnic tensions, distrust towards the national government, conflicts around land and natural resources, unresolved war legacies and insecurity are among the challenges existing in that area. The main challenges for women in the northern part of Uganda are discriminatory social norms and belief systems and physical integrity.

In recent years, the government of Uganda has undertaken several institutional initiatives to acknowledge the importance of women in Ugandan society and to monitor government's progress in reducing the gender gap. Despite progress in this regard, several indicators show a worsening in the levels of corruption perception despite the

existence of a regulatory and legal system to combat it.

Considering the social, political, economic and gender conditions in West Nile and Karamoja, the following factors are associated with corruption: government legitimacy challenges, ethnic and religious divisions, foreign aid inflows and capacity challenges, cross border trade, legacy of the wartime, land and natural resources, lack of awareness of legal rights, informal economy and social norms. Some of the measures to mitigate those corruption risks include: gender-focused anti-corruption approaches, leveraging social norms and influencing behaviour, institutional and legal approaches, and considering particular principles to address corruption in post-conflict contexts.

Background: social, political and gender conditions in West Nile and Karamoja

West Nile and Karamoja are in the Northern Region of Uganda. From 1986 to 2006, the Northern Region was the scene of a conflict between the Government of Uganda and the Lord's Resistance Army, with a severe impact on the civilian population. Despite the end of the conflict, several areas in northern Uganda appear to be in a state of latent conflict nearly two decades later. Frequent clashes between communities and government officials, violent community disputes over boundaries or resources, and sexual and

gender-based violence are manifestations of that tension (ACCS 2013). The Advisory Consortium on Conflict Sensitivity analysis (2013) identifies land grabbing, corruption and competition over natural resources as general conflict drivers. In addition, northern Uganda is characterised by marginalisation and a long history of mistrust towards the national government, and often government's decisions and interventions are questioned by the population (ACCS 2013).

In this context, West Nile and Karamoja sub-regions present their own challenges and characteristics. West Nile shares borders with the Democratic Republic of the Congo and South Sudan. According to the census in 2014, it has a population of more than 2.6 million, of whom more than 832,200 are refugees (UNDP 2017). There have been several armed insurgencies by the Uganda National Rescue Front and West Nile Bank Front. It is an area affected by population displacement from neighbouring countries and sub-regions, social discord, psychosocial trauma and dealing with former combatants (ACCS 2013). That creates a set of challenges exacerbated by the lack of transitional justice mechanisms, failure to compensate ex-soldiers and to provide redress to victims of the war. The presence of significant natural resources disputes – especially those related to oil – contested boundaries and interests for exploiting land for investment purposes are also part of the challenges in the West Nile.

Karamoja has a population of more than 950,000, and is notable for being the only sub-region in Uganda with a dominant pastoralist and agro-pastoralist livelihood system. Karamoja is the poorest sub-region, with the lowest human development indicators in Uganda. Food and general insecurity as well as environmental issues, among other factors, have negatively affected its inhabitants' welfare. Instability across the borders

with Kenya and South Sudan due to arms flows and cattle raids, internal tensions around mineral exploration and land grabbing, tensions between pastoralist and agro-pastoralist groups, intensified by a government driven decentralisation processes, and gender conflicts are among the many challenges of this sub-region (ACCS 2013).

Those aspects have an impact on the gender situation in the region. For example, water depletion due to climate change means women have to travel longer distances in search of water, food and fuel, which puts their personal security and physical integrity at risk, increasing their chances to be sexually assaulted (UNDP 2005, Flintan 2011). It is believed that the presence of “enemies” brings specific risks for women (Flintan 2011).

In addition, the nature of the Karamojang society is shifting, affecting traditional gender roles. For instance, the female to male ratio is changing since more women migrate in search of economic opportunities (Flintan 2011). Traditionally in Karamoja, women were solely responsible for agriculture in their home gardens and, contrary to other regions, they made the decisions about the crops they wanted to cultivate (Flintan 2011). As a consequence of their migration, livelihoods are becoming increasingly diversified and more men work in homestead plots. The decline of marriages involving cattle as bride price is generating new forms of social safety nets – cattle in a marriage is an important safety net for women and children – and new means of acquiring status and power are likely to emerge (Flintan 2011).

According to the Social Institutions and Gender Index (SIGI) (OECD 2015a), as the second poorest performing region in the country, northern Uganda presents high levels of gender-based discrimination in social institutions. Two main challenges explain

this poor performance: discriminatory social norms and belief systems; and violations and restrictions on women's physical integrity.

Discriminatory attitudes and practices within the family are some of the key explanatory factors for women's marginalisation in both West Nile and Karamoja sub-regions. This is especially so in Karamoja where, despite the existence of a law setting the minimum age of marriage at 18 for boys and girls, one-third of the population believes that girls should be married before that age. Three-quarters of the population accept girls' early marriage, whereas only one-quarter have favourable opinions towards boy's early marriage (OECD 2015a). Also in Karamoja, two-thirds of the population agree that domestic violence against women is justifiable under certain circumstances (UNDP 2005). In West Nile, two-thirds of the population believe that it is justified for a man to beat his wife for any one of five specified reasons – a national survey found that 58% of women and 44% of men justified wife battering (UNDP 2005). Other discriminatory practices such as bride price and levirate marriage are also more prevalent in the Northern Region than in other regions of the country (92% and 67% versus 77% and 37% respectively) (OECD 2015a).

On a more positive note, discrimination in access to economic and natural resources for women in West Nile and Karamoja is lower than in it is in other sub-regions of northern Uganda. For example, in those two sub-regions, 17% of people think that women should not have the same rights to access and manage land as men versus 54% in Mid-Northern sub-region. In Karamoja and West Nile, 14% are denied equal access to financial services (bank accounts, formal and informal credit) versus 40% in Mid-Northern (OECD 2015a).

In terms of civil liberties, the Northern Region is the second best performer in Uganda. National laws and policies promoting women's political participation have enhanced women's representation at the district level: 42% of district councillors in the Northern Region are women, and four in five people think that all candidates should have the same political opportunities regardless of gender. Despite remaining restrictions on women's voice, participation and access to the public spheres, West Nile and Karamoja seem to perform better than other regions in terms of attitudes to women in public office. In both sub-regions women enjoy equal access to justice (courts, police and local councils). Nevertheless, discriminatory ideas such as the belief by 64% of respondents that men are better political leaders than are women prevail (OECD 2015a).

Corruption risks

Corruption is widespread in Uganda and the perception is that it is getting worse (Sharpe 2018): 69% of Ugandans perceive that corruption has increased since 2014 (Transparency International; Afrobarometer 2015). In the last Transparency International's 2017 Corruption Perception Index (CPI), the African country scored 26 (0 being highly corrupt and 100 very clean). Uganda's poor anti-corruption performance and its deterioration is confirmed by the World Bank Worldwide Governance Indicator: in 2006 the control of corruption indicator for Uganda was 24 (0 corresponding to the lowest rank and 100 to the highest), and in 2016 it was 13. According to reports by the Ugandan auditor general's office, public funds were misappropriated in increasingly sophisticated ways (Inspectorate of Government 2014).

There are anti-corruption initiatives from civil society in which women play an important role. In

particular, “village budget clubs” were set up and are trained by the NGO Forum for Women in Democracy. FOWODE-trained community leaders in Karamoja to monitor the budgets of local councils to ensure that they use public resources responsibly.

In West Nile and Karamoja, there are several areas of life and sectors that are especially vulnerable to corruption. Corruption risks arise from the conflict and post-conflict context, as well as from the already mentioned social, political, economic and gender conditions in the region.

Government legitimacy challenges

In post-conflict settings characterised by lack of citizen support and weak political will to address governance issues, politicians might be tempted to use state resources to overcome legitimacy challenges and secure support to remain in power through patronage networks or by offering material rewards in exchange for political support (OECD 2008). Indeed, the ruling regime has been channelling public resources towards northern Uganda, ostensibly as part of post-conflict reconstruction efforts but also in a suspected bid to increase its popularity in the region (Izama & Wilkerson, 2011). As such, support for the regime has dramatically improved from the 2006 elections (URN, 2006) to the most recent 2016 elections where the NRM attracted 80% support in Northern Uganda (Afrobarometer, 2016).

Foreign aid inflows and capacity challenges

In post-conflict contexts, governments often do not have the capacity to manage the flow of international financial resources in an efficient, transparent and accountable manner (USAID 2008). The pressure to distribute those resources and the low absorptive capacity of governments create incentives for corruption and rent-seeking

(OECD 2009) in order to take advantage of international assistance while it lasts (Chêne 2012). In the financial year 2016/17, Kotido District in Karamoja spent only 38% of its budget (URN, 2017). In 2015, the Auditor General found that Yumbe District in West Nile had unspent money on its National Agricultural Advisory Services (NAADs) Account that had not been returned to the consolidated fund (OAG, 2015).

Cross border trade

Border trade activities can be particularly vulnerable to corruption due to poor external oversight, discretionary power of border authorities, pressure of organised networks, high tariffs and complex regulatory frameworks, among other aspects (Chêne, forthcoming). The main areas susceptible to corruption are customs and border guard forces. Illicit trade activities might seek the protection of officials to allow them to operate.

In the case of West Nile and Karamoja, of particular importance is the flow of arms. Corruption allows both the existence and the persistence of illicit arms trade. Sometimes, governments contribute to the illicit trade by arming proxy groups involved in insurgencies against rival fractions (Martini 2014). Often, formal and illegal arms trade are interdependent, and corruption, bribery and fake legal transactions where legally purchased arms are delivered to a recipient other than the legally stated one are among the mechanisms that make it possible (Feinstein 2011; Martini 2014).

Wartime legacy

The afore-mentioned conflict led to the displacement of the local population and the presence of refugees. The subsequent lack of transitional justice mechanisms continues to affect

governance in the present. Displaced people and refugees are especially vulnerable to the lack of the rule of law. In recent years, refugee smuggling has become a lucrative activity due to the increased number of refugees in the world (OECD 2015a), and it is facilitated by corruption. The weakening of the rule of law as well as underfunded and inefficient judiciaries create permissive environments for corruption (O'Donnell 2006). There have been recent reports of widespread corruption in refugee assistance programmes (Okiror, 2018).

Insecurity and crime

Crime is potentially connected with corruption in at least two ways (Chêne 2012, 2008). One, in a society with a weak judiciary, crime is sustained and protected through corrupt means, such as bribery, to prevent prosecution or to buy impunity. Two, the existence of extended organised crime reduces the incentives to implement anti-corruption measures, thereby further reducing the costs of engaging in corrupt activity.

Land and natural resources

Africa has become very attractive for land investors due to the abundance of cheap agro-ecologically suitable land, the existence of natural resources and its increasingly liberalised economies. Generally, countries that attract land investors have high levels of corruption and poor governance since weak governance and corruption can facilitate quick and cheap deals, maximise profit and minimise red tape (Arezki, Deininger and Selod 2012). Besides commercial land deals, corruption is often a common practice in everyday land administrative service, Uganda being among the worst performing (Transparency International 2013). Areas generally vulnerable to corruption in land administration are: demarcation and titling of land, identification of the land according to

state categories, planning and zoning, land valuation, land sales and leasing, enforcement of land rights, remedies and compensation, and monitoring investors' obligations (Zúñiga 2018). Bribery in land services is exacerbated by complicated and expensive processes.

Women are the main victims of corruption in land services (Randria Arson et al. 2018). In particular, it impedes women's access to land ownership, affects their use of and control over land, and prevents women benefitting from the economic opportunities offered by the security of tenure. Informal social norms and local practices often exclude women from land ownership. Land corruption tends to reinforce this tendency. In addition, women are especially vulnerable to pressure to pay bribes. They may face sexual harassment, violence and extortion, or be forced to give up their rights. Women also have difficulties in receiving compensation in land acquisition. Regarding natural resources, the exploitation of natural resources represents an attractive sector for the corrupt. High levels of discretionary control together with large amounts of money and concentration of power, create a fertile ground for corruption.

Lack of awareness of legal rights

Lack of awareness about human rights creates opportunities for abuse through corruption by, for example, demanding money for services that do not require them. Moreover, it disempowers citizens and makes it difficult for them to hold their leaders accountable. Of particular importance is the right to information, since, as Mori (2013) argues, this right is a tool to claim other rights. The lack of the right to information diminishes transparency and accountability and simultaneously increases opportunities for corruption (Martini 2014).

Informal economy

The informal economy, understood as the economy that is not taxed and not monitored by the government, plays an important role in developing societies, and women are generally a big part of it. In Uganda, the participation of women in the economy is mainly in the informal sector, particularly in trading (Cities Alliance, no year). Informal sector and corruption seem to run in parallel and can be explained by the same conditions such as the rise of the burden of taxes and inadequate legal systems (Mishra and Ranjan 2011). Some authors show how corruption and the informal sector complement each other since the former allows informal firms to enjoy greater protection from enforcement and, therefore, higher profits; and corruptible tax inspectors benefit from larger informal sectors (Mishra and Ranjan 2011).

Social norms

Social norms, understood as shared understandings on accepted forms of behaviour, have a great influence on traditional rural societies and where the state has limited capacity to reach the whole population. Studies exploring the influence of social norms on corruption offer mixed results (Lindner 2014). Nevertheless, social norms have the potential to explain high tolerance towards certain forms of corrupt behaviour, or to what is perceived as corrupt outside that society. An example of it could be patronage relationships and nepotism justified by the importance of personal exchanges and favours as the dynamic that sustains social relations in a community. Discriminatory attitudes towards women can also explain the higher levels of vulnerability and worsen the effect that corruption might have on them.

Measures to mitigate corruption risks

The corruption risks exposed above can be addressed at different levels, from the perspective of those affected – in this case with a focus on women – at the level of education and behaviour, from an institutional perspective, and from the point view of the contingencies present in a post-conflict region.

Gender-based anti-corruption approaches

Corruption is not perceived, experienced and tolerated in the same way by men and women (Rheinbay and Chêne 2016). Understanding those differences helps to design more realistic and efficient anti-corruption approaches. For example, specific forms of corruption that affect women most, like sexual extortion, should be recognised and addressed in a specific manner.

Among the actions that can be taken to mitigate the gendered impact of corruption and promoting policies addressing corruption and gender inequality are (Rheinbay and Chêne 2016): collecting gender disaggregated data, awareness raising on the differential impact of corruption, mainstreaming gender into anti-corruption programmes, promoting women's participation in public and political life, capacity building and institutional support of women leaders, promoting gender responsive budgeting, integrating women in the labour force of public services and gender sensitive reporting mechanisms.

At the project level, there are certain measures to consider to mitigate corruption risks and to design anti-corruption projects responsive to the needs of women, for example (Sample 2018):

- consider the potential impacts that the activities in a project might have for women and men

- consider the potential gender risks regarding economic opportunities, property rights and gender-based violence
- ensure that the project reaches women across social, economic and ethnic/racial identities, considering that women experience with corruption will vary based on those identities.

Leveraging social norms and influencing behaviour

The approach of influencing social norms and behaviour through the promotion of values and integrity has increasingly awakened the interest of anti-corruption practitioners and academics. A multi-pronged model that goes beyond institutional and legal reform and pushes for changing behaviours and attitudes is considered especially relevant in societies with systematic corruption where corruption is embedded in daily life (Lindner 2014). This approach can be of particular importance in the West Nile and Karamoja sub-regions considering the distance and distrust between the local population and the national government, which could reduce the effect of formal anti-corruption policies in those regions. Some ways to influence social norms and behaviour are:

- promotion of integrity and education in values against corruption in public institutions as well as part of the formal curriculum at schools or in informal education
- social marketing to create an environment that discourages corruption (Kindra and Stapenhurst 1998). Social marketing creates internal pressure for change by creating new norms of acceptable behaviour.
- shaping public opinion through the media (Byrne, Arnold and Nagano 2010). The capacity of the media to shape public opinion and change norms turns it into a powerful ally in

the fight against corruption. In this sense, the media can serve in different ways, from showing the public the negative effects of corruption to providing a platform for citizens to speak up against corruption.

Addressing corruption in post-conflicts contexts

Some good practices to address corruption in post-conflict contexts are (Chêne 2012): tailor anti-corruption to corruption patterns and quality of leadership; strengthening rather than circumventing government structures even if they are inefficient; supporting anti-corruption victories and making them visible. Northern Uganda has registered significant anti-corruption success with social accountability programmes that train and empower communities to monitor local development projects and make complaints to local and central government officials in case of performance anomalies (Fiala & Premand, 2017). Thus, programmes that strengthen citizen engagement and participation in local development process hold promise for strengthening anti-corruption in post-conflict contexts.

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