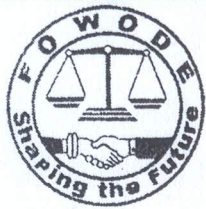


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FORUM FOR WOMEN IN DEMOCRACY (FOWODE)

Affirmative Action for Women in Uganda Today: Navigating through the Muddy Waters and Pushing on.



Associate Prof. Josephine Ahikire

Women and Gender Studies, Makerere University & Executive Chair, Centre for Basic Research March 2013

For much of the 1990s Uganda was celebrated as one of the success stories regarding affirmative action. With a percentage of women in parliament at 35%, Uganda ranked well above the regional average which stood at 17 per cent. Today Uganda comes 21st in the world rankings, with 35%. And with the minimum 30% at local government level, Uganda beats the world average of 19%. Interesting patterns on the world scale are that Rwanda (56.3%) ranks number one, Sweden (42.7%) comes fourth together with Senegal, Tanzania comes 20th just above Uganda. UK (22%) and USA (16.85) come 54 and 78th respectively. No doubt, these numbers in politics and other areas such as higher education in Uganda today, in themselves are a cause for celebration. However, from these figures, it is very clear that we may not easily make clear connections between the level of regime democratisation in a specific country and women's presence in the legislature. Neither can we easily discern the impact of the women's presence in the decision making structures. So then what should we think and say about affirmative action for women as we stand today?

In Uganda, anxieties about women's physical presence in political decision making structures abound. On the part of the women's movement there is anxiety about the pace of change. Uganda has achieved the critical mass widely regarded as sufficient for women to have direct impact, for example, towards gender sensitive legislation and policies that positively impact on women's lives, in all their diversity. Within the wider society there is a more reactionary anxiety which classifies those women who come to decision making spaces via affirmative action as less deserving, as well as concerns on whether it benefits the elite women to the disadvantage of the grassroots woman.

There is a whole discussion of the need for term limits such that affirmative action seats are structured as training grounds so that senior women politicians are able to move into mainstream seats to create space for their juniors to compete on affirmative seats. The bottom line that should guide all dialogues, including anxieties and misgivings is to say that affirmative action should not be seen as a favour. Quotas for women (as Affirmative action in politics is generally referred to in the global dialogues) are not a favour but rather a compensation for structural barriers that women meet in the electoral process. The direct as well as hidden societal barriers that prevent women from being selected as candidates and getting their fair share of political influence are well known. In other words, through quotas, society is only correcting what was wrong from the very beginning. Through quotas society is trying to clean up its own mess, and allows that women should not have to bear the burden of tearing down structural barriers on their own. Indeed the Constitution of the Republic of Uganda is clear. The National Objectives and Directive Principles of State Policy enshrined in the Constitution stipulates that the state shall ensure gender balance and fair representation of marginalized groups on all constitutional and other bodies. Specifically, Article 32 provides for affirmative action. It states that, the state shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason created by history, tradition or custom, for the purpose of redressing imbalances that exist against them. Article 33 (5) of the same Constitution provides that "Without prejudice to Article 32...women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom." Hence the Constitution puts the burden on the state to correct historical imbalances as opposed to "helping" women.

That said, however, there is a tacit social contract between the women's representatives and the state in which the women in political leadership should be accountable

presence of women has brought new questions on the political agenda. Without doubt the robust debates around health and water provisioning, gender based violence as well as education for the girl child can be partly attributed to women's presence in the legislature and other key spaces. Accordingly presence of women has helped to deepen discussions around poverty and the meaning of development. The experience of the constitution making process in 1994 and the resultant constitution indicates that the numerical presence of women in the Constituent Assembly had a lot to contribute to the gendered contestations and outcomes. The outlook of decision making bodies has changed ideologically relatively accommodating the construction of a leader as male and female.

Furthermore the increased presence as engineered by affirmative action has given space for the women to demonstrate their ability to govern. The former Vice President Dr. Speciosa Wandira Kazibwe once said in an interview that, "if there was no affirmative action, nobody would have seen that had the potential to be a leader". We can argue without doubt that Hon. Rebecca Alitiwala Kadaga the current speaker of Parliament demonstrates a direct link where measures to bring women into decision making spaces may, in practical and ideological terms demonstrate their ability to govern. A number of women have also performed exceptionally well in various capacities, in parliament and political party structures within the ruling party as well as in the opposition parties.

Yet, there is a tendency to individualise women's strengths and collectivise their failures. For example, women MPs are more liable to being looked at as a collective, where the failings of some of the women are easily attributable to the entire collective, yet the strength of a number of women does not work to create a positive collective identity for them as a group. Men on the other hand tend to be viewed more as individuals than as a collective. This is also partly the reason why there tends to be anxiety around the performance of women politicians.

The other level of anxiety stems from the reality. This is the reality of stagnation and backlash. There seems to be a wave that threatens to roll back the gains that Ugandan women have made over the years. The wave threatens to turn women once again into subjects to only support that which, the powers that be, are comfortable with. Again the women in the spotlight are those occupying spaces of decision making, which inadvertently brings the question of affirmative action into play.

How do we push on through these muddy waters? And how do we address the daunting question of quality of result? The demand for greater women's representation in its broadest formulation should not attempt to predetermine the ways in which women politicians should represent their constituency. The issue is rather one of access to arenas of public decision making so that various interests of women can be debated and acted upon. Framed this way, the question then alerts us to the fact that it takes more than women politicians for the complexities of gender inequalities to be fully addressed in policy terms. Presence is the basic starting point. The leap from this very basic starting point should involve broader social mobilisation and transformation. In this way the quality of women's participation becomes a function of several factors, without question starting with the numbers and the social base of the women politicians but much more importantly including the level of activism of women and their organisations to demand accountability and push for a democratic culture. To borrow from Ann Marie Goetz, a renowned feminist political scientist, we ought to look at the extent to which women's access to parliament results in a shift in systems that

anxieties around affirmative action for women. Affirmative action needs to be strengthened but on the terms firmly defined and streamlined by the women's movement. This includes critical review on how to translate physical presence of women into strategic engagement. This cannot be left to the women standing on affirmative action seats to figure out for themselves.

- Term limits for women on affirmative action should not be entertained as a point of debate as long as all other seats are not subjected to this limit. Indeed why should women be subjected to different standards from men? Limiting terms of women legislators will only work to accentuate their secondary citizenship status as that group which needs to be constantly corrected and tamed. This debate should also be preceded by a critical study of the attrition rate which in any case limits the accumulation of a critical mass of seasoned female legislators and councillors.
- Affirmative action for women within political parties needs to be enforced. Major parties e.g. NRM and FDC have provisions for 40% women in leadership positions which have remained on paper. The deputising syndrome seems to be taking root as the norm. Enforcement of affirmative action for women within party structures will create more opportunities for their greater political influence.
- Affirmative action should be expanded to other critical areas such as in public service, employment and corporate governance. In very specific ways affirmative is required in areas where policies are implemented and monitored. Once women's strategic presence in such areas is enhanced, the totality of the women's efforts to change systems will be felt and positive impact realised. On corporate governance, lessons can be drawn from the Scandinavian countries like Norway where companies are required by law to ensure that no sex occupies more than 60%, a policy originally focused at a minimum of 40% women.
- There should be a deliberate effort to support women to contest mainstream seats, not only to expand the opportunities for women generally, but also to get the voting population to engage with their own prejudices particularly the preference for male candidates. Even when women do not win in great numbers, the very point of competing on the mainstream seats gets society to engage, thereby pushing the boundaries for women's political participation. Research especially by the School of Women and Gender Studies at Makerere University indicate that prejudices against women are slowly being dismantled. In 2006 the Monitor newspaper of March 8, reported a 62% success rate for women who contested mainstream seats. This particular election indicated that there was more willingness to vote women candidates especially on the basis that they held a promise for more pro-poor development. This optimism needs to be further nurtured rather than taken for granted. The quest for diversifying mainstream seats should not be allowed to be confused with the idea of competing with men or being 'as good as men'. Men cannot be the yardstick of something they have monopolised simply on the basis of male privilege. The quest should rather be about the right for women to occupy that space that men have tended to dominate.
- Women need to move from the status of the exception to the norm in the leadership arena. This requires a process of continuously developing a critical mass of purposeful women leaders. In the short term women need to be encouraged to join leadership positions and in the long run, young women need to be encouraged to join leadership positions.