WOMEN, CULTURE AND RIGHTS
IN ACHOLI

CCFU
The Cross-Cultural Foundation of Uganda

2017

“Shift the paradigm perspective from one that views culture merely as an obstacle to women’s rights and empowerment to one that seeks to ensure women’s equal enjoyment of rights”

- Farida Shaheed, UN Special Rapporteur in the field of cultural rights.

TABLE OF CONTENTS

Page

SUMMARY 3

1. INTRODUCTION 4
   - Culture, rights and women's empowerment 4
   - The research process 4

2. WOMEN'S RIGHTS AND RESPONSIBILITIES IN ACHOLI TRADITION 6
   - Rights and responsibilities in pre-colonial and colonial Acholi 6
   - Values and principles informing Twero 7

3. FROM TRADITION TO MODERNITY - DRIVERS OF CHANGE 11
   - Introduction of a cash economy 11
   - Western education and religion 11
   - Urbanisation 11
   - Civil strife 12
   - New perspectives on human rights 12
   - Population growth 13

4. CULTURALLY DEFINED WOMEN'S RIGHTS AND RESPONSIBILITIES TODAY 14
   - Land rights 14
   - Marital rights 15
   - Protection against violence 17
   - Participation and decision-making 17
   - Peace-building and the power to bless and curse 18
   - Access to education and information 19
   - The duty of care and women returnees from captivity or war 20

5. THE PERSISTENCE OF WOMEN'S RIGHTS INFORMED BY CULTURE: MAJOR CAUSES 20
   - A desire to retain one's cultural identity 21
   - The use of traditional justice structures 21
   - Advantages of traditional practices 22
   - Limited impact of human rights actors and development partner 22

6. CULTURALLY-DEFINED WOMEN'S RIGHTS: OPPORTUNITIES FOR WOMEN'S EMPOWERMENT 23
   - Women's land rights and food security 23
   - Marital rights 23
   - Promoting rights and women's role in nurturing youth 24
   - Women's participation in decision-making and peace-building 24
   - Protecting women's rights through cultural institutions 25
   - The power of orature 26

7. CONCLUSIONS AND RECOMMENDATIONS 27
   - Statutory law and culture 27
   - The need for research and a paradigm shift 27
   - Strengthening cultural institutions 27
   - Building women's capacity to utilise the spaces culture provides 28
   - Changing methods and drawing from 'within' 28

Endnotes 29

SUMMARY

Culture and traditions have often been perceived in Uganda as reinforcing gender inequality and abetting the oppression and subordination of women and girls. The research presented in this report, which focuses on the Acholi region in the North of the country, set out to explore the hypothesis that: "Women's rights in Acholi not only stem from the current statutory (legal) construct but are also defined by tradition, which can be used to enhance their empowerment for harmonious living".

The research process relied on qualitative information, gathered from a variety of published and non-published sources, as well as extensive field work in the urban and rural areas of Gulu, Kitgum and Lamwo districts. Semi-structured questionnaires tailored to suit the different respondents were used. The data collected was triangulated for accuracy and respondents were purposively selected, reflecting their knowledge, expertise and the roles they play in various Acholi cultural practices.

The research establishes that culturally defined women's and girls' rights were well defined and protected up to the early 1960's, when 'traditional' Acholi cultural norms and principles prevailed. Before Uganda's independence, women were recognised and respected for the important role (albeit less visible than men's) they played in decision-making, in nurturing families, as integral actors in cultural institutions, and as leading some spiritual and cultural practices.

The research outcomes also show that Acholi culture today still has well-structured systems through which these gender rights have been passed on from generation to generation. Some of these culturally-defined rights have persisted in their original form while others have been eroded or re-engineered into their present day manifestation. This evolution has been caused by various factors, both internal and external to Acholi traditions and customs.

Where these culturally-informed gender rights and practices have persisted, this has been due to a perceived need to belong, associate and identify as Acholi women and men. Some of these present opportunities to empower women and girls today, provided traditional leaders, men and the community generally, display the necessary political will and support.

These opportunities are linked to the traditional roles that women play in peace-building, the nurturing and socialisation of children, and using the power of orature as a communication tool to bring about change in perceptions and attitudes on gender relations among children as they grow up. Others include the role of women in the agricultural sector and their traditional responsibility for food security, their power to bless or curse, and their skills in community mobilisation for collective social and economic support and progress.

This research seeks to provide a knowledge base not only for women and girls to enhance their own ability to use cultural values and practices to defend their rights, but also for cultural institutions and other development actors to better utilise cultural values and practices in decision-making and conflict resolution,and to promote the rights of women in their areas of operation or jurisdiction.

1. INTRODUCTION

Culture, rights and women's empowerment

Concerns about the marginalisation and oppression of women have dominated the development discourse in Uganda for the past six decades. Within this discourse, patriarchy, culture and traditions are often perceived as reinforcing gender inequality and abetting the subjugation of women and girls[1].

Uganda's human and women's rights movements have attempted over the same period to address the social injustices women suffer, but their prescriptions have often failed to explore or build on what could be termed 'culturally-defined women's rights', which remain largely unheard of[2]. At best, there has only been a superficial appreciation of the cultural context in which communities evolve and limited engagement with key players in cultural communities, some of whom are women. Partly as a result, attempts to secure social justice for women through legal means have often met with only fleeting success. Resistance, such as in the case of the fight against female genital mutilation[3], has frequently been encountered by development actors as they seek to advance the realisation of women's rights, in spite of any heightened level of knowledge of statutory rights by both rights holders and duty bearers[4]. Such challenges are also reflected in the focus placed by the human rights movement on political, civil and economic rights, with less attention given to social and cultural rights, in spite of their importance in defining dignity and in attaining social justice[5] .

There is however a body of evidence which suggests that women have been traditionally recognised and respected for the important role (albeit less visible than men's) they play in decision-making, nurturing families, as integral actors in cultural institutions, and leading spiritual and cultural practices[6]. There is evidence too that in view of these roles, culture can provide opportunities to improve gender inequality and promote women's empowerment[7].

Given this background, and with support from Diakonia, the Cross-Cultural Foundation of Uganda (CCFU) has embarked on an initiative to "Enhance women's empowerment using culturally-defined rights" in selected communities in Acholi. The first step has been to conduct research that may inform other interventions. This was designed to test the hypothesis that "Women's rights in Acholi not only stem from the current statutory construct but are also defined by tradition, which can be used to enhance their empowerment for harmonious living". The research therefore sought to examine the existence of culturally-defined rights for women's and girls' and their capacity to use cultural values and principles to promote their rights. It also sought to establish how cultural and other institutions have supported (or not) their use in decision-making and conflict resolution, in order to defend the rights of women in their areas of jurisdiction or influence.

This report presents research outcomes and recommendations, which cultural institutions and other development actors may find useful to inform their approaches as they promote gender justice and human rights in Acholi and beyond.

The research process

The research effort focused on the Acholi districts of Gulu, Lamwo and Kitgum. The selection of Acholi stemmed partly from CCFU's experience in the region and partly from the historically and socially disadvantaged situation of communities in northern Uganda, compared to other parts of the country[8]. Such disparity can, to a great extent, be attributed to the 20-year civil war that ravaged Acholi and forced the entire rural population to leave their homes to live in camps for fear of being attacked or abducted by the rebels[9]. During this period, displacement and violence led to a breakdown in social and cultural structures, and to intense psychological, social and economic suffering[10].

Research relied on qualitative information, gathered from a variety of published and non-published

sources, as well as extensive field work in both the urban and rural areas of the three districts. Semi-structured questionnaires tailored to suit the different categories of people were administered. A total of 546 respondents (363 female and 183 male) were interviewed, including religious leaders, academicians, cultural leaders (men and women), opinion leaders, development workers, women who have returned from captivity, youth, people living with a disability and other community members. Community interactions were either conducted as individual interviews or through focus group discussions.

There are a number of limitations of this work. First, cost and other considerations did not allow research to be carried out beyond the 3 districts of Gulu, Kitgum and Lamwo[11]. Second, the literature available on culturally informed rights is fragmentary, especially where the current context is concerned: there is limited written authority on contemporary Acholi culture, and some sources are contested. Third, qualitative research inevitably relies on personal accounts that cannot always be fully corroborated. Finally, the participation of youth was somewhat limited, as the social upheavals mentioned above has curtailed their knowledge of relevant Acholi cultural norms and traditions, and their responses tended to focus more on a 'modern' understanding of rights. The views gathered from respondents in communities that are being supported by development organisations engaged in 'rights activism' also reflected this orientation

This research report nevertheless presents findings that the authors believe provide a valid basis for further engagement. The three research districts, with their similarities and peculiarities, reflect to a large extent the wider Acholi reality.[12] Respondents were purposively selected to generate diverse information on past and present perspectives, from different generational and gender viewpoints, as well as from urban and rural outlooks. Some of the male participants were especially chosen because of their roles in the community and their knowledge of Acholi culture. The information gathered from the large and varied group of respondents was also, whenever possible and necessary, triangulated with additional interviews and the researchers made aware of possible biases, such as when respondents share opinions informed by what they think is expected of them (especially where observance of statutory rights is concerned). Field consultations were also held with respondents separated according to age, sex and leadership positions, to minimise influence and biases. Finally, the range of secondary sources consulted provided an important check on the results of the field consultations.

A community consultation with women and girls in Gulu

2. WOMEN'S RIGHTS AND RESPONSIBILITIES IN ACHOLI TRADITION

To understand culturally-informed women's rights in Acholi today, we must first review the cultural context of Acholi society and its understanding of rights in pre-colonial and colonial times. Subsequent chapters bring the discussion to the contemporary context, seeking points of historical continuity and change.

Rights and responsibilities in pre-colonial and colonial Acholi

Acholi was and still is a patriarchal agrarian society organised along social, political and spiritual dimensions[13]. In the pre-colonial and colonial eras, the Acholi maintained cultural beliefs about the spirit world and their social order based on co-existence at three levels: the past (which consisted of the deceased), the present (the living), and the future (those to come).[14] What took place in the world of the dead influenced and even determined the present and the future, while the present provided a medium of connection between past and future. Women had a critical role to play in this connection by virtue of their reproductive and productive roles and this greatly influenced the high social standing that women held in Acholi society[15]. This worldview shaped perceptions of what was right, just, true or wrong, and influenced justice processes, including forgiveness and reconciliation in conflict resolution[16].

'Rights' were defined by culture and interpreted, implemented and passed on from generation to generation by society as a whole. These notions differed from rights as currently defined by statutory law. *Twero* (the general word for rights) rather defined roles, authority or power over something. Such authority was legitimately derived from the Acholi cultural norms and practices of the time[17]. Until the early 1980's, the concept of rights in Acholi was largely understood as placing emphasis on roles, rather than entitlements. Roles consisted of 'must do's' and it was in the fulfilment of one's roles that rights and entitlements could be realised. Rights or entitlements therefore did not exist independently of responsibilities.

Enforcing rights in pre-colonial Acholi was primarily informed by the consciousness that was instilled in all individuals as they were socialised through informal learning at the fireplace[18] and by observing decision-making in families and communities. There was no written law to refer to, but rather a body of norms, principles, traditions and expectations, reflected in daily life and actions. Every individual, male and female, whose rights had been violated, could demand redress.

Women participated in community and family leadership although their involvement at the community level was limited. Their participation in the public sphere was through representation in a well-structured system of governance that was male-dominated. At the top of the hierarchy was the chiefdom headed by the Rwot, supported by a council of elders. Women were also represented in this council by their elder leader, the *Rwot Mon (or Lawi Mon),* who led on all chiefdom task for women, such as giving blessings, funeral rites, marriage ceremonies, community sanitation, etc. Below the Rwot and his council, villages would also include women leaders, the *Rwot Okoro,* whose role was mainly to mobilise women for agriculturally-related activities. A village *(mwoc)* was made up of a number of clans living together, all headed by men. Women's participation in clan leadership was limited because they were expected to marry and transit to their husbands' clans, but elderly and respectable women married into a particular clan – the *mege madong* or *mege madit* – *(*singular *mego)* were often consulted on clan matters.They also acted as role models to girls, other women and played an advisory role to young couples, They mobilised other women for social events and support, and were engaged in dispute resolution.[19]

Justice was dispensed to ensure compliance with one's prescribed responsibilities through the structures mentioned above. The leaders taking part in the resolution of a dispute depended on its nature: land issues for instance mainly involved men, with one or two women, while disputes involving women only were handled by women only.

All rights related issues were handled at the household or extended family levels as point of first instance by the father or mother-in-law and, in the event of failure to reach an agreement, an appeal to a higher level (the clan or the chief and his council)was made[20]. The Rwot and his council were the last appellate level on chiefdom matters, on inter-clan issues and issues that were not resolved at clan level. The dispensers of justice based their decisions on spiritual guidance and the principles and values that sustained Acholi social order, to which we turn next.

Values and principles informing *Twero*

Just as ethical principles underlie statutory human rights, the traditional Acholi concept of *twero* was informed by unwritten - but expressed and lived - principles and values that guided interactions between individuals, families, clans, chiefdoms and society generally. These provided the foundation for beliefs and practices and reflected the three-level world view described above, with the special responsibility placed on 'the present' to connect the two worlds of past and future. These principles and values were passed on from generation to generation through informal education and included:

- ***Respect,*** which was fundamental to every action and included deference for the elders, men, women and their leaders, the disabled, children and future generation, departed relatives and the supernatural. Every individual was respected in his or her own capacity.
- ***Honesty, integrity and truthfulness,*** which were also key values guiding the Acholi in their actions. An honest man or woman was respected and these values informed the choice of community leaders, such as the *mege madong,* and the Rwot Mon.
- ***Justice,*** which provided the benchmark for dispute resolution within families, clans and chiefdoms. Justice was prompt, never delayed.
- ***Community responsibility,*** which made every individual accountable to the clan and to the community. This anchored a strong sense of responsibility towards one another and guided the justice system. The community's perspective on the notions of right and wrong took precedence over the individual's. Even today, *"as Acholi society is traditionally clan-based and collective, the whole clan may experience negative consequences for individual violations of the moral code. Thus, the clan traditionally takes collective responsibility for making good any violations"*[21]
- ***Reconciliation and restoration,*** which were key principles informing the Acholi justice system. Penalties were intended to be deterrent, and to restore social order, rather than be punitive.
- ***Value for life and belief in the future,*** which meant that every action undertaken had an end beneficiary as 'the future'. This shaped morals and behaviour, promoted conservation of property and culture, and the exercise of self-restraint.

The enforcement of the community's notion of women's rights (or *twero pa mon)* was informed by these values and principles enumerated above (especially the principles of justice, reconciliation, restoration, honesty, integrity, truthfulness, community accountability and respect). Enforcement of these rights, as for others, was meant to appeal to one's human conscience and sought one's acknowledgement that an action was right or wrong.

Women's rights in pre-colonial and colonial Acholi

In pre-colonial and colonial times, women were revered, in part because of the reproductive, protective, decision-making and productive roles they played[22]. They had to be protected jealously, even at the cost of one's life. Women's status was also based on the premise that the role of the present generation as medium of connection between past and future generations could not be fulfilled without a woman. It was therefore through women that hope in the future could be sustained. This consideration informed the nature and complementarity[23] of the roles and responsibilities assigned to both women and men by a society which, while patriarchal in nature, had to ensure the sustenance, survival and protection of Acholi women.

It was therefore through women that Acholi culture was expected to thrive, as reflected by the nature of informal education and nurturing mechanisms. As one respondent put it, *"…the duty to pass on traditional cultures and customs squarely lay with women. To me the real Acholi is the woman"*[24]*,* while another remarked *"….women were regarded as protectors…they were the strength that kept families, clans and chiefdoms"*[25].

The character of a family, clan or chiefdom was thus largely informed by the character of its women. Rwot Latim of Pawel for instance explained: *"In Acholi, we looked at women as chief advisors. Acholi protects women's rights and we give due respect to them because a home is not a home until there is a wife…. the character of a home is largely defined by the women in that home."*

Land rights

Rights and responsibilities with regard to land illustrate this orientation. Food production and food security were vital and food was itself considered as 'the future'[26]. Central to this was the woman and the trust placed by the community to deliver its members to this 'future'. Every woman – married or not – had a right to access land for use and had unlimited powers to determine how that land was used (except giving it away or exchanging it). Land was linked to motherhood and was often referred to, for example, as *"ngom pa mina Akello"* (Akello's mother's land). Despite the fact that men were the ultimate decision makers on apportioning land, the land rights of women whether widowed, single, divorced or separated were always protected; widows inherited the estates of their deceased husbands and the responsibility of apportioning land to the sons when they came of age was their sole prerogative. Girls were not appointed heirs to their father's property because they were expected to later move to their husband's clan, but both girls and boys had an equal enforceable right to access and utilise their father's property. Single women, whether mothers or not, as well as separated or divorced women, had a right to access land at their birth place as long as they lived with their family. Clan leaders were responsible for ensuring respect for every family member's rights and their decisions were guided by the values and principles mentioned in the preceding section.

Men were prohibited from controlling the produce and not allowed to look into a granary, whose control was the sole responsibility of women, even when some produce was to be sold or exchanged. If a man contravened this, he was seen as irresponsible, disrespected by society, ridiculed in songs[27] and could be divorced without any refund of the dowry.

Women acted as the "family bankers", in consultation with their spouses, despite the proceeds or income having been earned by both husband and wife in their complementary roles. Such proceeds were kept in pots *(agulu)* that men were prohibited from opening. Women were free to engage in *awak* and *ayela* (community and family social support groups respectively) to boost food production. It was the men's responsibility to provide their wives or sisters with support in agriculture. It was also a man's role to clear the land and to do other work that needed much physical energy, while the woman weeded and harvested. Women had the right to be supported with tools and resources for production, such as farming inputs and granaries, by the men, especially their husbands, fathers or fathers-in-laws and brothers.

Agulu pots displayed at Ms. Atube's family museum in Pagen, Lamwo District

Marital rights

Another area where women's rights were apparent was marital rights. Women largely had the right to choose their husbands and marriage was seen as sacred and consensual[28]. The Acholi were often polygamous. Clan members were obliged to support their sons to marry by way of contributing to dowry payment, but this only applied to the first marriage and was seen as a commitment by the young man and his clan to protect the bride. Men used to pay dowry using the wealth brought in by a sister's dowry, giving her a greater say in the brother's marriage than all the other siblings. Her role was to ensure the stability of her brother's marriage. No divorce would take place without it being sanctioned by the family of the man and this had to be subject to a fair hearing to the couple. This made marriage a concern for the extended family where the interests of the women were well protected.

In marriage, all wives had the right to be provided for separately within a polygamous setting. Each wife had a right to privacy, to a separate piece of land, granary and other resources necessary for family survival. Women were not allowed to share the same bed and each had her own house and household property, as expressed in the adage *cip pa mon pe twome* (the hems of women's skirts do not touch). Each wife also had a right to make independent decisions within her own home and these had to be respected by everyone, especially family members. The consent of a first wife for a man to marry another woman was mandatory. A wife had the right to withhold such consent for good reasons, such as the husband's failure to provide for her and the children.

The right to security

Women were entitled to a violence-free environment in the home and community. It was for instance forbidden for anyone to kill a woman[29], even from an enemy camp and if this happened, the culprit would be killed by his own side to keep away the spirit of mother-nature from avenging the death, and a cleansing ceremony performed[30]. Sexual violence was very rare, as the punishments were severe and deterred potential perpetrators. Young girls had to be protected by their brothers and the community in general, especially while in public spaces or community ceremonies, such as at *raka-raka* dances. Domestic violence was strongly condemned and attracted community action from elders, clan leaders, mothers and fathers in-law against the perpetrators, especially by the culprit's father in case of wife beating. A woman's cry resulting from violence or social injustice should never be heard and if this happened, *"Elders would come very early in the morning one by one and sit outside the house. The ladit Paco or ladit Dogola (family head) would invite them in, but they would refuse. You can imagine how threatening this was. They would ask to talk to the head of the household. When he came to meet them, one of the elders would ask, "We heard a woman's wail from the direction of your home; did you hear it too?" The household head would then be put to task to explain why he had failed to teach his son or grandson and the elders would ask him to have a meal prepared for them as they sorted out the matter. He would have to select an animal from the kraal, usually from the guilty son's or grandson's animals"*[31]. This affected the family wealth and acted as a prohibitive measure in case of domestic violence. It was also believed that the spirit that descended upon a community in reaction to the injustices caused to a woman was the hardest to cleanse and the size of the animal slaughtered had to reflect the gravity of such a matter.

Decision-making

The rights of women to participate in matters affecting them were more evident within families than at community level, reflecting their family roles. Their decision-making powers could be both direct (in private) and indirect (in public). No man would for instance exchange the family's livestock without his wife's consent, although livestock was considered a man's property. Even when contributing selected animals to a son of the clan for his marriage, a wife's approval was mandatory. A married woman had a right to appeal against any forceful removal of livestock to the family elders, who were obliged to pass a just and fair ruling on the matter. It was believed that in the event of unjust decisions affecting this woman, the proposed marriage would not last and calamities would befall the community.

The clan, the father or the mother-in-law, the *Rwot Mon, Rwot Okoro, daake*[32]*, mego madong* and the Rwot's council had to ensure justice and peaceful co-existence between men and women. These structures - whether women participated directly or indirectly - reflected gender roles and responsibilities. The *Rwot Okoro, Rwot Mon* and *mege madong,* consulted and represented other women in clan or community meetings. The meaningful participation of

women in male-dominated meetings could however be undermined since men had the discretion to invite participants.The decisions of first wives on clan matters were nevertheless especially sought after because they were expected to serve the interests of the clan that contributed to their dowry. Decision makers were interdependent: thus, whereas it was the role of men to go to war and doing so was decided by the Rwot council, they would not proceed without the women's sanction in the form of a blessing, using the *"oboke olwedo"* (a special plant for the purpose). Similar blessings had to be obtained for all types of decisions – marriage, hunting trips, journeys, and for good health.

These blessings were at times withheld, depending on the reasons given by the senior women in the community. Only a few women were however consulted or involved in such decision-making, and they might have had a limited degree of independence to withhold consent as they would be obliged to "show respect". There were however instances where blessings were withheld[33] and the decisions respected, indicating that withholding consent was informed by principles of community accountability and justice, as interpreted by women.

Education

In pre-colonial and colonial Acholi, all children were entitled to practical informal education, including orphans[34] Girls' education was mainly provided by women as mentors, especially by the mother, grandmother and aunts at the *wang mac* or *tukeno* (fireplace for girls) while boys were groomed by men - fathers, grandfathers and uncles - at the *wang-oo* (fireplace for boys). Informal learning largely shaped the morals and characters of individuals.

To conclude, Acholi women were better able in the period up to independence to fulfil what may now be termed their social, economic and cultural rights than their political rights. Acholi society was characterised by a situation where women's rights and responsibilities were limited to their culturally-defined place in society. and directly reflected their sphere of existence and socially prescribed roles (revolving around their reproductive, productive and advisory functions.) These rights were interpreted using the lenses of Acholi ethical principles and values. This enabled women to survive, to be protected, to associate and to receive justice, as any other member of the community.

3. FROM TRADITION TO MODERNITY - DRIVERS OF CHANGE

Acholi women's rights have evolved in contradictory directions, especially since the independence period, with the introduction of new values, practices and knowledge. The once revered position of Acholi women in society has been challenged, with men taking over previously pre-dominant women's responsibilities and entitlements. This chapter examines the main reasons for such changes.

Introduction of a cash economy

British colonialism led to the introduction of a cash economy in Acholi in the early years of the twentieth century. This had a direct impact on social and gender relations: the scramble for large pieces of land to produce cash crops for individual benefit (and in order to pay tax, levied on men) undermined the principle of community accountability and mutual caring as individual capitalist traits started emerging. Women's authority to determine land usage was challenged and their right to access land started being violated[35]. Land that used to be referred to by the woman's name now changed to men's names, who assumed greater control over it.

The family decision-making powers that women wielded were also eroded. The strength of the Acholi family - the interdependence and complementarity of roles and responsibilities of husband and wife – was undermined and replaced by the struggle to be independent and self-accounting[36]. Women's position as family 'bankers' and planners was overtaken by the desire to earn cash. Men abandoned their social support roles in food production and in nurturing their families. Women resorted to hard labour chores, such as opening up land,a task previously undertaken by men, in an effort to ensure family sustainability[37].

As the situation evolved, farming tasks were re-distributed among men and women with the latter producing largely for family consumption (without income) while the proceeds from the men's plots were no longer handed over to the women as was previously the norm, breeding conflict and domestic violence. With money, disrespect for decisions made by the family dispute resolution systems (father, mother-in law, clan) slowly crept in and disorganised the social order. In sum up, money assumed greater appeal than the traditionally set norm of what was right or wrong[38].

Western education and religion

We have seen that all children were equally entitled to practical and informal education. Informal learning largely shaped the morals and characters of individuals. With the advent of western religion and formal education however, informal learning at the fireplace slowly waned, and with it the moral concepts it imparted[39]. Education informed by western values, as well as Christian and Islamic religions, demonised culture and disrupted the transmission of cultural values and practices from one generation to the next. Religious converts started questioning the myths and spirituality that informed the core principles and values of the Acholi. Challenging the authority and traditional position of women, including their important function of blessing, as well as the beliefs that protected them, contributed to their vulnerability to abuse. Christianity and Islam placed women in an inferior position. Western education also favoured boys to prepare them for the white collar jobs created by the colonial administration. A gap widened between men and women, especially in relation to access to resources, whose effects are still felt today as employment has increased men's bargaining power and consolidated their position vis-à-vis women[40].

Urbanisation

The growth of urban centres[41], which is on-going, has also had a lasting impact on Acholi women's culturally-defined rights and social position. Urbanisation has altered the role of the family, the nature of work and has introduced new and often foreign lifestyles. Smaller

urban families and the dispersion of extended families have reduced the level of kinship support that used to be available to women. Social responsibility and accountability mechanisms have been eroded, often leaving women unprotected and forced by neglectful men to fend for themselves and for their children. Some women have also moved to urban centres to seek their own sources of work and income, further altering traditional gender relations. Urban women who had lost decision-making powers started recovering their autonomy, but at the cost of increased responsibilities, as illustrated by the challenges of accommodating work, domestic responsibilities and the other imperatives of everyday urban life. Urbanisation has also meant immigration by non-Acholi into the region, seeking business and other economic opportunities, and altering the cultural context in the process.

Civil strife

The Lord's Resistance Army war ravaged Acholi from 1986 to 2006 and had a profound impact on the culture and social fabric of its people[42]. There was mass displacement into concentrated internally displaced people's camps as protected villages were set up[43], exacerbating physical and emotional abuse experienced by women and children[44]. The social order was sapped and idleness deepened poverty. Husbands and bread winners died while others joined armed bands, leaving their wives primarily responsible for providing for their families and supplementing inadequate food rations.

A number of elders – the gate keepers of tradition - died too. Norms, practices and traditions that used to be passed on at the fireplace were no longer available or seen as relevant, leaving the young generation without the benefit of the traditional values and principles that guided gender relations[45]. According to Okot p'Bitek, oral tradition shapes social relations, and those vital relationship-building practices are found in daily activities or life as it is actually lived[46] Instead, there were no meaningful activities going on in the camps as men resorted to alcoholism[47] while the youth spent time watching western films that influenced their perceptions of what was right or wrong. This escalated violence against women: girls and women were raped in the camps (a previously very rare occurrence) or started exchanging sexual favours with men for food[48]. Others were abducted and forced to become wives to rebel leaders, in spite of the previously sacred and consensual nature of marriage, as earlier described. Child mothers bore un-wanted children whose fathers were often unknown, leaving the burden of care to these young mothers[49]. The respect and dignity previously accorded to women suffered accordingly.

During the research, many respondents saw this civil strife as the most important factor that undermined Acholi traditions. Atoo Josephine from Palabek summarised it thus*: "The LRA civil war was the worst time, when the Acholi tradition was completely lost; people went into camps to live a life contrary to the traditional setting; children lost all sense of tradition; women lost all sense of shame and men all sense of responsibility. There wasn't any more respect for elders".* Dr. Okaka Okumu[50] adds:*"[The] 1990's was the height of the loss of ethics, the family setting was lost, people went into concentration camps and there was no time to control and teach children Acholi values and practices. Films depicting violence and sexual escapades were the order of the day for everyone to watch including children. The financial power of the elders was lost and the young people and women became creative and had all the money. The elderly couldn't work and people started respecting money rather than ideas and traditional values."*

New perspectives on human rights

During the war, many organisations supported the displaced population with relief services, human rights protection, psycho-social support and other post-conflict development services. This was delivered primarily in accordance with donor agency procedures, rather than with Acholi tradition. Food was for instance distributed to women, undermining the role of men as family heads, and generating resentment by men who subsequently abdicated their role of family protection, leaving the responsibility of nurturing children to women alone. "Men were humiliated", said a group of elders in Payiira about this period. Similarly, the formal punitive legal system was used, rather than the restorative methods traditionally practiced by the Acholi. Although statutory justice addressed the violation of women's rights in many circumstances, this distanced women further from the extended family and other social support structures[51].

As awareness of human and women's rights was promoted in the camps, emphasis was placed on rights, with little on responsibilities, including those of children and women. This contradicted the traditional

concept of twero and its stress on responsibilities rather than entitlements. “Gender” came to be understood by men as intended to overhaul the patriarchal social order, leading to further resistance, abdication from their responsibilities and from traditional methods of consultation and complementarity between genders. As a result, children did not learn to work and, as family heads failed to assume their responsibilities to protect and provide for their families, the numbers of broken homes, especially headed by women, increased.

Population growth

With growing population density since colonial times, pressure on land resources has been mounting, especially in the towns and their vicinity, affecting relationships and social settings. As earlier noted, in pre-colonial and colonial Acholi, each wife in a polygamous marriage had a right to be provided for separately and controlled the assets allocated to her. With population growth, wives have increasingly been forced to share accommodation (previously unthinkable) and have at times to fend for themselves and their children alone. This has led to wrangles and disrespect for women, far from the high esteem they were previously accorded.

To conclude, these varied factors have all combined to affect gender relations and to lead to what currently constitutes the way of life of the Acholi. In spite of these changes, many elements of Acholi culture have proved resilient and affect women’s rights in the contemporary context. To this we turn next.

4. CULTURALLY DEFINED WOMEN'S RIGHTS AND RESPONSIBILITIES TODAY

Since the 1960's, the factors just mentioned have affected Acholi culture, as well as women's place in society, at times reducing their sense of dignity and their traditionally-defined rights. Yet, such rights continue to play an important role in the way Acholi society, and women's status in particular, is nurtured today. These include the right to be respected and not to be discriminated against, the right to a protected life and to safety from violence. They also comprise the right to be provided for by one's husband, family and clan members; and marital rights, such as the right to choose a partner and consent to marriage. The right to access and utilise customary land as any other clan member also prevails, as well as the right to a home, to property and to its inheritance. As dictated by Acholi culture, women can also participate in decision-making at family and community levels; they have the right to development in union with others, and the right to a just and fair hearing, in case of a dispute. With all these rights come responsibilities, as earlier explained.

Land rights

Women in Acholi today generally have rights of access to land under customary tenure, albeit with challenges related to ownership and use.[52] Rwot Amos Sempa of Agoro summarises: *"Women are free to access and use land apportioned to them at marriage without restriction. However, a woman is not allowed to sell any part, because land belongs to the clan and not to her or her husband as an individual. These rights still exist today, but some women are lazy while some men are greedy".*

Women's right to access customary land however largely depends on events such as marriage, separation or divorce. It also depends on a woman's relationship to a male, whether husband, son or brother (especially the brother who used her dowry to marry)[53]. Such dependence can undermine economic security: upon marriage, for example, as tradition dictates, a woman's right to access land at her father's home is suspended until she separates, divorces or returns home[54], when she regains it, as provided for by the "Principles and Practices of Customary Tenure in Acholiland", passed by the council of the Rwodi in 2008.

Some of these rights are however under threat. While widows have for instance been able to retain their land after their husbands' death, as have other women who have separated, but have children from the union, this is however often when the individuals concerned are educated and able to assert their rights, or when the family is sympathetic to the widow or divorcee. As widows only manage land on behalf of their male children and distribute it to them when these have reached the age of majority and are ready for marriage[55], when seen as a burden to the family, widows have at times been thrown off their land with or without their children[56]. A group of women respondents stated that women who are chased off their land are especially the widows who have refused to "be inherited". One respondent raised the concern that men who chase widows are not living the true values of an Acholi, as pointed out by a number of chiefs met, some of whom take decisive action to protect women's land rights (see box, page 15).

The clan is responsible for land management and for protecting women's rights. Abuse can however occur either because of limited knowledge (or lack of confidence) about the guiding principles of Acholi customary land law by women and community members generally, or because land has been commoditised for individual gain (by men) as opposed to the precepts of traditional communal ownership.[57] Men are the main perpetrators of violations and can occupy positions of leadership in clans which, despite their continued strength, face a situation of eroding authority, as greed and corruption lead some clan leaders to by-pass traditional values in their decisions. Men are no longer always held to account by the clan elders for not caring about their families and the future generations. At times, the seller also by-passes the clan system and goes to the local council or police station if there is a possibility of the clan blocking the sale[58].

As earlier presented, women's rights of control over food production and its proceeds have slowly eroded,

A cultural leader's work for women's land rights

"I am Rwot Dermoi Oweka, the Rwot of Ker Pai Bwora in Dure, Kitgum. Women had rights under the Acholi culture and still have the same today. They have the power to bless and that is why my wife blessed us first before this meeting. All here is property of my wife and I can never bring another woman here; everything is hers. This is as guided by my culture and I am implementing it. Whenever we have disputes, it is my role to sit with my wife and we talk. We also talk about how to use our wealth. I cannot take out any animals to sell without first consulting her, as culture demands.

But the war affected our culture so much and it is going to be hard to re-instate it as it was. I do peace-building and I help my people to resolve their disputes using culture and dialogue. Last year alone I handled over 400 cases, many land cases. I am invited to mediate and some cases involve women. I have a council which is very supportive. I have utilised all opportunities to have them trained in various areas and this has made them very effective in handling different cases.

If you analyse our cultural provisions, many are the same as our state laws. The state law is just a supportive measure. We do not tolerate abusing widows but rather our culture protects them. It is only the unruly people who are violating women's rights, just as in any other society. The courts are no longer very effective because it takes long to conclude a case and sometimes litigants die before they receive justice. People are losing money in court litigation. The challenge we have today is limited resources for chiefs to move around and do their work to restore our lost culture while strengthening the existing one."

and with this, women's right to be consulted by men on land usage. With less income to control, women are less able to decide the family's destiny and to ensure food availability throughout the year.

Today, not every family has a granary and cases of food theft in communities are increasing. Women accuse men of picking food in granaries, disrespecting the traditional role of women in food production. Men are at times accused of stealing food without their wives' knowledge to purchase alcohol or other items. A participant from the Otin Kica women's group lamented: *"men have developed weird habits of picking food from the granary, hiding it in clothes and selling it at the trading centre to buy alcohol"*. Such actions have often resulted in domestic violence and elders met in Payiira stated that these habits were learned in the war camps and persisted after insurgency. When women feel that the granary is no longer a safe place to store food, they cultivate less or (where means allow) construct modern stores devoid of cultural significance.

Respondents attributed this to the limited land available for cultivation, especially where it has been sub-divided among family members and where the desire to grow crops for commercial purposes overtakes production for subsistence. This especially affects families within and close to urban areas. Men's desire for control over crop production is said to explain the saying that *"a man is a chief in his own homestead" (arwot ki oda).* Tellingly, respondents in Unyama confirmed that land is today referred to by the names of the man, who commands control over it and its produce.

Countering these setbacks for women, the Acholi cultural institution, recognising that women's land rights are violated and that land disputes result from the many years of civil conflict and the breakdown in traditional systems and practices[59], has developed principles and practices that are guiding the management and governance of customary land in Acholi today[60]. These take cognisance of the rights of all women, whether married, widowed, single and young. Ker Kwaro Acholi maintains that these principles and practices promote the peaceful resolution of land disputes and that all cultural leaders are expected to use them as a guide in mediation of land disputes involving women.

Marital rights

Several types of marriages are conducted in Acholi today: church and Islamic, civil and customary. The

commonest and preferred is customary marriage, as a respected cultural practice[61]. Emmanuel Lagedo[62] from Ker Kwaro Acholi[63] points out that a failure to conduct customary marriages first is perceived by clans and families as a sign of disrespect[64]: *"Often times there are agreements signed between the families contracting the marriage, witnessed by community leaders or clan members. It is very rare for people to contract church marriages without first conducting the traditional ceremonies." A customary marriage provides a sense of pride and belonging to both the families and fosters the unity of the clans involved. Even women who had returned from captivity cited the traditional marriage as most cherished: "[It]makes us wish to wed. It gives a woman a voice in a home. If a man marries you officially and pays dowry, if one returns from captivity, it can change one's status: you get land, you determine how to use it, and you are respected by everyone in the community".* A married woman under Acholi custom is respected, can access and use marital property[65], and she is protected by the family and the clan, even if she is unable to have children. According to other interviewees, in the rare cases where a couple selects a church marriage without first conducting the customary rites, conflicts in the families and the clans have ensued.

Women today still have the right to choose their marriage partners regardless of the type of marriage they contract. Marriage is still considered sacred, the parents' role in blessing and sanctioning the marriage considered crucial, and the religious and cultural institution demand parental consent letters before it is consecrated. Payment of dowry still constitutes an important aspect of a customary marriage. The clan and family friends normally contribute to this payment although, unlike in the past, the groom meets most of the cost. A collective contribution is still meant to provide a social safety net for the woman and her children and a signal that a husband does not have the final say over his wife, as opposed to the clan. According to Rwot Joseph Adek of Pageya and his council, *"Issues that affect the family or marriage are matters of the clan and not individuals because it is the custom".* Even in the event of the death of a woman who has been cohabiting, her family will demand payment of the dowry for the deceased. Non-payment is seen by clan elders as a sign of disrespect for the deceased and her family.

In spite of the importance given to dowry, more women in Acholi are nowadays cohabiting, especially among the youth, a practice made possible by the changing nature of homesteads with their more dispersed habitation pattern. Women interviewed in several locations remarked that these unions are not lasting because they are not founded on the values of culture. Cohabiting women also suffer because they are not protected by any law or custom. They pointed out that cohabitation, strictly prohibited in the pre-colonial and colonial periods, and attracting a fine *(luk)*, is beginning to go unpunished. They partly attributed such inaction to eroding values during the period of civil strife, and to "human rights" that have given youth powers to act as they please, contrary to their customs, and removes authority from parents to shape their children's characters.

Customary marriages are often polygamous, as allowed by tradition and the law.[66] Polygamy has persisted, according to interviewed men, because of the need to continue the family lineage (in cases of infertility), to express one's culture and in the search for sexual pleasure. It is however no longer common for men to seek consent from their first wives before marrying another. Many women met said that polygamy as practiced today violates their rights because they are not provided for independently, as required by custom. The scarcity of land has also contributed to women resisting the marriages of second wives.

Widow inheritance persists, despite HIV and human rights advocates challenging the practice. It was however reported by most of the women interviewed that educated and economically independent widows have opted to have 'husbands' whose role is restricted to providing support on issues involving the clan but without any sexual attachment, as earlier prescribed by tradition. Young women interviewed in Dure chiefdom also illustrated change: *"The issue of inheritance is meant to provide for the family and maintenance for children. This is also changing today and if one wants to inherit a widow, they both have to agree and go for HIV testing irst".*

In Acholi today, most women marry after the age of 18, as prescribed by both custom and statutory law. Cases of child marriages and child-to-child marriages are however increasing. Women met in Palabek Gem decried such marriages and also attributed these to the effects of the civil strife: *"Nowadays even girls of 13 and 14 years are marrying. This is in disrespect of our culture and it also breaks the laws of the country".*

Protection against violence

Acholi culture condemns violence against women in all its forms. The traditional justice system still prevails (especially in rural areas) in managing domestic violence cases, in part because the Acholi view statutory law as a foreign construct intended to destabilise the social set-up, and see the need to reconcile warring parties as a priority, as opposed to the punitive approach promoted by statutory mechanisms[67].

As traditional norms and values are challenged, domestic violence,affecting mostly women and children[68] becomes more common. Defilement and rape cases are also on the rise[69]. These crimes were seldom heard of in ancient Acholi and when committed attracted hefty penalties[70] including caning and cleansing by slaughtering a sheep or goat[71]. Respect for the cultural institutions (and for the values and principles they represent) is waning, especially among the youth. Almost all respondents also pointed to drug and alcohol abuse as the principal cause of sexual violence. Physical violence often happens in public and in the presence of children, although some women have fought back their abusers. An elderly woman in a focus group discussion in Palabek Gem added: *"If you try to intervene you become the enemy and they tell you to mind your business. This is contrary to what I used to see while growing up. During my lifetime I saw my father beat my mother twice only but he was asked to answer why and a goat was slaughtered …"* Bicentina Lawoko also said: *"For a woman to be safe you need to be physically stronger than the man. Society no longer protects the woman as it used to be.."* This growing violence is mainly attributed to the civil strife that ravaged the Acholi region[72].

Participation and decision-making

Women today participate more than before in community meetings and contribute to the discussions directly, rather than through representatives. These concern governance as well as other well-being community issues. Women have also formed groups to meet, save, borrow and improve their welfare. Women still have the *Rwot Okoro, Rwot Mon and mege madong* as leaders in the chiefdom, clan and family.

A woman cultural leader in action

"My name is Becantina Aryemo. I am a Rwot Okoro and joined the council of chiefs at Pamot Kal two years ago. Seven clan leaders and I (the only woman) were elected.

As a woman council member, it is my responsibility to sensitise women about the importance of culture, reinstate the wang-oo, promote good moral behaviour and warn youth against incest and engaging in early sexual activities. I also mentor girls and teach them how to manage their menstrual cycle and stay in school. Since we started, we have registered increased enrolment. Recently the council and elderly women mobilised the Police and raided the night club and arrested all the youth of school going age. The parents were forced to pay bail to release the youth and since then this behaviour has stopped.

As elderly women in the community, we have been calling regular meetings to discuss vices in our community. In addition to our talks, we also have penalties and fines levied against offenders. If the offender persists in their unacceptable behaviour, the individual may be brought before the clan court and caned publicly.

I welcome visitors, cook and serve food during the chief's meetings, but I also participate in conflict resolution and join delegations sent to resolve conflicts before the Rwot is invited to intervene especially in cases of murder and severe land wrangles that require mediation. I speak and provide advice to the council supported by evidence and life experiences. I am often listened to and my advice considered. For instance in 2016 when there was a conflict between two chiefs in the Pamot Kal chiefdom, the rightful Rwot who had been living abroad returned only to find his step-brother on the stool. This created conflict in the chiefdom as there were plans to forcefully remove him. I advised the council not to take this action because it would lead to perpetual conflict. In any case, the rightful Rwot was recognised by the people and he had the instruments of authority, the abila. The council listened to my advice and the issue was concluded".

Such participation by women has evolved from a rather passive stance during the pre-colonial and colonial times to being more active, especially from the early 1990s, when spurred by the growth of the women's rights movement. Today, traditional women leaders provide advice on critical matters affecting their communities and their proposals are listened to and considered. Some have been involved in resolving disputes that used to be the preserve of men, including land matters and meetings to resolve murder compensation (See box page 17). Some respondents shared: *"Last month there were many cases of violence against women and the Rwot Okoro of our village called all the women and men and talked to them; providing advice and counselling. This has created some change in our community". "In town women can easily run to the police stations but in the village the first and nearest place to report to is the Rwot Okoro".* Women's ability to manage community matters has also been demonstrated through local government initiatives which have involved them, resulting in changing public perceptions on involving them in community affairs. Young girls interviewed in Gulu recommended: *"When we get problems the immediate persons we report to are our mothers and not fathers. This is because women know how to handle matters better than men. Therefore women should be given more powers in our villages to handle disputes".*

Peace-building and the power to bless and curse

Traditionally, women had the right to bless or curse anyone in the community. We have seen that blessings were given to hunters setting out to hunt, to husbands and children going for work or family errands, and to their children getting married. It was believed that once a woman denied you her blessings, it was not advisable to proceed, lest one encountered trouble. Such practices still prevail today. Santa Lakot a young woman from Dure for instance shared: *"I have always benefited and received blessings. My mother-in-law blessed me and prayed for a long life, happy marriage and also prayed to pass on blessings to children and women in the family when she passes on. She blessed me to bear more children which I received during my marriage".*

Women's role is central in the *mato-put* process and in peace-building generally, as illustrated by the role played by Betty Bigombe, the former minister, in mediating the end of the war in Acholi. Rosalba Oywa, who researched the role of women in peace building in Northern Uganda, adds: *"women employed various approaches to promote peace and reconciliation and their efforts had more impact (…) than formal political processes. Women supported the restoration of cultural institutions for community reconciliation and the reintegration of ex-combatants".* The writer adds that most women remained with their families during the insurgency and used their roles as carers to support peace in their homes and communities. This led many to join efforts to promote peace[73]. According to Esther Lok, a woman elder with experience in Acholi spirituality, *"the war in northern Uganda would not have subsided if it were not for the role that women played. They gathered women elders and performed spiritual rites and cursed Kony, so that if he dared come back to fight he would die".* Rwot Dermoi Oweka concurred: *"The only way Kony can safely return is when other rituals are performed to cleanse him. I believe it is cultural rituals that chased Kony away".*

Ladwar Okidi, a Gulu lawyer, points out the role of women in forcing peace to prevail in other circumstances: *"Women can use their nakedness to bring sanity in a community. It is taboo to see the nakedness of a woman, especially if she does so in anger or in instances of injustice. The gods will strike the offender because any injustice occasioned to a woman is believed to attract their wrath. If a woman points at you with her naked breast, the best you can do is look for a tree and hang".* The land conflict of Apaa, where women undressed (as a sign of cursing) in protest against Government's alleged intention to take away land provides a recent example. Professor Ogenga Latigo shared: *"...the Acholi paramount chief, David Onen Acana II, who condemned the undressing as an embarrassment, was "challenged" for doing so because what happened was part of Acholi "culture". (…) In Acholi, mothers are the most revered persons. Acholi men will, in gross anger or profound resolve, swear by their mothers "Atari kimaa" i.e. "I swear by my mother"; and serious fights and even deaths ensue from simple insults or slighting of mothers. In Acholi history and culture, mothers never bared their breasts nor undressed in protest against alien elements or challenges. If ever they undressed, as happened in Apaa, it was only as acts of profound repudiation of their own".* Women's success, as explained by 'traditionalists' stemmed from their revered status and the vengeance from the spiritual world that their anguish geneated.

Access to education and information

We have noted that until the 1960's, Acholi youth learned about cultural values and practices at the fireplace. Elders, especially women, gathered and told stories, tales, riddles and other idioms to children. Such information related to reproductive health, social relations and gender, family maintenance and caring skills, among others. This form of informal learning has however greatly reduced (especially because of the period of civil strife[74]), in favour of formal education. While schooling is supposed to be universal, girls often drop out because of pregnancies and child marriages, while some girls miss classes during their menstruation days.

Most respondents noted that the educated, literate Acholi can easily access information. Various organisations operating in Acholi provide information to improve community understanding in a number of human rights areas such as land, education, peace and justice, with some progress made. UN Women has for instance supported the production of publications on customary land practices in Acholi and gender principles for the Acholi, but the use of these booklets is limited by the low literacy levels of the target beneficiaries. The largest number of community members met during the research indeed expressed limited knowledge levels of, for example, the Acholi Principles and Practices of Customary land. The majority of the clan leaders interviewed however proved much more knowledgeable, although they still faced challenges in playing their custodians' roles, because of corruption and evasion of the clan system by those who pervert it for their own interests. Emphasising the need for education and access to information, Rwot Onen Acana, during his rebuttal to the proposals by Justice Owinyi Dollo to have all land in Acholi registered, pointed out to lack of knowledge on land registration processes as a major hindrance: *"Most of the local Acholi community are still ignorant on land registration matters and because of ignorance more clashes could be triggered"*[75].

Culture, a source of psychological and material support for war victims

"My name is Grace Acora (not real name) I was born in Pader district. I have five children; three of them were born in captivity and the other two with my current husband. Before I was abducted I had very limited opportunity to experience the benefit of our culture except learning at the wang-oo because we were on the run most of the time. I was abducted in 1997 and stayed in the bush for ten years. Life was very difficult because I was tortured and every time when I was beaten I prayed in my heart, saying "the abila of my ancestors, please protect me, keep me and help me get through this difficult time." This was my only consolation.

When the war intensified, many people were killed, including the old man I was forcefully married to. We were released and I was taken to Gang-dyang Barracks in Kitgum where my parents picked me.

At home, I and my children underwent our traditional cleansing ritual. My family gave me land to cultivate and earn money to look after my family. Eventually I got involved with another man, got married and left home. My husband rejected my three children and even tried to rape my eldest daughter. So I left his home and returned to my parents. The land they had given me originally was still available so I began to cultivate it. When my mother died, her house was also given to me.

Socially, I am integrated into the community, but if I say something that annoys someone, there are often references to the fact that I am returnee. Last year the Rwot of Ker Pai Bwora in Dure organised a function and invited all community members to participate. This was an initiative supported by the Red Cross for missing persons. Through the Rwot's efforts, I was able to access messages of hope and receive psychological counselling as a returnee".

The duty of care and women returnees from captivity or war

Little is known today as to how culture informs the rights of women who have returned from captivity. According to Mr. Balamoi, an official from Ker Kwaro Acholi, the institution has not deliberately sought to identify and protect the rights of individual categories of people, until the end of the war period focused attention on people who returned from captivity, and especially on their gender and human rights. Ker Kwaro Acholi has utilised multiple approaches for returnees, but with limited benefit for women returnees and their children born in captivity. On the one hand, almost all the returnees have had their right to traditional cleansing fulfilled. This they say has helped them to re-integrate with their families and re-connect with their parents and relatives (see box, page 19). Many returnees have on the other hand been discriminated against, have not been fully accepted by their extended families and have been denied their right to access land, whether at their families' or at their spouses' home.

To conclude, traditionally-defined women's rights still exist and are practiced to varying degrees, but Acholi culture is evolving. Widow inheritance is for instance being continuously 're-engineered' because of the threats of HIV infection and the need to respect statutory human rights, while customary marriage has persisted, although the processes and forms of dowry have evolved. Other practices such as the *laputa*[76] celebrations for twins have vanished in a number of communities. The next chapter explores why some traditional practices have persisted amidst rising challenges.

5. THE PERSISTENCE OF WOMEN'S RIGHTS INFORMED BY CULTURE: MAJOR CAUSES

Why do culturally-informed women's rights subsist today, in spite of rapidly changing circumstances? This chapter suggests some underlying causes of such persistence.

A desire to retain one's cultural identity

Women's rights defined by culture often persist because of a felt need to identify and associate as an Acholi, with a well-defined identity and desired social order. Rwot Onen Acana commented that *"without culture you are no one, without culture you are dead"*[77].

The need to associate with one's culture is still much informed by the patriarchal nature of Acholi culture. In a focus group discussion with women, one participant for instance noted that the only reason she accepted to "be inherited" was for her children to grow up knowing their lineage, remain in close association with her late husband's relatives and avoid prohibited incestuous relationships. The need to relate to one's cultural background can however lead to innovation: as we have noted above, another participant explained how she 're-engineered' the inheritance practice, agreeing with the family of the deceased husband not to involve sexual relations but to appoint a guardian to the children who would perform all other functions traditionally expected. The women in this group said that such an approach is being adopted by a number of women, especially the literate.

With traditional practices based on spiritual beliefs, fear about the repercussions of not complying with norms, as passed on by the older generations, also exists[78]. Killing a woman is for instance believed to attract the wrath of the gods and any potential perpetrator fears the ensuing punishments and calamities. Such fear encourages people to uphold what is seen as generally acceptable.

The use of traditional justice structures

The use of the Acholi traditional justice structures (clan courts, fathers and mothers-in-law as well as elders) and associated practices persists today because the communities value a mode of dispute resolution considered just and providing rapid solutions. This can cover a range of issues: Adong Florence from Dure for instance shared: *If I have problems with my husband and I report him to the clan, they listen and act positively. If my husband fails to pay school fees, they force him do so."Another respondent pointed out: "In the case of murder, even if one goes to the formal judicial court system, at the end of it all the clans have to perform the traditional justice practices – the "mato-put" and compensate the family of the deceased."*[79]

The traditional dispute resolution mechanisms are still wielding influence over community members because, as Francis Odongyoo, a key informant,points out, the justice process must be seen to be of value, invoking confidence, respect, accountability, participation, reputation and promotion of the social order. Such informal structures in Acholi today are therefore used mainly by the majority of the rural women and the few non-literate living in the urban areas because it is what they have known for long for dispute resolution, while the formal system is seen as foreign.

Other factors advanced in support of the informal system include the fact that it is reformative and corrective, with the disputing parties engaging directly with one another, and with credible and reputable community leaders presiding over the process, motivating the parties to be truthful: *"real justice is better delivered in the traditional system as it appeals more to one's human conscience; today the formal justice system depends on how well one can argue or how a magistrate or judge feels an argument is convincing"* (Francis Odongyoo). As Dr. Okaka Okumu says, *"There is restoration of friendship and no perpetual enemies as in the formal justice system. We have a proverb that says that an eye for an eye makes everybody blind".* The formal system is discredited because the courts are inaccessible in terms of geographical distance, their use of English and the lack of knowledge about the processes and procedures used[80]. Secondly, outcomes do not build

relationships but rather strain them. The formal system is also faulted because it is sometimes manipulated by the disputing parties' representatives (often lawyers) and presiding officials and this does not necessarily invoke speaking the truth or disclosing facts. Many women respondents cited corruption and the high costs involved in the justice process and delayed justice delivery as hindrances.

Trust in the informal justice system is however not without limitations. A handful of women supported reporting violence to the police, especially cases of domestic violence, because it is the best way to remove the perpetrator from the community. Many interviewees also stated that some elders have lost credibility to fairly mediate disputes. Some of them are castigated for not being knowledgeable about the modern challenges facing gender relations, human rights and the fact that youth, especially those born during the insurgency, have never known the authority wielded by elders in dispute resolution within communities. Attoo Josephine in a focus group discussion summarised: *"What is causing the increased rates of family breakdowns is the fact that young couples today are not knowledgeable about culture and have no respect for elders, yet these people played a very big role in keeping families together…"*

Advantages of traditional practices

Some traditional practices have persisted where people benefit, especially where they have power to directly or indirectly influence their implementation. The traditional practice of paying *luk* or fines in instances of cohabitation or for bearing children outside the traditionally recognised marriage has persisted because the girls' parents benefit materially. The cohabiting girls also benefit since it encourages men to legalise their relationship to avoid the fines. Men also ultimately benefit because it forces them to legalise their relationship and to become accepted as in-laws in their wives' families. Similarly, the tradition of paying dowry has persisted because of the material benefits to the girl's family, especially her brothers, who will use this wealth to marry in turn. Such benefits are also found in other practices relating to land, food and child reproduction.

Limited impact of human rights actors and development partner

All respondents stated that the methods used to promote human rights and gender concepts during and in post-conflict Acholi by development actors and the State have by default played a large role in the persistence of culturally-defined women's rights. Many pointed out that constant reference to the laws as opposed to age old practices brings suspicion, especially when it is clear that these displace Acholi cultural beliefs and norms with foreign traditions.

Civil society organisations, particularly human rights and women's rights organisations, were also faulted for emphasising rights at the expense of responsibilities. Non-State and State actors were accused of undermining the traditional roles and structures that previously supported and served the people, creating an imbalance in relationships because women and men have abandoned their responsibilities[81]. This has bred resistance from communities, especially from men who feel that the gender movement is aimed at overturning their social setting and undermining their traditions. In a focus group discussion with youth from the Acholi Youth for Sustainable Development, the Chairperson said: *"Statutory and traditional women's rights are very similar, but the way development partners are preaching is where the difference lies. They do not build on our existing values and principles; they don't try to first understand what the Acholi setting is so that they make sustainable interventions (…) Rights teaching today has eroded traditional values as it has detached responsibilities from rights…"*

6. CULTURALLY-DEFINED WOMEN'S RIGHTS: OPPORTUNITIES FOR WOMEN'S EMPOWERMENT

The persistence of culturally-defined women's rights provides opportunities for driving the process of women empowerment forward, as traditional practices that uphold their rights can be built upon to strengthen their position in society. This chapter explores particular traditional practices, rights and opportunities that exist today, irrespective of how widely observed, to promote women's empowerment.

Women's land rights and food security

In principle[82], and to a great extent in practice, Acholi culture still protects the land rights of women, which can underpin women's protection and empowerment. At marriage, women are given rights to access customary land and have a say in its usage (although they don't own it). These rights are contained in clan constitutions and in the "Principles and Practices of Customary Tenure in Acholiland" relating to customary land. All the chiefs interviewed said they were well aware of these principles and acknowledged the traditional rights of women to access and utilise land. Implementation of these provisions however needs support. According to Ker Kwaro Acholi, women's land and property rights have however been interpreted in different ways by the chiefs, hence the development of the booklets[83] to guide land management, including equal rights for all to access land: *"All members of the kaka (clan) have rights to land" (…), irrespective of their status, age or gender, have rights…."*.[84] If these principles were widely publicised and consistently enforced, they would significantly enhance women's empowerment.

Acholi remains a predominantly agricultural society and sustainable agriculture could provide space for women's empowerment, building on their traditional roles and responsibilities, including being in charge of the granary and planning for food security. The retired Bishop of Gulu Nelson Onono Onweng directly linked current poverty, gender roles and the ability to utilise land for cultivation: *" For [production] to be re-vitalised and for women empowerment to be realised, there is a need to provide women with full access to land and other tools of production. Land allocation must be done with due respect to the need for every wife to independently have, access and control their pieces of land as the tradition provided for".* In order to meet the individual needs of men, they too had their own separate gardens for cash *(mono):* this also needs to be revived so that women can exercise greater control over their produce.

The most common traditionally - practiced forms of community social support still in existence are the *awak, ayela* and preparing meals for the diadvantaged. Many women engage in collective actions to support one another and their families to ensure food stability or the provision of other services that would otherwise be difficult to access single-handedly. According to Daake Night Oweka from Dure chiefdom, *"Awak and aleya still happen today. During the harvest periods especially we use awak." Such social support groups provide women with a sense of belonging: Agnes Amony, a former captive, says:"I am integrated into the community. I am involved in awak and aleya through which I interact socially with other women and members of the community"*. Such groups also provide an opportunity to take collective decisions on various issues affecting the community. During these group activities, women are also able to mentor younger women and to pass on skills and information. The *awak* and *aleya* also enable women to increase a family's income and to reduce their dependency on men. Rwot Ogenga Obita for instance noted that women have the opportunity through these collective social support structures to cause change and eradicate poverty.

Marital rights

We have seen that marriage is still sacred among the Acholi, in spite of the instances of abuse seen today. Sanctions for people who violate traditional practices are still widespread, for instance in the case of cohabitation and having children when unmarried. These sanctions help to protect women from cohabiting - when they are not safeguarded by law or

custom - thus helping to prevent young boys and girls from eloping. (and echoing the debates sparked by the Marriage and Divorce Bill in Parliament in 2015). A youth group in Kitgum thus engages in peer support and in reaching out to other young Acholi to educate them about the need to comply with cultural norms and to marry legally. Some chiefdoms have also started efforts to condemn cohabitation. Such efforts could be supported, facilitated by the widespread desire among the Acholi to opt for customary marriages.

Reviving the tradition of seeking consent of the first wife to marry another, by reminding youth of this important practice and making it an explicit part of customary marriage vows, also presents an opportunity to empower women. Several relevant proverbs are still in use, for example *"teno okono pe ki puru" ("*if you have brought another woman at home, you do not chase away the first one") and the requirement for consent could provide a first step towards ensuring women's security to property jointly acquired in a marriage[85].

Promoting rights and women's role in nurturing youth

Despite the disappearance of the actual evening fireplace -the *wang-oo* - women have continued to teach Acholi children informally, especially girls, as confirmed by the various groups of women met. This role is still largely seen as the responsibility of women and includes passing on what is considered acceptable, right or wrong according to cultural norms, for instance through role modelling by the *mege madong*. This provides an opportunity for women to influence the attitudes and perceptions of children as they grow to perceive gender differently. Rwot Latim Baptist of Pawel pointed out that *"culture places this responsibility on women in Acholi and the character of the people in a particular home is much determined by the women in that home".* In a focus group discussion in Gulu, youth said: *"mothers educate us and pass on any information they know about our culture for example to do with marriage, how to respect people and live harmoniously, how to cook and do farming. To us girls they teach us a lot about reproductive health.".* Today, the need for this role has become critical as many men are said by respondents to have abandoned their responsibilities to provide for their families and resorted to drinking.

Women's participation in decision-making and peace-building

The *Rwot Mon, Rwot Okoro, daake* and *mege madong* still wield respect and play critical roles in the well-being of Acholi communities. These women are engaged in dispute resolution, mentoring and moulding young generations, advising chiefs and community members, and mobilising communities for social support. Today, a good number of chiefs' councils have appointed women within their ranks, just as in the past, because of the value they add to the discussions. The roles they play, including improving gender and social relations, are recognised and appreciated by the community Rwot Benjamin Okech from Lokung for instance explained:*"A woman can be selected on the council if she is a Rwot Okoro. The councils that include women are often motivated to emulate the apex cultural institution which has women sitting on the cabinet. The women on the council often raise issues that concern them and later disseminate the outcomes of the meetings to other women. Women's role in society is becoming increasingly visible".*

We have seen that women's powers to bless and curse are still in use, whether within families and villages, or with regard to wider community issues, as demonstrated by the recent case of Government's alleged intention to give away land in Apaa to an investor. Where women possess collective power to cause change through invoking curses or blessings, this can be seized as an opportunity to fight ills, especially domestic violence and to promote peace through blessings. This skill, coupled with their traditional role of mediating disputes in families and clans, provides a wealth of resourceful persons to contribute to better governance.

Protecting women's rights through cultural institutions

Acholi tradition places the responsibility of ensuring respect for and enforcement of rights for all individuals - women and children especially - on the clan, the family and other cultural institutions. Clans still influence the social relations of their members and can therefore be used to influence community attitudes and perceptions, drawing on the Acholi principles and values that foster care for one another. Several reports[86] highlight the power of cultural institutions in influencing justice delivery. One of these points out that *"the law on succession is largely unused as culture and tradition is predominantly relied upon to operate in matters of succession and actors involved in implementation of the [Succession] Act were faced with challenges of implementation as the communities were largely unaware of the law and only resorted to the formal institutions when customary procedures had failed"*[87].

Such influence can provide an opportunity to promote women empowerment, starting with greater numbers of women in these structures. Given the Acholi principles of duty of care for neighbours and family solidarity, the cultural understanding of justice and the emphasis on community responsibility, there is also an opportunity for the cultural institution to operationalise such values to the benefit of women returnees, their children and other vulnerable members of their community. Such initiatives would allow any change to emanate from 'within', rather than less sustainable change seen as foreign, challenging their existence and trying to substitute them. Today, a number of human rights organisations have thus engaged with the cultural institutions (See box).

Given the Acholi principles of duty of care for neighbours and family solidarity, the cultural understanding of justice and the emphasis on community responsibility, there is also an opportunity for the cultural institution to operationalise such values to the benefit of women returnees, their children and other vulnerable members of their community.

Working with cultural institutions

- *"It is good working with cultural leaders because they understand the land issues and people in their communities trust them. I reviewed 34 clan constitutions and they all talk about women's rights to access land but the challenge putting those good provisions into practice. So we are trying to work closely them to improve the situation of women. Women are also allowed to mediate disputes, for example the Rwot Okoro,. There is a great potential in women in resolving disputes. Today we combine men and women in our meetings: we use the fact that traditionally women were allowed to speak up in meetings. Women participate actively and need not consult their husbands before they speak" - J. Tamar, Human Rights Focus, Gulu*
- *"FIDA has been working with the Acholi cultural institutions, including chiefdoms and clans, to resolve disputes in the communities. We go out and sit with the concerned parties including clan leaders and women leaders and resolve conflicts. We also use the traditional leaders to mobilise the communities for awareness sessions. We developed booklets based on the Acholi culture: one gender principles of Acholi and the other on Acholi customary land principles. The objective is to allow appreciation of the principles and encourage leaders at all levels to apply them in their day to day work" - L. Ajok, FIDA, Gulu.*
- *We support the cultural institution in Acholi as one of our partners. We have supported the publication of booklets on Cultural Practices and Gender Principles, motivated by the effective role played by cultural leaders in creating law and order and in conflict resolution. The cultural institutions are within easy reach for women. As some communities and cultural leaders have limited knowledge about cultural principles and the prescribed process to deliver justice, trainings were held on the principles, mediation processes, and recording of outcomes in a gender sensitive manner. In some chiefdoms, the principles are being practiced and have worked well. It is however clear that they need to be supported with sensitisation, capacity building and publicity." – J. Atim Paklaki, UN Women, Gulu*
- *"We have worked with Ker Kwaro Acholi and took the initiative to re-bury the dead and give them a decent send-off as part of the Acholi custom. We have also trained traditional leaders in human rights. We have engaged the Rwot of Pageya who has empowered his wife to lead women in community development initiatives such as environmental conservation. In Agago we have worked with cultural leaders to re-settle returned women and girls. They have been given access to land and can care for their children. Working with the cultural institution is rewarding but there is need for deliberate involvement of women at all levels." – Fred Ngom-Okwee, Refugee Law Project, Gulu*

The power of orature

An opportunity exists to draw on the power of informal learning to transmit cultural norms and practices from one generation to another through the narrations, riddles, proverbs, sayings and other forms of orature that abound in Acholi culture. These are still in use today, especially by the older generation, though less frequently than in earlier days. Re-constructing informal learning spaces, including the tukeno and wang-oo, is an opportunity to explore, as recommended by a number of interviewees, to enhance self-expression and promote Acholi values. Young girls interviewed in Gulu appreciated the value of informal learning: *"The wang-oo and the folk tales and riddles are very good. Even yesterday we were having a talk using riddles and the tradition we learn from home. This helps us to learn a lot about social living and relations".*

Orature has the potential to trigger one's conscience and prompt the realisation of values and principles as traditionally laid out. It bears potential for exposing unequal gender relations, gender stereotypes and questioning situations that are repressive. Given women's role in nurturing and the use of orature to shape thoughts that often times turn into actions, women have the opportunity to seize this communication tool to bring about positive change.

To conclude, enduring traditional practices carry the potential to promote women empowerment because of the benefits they brings forth to the different parties involved. To realise this potential and to foster gender responsive practices provided by both custom and statutory law, there is however a need for concerted efforts and support from men, the Acholi traditional institution at different levels and the general community.

7. CONCLUSIONS AND RECOMMENDATIONS

Statutory law and culture

While culture has often been blamed for perpetuating women's rights violations, this research indicates that women's rights were well defined and protected in pre-colonial and colonial days, upholding their dignity in society. There were well-structured systems and practices that protected these rights and passed them on from generation to generation through proverbs, riddles and sayings at the *wang-oo* or *tukeno* or daily mentoring and role modelling.

Since the 1960's these culturally-defined rights have either persisted (albeit with alterations) while others have been challenged for a range of reasons, both internal and external to the Acholi region, including capitalism, war, western forms of education and religion.

Culture bestows meaning to an individual's life; it moulds a people and determines to a great extent their behavioural orientation. Unsurprisingly, evidence therefore often suggests that statutory laws, where inspired by a set of values that are not locally rooted - are not sufficient to guarantee women's rights, given the power of culture. In the Acholi context, respect for the law – especially where it runs counter to traditional practices and interpretations of women's rights – has thus proved challenging.

Today, rights associated with customary marriage, the recourse to women traditional leaders for dispute resolution and other functions, and the use of *awak* and *ayela* for social support, provide examples of resilient cultural rights and practices, some of which present opportunities to empower women and girls, provided the necessary support by traditional leaders and other authorities, and by men generally, is forthcoming.

The need for research and a paradigm shift

To achieve women empowerment using culturally-defined rights, a paradigm shift based on evidence is needed. Farida Shaheed, the UN rapporteur in the field of cultural rights,recommends: *"Shift the paradigm perspective from one that views culture merely as an obstacle to women's rights and empowerment to one that seeks to ensure women's equal enjoyment of rights. The realisation of equal cultural rights for women would help to reconstruct gender in ways that transcend notions of women's inferiority and subordination, thereby improving conditions for the full and equal enjoyment of their human rights in general"*[88]. Such a shift can be implemented through the use of a 'culture in development' approach where positive cultural practices are identified and built upon to strengthen the social economic and political status of women while re-engineering the negative ones in a collective and constructive manner to provide long lasting solutions.

Strengthening cultural institutions

In most parts of Acholi, communities have retained their trust in their cultural institutions, in spite of capacity gaps and other deficiencies. For sustainability and ownership, it is therefore prudent for development organisations and local authorities to work with the existing traditional structures that have supported the people for decades. This entails establishing rapport and building their strengths to deliver services, rather than disregarding them. Cultural institutions are for instance much involved in conflict resolution: their effectiveness could be enhanced by providing them with the capacity to better interpret laws, understand human rights and gender equity, refer and follow-up judicial cases and to provide social-psycho support to both victims and perpetrators. The cultural positions of the Rwot Okoro and Rwot Mon could similarly be

strengthened, thus allowing more women to engage in community governance and to be economically empowered. The *awak* and *aleya* practices could thus be re-enforced by introducing different products, such as peer to peer support against domestic violence and access to financial services.

Building women's capacity to utilise the spaces culture provides

Many women today have lost self-esteem and the necessary confidence to stand up and demand their statutory and/or cultural rights. Others have lost self-esteem because they have sought redress but have not received justice. Building women's confidence and providing them with the necessary information on their culturally-defined rights must come along with assurance to men that women's empowerment does not necessarily mean withdrawing men's rights and responsibilities. Rwot John Obita advises that *"there is a need to build the self- esteem of our women in Acholi. Women should stop looking down upon themselves and know that the [cultural] institution is there to protect them, the culture protects them, and so they need to speak out against any violations of their rights…"*

Changing methods and drawing from 'within'

We have noted the resistance for women's rights in Acholi, especially by men, because of the way these are presented. There is a need to change methods, as the practice by NGOs and others has too often proved insensitive, self-defeating and fostering violent conflicts within families and communities. Rwot Obita explains: *"Packaging of information on rights needs to be revisited for it to be accepted by everyone. In Acholi traditionally we understand rights more from the perspective of responsibility, rather than entitlement. There is a need to emphasise responsibilities for women, men and children and to curb the fear among men that women's rights are taking away the rights of men".* Building on the commonalities that exist between women's rights as defined by law and relevant traditions, Acholi cultural institutions and development organisations could better nurture the understanding that the enjoyment of women's rights can enhance a reciprocal relationship between men and women. Most respondents also felt that tracing and drawing rights from the traditions of their forefathers would make more sense than constantly referring to "alien" statutory law.

The long shelved Marriage and Divorce Bill provides an example. Whereas men, especially religious and cultural leaders,have branded the Bill as foreign-inspired and for "elite women", it draws on best practices within Uganda. A careful comparison of its provisions and pre-colonial Acholi practices shows more similarities than differences, for example seeking consent of one's first wife to marry a second or the requirement for women in a polygamous marriage to own property exclusively. The cultural roots of the Bill therefore need to be highlighted, including the rich positive cultures in Uganda that promote women's empowerment. Involving women traditional leaders who are the bearers of some of these positive cultures can also help to expedite the Bill, as Mego Bicentina from Lamwo explains: *"Women on the [clan] council speak and provide advice supported by examples and life experiences. We are often listened to".*

To reach all categories of people, multiple approaches should therefore be used, in addition to systematic documentation, such as relevant proverbs. Archbishop John Baptist Odama,recently advised educationists to write down the eroding culture of Acholi before it is "eaten away" by modernisation[89].

Such a change in approach would ensure voluntary compliance, while allowing people to evolve alternative approaches, where necessary, as primary bearers of their traditions. Such an evolution needs to come from within the existing practices, systems and structures, and thus provide a culturally sound and sustainable advance in empowering Acholi women, to the benefit of all.

Endnotes

1 Shamillah, W., (2014) The State, culture and oppression; Open Society Initiative for Southern Africa, accessed on www.osisa.org , accessed 16/1/2017

2 The New Vision, 6/2/2013; CCFU interviews with elders, Pokot, 2010

3 The New Vision, op.cit

4 International Federation of Human Rightset al, (2010) Women's Rights in Uganda: Gaps between Policy and Practice, www.fidh.org, accessed 9/11/2016

5 The membership of the Human Rights Network and its work on Economic Social and Cultural rights has a "cultural rights cluster" with only one organisation.

6 Nuwagaba, A., (2001) Situation Analysis of Women in the Ugandan Political Economy; East Africa Social Science Research Review, Vol.XVII No.1, pp.15 - 29

7 Kimani, N and Mazrui, E, (undated) Gender inequality and women's rights in the great lakes: Can culture contribute to women's empowerment? accessed on www.researchgate.net4/1/17

8 Northern Uganda has, among other indicators, the lowest per capita income in the country (Uganda Bureau of Statistics, Statistical Abstract, 2014)

9 Republic of Uganda (2007), Peace Recovery and Development Plan

10 Reinke, J. A. (2016) "Gendering peace building in post conflict Northern Uganda", Journal of Global Initiatives: Policy, Pedagogy, Perspective: Vol. 10: No. 2, Article 6; Lonergan. K, et al (2012) Gender and generation in Acholi: Traditional justice mechanisms,Justice and reconciliation project field note XVII accessed at www.justiceandreconciliation.com; Branch. A, (2011) Displacing Human Rights: War and Intervention in Northern Uganda, Oxford University Press

11 The choice of districts was also guided by a donor requirement to operate in areas with other partners present.

12 Kitgum, Gulu and Lamwo provide a good representation of the 18 original Acholi chiefdoms.

13 Trip down memory lane, (2013) Acholi people: The famous East African spiritually and martially powerful people with culturally unique mato oput justice and reconciliation rituals ceremony, kwekudee-tripdownmemorylane.blogspot.com.tr,

14 Patrick. T, (2006) The Acholi traditional Approach to Justice and the War in Northern Uganda, University of Notre-Dame; Also interview with Ladwar Okidi, Acholi, October 2016

15 Branch. A, op.cit.

16 Ojera. J. Latigo, (2008) Northern Uganda: Tradition-Based Practices in the Acholi region Traditional Justice and Reconciliation after Violent Conflict: Learning from African Experiences. Stockholm: International Institute for Democracy and Electoral Assistance pp 85 - 120

17 Branch. A., op.cit.

18 The Acholi (North Uganda and South Sudan) Portland State University, www.pdx.edu

19 Approaching national reconciliation in Uganda, perspectives on applicable justice systems" http://www.iccnow.orgarticle on " (accessed November 2016)

20 Ker Kwaro Acholi, (2008) Principles and Practices on Customary Land Tenure in Acholiland

21 Suarez, C.(2005): Restoring Relationships in Acholi Land: Traditional Approaches to Justice and Re-integration. Liu Institute for Global Issues

22 *ibid*

23 *ibid*

24 Interview with Ladwar Okidi, Acholi, October, 2016

25 Interview with Ogwang Clipper, Acholi, October 2016

26 Interview with Ladwar Okidi, *Supra*

27 "In ibalo nyinga woko ite kongo" (title of song) "You have spoilt my name, even at the drinking place".

28 According to the women interviewed and to

Mr. Ladwar Okidi, there were traditionally a few instances of arranged marriages; these often happened among very wealthy families.

29 Patrick. T, *Supra*

30 Interview with Ogwang Clipper, *Supra*

31 Interview with Ladwar Okidi, *Supra*

32 Daake is the title given to a Chief's wife. She acted as women's advisor in the chiefdom and resolved disputes brought to her by other women leaders.

33 As told by Rwot Bwomono Luka

34 *Lating kic winyo pwony ki wang mac"* - 'An orphan learns from a fire place'

35 Ssemutooke, J., (2014), The second tragedy for Acholi women, Daily Monitor 7/11/2014, Kampala

36 Rosenoff et al, (2015) Restoring relationships in Acholi, Liu Institute for Global Issues

37 FIDA Uganda, (2011) In the multiple systems of justice in Uganda: Whither Justice for women?

38 Rosenoff et al, (2015) op.cit

39 Cagney. E.M, (2011) Post conflict cultural revival and social restructuring in Northern Uganda, University of Tennessee

40 Rosenoff G. Lara et. al, (2013). In and Out of Culture: Okot p'Bitek's Work and Social Repair in Post Conflict Acoliland, Oral Tradition 28:1, pp 35-54

41 According to the Uganda Bureau of Statistics (2014) the population of Gulu town increased from 38,000 in 1991 to 150,000 in 2014; that of Kitgum from 12,978 to 75,594

42 Rosenoff et al (2015), op.cit.

43 Ogenga. O, (2002). Causes and Consequences of the War in Acholi land, www.citeseerx.ist.psu.edu, accessed 17/11/16

44 Erin. P, (2015), Surrounded: Women and girls in Northern Uganda. An online Journal of the Migration Policy Institute;www.migrationpolicy.org, accessed 14/12/2016; Akello. G, (2013) Experiences of forced mothers in Northern Uganda: The legacy of war, War Trauma Foundation, Intervention Journal Vol II, 2, pp149-156

45 Rosenoff et al (2015), op.cit.

46 *ibid*

47 International Federation of Women Lawyers (FIDA) Uganda, (2011). In the multiple systems of justice in Uganda: Whither justice for women?

48 Lonergan. K, op.cit

49 Rosenoff et al (2015), op.cit.

50 Dr. Okaka Okumu is the Minister of Health in the Acholi cultural institution, Ker Kwaro Acholi.

51 Branch. A, op.cit.

52 Educated women and those with the necessary means are able to acquire land in their own right if the land is freehold or leasehold, as provided by law.

53 Landesa Rural Development Institute, (2015), Strengthening women's tenure security in Northern Uganda: Customary framework for women's property rights in Northern Uganda, www.landesa.org, accessed 5/4/2017

54 Ker Kwaro Acholi , (2008) op.cit.

55 Landesa op.cit.

56 Landesa, op cit

57 Hopwood. J, (2015). Women's land claims in Acholi region of Northern Uganda: What can be learned from what is contested, International Journal on Minority and Group Rights, 22 (3), pp 387 - 409

58 Land and Equity Movement in Uganda, (undated). Policy discussion paper1: Protection and land rights, www.land-in-uganda.org, accessed 24/11/2016

59 *ibid*

60 Ker Kwaro Acholi, (2008) op.cit.

61 Doss. C et al,(2011). Women, Marriage, and Asset Inheritance in Uganda, Paper No. 184 presented at the CRPC/ODI roundtable, London, UK

62 Mr. Lagedo is the Deputy Prime Minister of Ker Kwaro Acholi

63 Ker Kwaro Acholi is the apex Cultural Institution of the Acholi, recognised as per Article 246 (3)(a) of the Uganda Constitution.

64 Interview with Emmanuel Lagedo, 2017

65 Women in customary marriages have their rights protected not only under the Customary Marriages Act but also under other laws such as the Succession Act and the Land laws.

66 Customary marriages are recognised under the Customary Marriages Registration Act 1973.

67 Rosenoff et al (2015), op.cit.

68 In 2013, the regional police in Aswa in Gulu district registered the highest deaths through domestic

violence in the country.(Annual crime and traffic \ road safety report for 2013, 2014; Uganda Police)

69 According to the 2013 Police records, the Aswa region ranked 5th in the country with 636 defilement cases out of the national total record of 9,598 cases.

70 Staples. R, (2006). Exploring black sexuality, USA, Rowman & Littlefield

71 The soup was to be taken without salt and had to be paid for by the perpetrator (interview with Richard Ocaya, Acholi 2016)

72 Rosenoff et al, op.cit

73 Oywa. R, (2002). Women's contribution to peace building in northern Uganda, https://books.google.com, accessed 10/11/2016

74 Rosenoff. et al (2015), op.cit.

75 Daily Monitor, (2016). Paramount Chief Opposes Judge on Acholi land, Kampala, 2/7/2016

76 These rites included the mother of twins marching in public naked and smeared with ash.

77 Rosenoff et al, op.cit

78 Patrick. T., op.cit

79 Interview with Francis Odongyoo, January 2017

80 The Kalema Commission Report, (1965); Chibita. M, (2015) Ensuring access to justice for victims of sexual and gender based crimes at the national level: The Ugandan experience, A paper presented at the fourteenth session of the assembly of state parties at the Hague on 19th November 2015

81 CCFU interview with Rwot John Obita Ogenga, Acholi 2016

82 Principles and Practices on Customary Land Tenure in Acholiland, Section 2 (b) (ii) and section 3 (a) (vi) and re-enforced by the provisions of statutory law

83 Ker Kwaro Acoli (undated), Some of the Acholi Cultural Practices; and Ker Kwaro Acholi (2008) op.cit.

84 Principles and Practices on Customary Land Tenure in Acholiland, Section 2 (c) (ii) and (d)

85 The proposed Marriage and Divorce Bill contains a similar provision.

86 The Kalema Commission's Report (1965); Uganda Law Reform Domestic Relations Report (1995); Uganda Law Reform Commission,(2013)

87 Uganda Law Reform Commission,(2013), p.6.

88 http://www.ohchr.org (accessed February 2017)

89 http://www.monitor.co.ug (accessed January 2017)

Culture and traditions have often been perceived in Uganda as reinforcing gender inequality. The research presented in this report, which focuses on the Acholi region, set out to explore the hypothesis that: "Women's rights in Acholi not only stem from the current statutory (legal) construct but are also defined by tradition, which can be used to enhance their empowerment for harmonious living".

The research outcomes show that, in spite of the upheavals of the last decades, Acholi culture has proved resilient in many aspects and still has well-structured systems through which the gender-related rights have been passed on from generation to generation. Some of these present opportunities to empower women and girls today; these are linked to the traditional roles that women play in peace-building, the nurturing and socialisation of children, and using the power of orature as a communication tool to bring about change in perceptions and attitudes on gender relations among children as they grow up. Others include the role of women in the agricultural sector and their traditional responsibility for food security, their power to bless or curse, and their skills in community mobilisation for collective social and economic support and progress.

This research seeks to provide a knowledge base for cultural institutions and other development actors to better utilise cultural values and practices in decision-making and conflict resolution, and promote the rights of women in their areas of operation or jurisdiction.

The authors wish to gratefully acknowledge the generous cooperation from more than 500 informants in Lamwo, Gulu and Kitgum districts, including religious leaders, academicians, cultural leaders, opinion leaders, development workers, women who have returned from captivity, youth, people living with a disability and other community members.

The Cross-Cultural Foundation of Uganda
+256-393-294-675, www.crossculturalfoudation.or.ug

Produced with the kind support of

diakonia
PEOPLE CHANGING THE WORLD