

Promoting Women's and Girls' Rights: Is Culture the Missing Link?



Experiences from Selected Cultural Communities

Summary Report 2020

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Produced by the Cross-Cultural Foundation of Uganda, 2020

(Cover photos from top right, clockwise: the Ekisaakate in session, photo: Ekisaakate; the Emango Cultural Troupe in Fort Portal, photo: Akaswa ka Tooro; Learning about culture at school: young girls at a heritage education club in Jinja; photo: CCFU; a cultural leader at one of the research sessions in Alur. photo: CCFU; Going home after an interview session and a traditional performance... photo: CCFU)

Acknowledgments

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The Foundation extends special thanks to UN Women, the EU-UN Spotlight Initiative to Eliminate Violence Against Women and Girls and to the Embassy of Sweden in Uganda for providing financial assistance and technical guidance in the production of the various research reports. This is part of a larger project that aims at harnessing cultural resources in the six cultural communities of Acholi, Alur, Buganda, Busoga, Karamoja and Tooro and to contribute to ending violence against women and girls in Uganda. UN Women's dedicated support towards liberating women and girls in Uganda from the violation of their rights, enhancing their capacity to meet their full potential and to embracing opportunities to contribute to the development of their families, communities and the country at large, is very much appreciated.

The support from all these partners has allowed the potential of our diverse cultural communities to be showcased as an important contributor to discourses and interventions for managing violence against women and girls and ensuring that their rights are respected.

Introduction

Working in partnership with UN Women and the Ministry of Gender, Labour and Social Development, the Cross-Cultural Foundation of Uganda (CCFU) has embarked on a project being implemented in the six cultural communities of Alur, Buganda, Busoga, Karamoja, Tooro and Acholi. Building on earlier work undertaken by CCFU in Lango and Acholi (where some complementary investigations were also conducted), its aim is to harness the cultural resources of these communities to contribute towards: (i) ending violence against women and girls in Uganda (VAWG¹); (ii) promoting sexual reproductive health rights (SRHR) in Uganda; and (iii) enhancing women's and girls' access to justice. At the same time, the research discusses cultural practices that impinge on these rights. The study also sought to assess whether women and girls are aware of (and are enjoying) their culturally-defined rights.

The study was based on the assumption that there *are* cultural resources embedded within communities and their structures in the form of specific norms, values, principles and practices that may effectively be drawn upon to contribute towards achieving, in particular, Sustainable Development Goals 5 and 16. The targets of these Goals include ending all forms of discrimination and violence against women and girls; and promoting peaceful and inclusive societies, with access to justice for all.

The CCFU, a local non-governmental organisation (NGO), promotes the recognition of culture as vital for human development that responds to our national identity and diversity. The Foundation promotes an understanding of development, as seen through "cultural lenses".

¹ Violence against Women is defined as "any act of gender-based violence that results or is likely to result in physical, psychological or sexual harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty in private or public life" (General Assembly of the United Nations, 48/104, 1993).

The context

Over the past four decades or so, women's and human rights organisations in Uganda have advocated for the promotion of the rights of women and girls. Despite the existence of local and international legislation and despite the efforts of State agencies, of civil society organisations and of gender activists responsible for addressing VAWG and for promoting the safeguarding of human rights, the violation of women and girls' rights remains a serious challenge in the country.

In addition, very few (if any) of the development interventions against VAWG and gender inequality take into account any positive cultural norms, principles and values that could potentially be used to address practices that have a negative impact on the well-being and empowerment of women and girls. Instead, programmes and other initiatives have largely been externally driven, often driven by development actors whose approach to gender issues has at times resulted in backlash, tension and further violence.

This research initiative proposes a different perspective. While culture has often been identified as a source of unequal gender relations and practices that are oppressive to women and girls in particular, going by CCFU's research work across the country, and in the Acholi and Lango sub-regions in particular (CCFU, 2017; 2019), aspects of culture can also provide for women's empowerment. Such a perspective highlights the need to explore the resourcefulness (and to take into account the limitations) of culture to address the widespread violence and other rights abuses currently faced by Ugandan women and girls.

Uganda for instance has well over 20 major cultural institutions (with 16 whose leaders are officially recognised² and with different degrees of legitimacy) whose norms, values, beliefs and practices impact positively and negatively on women's socio-economic status and on their ability to exercise their human and sexual reproductive health rights. Cultural leaders, through their structures and power of influence, play a significant role in shaping social norms, attitudes, beliefs and practices within their communities. They have the potential to promote favourable social norms, desirable behaviours, deconstruct gender stereotypes, provide mediation to affected individuals and household members, and apply sanctions to non-conforming community members.

² Representing the Iteso Cultural Union, Obukama bwa Tooro, Obukama bwa Bunyoro Ker Kwaro Acholi, Tieng Adhola, Lango Cultural Foundation, Obukama bwa Buruuli, Obwakamuswaga bwa Kooki, Ker Alur, Obusinga bwa Rwenzururu, Inzu ya Masaaba, Obwa Kyabazinga bwa Busoga, Obwa Kabaka bwa Buganda, Obwa Ikumbania bwa Bugwere, Obudhingiya bwa Bwamba, Obwenengo bwa Bugwe.

The research initiative

The research thus sought to examine whether *cultural resources can enhance the rights of women and girls and contribute to a gender-based violence free environment, sexual and reproductive health rights and access to justice*. This qualitative study utilised a Participatory Action Research methodology to make it an inclusive process in the pre-selected cultural communities. Within each of these cultural domains, rural, peri-urban and urban locations were purposefully chosen, as well as participants who were met in focus group discussions, community dialogues and as key informants.

The research also sought to establish whether cultural institutions have implemented interventions and policy statements, as agreed on with the Ministry of Gender, Labour and Social Development in 2010, following research conducted by the Ministry, with support from UNFPA, UNAIDS and UNESCO, that revealed that socio-cultural practices and values impact (mostly negatively) on HIV/AIDS prevention, maternal ill-health and gender-based violence.

CCFU also invited representatives from 11 cultural institutions in Uganda for a one-day national consultative meeting in Kampala in December 2019. The intention was to explore from their perspective, whether the research results found any echo in their communities and could therefore be found to have some national relevance. The cultural institutions were: (i) Bunyoro Kitara Kingdom; (ii) Inzu Ya Masaaba; (iii) Obukama bwa Buruuli; (iv) Iteso Cultural Union; (v) Ker Kwaro Acholi; (vi) Obwakamuswaga Bwa Kooki; (vii) Lango Cultural Union; (viii) Obusinga Bwa Rwenzururu; (ix) Obudhingiya Bwa Bwamba; (x) Tieng Adhola and (xi) Obwenengo bwa Bugwe

The term 'culture' is used here in a comprehensive sense to encompass the entire life of a people, their morals, religious beliefs, social and governance structure, politics, learning systems, and all other products of their creative spirit. Thus, culture becomes central to our well-being and defines the 'ideal' society we seek. Accordingly, culture, in its dynamism and diversity, can be harnessed to contribute towards social and economic transformation. Further, elements of the past still play an important role in the values and decision-making processes, especially of African rural-based peoples, and somewhat also in the modernised African world.

The main research report and its 5 companion pieces (one per cultural community surveyed) document cultural values, principles, norms and practices that can provide added resources, especially in relation to tackling VAWG, the abuses of sexual and reproductive health and rights, and to enhancing their access to justice.

To work towards the achievement of SDGs 5 and 16, CCFU and the project partners will use the research outcomes to promote positive customary laws practices, norms and values (and to influence reform of negative aspects) for the effective

implementation of formal national and international laws and the protection of the rights of women and girls. In particular, this research will inform several activities, including a national level dialogue for cultural leaders and civil society to reflect on the role of culture to promote SRHR and access to justice for women and girls. CCFU will also work with cultural leaders, civil society and local government service providers to use a “culture in development” approach to promote women and girls’ rights, to integrate modern and informal justice systems and to better appreciate gender from indigenous and “modern” points of view. The project will also facilitate cultural leaders to conduct cross-generation dialogues with young people to raise awareness on culturally-defined rights and on other cultural resources that contribute to the elimination of violence against women and girls. Advocacy with regard to the Marriage Bill and various training activities by cultural resource persons have already started to benefit from this research work.

Main findings

1. Relevant cultural resources.

The research unveiled across the board a number of culturally-rooted practices with attendant values and principles that inform them, that play significant roles in curtailing VAWG, as well as promoting SRHR. These include folklore (idioms, songs, proverbs, etc) which promote values that discourage violence and the abuse of women’s rights (as culturally understood). These values and idioms, such as “*real men don’t fight women*” find their expressions through diverse mechanisms. These include practices (usually the responsibility of elders, aunts and uncles) that groom young people into responsible adults and provide them with reproductive education; traditional marriage practices, prohibitions that relate to the treatment of pregnant women to ensure safe maternal and child health, medicinal prescriptions and resource persons such as traditional birth attendants³. In the discussions with the various participants, negative aspects of culture were also pointed out (widow inheritance, polygamy, female genital circumcision) although these were considered by some to encompass positive and useful features as well.

2. Restorative justice.

Despite the abolition of the judicial function of cultural leaders by the National Constitution (other than in matters concerning customary land tenure), the leaders of the different cultural communities under study still actively provide access to judicial services. Cultural judicial structures operate alongside the

³ Traditional birth attendants are no longer allowed to practice, but they continue to offer appreciated services, especially in remote rural areas where “modern” health facilities are not available.

government system and cross-references occur. Family related cases, such as domestic violence and land disputes, are commonly handled by elders or clans. Culturally defined sanctions often provide an effective deterrent, much as they are often against the law. The central principle in adjudging cases is reconciliation, as opposed to the punitive measures of the formal justice system. Thus, different home-grown alternative dispute resolution practices can be applied along with the formal system in the discharge of justice, reserving criminal cases for the statutory judicial system.

3. Women in leadership.

Women have an important role to play in ensuring the enjoyment of rights in a violence-free environment for women and girls. Decision-making by women in the family and community context is usually respected and supported by various cultural values and practices. Although the traditional justice system is male dominated and men's decisions cannot normally openly be contested, women often contribute to the decisions indirectly by proffering advice that is usually much respected.

4. Cultural dynamism and erosion.

The cultural resources mentioned above exist in a rapidly changing setting, characterised by population movements, urbanisation and the loss of ethnic homogeneity. Some of these resources are seen as no longer appropriate (or even harmful) by the communities concerned or by the State. Many respondents nevertheless decried the loss of their cultural assets, especially by the youth. Several reasons were advanced for this, including living conditions in the towns, education and the abdication of parents in this respect, and marriages and co-habitation across ethnic lines.

Further, certain features of "modernity" as pursued in western societies, and continually being adopted in Ugandan communities, such as extreme individualism and a formal acceptance of the notion of rights, may not fit easily with the requirements of cultural practices and traditions. This has resulted in cases of silent resistance on the part of many men who see "modernity" sapping their culturally-ascribed authority in the private and public spheres, while women are taking up more vocal positions, in some cases aggravating violence and fostering a sense of distance from familiar social and cultural settings.

Recommendations

1. Appreciating culture

Development actors and government institutions: The entry point into dialogue on VAWG, SHRH and access to justice needs changing by first focusing on the positive aspects of culture. Including the positive cultural resources outlined in this report and how they work (or can be put to work) in strategies and practices to strengthen the fight against VAWG and other ills, however, demands an important shift in perceptions.

Cultural institutions: In the light of the continued high prevalence of gender-based violence and reproductive health rights concerns, the various “Strategic guidelines / royal pronouncements on addressing socio-cultural norms, practices and values that impact on HIV AIDS prevention, maternal ill-health and gender-based violence” should be reviewed in the light of findings from this research.

2. Making use of positive cultural resources

Government institutions should mainstream the positive cultural values and practices described in this report in their development plans, strategic documents, programmes and projects, and other guiding instruments, thus placing public messages and other initiatives within a framework that is recognised and understood by the bulk of the population. This should be implemented in close collaboration with cultural institutions and their leaders.

Local governments and their partners: Given the importance attached to these values and practices by many communities (especially in the rural areas where the great majority of the population resides), the promotion by local authorities and development partners of a violence-free environment for women and girls should harness these resources. They should therefore better incorporate a ‘cultural approach’ when planning and implementing their interventions.

The Law Reform Commission and the Ministry of Justice: the judicial functions of cultural leaders need to be recognised and harmonised as necessary, beyond the current provisions for restorative justice as stipulated in the National Transitional Justice Policy (2019). A more synthesised and comprehensive approach to justice could thus be promoted, thereby enhancing access by women and girls to forms of legal redress that are accessible and understandable in their cultural contexts.

3. ‘Re-energising’ positive cultural resources

Cultural institutions: these should take a lead role in championing a cultural renewal and a return to the ‘cultural ways of doing things’, so that they revive the respect and confidence of communities in their cultural identity and in values

that help check VAWG, enhance SHRH and access to justice. Cultural institutions should promote research and the documentation of positive practices in different formats (print, digital and films).

Cultural institutions and development partners: Research on cultural resources relevant to the most marginalised groups (including albinos and people living with a disability), reflecting a research gap, needs to be carried out, with a view to strengthening any relevant positive cultural resources and other social protection measures.

The Ministry of Health: Research should be carried out to examine the causes for the persistence of demand for services by Traditional Birth Attendants (TBAs), with a view to the potential use of trained and certified TBAs as important providers of reproductive health education.

4. Re-education and dissemination

Cultural institutions need to re-educate their constituencies about the existence and significance of the positive cultural values, norms and practices, as identified by this project, that can facilitate the reduction of VAWG and other rights abuses, as well as the role of traditional justice systems. They should also widely publicise the positive cultural practices and values described in this report to the youth, to raise awareness and appreciation. “Culturally aware” messages can be disseminated via educational establishments; cross-generational dialogues can be organised and cultural exhibitions held.

International and national players in global development also need to partner with cultural institutions to integrate or incorporate culturally appropriate models that create positive change, such as the socialising models of the *ekisaakate* in Buganda, the *ekigangu* in Busoga and the *ekikaali kya nyina omukama* in Tooro, with an accent on boys and their culturally-defined roles of family protection and care.

Ekisakaate and Nkobazambogo groups in educational institutions (or equivalent cultural clubs) should include sessions on cultural resources for tackling VAWG and SRHR abuses in their work with youth.

Cultural institutions, the Ministry of Education, the Ministry of Gender, Labour and Social Development, and development partners: these need to promote “cultural literature”, with its idioms and positive practices through booklets and films for the youth; appropriate cultural education in schools should also be actively promoted, in line with Government’s proposed strategy for reproductive health education.

5. Tackling cultural values and practices with negative consequences

Cultural leaders: Cultural leaders need to reflect on the aspects of culture that are considered to have a negative impact on VAWG, SRHR and to be encouraged to reform them in line with national and international human rights standards. They need to be given the necessary knowledge and confidence to call regular clan

meetings, engage and influence their people, as well as to train them on gender issues, and relevant laws and regulations.

“Cultural re-engineering”: the practice of widow inheritance which has been re-engineered in many locations after the HIV/AIDS pandemic to retain its symbolic and socially useful elements (support to the welfare of orphans, identification of a guardian to protect the rights of the family, etc.) while prohibiting its harmful practices - such as forced sexual relations - provides an example of useful evolution. Wherever possible and necessary, one should therefore aim at ‘new cultures’ that find their foundation in what people already know.

6. Support to cultural institutions.

Local governments and development partners: in view of the respect in which they are held and the influence they command, cultural leaders have an important role to play in sensitising communities on positive and negative cultures relevant to VAWG and other ills. Their influence is however curtailed by their limited political mandate and considerable capacity gaps. Local governments and development partners should therefore train, support and actively seek the active collaboration of cultural institutions in designing and implementing development initiatives, thus enhancing the sustainability and ownership of any intervention.



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