Civil Society in Uganda

Broadening Understanding of Uganda's Civil Society Ecosystem and Identifying Pathways for Effective Engagement with Civil Society in the Development Process

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Reality Check

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Acknowledgement

Table of Contents

List of Tables and Figures

Civil Society in Uganda
Broadening Understanding of Uganda's Civil Society Ecosystem and Identifying Pathways for Effective Engagement with Civil Society in the Development Process

1.

Executive Summary

Efforts to support the development of civil society organisations (CSOs) in Uganda as a third pillar of inclusive development date back to pre-colonial and post-independence Uganda, although accelerated momentum is witnessed from the 1990s onwards. During the heyday of state intervention in the 1950s and 60s, both the colonial and post-independence governments used a set of laws to encourage as well as regulate the efforts of CSOs. CSOs, particularly those in agriculture and other formal sectors of the economy, were seen as critical in the task of mobilising citizens to foster economic production, promote a sense of nationalism and drive economic transformation.

As a result, many producer organisations or cooperative societies and labour unions were encouraged to organise, in part representing the changing dynamics of Uganda's economy from a predominantly agrarian to an industrialising and services economy. Indeed, by 1961, there were over **39,000** registered organisations across all sectors of the economy, rising from **259** organisations in 1951. These organisations became launching pads for ascension to political power (for those seeking political power) and political control (once in power). Regarding the latter, a set of instruments, ranging mainly from statutory laws to financial support, were used by state actors to keep CSOs, at the time, under control. For example, there is evidence that many cooperative societies, whose leaders politically supported the state-received financial credit through state development banks, were not obliged to repay, which later, in part, contributed to the 1980 fiscal crisis. [1]

However, as political events shifted between 1970 and the 1980s, so did the contours of the CSOs. First, Idi Amin's reign of terror triggered and sustained the flight of many key leaders of CSOs, particularly those that challenged the state, and resulted in a regression of the CSOs' role in shaping the governance and development trajectory of Uganda. Second, the ravages of the 1980-86 civil war accelerated the formation of new forms of community- and socially-driven CSOs that dominated the provision of social services, such as education and health, of which citizens were in desperate need after the civil war. Third, the shift from a state- to a market-led development paradigm characterised by the sweeping implementation of structural adjustment reforms (also commonly known as SAPs) and complementary poverty eradication action plans (PEAP) between 1995 and 2008 spurred the formation of 'community-based' organisations or what is famously now known as NGOs. Indeed, as NGOs witnessed a sharp rise in numbers, the former production-based organisations, such as cooperative societies and trade unions, regressed. This, in part, reflected the impact of structural adjustment reforms; that is to say, as the burgeoning agricultural and industrialising revolution that had started in the 1970s began to retreat, so did the organisations that evolved in the wake of this process.

Indeed, government and development aid was targeted towards sustaining an economic liberalisation process that started in 1995 and NGOs to complement state efforts in closing the gap in service provision left behind by the destructive nature of the 1980 civil war and perhaps the 'collateral damage' of structural

adjustment reforms. By the mid-2000s, as Uganda was once again attempting to return to a multi-party political dispensation, NGOs were as many as (if not more than) state agencies and were seen as largely independent and incapable of succumbing to state control.

When the multi-party political dispensation was ushered in in 2006, development agencies again turned to NGOs as a dependable force for cultivating citizen engagement to promote political accountability, which was required to deepen democratic governance in Uganda. Indeed, as financial aid increased towards promoting the 'good governance agenda' in Uganda, so did the number of NGOs that became increasing focused on implementing political activities. By 2013, the Ministry of Internal Affairs reported that there were over 12,500 registered NGOs from a paltry **200** in 1986.

Therefore, development support towards civil society from 2006 to date has been premised on the assumption that CSOs can serve as a platform for mobilising and facilitating citizen participation in political, economic and social processes aimed at promoting transparency and accountability in governance. This was presumed to foster a rules-based governance structure, promote peace and stability and, ultimately, achieve economic transformation. However, there has been growing frustration with the fact that despite the substantial investments made in supporting the development of Ugandan civil society over the years, there is not much on the ground to show for the scale

of support provided. For example, some pundits have argued that civil society actors continue to register limited traction in influencing government policies and many organisations face internal challenges which undermine the ability to deliver on their mandates. [2]

Until now, though, existing analyses have stopped at suggesting ideas around how civil society could increase its influence without probing the binding constraints that hold back the necessary change in civil society engagements and the opportunities that can be leveraged to overcome these constraints. This civil society Reality Check research project aims to fill this gap. It is designed to provide a deeper exploration of Uganda's civil society ecosystem as a way of identifying effective pathways for engaging with civil society in driving Uganda's inclusive development process.

The report is structured to achieve three main objectives:

(i) Generate a deeper understanding of the different actors in Uganda's civil society ecosystem and their levels of influence;

(ii) Identify the binding constraints holding back representativeness, coherence and accountability with civil society as well as the realistic opportunities that can be leveraged to overcome these constraints; and

(iii) Establish more effective pathways for bolstering civil society's role as a shaper and driver of inclusive development.

1 See Bates (2014).

2 See Oloka-Onyango & Barya (1997).

1.1 Central Argument of the Report

The report argues that the underlying explanation for CSOs' inability to shape and drive institutional change in Uganda is related to the current structure and composition of civil society in Uganda, which in itself is explained by a structural shift in the organisation of social and economic life that started nearly 30 years ago. The report specifically observes that Uganda's civil society landscape is dominated by NGOs which (by the nature of their formation) are not member-based organisations and, thus, are incapable of mobilising and sustaining broad-based citizen participation and engagement in activities that are necessary for driving institutional change and democratisation. NGOs tend to be *elite-led and supply-pushed* organisations in their conception, formation and survival. They are pushed by the availability of development aid to supply specific *social and sometimes political services* such as health, education, advocacy on electoral processes, corruption and so forth. They lack an ideological basis for stimulating citizen affinity and drive to become part of these organisations and, indeed, drive and shape their agenda. Consequently, whereas occasionally they will claim to be citizen-based, beneath the working team of any specific NGO there is hardly any base to rely on to hold government accountable or ensure that their advocacy work delivers any substantial gains.

Our analysis further highlights that the dominance of NGOs in Uganda's civil society ecosystem has been produced by a fundamental shift in development thinking from state-led economic programmes to neoliberal economic policies that started

in the 1990s. A striking feature of the neoliberal economic restructuring process has been the increasing channelling of development aid towards the development of the NGO sector as a vehicle for supporting the 'good governance agenda' necessary for ensuring that the neoliberal agenda delivers on its promise of expanding economic freedom, democratic governance and economic prosperity. This, however, has fostered the proliferation of the NGO sector at the expense of member-based organisations such as professional organisations and producer organisations, to mention but a few.

Indeed, a historical and comparative analysis that draws a distinction between member-based or what we also call *old CSOs* and NGO-based or what we call *new CSOs* reveals that the shift in the development approach has produced a lacklustre economic transformation process. This has further impeded the creation of conditions that would produce and ensure an organic and sustained process of broad-based citizen participation and engagement in economic and, ultimately, political processes. Many Ugandans continue to live in rural areas and survive on agriculture largely for subsistence purposes; the industrial process that started in the 1960s has been in regression since the beginning of the neoliberal era. This has undermined the structural conditions necessary for ensuring and sustaining the organisational development required to produce member-based civil society. Consequently, whereas citizen participation might occasionally be witnessed in well-coordinated political and civic events

such as organised demonstrations against corruption and advocacy in support of or against a legislative process, these events are usually random and devoid of a robust organisational structure for sustaining citizen efforts in ensuring that advocacy efforts deliver their core objectives.

However, the report observes a rare opportunity to recast our civic efforts towards an agenda for supporting membership-based organisations. This opportunity can be seen in a number of ways.

First, there is now a softening of hegemonic tendencies in the championing of developmental ideas. Few believe that integrating old CSOs into the state apparatus, thereby complicating their political and economic governance, can work anymore.[3] At the same time, the neoliberal era has produced rising unemployment levels, poverty and income inequality, thus creating conditions for social and political instability. This now threatens citizen cohesion and trust, the building blocks of democratic governance.[4] This presents an opportunity for a progressive debate and conversation around the best way to embed society and the economy in the values and systems of a developmental state.

Second, there is increasing frustration with the unsustainable and continuous funding of NGO activities that have not produced any structural change in governance. Corruption in government, and more recently in NGOs, abounds, economic growth has stagnated or, in some cases, regressed and there is a growing apathy within the citizenry about civic work. This

shift in contextual conditions represents a clarion call for rethinking a strategy for building an empowered, effective, less foreign aid-dependent and more membership-based civil society.

However, leveraging these opportunities demands a pragmatic approach that targets interventions as close as possible to the binding constraints. The report identifies three main binding constraints on civil society growth and performance in relation to inclusive development. These are (i) internal governance of CSOs; (ii) inability to stimulate and sustain citizen mobilisation, participation and representation; and (iii) lack of capacity to influence public policy. We believe that these constraints are somehow interconnected in a vicious circle. For example, to strengthen civil mobilisation, participation and representation, internal governance must be strengthened. This should build trust and confidence in CSOs, thus attracting and retaining membership. However, in order to strengthen internal governance, citizen mobilisation, participation and representation must increase. Furthermore, advocacy and civic activities must be embedded within an organisation's system and depersonalise the organisation from the founder or strong leader's capture. In light of this, we suggest measures for addressing the above constraints:

(i) Instituting project-based supervisory boards appointed by the donors to oversee programme design and budget expenditures related to civic activities. These boards would serve until the end of the project life but would ensure that a culture of accountability is cultivated within the

3 See Rodrik (2007).
4 See Stiglitz (2015).

NGO and other civic organisations dealing with accountability challenges.

(ii) Expanding funding to member-ship-based civic activities to include traditional CSOs such as churches and business associations, for instance Uganda Small Scale Industries Associ-ation. However, funding should be subordinated to the project-based boards suggested above. This will have the twin benefit of building accountability capacity within such organisations while at the same time boosting their financial capacity to expand the reach of their member-ship. As a matter of fact, these organ-isations hold the potential to embark on a financially self-sustaining path once their membership network has expanded and once they have become entrenched in a set of values and membership-focused civic activi-ties.

(iii) Supporting old and new CSOs to create regional coordina-tion networks. This could start with profiling all existing CSOs by region, thereby leading to the construction of a database which could serve as a basis for building such networks. These networks can then become the platform for mobilising citizens to participate in civic activities within their respective regions.

(iv) Identifying moderate voices within government. Moderate voices always exist and can prove to be valuable when broaching difficult debates. Working closely with such moderate voices can stimulate the government to begin to view CSOs as partners rather than enemies of development.

(v) Leveraging the capacity of existing research institutes to build, expand and strengthen the capacity of CSOs to conduct research for advocacy work. Research institutes can be interested in adapting their annual research planning activities to include the research needs of CSOs at the forefront of advocacy work. This can be achieved through coordinated efforts that bring together research institutes and CSOs leading advocacy work.

The report is structured as follows: Section two of the report defines civil society and explores the tensions in the literature arising from the classification of civil society as 'old' and 'new' civil society produced by the shifts in global patterns of civic organisation. Section three traces the origins of civil society and underlines the drivers of civil society development in Uganda; this section also discusses the origin of the problematic relationship that has existed (and continues to exist) between the Ugandan state and its civil society. Section four lays out the analytical framework against which to evaluate the performance of Uganda's civil society in relation to the realisation of inclusive development. Section five assesses the performance of Uganda's civil society in promoting inclusive development. This section specifically contrasts the performance between old and new civil society. Section six concludes the report by examining the binding constraints on Uganda's civil society to contribute to inclusive development and proposes measures for lifting these binding constraints in order to create a revitalised civil society poised to support inclusive development in Uganda.

2.

Defining Civil Society:
A Global Perspective versus Traditional Perspective

Although the role of civil society in promoting inclusive development is well acknowledged in both academia and policy circles, what constitutes civil societies is still contested. This section begins by exploring the tensions in the literature concerning the definitions of civil society. It then proceeds to assess the channels through which civil society can drive inclusive development in the context of developing countries. It concludes by examining the shifting patterns of civil society and the challenges these pose to achieving their mandate.

2.1 The global discourse on civil society

Civil society organisations (CSOs) as a development alternative emerged in the 1970s and 1980s following the failure of state-led development approaches in promoting inclusive development. The main conjecture regarding CSOs rests on the premise that they can deliver innovative and people-driven approaches to public service delivery, advocacy and empowerment.[5] At the global level, CSOs have been an important voice in shaping bilateral relationships between and within governments by influencing the selection and implementation of major policies. However, there is significant variation and understanding of what CSOs are as they vary in size, structure, level of organisation and formality. For instance, the World Bank[6] defines CSOs as *'non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations'.* Relatedly, the African Development Bank[7] relies on the definition of *'a constellation of human and associational activities operating in the public sphere outside the state'.* The World Economic Forum[8] defines CSOs as 'the area outside the family, market and state' and includes civil society actors who differ in terms of their objectives, structure and organisation, membership requirements as well as geographical coverage[9] while VanDyck[10] defines CSOs as *'an ecosystem of organized and organic social and cultural relations existing in the space between the state, business, and family, which builds on indigenous and external knowledge, values, traditions, and principles to foster collaboration and the achievement of specific goals by and among citizens and other stakeholders.'*

2.2 Institutional differences in the definition of CSO

The lack of a clear institutional definition is largely due to several factors that are related to changes in the environment in which such organisations operate.[11] Although there appear to be similar patterns across all different definitions, several conceptual issues can shed light on this tension.

First, numerous academics and practitioners rely on different school of thought. For instance, there is a distinction between new or NGO-based CSOs that mostly encompass international NGOs that work in conjunction with local partners, and traditional CSOs that involve grass-roots organisations that are mostly small, informal and community-driven. Second, organisational factors related to their size, scope and degree of influence have also contributed to the lack of a clear and unified definition.[12] Third, these institutional differences are also driven by the type of activities that CSOs engage in, with a major distinction between CSOs that offer public services and those that deal with advocacy.[13]

Despite these differences, civil society is widely viewed as an organised structure that has the core objective of enhancing collective action to improve engagement with the government as a means of influencing and driving inclusive development.[14] At the global level, CSOs are increasingly establishing partnerships with governments and donors owing to their potential to advocate public service delivery as well as influence the design and implementation of government projects.[15]

In a broad sense, CSOs include:
(i) NGOs, which have a well-defined operational structure and are registered as per a country's law and regulations;
(ii) Faith-based associations such as religious leaders and churches;
(iii) Trade unions and cooperative associations that represent workers;
(iv) Social media, online forums and the press;
(v) Private sector and business associations as well as social entrepreneurs; and
(vi) Cultural, sports and leisure associations such as youth groups, football clubs, performing arts groups etc.

2.3 Analysing trends in the civil society ecosystem

The role of civil society is rapidly changing, as are its scope and mode of engagement with different stakeholders such as citizens, governments and donors. This section highlights the key trends shaping the civil society ecosystem at both the global and local levels.

2.3.1 The decline of global institutions

There seems to be a general consensus among civil society actors on the declining role of CSOs in directly influencing state behaviour, and an emerging consensus regarding the importance of inclusive models of governance, grounded in more inclusive and participatory organisations that possess local contextual knowledge and that support the constituents they represent.[16] While the civil society ecosystem was historically dominated by international organisations, there is a growing emphasis on the importance of grass-roots organisations, especially religious groups, due to their ethical principles, values and morals, which can be leveraged for enhancing collective action.[17]

5 See Banks and Hulme (2012).
6 See World Bank (2013).
7 SeeAfDB (1999).
8 See WEF (2012).
9 See WEF (2013).
10 See VanDyck (2017).
11 ibid.
12 See Banks & Hume (2012).
13 See Cooper (2018).
14 Ibid.
15 See AfDB (2019).
16 See WEF (2013).
17 See Cooper (2018).

2.3.2 Technological advances

Developments in technology, especially in relation to online forums, is emerging as a critical tool shaping the way civil society interacts with citizens. Emerging trends, such as social media and expert blogs, now offer faster modes of disseminating information and a non-hierarchical mode of communication where CSOs can respond directly to citizens, regardless of their geographical location.[18] Unlike traditional forms of engagement such as rallies or physical assemblies, technological advances offer an innovative platform where barriers to entry for new civic organisations are low and an environment where CSOs are able to capture and simultaneously engage a wide audience, and thus be able to identify information that is crucial in influencing government behaviour. That said, most CSOs have been slow in transitioning their operations towards technology-intensive platforms, in part owing to complexities in understanding the various types of technologies as well as the associated risks.[19]

While presenting a novel opportunity for CSOs, online platforms can also have a disruptive role due their power to misinform, thus generating divisions rather than cohesion. Emerging evidence shows that social media and other online platforms have been associated with illegal political campaigns, election interference as well as radicalisation.[20] As such, these platforms can act as tools to disseminate false information, given the difficulty for citizens to verify the authenticity of online information. If such distortions have a negative impact on the credibility of CSOs, such forums can pose a threat to enhancing democratic participation.[21]

2.3.3 Shifts in demographics

Across most developing countries, there is a significant shift in the demographics that CSOs will be required to take into account as they forge strategies that can effectively enable them to attain their objectives. The demographic distribution is increasingly becoming skewed towards the youth, which will have significant implication for the social, economic and political needs of this cohort as well as the means through which young people are likely to engage with the state.[22] For instance, the International Civil Society Centre (2015) forecasts that web-based activities are likely to be the dominant mode of engagement for the youth in developing countries, an aspect that will also shape donor policies regarding the support of traditional CSO activities such as physical mobilisation of individuals and funding digital technologies for civil engagement.

2.3.4 Shifts in financing models

The growing uncertainty regarding funding opportunities is likely to affect the capacity of CSOs to attain their objectives. In the wake of the 2008 global financial crisis, CSOs have continued to face a reduction in funding from donors, due to austerity measures triggered by fiscal pressures, government debt and economic crises in developed countries.[23] In addition, most donors have modified their financing models to include stringent requirements, such as forging partnerships with the private sector. These changes in conditionality imply that CSOs have to innovatively explore alternative sources of finance in order to enhance their sustainability. At the same time, CSOs are also witnessing an increase in new forms of financing models from philanthropists and social entrepreneurs, a feature that provides an opportunity to maximise the available resources at both the local and global levels.

2.4 The role of civil society in driving inclusive development

Bebbington (2004) has argued that CSOs play a key role in promoting inclusive social, economic and political development by acting as alternatives to a state apparatus.CSOs are often seen as advocates of the poor through their participatory and citizen-driven approach that has the potential to deliver bottom-up approaches to development.[24] The prominence of civil society is to a large extent grounded in their ability to enhance collective action. The literature on democratic governance argues that CSOs promote collective action by increasing opportunities for interaction, networking and consensus-building among citizens.[25] The resulting social capital plays an important role in forming networks between different ethnic and social groups. Such networks are perceived as channels that enhance the flow of information, thus promoting dialogue and the representation of citizens' interests. As such, CSOs emerge as crucial mediation structures to address collective action problems that hinder political participation.

Civil society organisations are also viewed as service providers. In most countries, CSOs are involved in the provision of a variety of public services such as health and education services, or more targeted efforts towards emergency response, conflict management and advocating the rights of marginalised groups in society. Not only do CSOs complement the state in service provision, they are posited to have a comparative advantage due to their ability to innovate through experimentation, and flexibility to adopt new approaches, programmes and modes of engaging with the state and citizens, as well as their ability to promote the sustainability of projects by boosting citizen participation.[26] The close proximity between CSOs and the constituents they represent is thus important in providing the freedom to discuss, select and implement projects that are aligned with local needs, leading to a bottom-up approach to development that is anchored in effective participatory mechanisms.

18 See WEF (2013).
19 See Williams (2018).
20 See Zannettou et al. (2019).
21 See Williams (2018).
22 See WEF (2013).
23 Ibid.
24 See Bebbington (2004).
25 See Putnam (1993).
26 See Banks and Hulme (2012).

Another important role of civil society is their emphasis on improving the political environment.[27] Civil society organisations have been viewed as organisations that enhance the interests of marginalised groups in the political arena. However, a key contentious issue is the complexity of relationships between CSOs and most governments. In most instances, CSOs have been viewed as competitors and as acting in opposition to the government which, at times, limits their ability to influence government policies.

2.5 Global shifting patterns of civil society and the challenges they pose to the realisation of inclusive development

This section examines the challenges that CSOs face in realising tangible change in society, with a special focus on structural factors that can be addressed through targeted policies.

2.5.1 Demonstrating impact

An emerging problem faced by CSOs is the increasing pressure by donors to demonstrate value for money through their impact on government policy.[28] This has proven to be a daunting task from the perspective of civil society due to the difficulties in measuring impact. In addition, evidence shows that CSOs' impact is incremental and manifests itself in the long term, which sharply contradicts with donors' expectations of short-term impact as a condition for continued access to funding.[29]

2.5.2 Government restrictions

In many countries, CSOs are facing different formal and informal strategies employed by the government to restrict their effectiveness.[30] These restrictions are not only aided by laws that are enforced by various government agencies, but they are also disguised in administrative and bureaucratic practices. These restrictions are more pronounced for CSOs that advocate the rights of marginalised communities and ethnic groups in the political sphere. In addition to these restrictions, a common challenge that CSOs face relates to stigmatisation by the government, especially through tactics that undermine their credibility. Some governments use state-owned media to sponsor campaigns that label CSOs as undemocratic or representative of outside interests that contradict national values.[31] CSOs are also accused of being corrupt and working for foreign entities as spies. These campaigns tend to weaken the credibility of CSOs before citizens and donors.[32]

Second, in the quest to promote inclusive development, CSOs also face government restrictions in terms of legal representation. Across most authoritarian regimes, CSOs often face the threat of deregistration, while civil society workers are often tortured, arrested or placed under continuous surveillance.[33] For instance, data from the International Centre for Not-for-Profit Law (ICNL) suggests that more than 60 laws and regulations were implemented by governments in 2015 to restrict the civic space for CSOs.[34] In Uganda, the Minister of Internal Affairs recently announced the planned deregistration of over 10,000 NGOs on the allegation of conducting 'unscrupulous operations'.[35] Crackdowns on civil society actors and organisations as well as the detention and arrest of activists are also prevalent across the civil society ecosystem. For most African countries, available data shows that CSOs face a 'closed' space where it is 'next to impossible for activists to conduct human rights advocacy or peacefully oppose the state without the very real risk of attack, imprisonment or death'.[36]

Third, CSOs face challenges in establishing their legitimacy vis-à-vis citizens and donors. Some governments have established 'government-organised NGOs' that have the mandate to imitate authentic CSOs and crowd out the real CSOs' voices by engaging in malpractices that delegitimise the latter.[37]

Fourth, CSOs face challenges in terms of government restriction on accessing foreign funding. Some foreign-funded CSOs are labelled as threats to national sovereignty through interference in domestic affairs by outside interests. CSOs also face funding restrictions through caps on the amounts they can receive. These restrictions are often imposed through stringent reporting and disclosure requirements.[38]

2.5.3 Accountability and independence

Good governance is critical for the effective functioning of an organisation. As such, for CSOs to maintain credibility, they must operate in a transparent, accountable and inclusive manner.[39] From a theoretical perspective, accountability implies that CSOs must be answerable to some recognised entity, and the literature differentiates between CSOs' upward accountability to donors, downward accountability to the constituents they represent, and internal accountability with regard to accomplishing its objective.[40] However, CSOs' accountability frameworks are unclear. On the one hand, these organisations should be accountable to their constituents, as this generates incentives for CSOs to be effective in holding the government accountable and promoting inclusive development. On the other hand, CSOs are required to comply with donor funding requirements. This often skews the link of accountability as CSOs answer to donors as a first priority

27 See White (1999).
28 See Vandyck (2017).
29 See Cooper (2018).
30 See WEF (2013).
31 See Popplewell (2018).
32 Ibid.

33 See World Movement for Democracy (2019).
34 See ICNL (2016).
35 See Niba (2019) .
36 See Kreinenkamp (2017).
37 See WEF (2013).
38 See World Movement for Democracy (2019).
39 See Banks & Hulme (2012).
40 See Ebrahim (2003).

owing to their over-reliance on foreign funding. For instance, several studies document high dependence of CSOs on donor funding, estimating that donor support accounts for more than 80 per cent of CSOs' incomes.[41] As such, there is a trade-off between top-down and bottom-up accountability. This is compounded by the fact that these organisations are supposed to be independent in order to avoid any outside interference and special interest.[42]

Banks and Hulme (2012) suggest that some CSOs are not responding to the needs of the constituents they claim to represent but are rather accountable to donors owing to funding requirements. In addition, the lack of accountability has been widened by the growing gap between CSOs and citizens, whereby local constituents do not have a significant voice and influence in the operational structure of such organisations. CSOs – often located in urban areas – have not engaged with their constituencies in a frequent and meaningful manner to forge sustainable connections. There is growing evidence that CSO are being established in response to the availability of donor funding, that their agenda is shaped by such resources rather than the necessity to address the needs of their constituents.[43] Even worse, some studies that examine how CSOs spend their resources document evidence of significant wastage and corruption.[44]

2.5.4 Changing funding climate

Most CSOs are operating in an environment where financial resources are shrinking. Not only is this being driven by shifting donor priorities, but governments in developed countries are facing tighter fiscal space and budget cuts. Donors are increasingly imposing stringent requirements on CSOs for funding, including the need to demonstrate impact and diversification of funding sources. At the same time, calls to combat terrorism financing and capital flight have prompted governments in both developed and developing countries to initiate strict restrictive measures on CSOs' financing.[45] In some countries, the focus on the 'war against terrorism' has led to a trade-off between restricting the scope of CSOs in their quest to scrutinise the state as a means of enhancing public security and working closely with authoritarian governments to combat terrorism.

These issues have not only posed significant barriers to the operational activities of CSOs, but have also generated an atmosphere of resource competition, which has resulted in division rather than cohesion.[46] In addition, CSOs are often incentivised to design their programmes in line with donors' interests and priorities, thus shifting away from local needs and preferences. While there is a proliferation of new donors in the civil society ecosystem, these new sources of funding have proven volatile and unpredictable. As a result, CSOs are increasingly concerned about their sustainability as the resulting reduction and uncertainty of funding pose a significant barrier to their operational capacities.[47]

41 See Tyedt (2006).
42 See Banks and Hulme (2012).
43 Ibid.
44 Ibid.
45 See Rutzen (2015).
46 See WEF (2013).
47 See CIVICUS (2018).

3.

Problematising the nature of civil society in Uganda:
A critical analysis of the historical evolution of the civil society space and ecosystem and its performance on democratic governance and inclusive development in Uganda

**PROBLEMATISING THE NATURE OF
CIVIL SOCIETY IN UGANDA:**

A critical analysis of the historical evolution of the civil society
space and ecosystem and its performance on democratic
governance and inclusive development in Uganda

3.1 The changing nature of civil society in Uganda from pre-independence to the present day

Civil society organisations of varied forms have been pivotal to Uganda's development trajectory, particularly as far as institutional reforms are concerned. In some cases, the political environment has been instrumental in creating the preconditions for their rise (especially the old forms of CSOs such as trade unions and FBOs). In other cases, the shift in development thinking and the accompanying shift in donor financing have dictated their interest in specific areas of governance and

development. In this section, we analyse the historical evolution of the civil society ecosystem in Uganda dating from the pre-independence period, through to the 'reign of terror' during the 1970s as well as the period before and after the civil war in the 1980s and 1990s that marked the beginning of structural adjustment, the rise of the NGO sector and the fundamental shift in the optics of civil society as a movement in Uganda.

3.1.1 The beginnings of civil society in Uganda

The historical formation of any civil society in Uganda is traceable to the colonial period, mainly through the work of trade unions, youth organisations, women's organisations and ethnic associations. Although the British colonial government had a colonial policy encouraging the development of viable trade unions, interest in indigenous trade union growth did not start until after the Second World War.[49] The first trade union, the Uganda African Motor Drivers' Association, was formed in 1938 by James Kivu and Ignatius Musaazi, who both later became prominent politicians in Uganda and Buganda.[50] Many suggest that this union rarely performed the functions of a true trade union in terms of representing the interests of its constituent members, but instead that their activities were politically motivated.

However, later activities suggest that, in fact, the union did exactly what a trade union is expected to do: represent its members. For example, in 1945, the union organised numerous strikes and riots over wages, although the colonial government generally argued that the strikes and riots were more political than economic. In the wake of the strikes, the union leaders like Kivu and Musaazi were deported to Karamoja and the union wound up its activities.[51]

However, the causes of the 1945 strikes had not been addressed. Young Baganda radicals still chafed at the policies of their own rulers and the union was still the only vehicle for political expression. Musaazi was eventually released in 1946 and returned to the union to reorganize it. In April 1949,

the Transport and General Workers Union was registered. The motivation was to form a comprehensive union for all workers in Uganda. Once again, the core members were Kampala taxi drivers, although recruitment was also successful among transport workers in Busoga. At the same time, Musaazi also founded the Uganda African Farmers' Union with the aim of opposing the Protectorate's marketing boards and monopoly over cotton and coffee.[52] Scott (1966) suggests that both organisations were purely political in aim and involved themselves in further political disturbances in 1949. Once again, unions were banned and the leaders exiled.

In the meantime, there was little interest in the formation of trade unions outside the realm of party politics. This was mainly because the concept of unionism, which had been imported from Europe, was synonymous with industrialising economies with clear class interests, and therefore unions were seen as vehicles for counterbalancing the excesses of one class over another. Introducing the concept in many colonial African countries was bound to encounter serious difficulties. For instance, when the British Protectorate government was aggressively encouraging the formation of unions, most farms produced enough food for family subsistence with a surplus for cash sale. From 1938 onwards, cotton and coffee cash crops fetched high prices owing to the wartime shortages and the post-war boom.[54] There was little incentive to leave the traditional agricultural economy

untouched in these favourable conditions as urban and plantation labour was in short supply. Even large-scale migration from Rwanda-Urundi, the western areas and later from Kenya did little to ease the shortage. The employers were forced to compete for the scarce commodities by offering reasonable pay and conditions. Only the sugar plantations, using the system of direct recruitment from western and northern border areas, could dictate harsh terms. Significantly, it was only on these plantations that serious strikes occurred as workers sought to improve their relatively poor working conditions.[55]

The bulk of the workforce, in their short spells away from agriculture, seemed to have found the conditions reasonably satisfactory. As a result, they had very little interest in official attempts to sponsor union organisations or the rabble-rousing activities of politicians. An official report in 1951 summed up the situation:

> Under local conditions in which ties of family and locality are still dominant and where few of the African population have yet to seek paid employment in order to live, it is not expected that much interest will be shown in trade unionism, economic prosperity plus an unsatisfied demand for labour, which means that a man has a full choice of employment, continue to serve as an insurance against unrest. (Labour Department Report, 1951, p.16 cited in Scott, 1966, p.11).

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48 See NGO Forum. (2015).
49 See Goodman (1976).
50 See Orr (1966).
51 See News brief from Amalgamated Transport and General Workers' Union Uganda, can be accessed on their website here, https://www.africaefuture.org/atgwu/pagweb/82.html.

52 See Scott (1966).
53 See Goodman (1976).
54 See Scott (1966).
55 UP. (1942) in Scott (1966).

Throughout this early stage, the railway workers were the only group organised into genuine trade unions, free from party politics. With the extension of the railway, a large number of Kenyan workers were transferred to Uganda. They brought with them the ideas of unionism already well developed among Kenyan railwaymen and a branch of the Kenyan union was set up in 1946. Initially, this seemed to have been a multi-racial organisation but the Labour Department records that a Railway Asian Union was registered separately in 1948. The Africans continued to operate from their headquarters in Nairobi. As late as 1956, the Railway African Staff Union was still considered to be the only effective union in Uganda.[56]

It is hypothesised that the transition to the second stage of unionism development occurred between 1952 and 1955. It was assisted by the liberal regime of Sir Andrew Cohen, and then by a depression in agricultural prices. A trade dispute ordinance had been enacted earlier to provide simple measures for conciliation and voluntary arbitration. The absence of unions or formal industrial relations mechanisms meant that the trade dispute ordinance was not used much. Cohen sponsored the 1952 Trades Union Ordinance. The primary purpose of the ordinance was to prevent unions from being used for purely political purposes. An attempt was made to ensure that the organisations were backed by a specific body of industrial workers. Consequently, provisions required all union members except the Secretary to have been employees of the industry concerned for at least three years and that membership of more than one organisation was illegal. Registration was to be compulsory and

would be followed by annual inspections and the submission of financial returns.

A number of existing organisations protested against what appeared to be onerous conditions for registration, and against the degree of government control. The extent of this control was to prove minimal in practice for some time, but non-industrial unions were effectively discouraged. The first union registered under the new ordinance was the Kampala Local Government Staff Association. This proudly proclaimed its multi-racial character but was mainly composed of Europeans and higher paid Asians. The union was regarded as upper class and colonialist by African civil servants who looked on the only African member as an 'Uncle Tom' and a social climber.

After eight months of protesting against the new legislation, the Busoga African Motor Drivers Union finally registered. This union appears to have been the first encouraged by Musaazi's organising activities before the 1949 riots. Its members were mainly middle-aged ex-servicemen employed as lorry drivers by the cotton ginneries, taxi-drivers and chauffeurs. A local labour officer who provided assistance to the union regarded its members as 'moderates', not at all upstart nationalists. For a number of years, it was ineffective largely because it could find no organisation of employers with which it could negotiate in general terms.

By 1958, over 13 trade unions representing over 250,000 workers had registered with the government Labour Department (see Table 1). However, the largest growth in union organisations was witnessed between 1958 and 1961 (see Table 2).

56 See Scott (1966).

Table 1: Union growth in Uganda, 1955-1958

Year	Workers	Unionists	Union
1952	200,000	259	2
1955	224,782	783	13
1958	257,400	4,784	13

Source: Scott (1966, p.18)

Table 2 demonstrates the rapid growth in both the number of unions and union membership in the period between 1952 and 1961. As might be expected in a country in which communications were generally poor and literacy rates were low, the earliest and strongest unions were based on workers grouped in industries at a particular location. Apart from the Railway African Union, the most important unions in terms of activity and paid-up membership were located in industrial centres: electricity, sugar plantations, textiles, tobacco, breweries and copper smelters near Jinja; petroleum, central government workshops and college junior employees in Kampala; copper mines and tea plantations in the western province; and cement in Tororo. The public services also accounted for a large percentage of union membership but, with the exception of the railway workers, the unions concerned were relatively passive. Craft unions never made any progress whatsoever, and general unions dealing with a number of minor employers were a relatively late development.

Table 2: Growth of trade unions in Uganda, 1952-1961

Union	Number of Members									
	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961
Railway Union	97	91	97	98	60	60	60	114	114	103
Postal African	127	135	138	160	164	190	365	285	285	742
Kampala Local Gov't	35	68	78	40	60	50	50	150	150	102
Busoga Drivers				350	135	135	410	*	*	*
Clerical				150	43	82	49	110	110	162
Medical Assistants				157	68	290	291	201	201	148
Shoemakers				36	52	52	50	50	50	50
Railway African				951	1500	3000	3000	4000	5000	5000
Makerere Employees					440	470	470	380	380	600
Journalists					7	7	7	7	7	**
Printing						180	250	**	**	**
Tobacco						42	470	460	460	1090
Transport & General						226	271	1200	3200	2600
Teachers Asian							227	227	**	**
Textiles							400	500	500	2300
Teachers Lango							100	110	3400	10200
Lango Transport								38	250	785
Cooperatives								180	180	180
Bugisu Local Gov't								320	320	226
Lango Teachers								220	*	*
Bukedi Local Gov't								1100	1100	318
Bank Employees									100	800
Building									500	382
Cement									82	987
Electricity									330	1020
Hotel & Domestic									600	7000
Plantations									2206	620
Breweries										336
Busoga Local Gov't										600
Petroleum										2141
Road Construction										35
Ginnery & Mills										198
Busoga Co-op										
Total	259	664	683	1642	2529	4784	7370	10862	20965	39862

Source: Scott (1966, p.22) Notes: **Amalgamation into another union;*   ***Figures not available*

3.1.2 Independence, post-independence and early confrontation of the independence state and workers' unions

The March 1960 founding of the Uganda Peoples' Congress (UPC), a progressive mass nationalist party under the leadership of Dr. Apollo Milton Obote, and the emergence in Africa of the Cold-War labour struggle between the western-dominated International Federation of Trade Unions (ICFTU) and the communist-dominated World Federation of Trade Unions and its African Associate the All African Trade Union Federation (AATUF), made it extremely difficult for the United Trade Union Congress (UTUC) to continue avoiding political issues.[57]

In 1961, several trade unions in Jinja formed the Uganda Federation of Labour (UFL) as a rival central labour body to the UTUC. The UFL received substantial assistance from the AATUF, but the greater financial resources of the ICFTU and its support of the UTUC prevented the spread of UFL influence. In mid-1961, the UFL was reorganised as the Federation of Ugandan Trade Unions (FUTU), with the help of the UPC and its youth wing. The assistance of the UPC in the FUTU was based on its opposition to the foreign influences in the UTUC and its resentment of the UTUC policy of avoiding political associations. As independence grew imminent in October 1962, tension between the UPC and its UTUC mounted. [58]

With the acquisition of power, the mass party turned its attention to the practical aspects of economic development. In its new role as a nation-builder, the party viewed the independent union movement as a potential source of opposition and as a hindrance to economic development. The production- and nation-oriented viewpoint of the government was incompatible with the consumption- and group-oriented viewpoint of the trade union movement. In Uganda, this incompatibility was quickly realised by Obote and the UPC. [59]

The government put increasing pressure on the UTUC while supporting the FUTU. The FUTU was recognised as a spokesman of the Uganda trade union movement by the government and international agencies. Within the FUTU, a reorganisation aimed at centralising control and increasing the influence of the government was undertaken after a series of unauthorised strikes.[60] The freedom of action still possessed by the UTUC was severely limited in a series of legislative enactments. For example, in December 1963, the Uganda Public Employees Union (UPEU), a UTUC affiliate, lost its position as representative of higher-scale government workers. The right of government workers to strike was revoked and the existing grievance and workers' committees were made subordinate to the respective ministers. The Trade Disputes Act enacted in 1964 limited all employees in their right to strike; as a precondition to initiate a strike it was made necessary to exhaust the dispute mechanism, and in fact to receive the Minister of Labour's approval of the strike action. The conflict between the FUTU and the UTUC was used as an excuse for greater government interference in trade union organisation. [61]

57 See Goodman (1969).
58 Ibid.
59 See Orr (1966).
60 See Goodman (1969).
61 Ibid.

Through its actions, the government eliminated the right to strike, supported dual unionism, and suppressed any attempts within either the FUTU or the UTUC to assert union independence of the governing bureaucracy – it emasculated the union movement. The stage was set for the coup de grâce, the actual absorption of the union movement into the government. Obote declared that "many of us do not understand what is meant by separation between the government and your [the trade union] movement." [62]

In 1966, official registration of the UTUC and the FUTU was revoked by the government, and the organisations were dissolved. A new national centre, the Uganda Labour Congress, was formed and a caretaker committee of 12 was appointed by the government. The independent trade union movement in Uganda ceased to exist. A movement that through most of its life held economic objectives paramount was made subordinate to the mass party and the interests of economic development. [63]

3.1.3 During the reign of terror (1971-1981)

When Idi Amin took over power, a 'reign of terror'[64] descended upon the country in ways that seriously impacted the civil society movement, which at that stage largely affected trade unions that were well advanced on a development path. Economic production collapsed because of the regressive economic policies that were adopted and implemented by Amin's government.[65] Many farmers who were largely active in the coffee sector either fled the country or gave up agricultural production.[66] Other leading elites that had spearheaded work in the trade union movement fled the country as they saw themselves as targets of a murderous regime. Only one key leading relic of the civil society movement, the Church of Uganda, stood up against Idi Amin's regime and directly called out the President on his murderous tendencies and gross violations of human rights. Ultimately, they paid a price for this, which was

powerfully illuminated by the murder of the Archbishop of the Anglican Church of Uganda, Janani Luwum.[67]

In 1980-81, Obote returned to power, but the election that preceded his re-ascendance to political power left the country divided by ethnic cleavages.[68] The civil society movement was not spared; it was, in fact, drawn into the corrosive politics of the time. Because of their coverage, many trade unions were seen as instruments for political mobilisation and the majority established connections with the political elites in power in order to gain direct access to the financial support they desperately needed to get into the business of coffee trade. Indeed, many of the trade unions received financial support in the form of credit that they often failed to pay back, thus worsening the country's fiscal position. [69]

3.1.4 Troublesome 1980s and civil society

When President Museveni launched a guerilla war to fight the Obote II government, the National Resistance Army (NRA), the political organisation/army he helped to create and lead, formed Resistance Councils (RCs), which resembled cells for mobilising and sensitising citizens to the causes and ultimate objectives of the guerilla war. However, RC leaders were also responsible for mobilising financial support for the

revolution. When President Museveni took power, the RCs were integrated and assimilated with the state apparatus in part for fear of their disruptive capacity. Once again, we see a situation where political elites created and organised civil society groups and used them to advance political goals but once these goals were achieved, civil society groups were then perceived as 'lurking enemies' of the state that must be dealt with.[70]

3.1.5 Structural adjustment reforms and the old CSOs roll-back

Between 1990 and 1995, President Museveni's government, under pressure from the Bretton Woods institutions, introduced structural adjustment reforms that perhaps have had the most irrevocable impact on the development of civil society in Uganda.[71] Historically, Uganda's economy has thrived on agricultural exports – mainly coffee, cotton, tea and sugar. The colonial policy had encouraged the organisation of farmers into primary cooperative societies that were coordinated and regulated through agricultural cooperative unions.[72] Prior to the structural reforms of the 1990s, these unions represented many farmers and thus formed the bulk of the civil society movement, which was routinely courted by the government for political support. Indeed, previous governments had spent a lot of money propping up failing cooperative unions to keep them in operation and stem any potential recruitment by the opposition. In the early 1990s, agricultural prices collapsed. With an economy struggling to recover from a destructive civil war, it became

apparent that the government lacked the resources to continue channelling funds towards financially distressed cooperative unions and yet the fear of their destructive capacity remained eminent.[73]

Consequently, the government decided to liberalise the economy and allow competition against cooperative unions by opening the door of coffee trade to the private sector. Many cooperative unions ran bankrupt and collapsed. [74]

A World Bank risk assessment of Uganda's coffee value chains found that, following liberalisation, many primary cooperative societies and their unions failed to cope with the 'influx of competitors' that entered the market. They eventually ran into unmanageable debts and collapsed.[75] By 2011, only 345 primary cooperatives existed in the industry, many of which persisted largely in name instead of possessing any functioning network of farmers. Therefore, the collapse of agricultural cooperative societies further shrank the

62 Ibid.
63 Ibid.
64 In Michael. T. Kaufman's 2003 New York Times article, he describes Amin's regime as a "reign of terror", see full article here: https://www.nytimes.com/2003/08/17/world/idi-amin-murderous-and-erratic-ruler-of-uganda-in-the-70-s-dies-in-exile.html.

65 See Walter, Kiranda & Mugisha (2017).
66 See Museveni & Khadiagala (1977).
67 Ibid.
68 See Museveni (1997).
69 See Bates (2014).

70 See Museveni (1997).
71 See Kuteesa et al. (2010).
72 See Scott (1966).

73 Ibid.
74 See World Bank (2011).
75 Ibid.

largest segment of the embryonic civil society movement, leaving only a relic of a few trade unions in the urban areas that represented teachers and health workers. In addition, during the same period of economic restructuring and reforms, growing suspicion of the size of the state reached its climax, as the World Bank 1997 Development Report on 'the state in the changing world' stated. The report forcefully argued for the roll-back of the state on the premise that an ever-expanding state had been the source of the numerous state intervention failures that had blighted many African countries.[76] A number of reforms, such as the retrenchment of the civil service, the merging of various ministries, and the privatisation of formerly state-owned enterprises, were implemented to trim the size of the state.

Whereas these reforms have been credited for restoring macroeconomic stability and improving fiscal prudence, this was achieved at the cost of significantly reducing the state's capacity to provide public goods and services to citizens.[77] Poverty rates remained high and the dire shortage of social services made a strong case for the promotion of the 'third sector' (i.e. NGOs) to intervene to plug the gap in service delivery that the state had left behind in the wake of these reforms. Funding for the provision of public goods and services through the NGO sector became the 'new game in town'. In the years that followed, a vast amount of development assistance went to NGOs in nearly all development areas, including health, education, water and sanitation, environment, gender, research and

governance.[78]

NGOs were preferred by donors because they were seen to be closer and more responsive to citizens' needs as well as swifter in the delivery of public goods and services because they were unencumbered by bureaucratic red tape. Subsequently, as donors' developmental interests shifted so did the formation of new NGOs and the programmatic focus of existing NGOs. For example, in 2004, the World Bank published another one of its serialised development reports entitled *Making Services Work for the Poor,* which made a strong case for improving governance from the bottom through decentralisation and generally promoting deepening democratic governance aimed at strengthening rule-making processes in many African countries.[79] The report specifically emphasised that in order to begin to realise the benefits of structural adjustment reforms, there was a need to support the deepening of democratic processes in developing countries. Democratic processes were a necessary condition for anchoring the structural adjustment reform process in order to guarantee and sustain the 'gains' from the Structural Adjustment Programmes (SAPs); and again, NGOs were turned to as the best vehicle for achieving these goals.

Arguably, as much of the development aid went towards deepening democratic governance programmes, the enthusiastic entry of political activists, practitioners and policymakers in Uganda's NGO sector working either as consultants or representatives of mushrooming NGOs, based mainly in Kampala, was marked by interest in such programmes, too. NGOs

often formed alliances with politicians, particularly during election periods. They also lobbied for numerous legislative reforms and opposed certain laws that were presumed undemocratic. Indeed, the situation described is aptly captured by the statistical growth of the NGO sector; from just 200 registered NGOs in 1986, to what the Ministry of Internal Affairs records suggest were 12,500 registered NGOs by 2013.[80]

In the subsequent years, there has been growing frustration with the performance of the NGOs, especially in areas related to improving governance, which has raised questions around the governance and internal accountability of NGOs.[81] Several research publications, mostly with an international focus and some with a local focus, have highlighted the challenges related to NGO accountability. Most crucially (and perhaps in part due to these publications but also due to the threat NGOs pose to state power), the Government of Uganda passed the NGO Act in 2016 aimed at governing the activities of NGOs.

3.2 Implications of shifting patterns in the development approach to civil society composition and performance

The shifting patterns of the civil society movement in Uganda discussed above raise key lessons and implications about understanding of the civil society movement and ecosystem in general in the following ways.

First, the civil society movement in Uganda has been shaped by variegated factors, ranging from the hostile political environment and the desire to supplant it, and government policy to shifting patterns in paradigmatic thinking in the development approach. As illustrated above, the early formations of the civil society movement in the 1940s were motivated by the desire to achieve political independence. In the 1970s, during the reign of Idi Amin, although vast sections of the civil society movement retreated for fear of authoritarianism, some sections, particularly the Church, remained instrumental in fighting the authoritarian tendencies of the regime. Similarly, in the

1980s' civil war, many informal groups, known as Resistance Councils (RCs), were formed and used to mobilise society to fight the Obote II regime. In the 1950s, a deliberate colonial policy was fashioned to facilitate the organisation of workers and society generally into trade unions as a way to create a mechanism for limiting political dissidence. These trade unions (as we now know them) later became a crucial vehicle of economic production and political change. In the 1990s, however, when development thinking shifted from direct state intervention to a minimalist state approach (or neoliberal market-based approach), the NGO approach took control of the civil society space and many of the previously established groups, such as trade unions, suffered because the new forces of reform changed the terrain, making it difficult for them to survive.

76 See World Bank (1997).
77 See Kuteesa et. al. (2010).
78 Ibid.
79 See Devarajan & Reinikka (2003).
80 See Uganda NGO Forum. (2015).
81 See Ebrahim (2010) & Ebrahim (2003).

Second, the ideation drive surrounding the formation of civil society as well as agenda-setting have been largely dominated by 'outsiders' rather than 'insiders'. With the exception of a few projects that have been led by Ugandan activists such as Ignatius Musaazi and the Mabira movement, many of the ideas shaping civil activism work have been shaped by outside thought leaders. This has serious implications for imbuing citizens and civil society actors with the necessary dispositions and value systems for shaping civic activism work and ensuring its continuance even during politically challenging periods.

When civil activism ideation is dominated by outside influence, civil society work is often grafted upon partisan interests and, as a result, the direction and nature of civic activism shift with the shifting interests of the strong players which, at times, might be parallel to national interests around governance reform and political accountability. This can confuse the overall goal and objectives of civil society work, disgruntle dedicated actors and develop a 'sort of national wide cynicism' about civil society work in general. Let us elaborate. In the 1950s, the ideas that led to unionism in Uganda were largely introduced to Uganda by Kenyan railway workers and, as a result, in 1955, Tom Mboya, a Kenyan trade union leader, was compelled to visit Uganda and establish an amalgam group of trade unions. In 1952, the colonial ordinance provided a legal basis for countrywide union formation and yet, in the 1990s, similar legal instruments, encapsulated in structural adjustment reforms, unleashed new forces that undermined the existence of 'socially rooted' civil society groups in preference for the NGO approach. Over

the years, the NGO approach has tilted the pendulum of the civil society ecosystem from a bottom-up ideation approach to a top-down ideation approach, limiting the broad-based participation of citizens in civic activities with the potential to shape their destiny.

Third, the civil society movement in Uganda was used as a platform by many political leaders to gain access to political office. However, once in office, they have always very quickly become highly suspicious of the organisational potency of the civil society movement and often seek to absorb it within the state apparatus and enact laws that delegitimise it. For example, in the 1960s, President Obote used the trade union movement to exert more pressure on the Protectorate government to grant Uganda independence, which eventually catapulted him to political power. However, once in power, he passed laws that absorbed trade unions, particularly the cooperative societies, under the ambit of statutory marketing boards, and those that challenged state policies were outlawed. In the 1980s, President Yoweri Museveni, a former student organiser and leader, relied on the organisational work of the informal civic groups (the RCs) to mobilise large sections of Uganda's population to overthrow Obote's second regime. Once in power, his government absorbed the RCs into the state intelligence gathering apparatus. Furthermore, his government has increasingly grown distrustful of civil society, so much so that it has enacted laws, such as the Public Management Order Act (POMA), aimed at weakening the capacity of civil society groups to organise and, therefore, limiting their capacity to shape Uganda's governance agenda.

Fourth, the shifting composition of the civil society movement in Uganda following the changing patterns of development thinking and agenda has had a significant impact in terms of citizen participation and representation in shaping Uganda's institutional and governance trajectory. In the 1950s and 1960s, development thinking was dominated by a state intervention approach in organising society and the economy, to drive economic transformation. Many policies that were adopted and implemented during this period encouraged the formation of organisations which, in the words of Peter Evans, animated 'an embedded economy'. As a result, the formation of trade unions as well as producer organisations, which had started in the late 1940s and 50s, gained momentum. In addition, FBOs, particularly the Catholic and Anglican churches, expanded their roles in providing education and health services to the population and created structures aimed at sustaining community efforts to ensure the provision of public goods and services. In many schools, for example, Parent-Teacher Associations (PTAs) became the new norm with the objective of creating an accountability structure for maintaining effective service provision. These civil society structures, beyond mobilising citizens to actively participate in critical processes for economic and political transformation, also served as 'gatekeepers' for thwarting any ideas that were contradictory to the development agenda established as necessary for steering societal transformation.

Therefore, these member-led organisations created *socially rooted* structures that increased and, indeed, encouraged citizen participation and representation in the political and economic processes of societal transformation. In contrast, the shift in development thinking and approach to a market-based economy in the 1990s brought with it structural reforms that transformed how society and the economy were to be organised, with effects that extended to civil society construction in Uganda. Service provision shifted from trade unions, cooperative unions and FBOs and became dominated by NGOs.

In nearly all development sectors of the state, NGOs were seen as the new vehicle for the provision of public goods and services in partnership with the state. As donor financing increased, so did the number of NGOs that were largely created and led by elites with the exposure and skills to connect and network with the expanding donor community. Increasingly and over time, the civil society movement that has come to dictate agenda-setting for political and economic governance in Uganda has been greatly shaped and influenced by NGO leaders. These leaders are not nested in any form of membership base that they represent and thus limit the participation and representation of citizens in the governance discourse.

Civil Society in Uganda

Broadening Understanding of Uganda's Civil Society Ecosystem and Identifying Pathways for
Effective Engagement with Civil Society in the Development Process

4.

Accounting for the nature and performance of civil society in realization of inclusive development:

Analytical Framework and Practical
Evaluation of the performance between
traditional (old) and new civil society

Analytical Framework and Practical Evaluation of the performance
between traditional (old) and new civil society

This section provides an analytical framework to assess the performance of CSOs with respect to attaining their objective of promoting inclusive development. The framework is designed to identify the factors that have potential in influencing the extent to which civil society can attain its role in increasing citizen's participation and representation, political accountability and good governance.

4.1 A conceptual framework to evaluate the performance of civil society

The conceptual framework in this section is adopted from the Civil Society Index (CSI) – an analytical tool to assess the performance of CSOs by CIVICUS, as discussed and interpreted in Mati et al. (2010) and Melena and Heinrich (2007). It consists of conceptualising the performance of civil society as a function of its internal aspects (such as its laws, norms and bureaucratic structure) as well as external aspects, broadly defined as the environment in which the CSO operates. This is the framework that underpins the CSI. Given the difficulties inherent in defining civil society, as highlighted in section two, any framework that aims to account for the nature and performance of civil society should adopt a multi-dimensional approach. Using a large body of theoretical, empirical and policy literature on CSOs, this section focuses on five key dimensions of civil society. These include: (1) civic engagement; (2) its structure; (3) its external environment; (4) its values; and (5) its impact. The conceptual framework and its five central dimensions of assessment of CSO performance are constructed on the premise laid out in section two, which sees CSOs as important building blocks for coordinating the collective action required to drive citizen participation and advocacy for institutional reform. This is the basis for sustaining democratic accountability and inclusive development.

Figure 1: Analytical framework for evaluating civil society performance
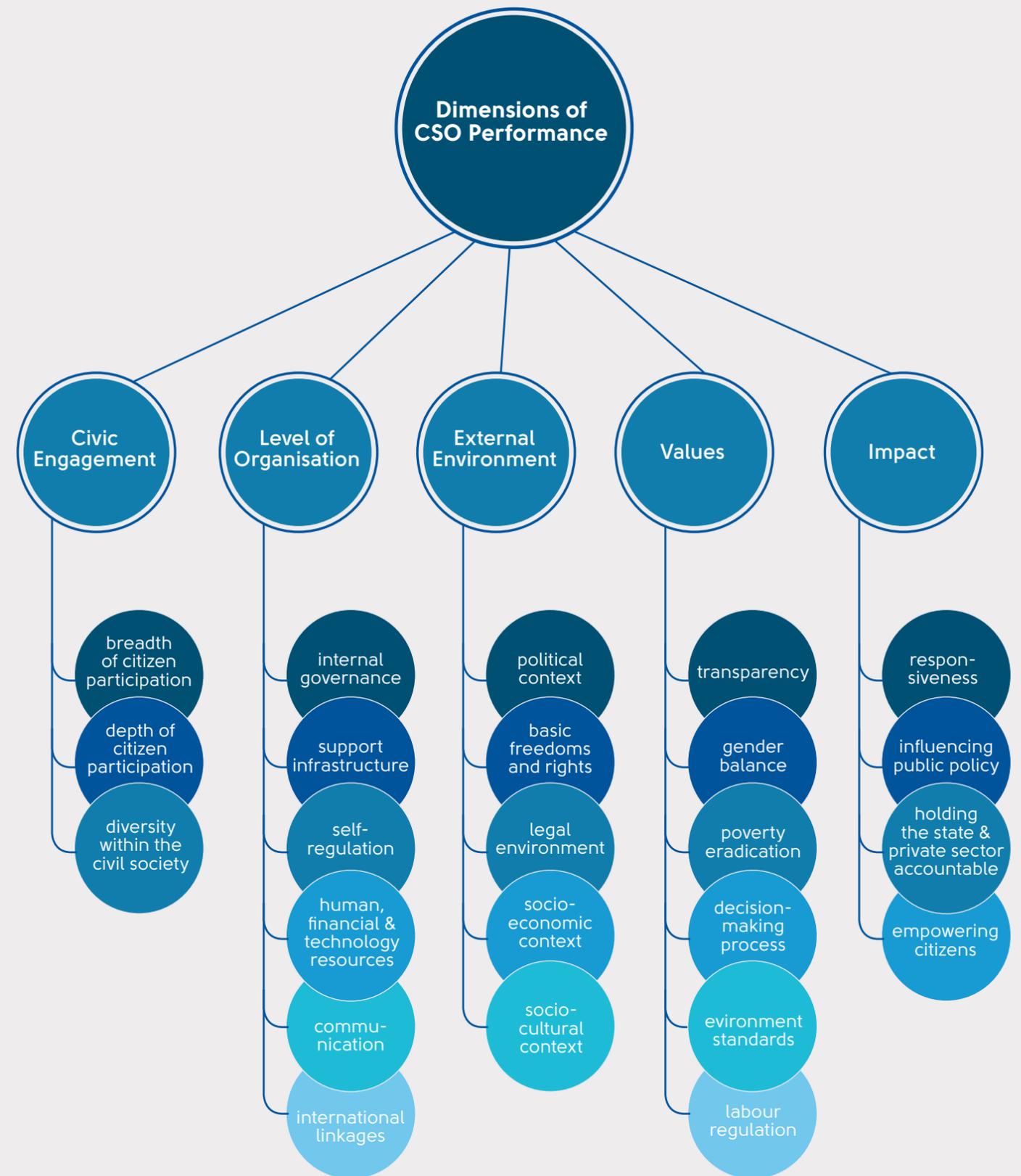
Source: Author's construction following Mati et al. (2010) ideas

The above Figure 1 is explained below.

4.1.1 Dimension 1: Civic engagement

Civic engagement, also referred to as active citizenship, is an important factor in assessing the performance of civil society. Civic engagement refers to both the formal and informal activities and participation by individuals to collectively advance their shared interests, and involves both socially-based and politically-based forms of engagement.[82] Socially-based engagement refers to activities which enhance social capital by facilitating exchanges within the public to advance general social objectives, and often involve activities such as volunteering. On the other hand, politically-based engagement refers to activities that aim to promote interests that have a political objective, and often involve activities such as demonstrations and signing petitions.

The CSI captures the civic engagement dimension through three key indicators:

(i) **Breadth of citizen participation:** This assesses the proportion of citizens who are involved in the activities of the CSOs, either as members, volunteers or financers.

(ii) **Depth of citizen participation:** This assesses the frequency of and extent to which citizens engage in civil society activities.

(iii) **Diversity within the civil society:** This assesses the extent to which civil society reflects different aspects of the general population it represents, such as distributions in gender, ethnicity, geographical representation and socio-economic background. As such, it aims to examine the representation of different social groups within the civil society arena.

4.1.2 Dimension 2: Level of organisation

This dimension aims to examine the performance of civil society by assessing its organisational systems in terms of complexity and sophistication as well as the frameworks that guide how different CSO interact with one another. As such, it involves an analysis of civil society's infrastructure to examine its financial stability as well as the capacity for collective action.[83]

The CSI captures the organisational development of civil society through six indicators:

(i) **Internal governance:** This assesses the formal organisational and management structure of CSOs, including the selection and roles of individuals at the managerial level.

(ii) **Support infrastructure:** This assesses the support mechanisms that underpin a thriving civil society, such as federations and umbrella bodies. It also assesses their effectiveness, as evidence, suggests that they can be used to restrain the activities of CSOs.

82 See Mati et al. (2010).
83 Ibid

(iii) **Self-regulation:** This assesses the extent to which CSOs are able to self-regulate by adhering to a code of conduct.

(iv) **Human, financial and technology resources:** This assesses whether CSOs have the necessary human skills, financial and technological resources and equipment to attain their objectives.

(v) **Communication:** This assesses the extent to which different CSOs engage with one anothor, share information and cooperate in order to address common issues.

(vi) **International linkages:** This assesses how local CSOs are linked to international networks as well as the nature and quality of such linkages.

4.1.3 Dimension 3: External environment

Accounting for the nature and performance of civil society also includes assessing the social, economic and political environment in which CSOs exist. Evidence shows that the presence or absence of certain factors has both a direct and indirect effect on the performance of civil society. For instance, several factors, such as the presence of social values and trust among members, play a catalytic role in enhancing social capital, which is critical for building collective action, while restrictions such as freedom of expression, association and the media and economic depression inhibit the growth of civil society. Some of the elements of the external environment include:

(i) **Political context:** This assesses the political context in which CSOs operate and establishes the level of democratic principles such as citizens' political rights, the rule of law, corruption and state effectiveness.

(ii) **Basic freedoms and rights:** This involves examining the nature of rights and freedoms that are preconditions for a thriving civil society such as the availability of information and liberties (freedom of speech, media, expression and association).

(iii) **Legal environment:** This assesses whether the legal framework and institutions in which CSOs operate are supportive of their activities.

(iv) **Socio-economic context:** This aims to capture the level of social-economic status in a country and its effect on the civil societies. This includes several aspects such as poverty and inequality levels, literacy rates, civil wars and conflicts.

(v) **Socio-cultural context:** This aims to capture the level of association and cooperation within society by assessing trust levels between CSOs and citizens as well as among citizens.

4.1.4 Dimension 4: Values

Providing a holistic perspective of the performance of civil society also involves assessing the internal practices and values of the CSOs. This dimension focuses on principles and values that are practiced and advocated by civil society actors, and

assesses the extent to which they are progressive and coherent with the ideals of the civil society to enhance inclusive development. The CSI considers the following as some of the key aspects under values:

(i) **Transparency:** This aims to measure the level of financial transparency and corruption across CSOs.

(ii) **Gender balance:** This assesses whether the practices of CSOs are gender-sensitive (for instance in relation to employment conditions) and whether the objectives of the CSOs promote gender equity in society.

(iii) **Poverty eradication:** This assesses whether the objectives of CSOs are pro-poor.

(iv) **Decision making process:** This examines the process of making decisions within a CSO.

(v) **Environmental standards:** This assesses whether the policies of CSOs are environmentally friendly.

(vi) **Labour regulations:** This examines policies regarding equal opportunities and membership in labour unions.

4.1.5 Dimension 5: Impact

A final measure of the performance of civil society is to examine its impact on society. This rests on the premise that CSOs engage in enhancing collective action to bring change in people's lives. Some of the notable aspects that the CSI captures include:

(i) **Responsiveness:** This assesses the impact of civil society in addressing the most challenging and important concerns within a country.

(ii) **Influencing public policy:** This aims to capture how successful civil society is in influencing the design and implementation of public policies.

(iii) **Holding the state and private sector accountable:** This aims to examine the extent to which civil society holds government and private sector entities accountable for their actions.

(iv) **Empowering citizens:** This aims to assess how CSOs are effective in ensuring that citizens have more choices and leverage to make their own decisions through the provision of education on topics of public interest, building social capital and the capacity for collective action.

5.

Evaluation of civil society contribution to inclusive development in Uganda:

A comparative analysis between traditional and new civil society

35

EVALUATION OF CIVIL SOCIETY
CONTRIBUTION TO INCLUSIVE
DEVELOPMENT IN UGANDA:
A comparative analysis between traditional
and new civil society

In this section, we apply the above analytical framework and reflect on the experiences of CSOs (both old and new) and assess their contribution to inclusive development in Uganda. As earlier defined, our understanding of inclusive development is one that aligns with the definitions laid out by North et al. (2013) and Sen (2001) as a progressive and sustained shift from political, economic and social institutional arrangements that constrain opportunities, rights and freedoms of majority of citizens to those that expand them.[84] The form of these institutions, however, need not converge towards institutions prevalent in western societies, which has been the obsessive preoccupation of the World Bank good governance agenda in developing countries.[85] They instead can take their own form aligned with the specific contextual conditions existing in Uganda and still achieve the same objectives that institutions in western societies have delivered, that is, increasing opportunities, freedoms and rights enjoyed by all citizens and promoting transparency and accountability in the use of authority by those in power. In what follows, we assess the performance of old and new CSOs along the five dimensions described above: civic engagement, level of organisation, external environment, values and impact.

5.1 Dimension 1: Civic engagement

Citizen engagement has been relatively high and diverse in both old and new CSOs, varying from participation in social to political activities, although it appears to be higher in old CSOs than in new CSOs. In new CSOs, it has been more visible during organised demonstrations and riots challenging unpopular government decisions such as the giveaway of Mabira Forest to sugarcane investors, exposing state corruption as illuminated by the Black Monday movement, or mobilising citizen participation in the electoral process as seen through The Democratic Alliance (TDA) campaign in the 2016 election. In many old CSOs, citizen civic engagement has focused largely on social activities that promote community service. For example, the Rotary Club of Uganda, with over 400 clubs spread across the country, has been very consistent in mobilising certain sections of the population to raise money and volunteers to address community problems such as access to education and health by the socially deprived members of the community.[86] In addition, FBOs have been traditionally involved in community service and undertake this through the mobilisation of members of the congregation for voluntary work and funds for the implementation of specific community-based activities. In the era of HIV/AIDS, both new and old CSOs have been instrumental in taking care of vulnerable children and widows. For instance, Watoto Church Ministries has been running a programme that takes care of HIV/AIDS orphans and vulnerable women for over 20 years. In addition, it has been involved in post-war reconstruction interventions in northern Uganda, where it has implemented a skills development programme aimed at equipping victims of the war with skills to live a productive life. All these interventions have been possible through the mobilisation of church members to volunteer as well as extend financial contributions to these activities.[87] In addition, the AIDS Support Organisation (TASO), founded in 1987, has been pivotal to the extension of care and support to persons affected with HIV. Many other new CSOs are involved in implementing interventions ranging from maternal and reproductive health to agricultural production, political governance and others, services that aim to empower and build the capabilities of citizens to participate in political, social and economic processes as well as deal with forms of social exclusion and deprivation. What is common to new CSOs, however, is that they are not member-based organisations or, in the words of Kiranda and Kitamirike (2018), are largely 'socially rootless'. They rely heavily on external donor financial support to implement activities and very rarely explore the possibilities of raising finances locally.

Citizen participation in new CSOs has occasionally been witnessed with those involved in political activities, sometimes involving participation in riots and demonstrations. For example, in 2012, following post-election inflation that was presumed to have resulted from the ruling party's misuse of public resources, several new CSOs[88] came together and organised a demonstration campaign dubbed 'Black Monday'.[89] The Black Monday movement went on for several months and was used as a galvanising strategy for citizen participation to demand political accountability and increased efforts by the government to fight corruption and theft of public funds. Another related collective action by new CSOs that organised citizens to participate in political activities was witnessed in April 2007, when a group of opposition leaders, environmentalists and religious leaders organised demonstrations against the proposed government decision to give away part of Mabira Forest for the expansion of a sugarcane plantation by the Mehta group of companies.[90] The challenge is that these demonstrations are normally organised and spearheaded by a few groups of new CSOs that are politically driven in their activities. Very often, they can gain momentum in their initial stages of formation and very quickly peter out once government unleashes its repressive capacity to stop the demonstrations. In some cases, they have achieved some measurable success[91] but most times less so because of their inability to marshal and sustain citizen demonstrative effort due to their 'socially rootless' nature.

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84 See North et al. (2013).
85 See Brett (2009).
86 See Kiva (2019).

87 See Watoto Church 2015 Annual Report, accessible here, https://www.watotochurch.com/watoto/2015AnnualReport.pdf
88 These included Uganda National NGO Forum, Action Aid International, HURINET-U, Anti-Corruption Coalition Uganda, DENIVA, Uganda Youth Network and Forum for Women in Democracy.
89 See newsletter published on NGO Forum, accessible here, https://www.ngoforum.or.ug/black-monday/
90 See Monitor newspaper article by Sudir Byaruhanga published on February 12, 2018, accessible here, https://www.monitor.co.ug/SpecialReports/Mabira-disappearing-forest/688342-4301762-9vpii5/index.html
91 For example, in the wake of the 'Save Mabira Forest' demonstrations, the organisers were strategic in utilising a combination of on-street demonstrations and a clarion call to citizens to refuse purchasing sugar sold by the sugar company to whom land was to be given. The impact of this demonstrative capacity eventually compelled the government to rescind its decision to give away Mabira Forest.

5.2 Dimension 2: Level of organisation

We assess the performance of new and old CSOs' level of organisation in terms of internal governance, and existing supporting infrastructure like umbrella bodies, self-regulation, communication and international linkages. The level of organisation in nearly all CSOs (both old and new) has remained problematic with only a few exceptions. There are strong tendencies towards the 'strongman' syndrome where the functionality of the organisation remains locked around the control of founders. Many old CSOs, such as trade unions, cooperative societies, and professional associations have independent boards elected by members of the organisations that often serve for a tenured period. The board members are mandated (on behalf of the members) to provide oversight and hold those involved in the day-to-day management of the organisation accountable. Statutes exist that require such organisations to appoint independent boards.[92] In many old CSOs, some of the boards indeed perform their oversight function and are fairly independent, especially in traditional FBOs such as the Catholic and Anglican Church of Uganda. In other old CSOs, such as the Uganda Muslim Supreme Council (UMSC), there have been accountability challenges from the boards themselves, so that the failure to resolve them ended up creating a split within the Muslim community in Uganda.

In many cooperative societies across the country, there have been challenges of accountability. The boards have failed to hold the executive or cooperatives' management secretariat accountable, which has led to the flight of constituent members particularly because, in the era of liberalised market-driven economy, 'exit' options exist for farmers to trade their commodities through alternative market channels provided by independent traders.[93] Our analysis suggests that the challenges that boards face in performing their oversight function in both old and new CSOs stems from two possible explanations.

First, most boards, particularly in new CSOs, are appointed by the founding members of the organisations, a practice often undertaken to comply with a legal requirement. In this context, the founding members retain a lot of influence on board decisions. In some cases, the founding members of the CSOs serve both as managing executives as well as board members, thus failing to create a clear accountability structure.[94]

Second, the performance of the board in oversight functions also depends on the nature of the organisation and the members they represent. Whenever the board represents the interests of capable and exposed members with the power and ability to hold the board to account, the board, in most cases, will prioritise the interests of the members. This is commonly the case with professional associations such as the Uganda Law Society (ULS), Uganda National Teachers' Association (UNATU) and Uganda Medical Associations, to mention

but a few. However, in cases where the board represents members incapable of holding it to account, the board is more inclined to kowtow to the CSOs' managing executives. This is the case with the Uganda Taxi Operators and Drivers' Association (UTODA) [95] and Uganda Coffee Farmers' Alliance (UCFA).[96]

Umbrella bodies for most old CSOs exist and include, for example, UMSC for the Muslim Community, UNATU, the Interreligious Council of Uganda (IRCU), UCFA and Uganda NGO Forum, to mention but a few. However, they are also bedevilled by the same accountability challenges that undermine the very organisations they represent. Representation and participation of constituent member organisations in affairs of the governing councils and boards of umbrella organisations are voluntary, making it difficult to develop and implement institutional arrangements that coordinate internal regulation across CSOs involved in the same activities. For example, under IRCU, all leaders of key FBOs have a permanent seat at the council, yet the council does not possess a registry of all organisations that members of the council represent.[97] In fact, such is the challenge that certain members of the council have recently lobbied and worked with the government Minister of Ethics and Integrity for a law that would ensure a uniform code of conduct and practices as well as qualifications for those aspiring to be leaders of FBOs.[98]

There are other organisational challenges that stem from inadequate resources

– human, financial, technological and otherwise – that both new and old CSOs need to function effectively. Scholars such as Francis Fukuyama have suggested that inadequate resources for building a vibrant civil society arise from a lacklustre state of the local economy that fails to produce a dynamic middle class.[99] A middle class, to Fukuyama, is a sine-qua-non condition for an organisationally competent and well-resourced civil society. Whereas we do not necessarily dispute Fukuyama's argument, it offers very little help for shaping civil society in resource-constrained environments. However, our reading of Uganda's political and economic history reveals that the 1960s and 70s was a period when existing civil society groups were more impactful than today. And yet Uganda was then less economically advanced than it is today. Therefore, we argue that whereas resources (human, technological, financial) matter, the dispositions or value systems that underpin the functional objectives of civil society matter more. It is these that provide the coordinating framework for the effective use of all resources at the disposal of a CSO, however insufficient they might be. Let us elaborate.

From the 1960s through to the 1980s, nearly all schools had PTAs which served as members of the board of each school. Not many board members of these schools were well exposed or schooled in the mores of governance and yet school performance and accountability in schools then were much better than they are today. What explains the difference is

92 See 1991 Cooperatives Act; Non-Government Organisations Act 2016; Labour Unions Act, 2006.
93 See World Bank (2013).
94 See excerpts from the Democratic Governance Facility (2015) evaluation of Uganda Youth Network Programmes Report.

95 See Brett (2017).
96 Insights from interview with some of the members of Uganda Coffee Farmers' Alliance.
97 Extracted from the observatory interaction with the Secretariat of the Council.
98 See New Vision news article by Kitubi Martin published on December 6, 2018, accessible here, https://www. newvision.co.ug/new_vision/news/1490841/religious-clerics-obtain-formal-theological-training.
99 See Fukuyama (2011).

that parents and teachers alike knew why these associations existed: to continuously improve the learning of their children.[100] Notably, teachers were inclined to offer services effectively because they knew parents had the capacity to hold them to account. The biggest resource shortage in many CSOs today, both old and new, is the failure to perceive and subsequently clearly communicate to their members why they exist and what they seek to achieve. This has inhibited their ability to attract the necessary resources to facilitate their growth and performance.

5.3 Dimension 3: External environment

In this section, we assess how the shifting legal, political, socio-economic, and social- cultural contexts in Uganda have affected the performance of old and new CSOs.

5.3.1 Legal context

The legal context in Uganda provides a mixed outlook for the operational performance of CSOs. The 1995 Constitution of the Republic of Uganda provides for and protects the freedoms of expression, speech and assembly. Article 29 of the Constitution guarantees protection of these rights, which include freedom of the press, media practitioners, CSOs and political parties.[101] Additional laws have also been enacted to further guarantee and specify how these civil liberties are supposed to be exercised. These include:

(i) the 2006 Labour Union Act, which provides the right for employees to organise and employers not to interfere with their associations.

(ii) the NGO Act, which was first enacted in 1989 and amended in 2006 and 2016.

These laws have provided the legal framework for CSOs to exist, although some of them, particularly the NGO Act 2016, have been criticised as attempting to curtail the freedoms of certain types of CSOs, especially those of NGOs.[102] The law now mandates all NGOs to be registered with the NGO Bureau, domiciled at the Department of Immigration, as well as ensuring they declare all the donations they receive, both local and foreign. Many civil society activists see this move as intended to curtail the ability of CSOs to independently execute their function of holding government to account.[103]

Further, in the wake of the intensification of demonstrations and riots organised by opposition parties jointly with some CSOs, in 2013, the government proposed the Public Order Management Bill which was passed into law in 2013 as the Public Order Management Act (POMA). The law forbids the convening of any public assembly or meeting that has not been permitted by the Uganda Police.[104] This law is presumed to contravene the provisions of the Constitution related to fundamental freedoms and civil liberties related to public assembly and association. In the wake of its enactment, many CSOs organised to challenge it in the courts of law in a campaign known as the Anti-POMA campaign.[105] Despite POMA, there are many other existing opportunities such as building stronger association networks that, legally speaking, CSOs can leverage to influence inclusive development.

5.3.2 Political context

The political context has gone through shifts and turns with serious implications for the performance of civil society. In the early days of the NRM regime, President Museveni sought to establish a broad-based coalition in a framework that was known as a 'no-party' (movement) system.[106] This implied that after a half-decade-long civil war and economic decline, many social and economic groups that existed (which were more allegiant to the former regimes) would be stripped of any opportunity to organise.[107] Many have argued that the 'no-party state' that existed during this period had a damaging effect on old CSOs and seriously regressed all the dispositions and endowments necessary for building stronger CSOs. For example, Golooba-Mutebi and Bukenya (2019) posit that NRM government-enacted legislation, such as the 1989 NGO Act, ensured that the potentially 'troublesome' civil society sector would be kept in check. Using this legislation, the government also required CSOs to renew their registration annually, which ensured that the government could spell out what the CSOs could and could not do. Annual registration allows the government to de- register those organisations that might prove troublesome. These measures, experts argue, have ensured that CSOs, especially the new CSOs, exercise caution in choosing where to focus their advocacy and influencing activities, being careful not to antagonise the government.

In the 2001 elections, the government came under strong pressure when a faction of the ruling elite whose members had exited the coalition attempted to unseat President Museveni.[108] Some CSO leaders allied with leading opposition members and indulged in political activism aimed at achieving regime change, such as electoral campaigns for prominent opposition leaders. In the wake of these events, CSOs, especially those involved in political activities, were viewed as real threats to regime survival. Faced with the threat of losing power, the NRM government and the president in particular, has been deploying a combination of electoral violence and disbursing ever-increasing sums of money to fund political activities, especially during electoral campaigns, to maintain public support.[109] It has reduced electoral contests to

100 See Monitor news article by Godfrey Lugaaju published on May 16, 2017, , accessible here, https://www.monitor.co.ug/
   News/Education/Parents-have-a-stake-in-decision-making-in-schools/688336-3926490-u1w5f3z/index.html.
101 See article published by Denis Kwizera and Hillary Asasira on the Cepa website on June 30, 2018, accessible here,
   https://cepa.or.ug/wp-content/uploads/2018/06/300460141-ARTICLE-29-THREATENED-A-CRITICAL-DISSECTION-OF-
   VARIOUS-LAWS-PASSED-THAT-UNDERMINE-FUNDAMENTAL-FREEDOMS-OF-SPEECH-EXPRESSION-ASSEMBLY.pdf
102 See NGO Forum (2018) Annual Report, accessible here, http://www.ngoforum.or.ug/wp-content/
   uploads/2019/04/2018-State-of-Civil-Society-Report-Executive-Summary-and-Info-graphics.pdf
103 Ibid.
104 See New Vision news column by Fred Muwema published on May 4, 2019, accessible here, https://
   www.newvision.co.ug/new_vision/news/1499717/public-management-act-chaos
105 See Anti-POMA Campaign newsletter published on February 18, 2019, accessible
   here, https://solidarityuganda.org/the-anti-poma-campaign/
106 See Bukenya & Golooba-Mutebi (2019).
107 See Hickey, Bukenya, Izama & Kizito (2015).
108 See Kobusingye (2010).
109 See Golooba-Mutebi & Bukenya (2019).

competitive clientelism. For example, far from being won or lost on the basis of competing visions of how to improve the lot of the ordinary voter, the key decisive consideration during elections has become money, with candidates who offer the largest amounts standing the best chance of winning either in national or local elections. [110]

Particularly, the introduction of multi-party competition in 2005 further exacerbated this situation and many CSOs, particularly those with leaders that hold influence over the masses, have been co-opted by the state to support regime survival. For example, it has become common practice for the president to preside over the installation of clergymen, where he often offers gifts and donations to building projects. These practices have promoted divisions within civil society, making it difficult to construct an alliance around the core functions of civil society such as promoting citizen participation, representation and accountability. In addition, the rise of competitive clientelism has encouraged some CSO leaders to form organisations to attract the attention of powerful agents in government in order to negotiate their inclusion into the clientelistic network. Many of these groups sporadically mushroom just before or during the electoral period. For example, in the 2016 general elections, the country witnessed the rise of youth groups such as the NRM-Poor Youth, whose leaders eventually ended up working for the government.

5.3.3 Socio-economic context

Although Uganda's economy has expanded at an average annual rate of 6 per cent, this has led to little structural transformation of the economy.[111] Agriculture remains the leading employer of Uganda's working population, with over 70 per cent working in the agricultural sector.[112] Over the past three decades, the manufacturing sector has expanded marginally and the expansion of the services industry has stimulated and driven the expansion of a large informal service sector, domiciled mainly in Kampala.[113] This is the phenomenon that has driven rural-urban migration. Therefore, the current structure of the economy has attenuated the contextual conditions necessary for the growth of a vibrant civil society.

Political history suggests that dynamic civil society results in the growth of the middle class and the expansion of the middle class depends upon the growth of the manufacturing sector.[114] In any case, the birth and, subsequently, production of trade unionism which went on to shape political reform in Western Europe is traceable to the Industrial Revolution.[115] Viewed in this context, therefore, it can be argued that the economic policies that have shaped Uganda's economic structure have been inimical to civil society growth. Structural reforms that began in 1990s, overall, have resulted in a progressive decline in agricultural productivity and the collapse of producer organisations and their unions. Liberalisation and privatisation reforms imply that farmers who previously produced collectively (which could have resulted in the birth and sustenance of a socially and economically rooted civil society) now produce as atomistic individuals. In addition, the decline in manufacturing has also forestalled the emergence of a robust trade union movement. As a matter of fact, professional associations can be viewed as a relic of functioning would-be trade unions. Therefore, the underlying structure of the economy has undermined the organic process that would support the evolution of 'a socially rooted' civil society. This left a vacuum to be filled and dominated by the NGO sector that has arisen and expanded thanks to the relentless flow of development aid to the sector.

5.3.4 Social-cultural context

Prior to colonial rule, many communities in Uganda were organised around clan associations, considered as 'perfectly viable models of social order and integration',[116] through which community members interacted with one another. Clan associations were orderly, ascending in a hierarchical manner of ranked clan heads that culminated in the king as the 'head of clan heads'.

They are thus presumed to have formed the most stable, cohesive and responsive form of political and social order. In many well-developed kingdoms of Uganda, such as Buganda and Bunyoro, this was the form of political and social order that existed prior to colonial rule; and this is assumed to have been the origin of civil society.[117] This social organisation around clan heads promoted intra-community inclusivity, social trust and cooperation. The clan heads formed a system of bottom-up and top-down structures of political and social representation and accountability. In other words, clan heads indirectly checked the powers of the king and, in turn, members of the community represented in a specific clan checked the powers of the clan head.

However, inter-community interaction across ethnic lines often produced violent confrontations which limited any possibility of cross-ethnic cooperation. Indeed, the British took advantage of the lack of cooperation among the different kingdoms and effortlessly introduced colonial rule and policy in Uganda. The British colonial policy became characterised by preferential treatment for kingdoms/communities that supported colonial rule and deprivation of regions that did not. This resulted in much deeper social, economic and political impacts that bequeathed to the country a negative legacy of ethnic division, skewed development, elite polarisation, a narrow economic base, and a weak state apparatus.[118] This has further been exacerbated by post-colonial leaders; rather than reversing this negative legacy, they have, for the most part, aggravated it by inflaming further ethnic division and conflict, adopting an uncompromising approach to issues of national importance, marginalising or seeking to marginalise whole areas and ethnic groups and adopting disastrous economic policies, further weakening the already weak state apparatus. The consequences of such

110 Ibid
111 IMF statistics.
112 See Ministry of Finance, Planning and
      Economic Development (2014).

113 Ibid.
114 See Fukuyama (2011).
115 See Carothers & Barndt (1999).

116 See Karlstrom (1996).
117 See Karlstrom (1999).
118 See Golooba-Mutebi (2008).

moves have been recurrent violence, economic decline and stagnation, and perennial political instability.[119] This has restricted opportunities for building social trust across different groups, which is the bedrock of a functioning civil society. It is not uncommon to find political and civil society leaders feuding and often playing into the historic ethnic differences which, too often, have undermined the possibility of cooperation around issues of national interest.

5.3.5 Dimension 4: Values

In her book *How Institutions Think,* Mary Douglas (1986) has highlighted the importance of values and dispositions in organisational development and functionality. She defines dispositions as 'ideas and attitudes' within organisations from which a value system is constructed. This ultimately determines individual and collective interactions of members within an organisation. Contextual and environmental conditions can play a crucial role in determining the nature of dispositions and value systems that will arise within organisations. As a result, insistence on issues of transparency and accountability within organisations and the compliance of leaders is driven by the perceptions and attitudes members of the organisations hold about matters of transparency and accountability. For example, if the founder of an organisation is believed to be above scrutiny because they are the one who started the organisation, then a breakdown in accountability is highly likely. In addition, if holding leaders accountable in a specific cultural context is presumed to be a rebellious act of behaviour (as is often suggested in FBOs), then the propensity to build accountable organisations is undermined.

However, sometimes organisations can defy a corrosive contextual environment and its leaders and members can play a strong role in shaping dispositions and value systems that encourage transparency and accountability. There are examples of NGOs in Uganda whose leadership has built a culture of accountable leadership. A case in point is Watoto Church Ministries, despite operating in an environment where values of accountability and transparency remain a challenge. Mass membership involvement in organisational agenda-setting and ideological definition can play a key role in introducing dispositions and value systems that promote accountability and transparency. Organisations that are not mass-member-based are likely to be less accountable and transparent. It is not surprising that many questions are now increasingly being asked about transparency and accountability in Uganda's NGO sector.

In general, a corrosive environment that does not place strong emphasis on accountability and transparency pervades much of Uganda's society today. This stems from a historical cultural setting that exalts leadership whilst members within organisations have not yet, conceptually, perceived the importance of such dispositions and value systems for organisational development. As a result, building strong and internally well governed organisations remains quite challenging.

5.3.6 Dimension 5: Impact

CSO impact is measured by their contribution to influencing public policy decisions, legislative reforms that expand citizens' political, economic and social rights and opportunities for inclusive development. Evidence suggests a marked difference in terms of performance between old and new CSOs and within old CSOs. Although many traditional and new CSOs have attempted to influence public policy, few have realised success in influencing outcomes.

Business associations have proved to be the most influential in shaping public policy on matters related to taxation, budget decisions and wage legislation relative to mass-based organisations representing farmers, students and youth. In this regard, the Uganda Manufacturers Association (UMA) has proved most impactful. It has specialised departments responsible for lobbying, advocacy and networking and is driven by four key approaches to influencing government policy. First, advocacy to change unfavourable policies or support those which it favours; second, consultations over government proposals, especially in relation to tax and budget; third, participation in government decision-making bodies, such as in the annual budget conference; and fourth, representation in government bodies where UMA has a strategic interest, such as Uganda Revenue Authority (URA).[120] It has regular access to government officials and makes recommendations on draft policy proposals such as the 'Buy Uganda, Build Uganda' business policy proposal as well as budget proposals. It is able to do so largely because it promotes a reform agenda which is acceptable to the government and has the skills and technical expertise to develop well-researched policy options.[121] UMA has, in the past, successfully recommended policy changes or reductions in personal taxes, tariffs and import duties, the administration of value added tax (VAT) and the creation of a tax tribunal. Barya (2000) has argued that a high degree of financial security derived from membership subscriptions and income-earning ventures has further strengthened the capacity for UMA's successful involvement in policy dialogue.

Other organisations such as the National Organisations of Trade Unions (NOTU) and the Uganda National Students' Association (UNSA) have not managed to exert any influence on public policy, partly because of financial and administrative problems. NOTU, the Ugandan trade union federation, has sought to influence government policy and legislation through establishing tripartite organs constituted by the government, union representatives in the national parliament and lobbying officials, but generally has not resorted to strike and demonstration action or extra-legal methods.[122] NOTU has not had any visible impact on government policy and plays only a marginal role in shaping and promoting legislation affecting workers by virtue of limited research and technical skills, financial constraints and restricted access to information. While it has substantial membership among workers in formal workplaces, the fact that formal workers are only a small fraction of the Ugandan population may also limit its influence.[123]

119 Ibid.

120 See Robinson & Friedman (2005).
121 Ibid.

122 Ibid.
123 See Barya (2001).

On the other hand, UNSA, a national student body, mainly focuses on issues of concern to students in secondary and tertiary institutions, such as representation on school management boards or university councils, corruption and student welfare. Similarly, Makerere University Staff Association (MUASA), Uganda Medical Workers' Association and UNATU also exclusively focus on issues concerning the workers they represent, with very little attention to national policy advocacy. Although recent demonstrations by some associations, such as MUASA, UNATU and the Uganda Medical Workers' Association, have delivered some concessions from the government in terms of welfare improvement for their members, generally they have had a negligible impact on the development policy landscape in Uganda.[124]

NGOs have been the most vocal and visibly present section of civil society in the advocacy landscape and, as such, are widely presumed to play a key role in influencing policy and legislation. They have been the focal point of donor efforts for strengthening civil society's role in advocacy and lobbying for change.[125] However, analytical evidence of Uganda's NGO sector points to the contrary. For example, only five members of DENIVA, a network of several hundred indigenous voluntary organisations, claim to be involved in advocacy and lobbying. This suggests that NGOs in Uganda accord a low priority to these activities, which are mostly preoccupied with interventions in the areas of poverty reduction and service provision. DENIVA organises workshops to train NGOs in advocacy and lobbying techniques, but engages in limited advocacy itself for fear of being de-registered by the government. Bazaara (2003) suggests that NGOs express interest in lobbying and advocacy not because they are deeply committed but because aid donors favour this approach. DENIVA claims to represent the needs and concerns of the NGO sector to the government and meets officials regularly, but has not registered any notable success in influencing legislation or policy affecting its members.[126]

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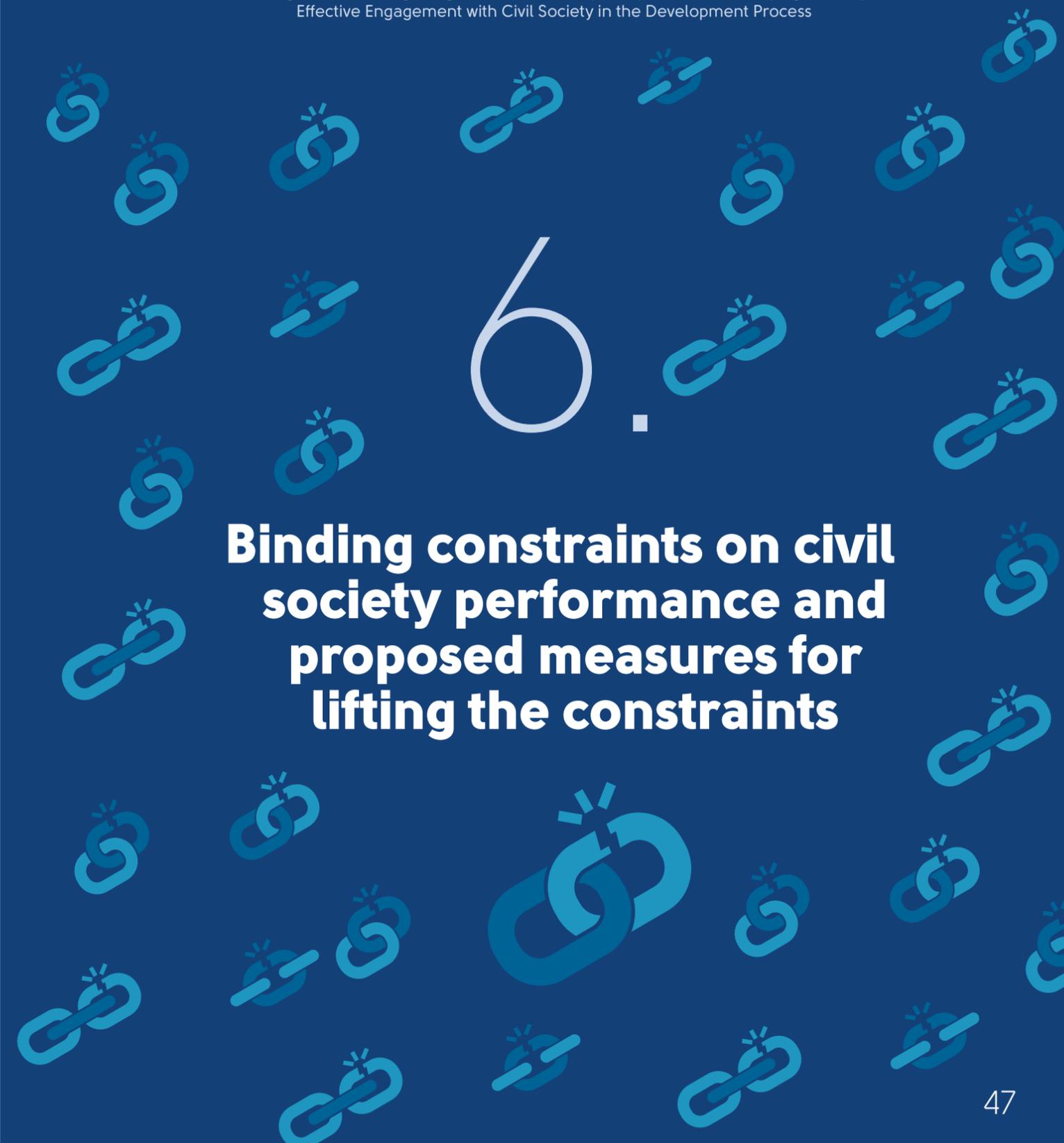
Binding constraints on civil society performance and proposed measures for lifting the constraints

In this section, we perform a diagnostic analysis of the binding constraints on civil society's capacity to influence inclusive development in Uganda. As noted earlier, in our understanding, civil society's role in influencing inclusive development refers to all activities that determine and influence improvement in political, economic and social institutions that guarantee and expand the rights and opportunities of citizens to live productive and prosperous lives. We believe that a civil society poised to execute and achieve this function is one that:

(i) has a deep network of member-based organisations that can stimulate and sustain citizen mobilisation, participation and representation in civic work or activities;

(ii) has a network of member-based organisations that are internally well-governed and accountable to guarantee members' trust; and

(iii) have the capacity to influence public policy related to inclusive development.

In view of the above laid out broad functions of civil society, we conduct a binding constraints analysis in relation to these main areas: (i) internal governance; (ii) citizen participation, mobilisation and representation; and (iii) public policy influence. We believe this process is better achieved by mapping out the composition of the civil society ecosystem in Uganda. Then, using selected cases, we shall analyse the binding constraints related to the above highlighted broad areas before identifying possible opportunities for lifting the constraints in the last section of the report.

6.1 Binding constraints on Uganda's civil society

6.1.1 Binding constraints on internal governance

Internal governance of CSOs is essential for creating strong accountability structures, required for fostering membership trust and strengthening cohesiveness within the organisation. Analytical evidence, however, suggests that many CSOs in Uganda, both old and new, are constrained by a number of bottlenecks that inhibit their capacity to build strong and accountable organisations. These include:

(i) **Administrative constraints:** Many traditional organisations struggle to attract and retain well-qualified staff because of limited budgets. Budget constraints result from their inability to raise income from membership subscriptions and voluntary donations from members. This, in turn, stems from the weak accountability mechanisms that have undermined members' trust and commitment to these organisations. This is particularly common with cooperative organisations such as Wamala Union and Cooperatives under UCFA. Although these organisations have existing boards, many struggle to hold the executive or secretariats to account.

Members' annual general assemblies often turn into sessions of calling out corrupt leadership instead of discussing strategy, and occasionally end without any conclusive decisions being reached for further action.[127]

As a result, many of these organisations pride themselves on having a large membership in name, while in reality a majority have left the organisation. Consequently, these organisations are bereft of the opportunity to leave their members to address some of the administrative constraints they continue to grapple with.

Though many new organisations manage to attract some financing that they rely on to hire staff, the challenge is that most of the activities they implement are project-based and are thus time-bound. Their capacity to retain administrative staff is thus inhibited by the nature of financing and the projects cycle they operate.[128]

127 During this research, some members of the research team had the opportunity of attending a members' general assembly for one of the producer cooperative in Mityana district where the event narrated above was witnessed firsthand.
128 See Robinson & Friedman (2005).

Figure 2: Binding constraints on CSOs in Uganda
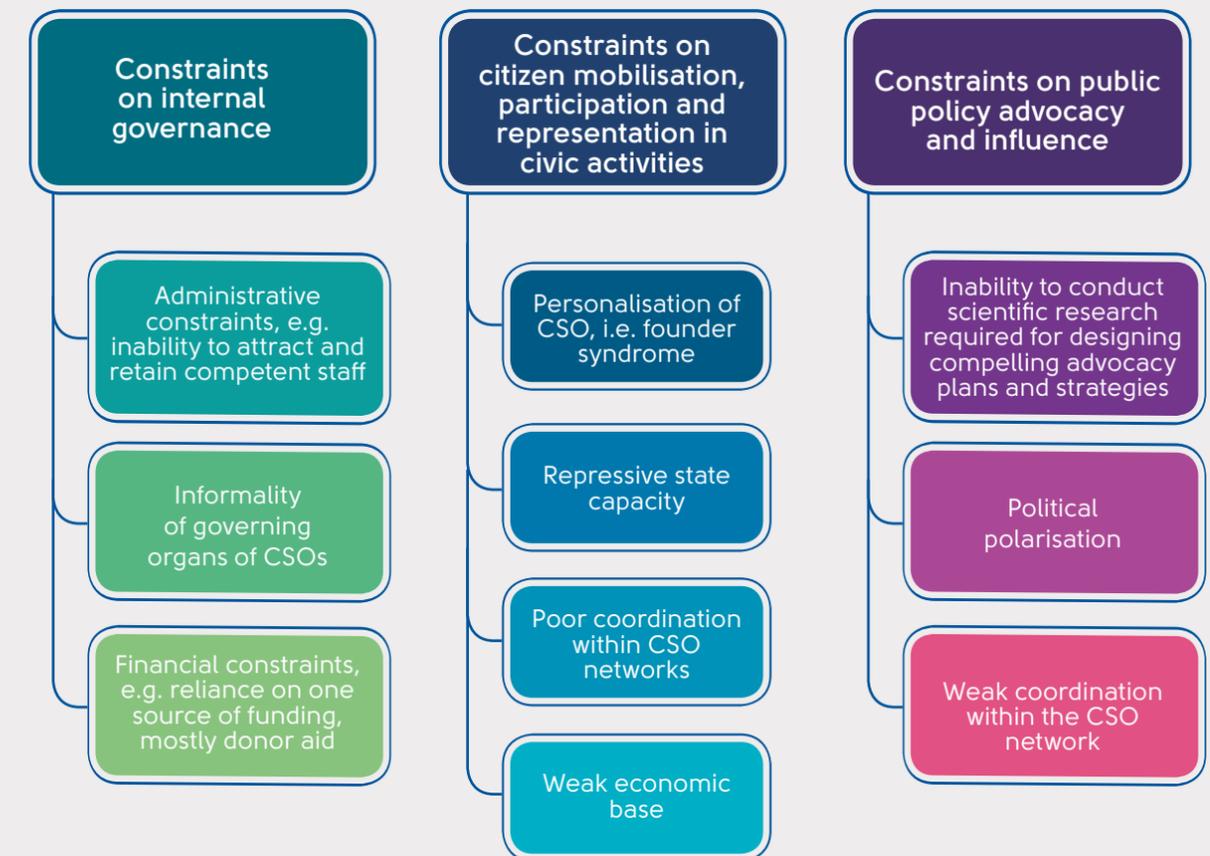
Source: Authors' conceptualisation

(ii) Informality of the governing organs: Many CSOs have governing organs that (in theory) should be building and promoting a culture of accountable governance within the organisations. Nearly all organisations have constituent boards to which the executives or secretariat is supposed to account. The challenge is that most of these boards are established to fulfil a regulatory requirement and there is no real commitment from the board or the secretariat to promote accountability within the organisation. In many new organisations, particularly NGOs, the founders decide on the constituent members of the board and in this context, it becomes almost impossible for the board members to act independently. In old organisations, whereas board members are electable, the pecuniary benefits they receive for serving on the board often paid out by the executive or secretariat imply that the boundary between the board and the executive becomes completely blurred.[129]

(iii) Financial constraint: Many of the CSOs struggle to raise enough revenue to implement civic activities. In old CSOs common sources of revenue are membership subscription fees as well as commissions from the provision of services to members, especially by those CSOs involved in trade. With the exception of UMA, which has a large membership of private companies operating in the manufacturing industry of Uganda, many of the other old CSOs struggle to raise enough revenue.[130] In part, this stems from failure to properly account for the collected revenue, which attenuates the membership base and the commitment of members to make future contributions. New CSOs rely mostly on external donor financing, and devote very little or no effort to raising funding domestically. Considering that most of the donor financing shifts with changes in programmatic focus, some new CSOs occasionally find themselves underfunded and have to scale back their operations. [131]

6.1.2 Constraints on citizen mobilisation, participation and representation

Citizen mobilisation is the basis for a functioning civil society. A civil society that can mobilise and sustain citizen participation in civic work is likely to realise significant gains in improving institutions that promote inclusive development. In Uganda, citizen mobilisation to participate in civic activities has historically been erratic – easily excitable in the initial phase stimulated by either the emergence of a charismatic leader[132] or by a thematically attractive advocacy campaign[133] but very

127 During this research, some members of the research team had the opportunity of attending a members' general assembly for one of the producer cooperative in Mityana district where the event narrated above was witnessed firsthand.
128 See Robinson & Friedman (2005).
129 Interview with members of one cooperative society that is part of the network of Uganda Coffee Farmers' Alliance (UCFA).
130 See DENIVA (2006).
131 See Robinson & Friedman (2005).
132 In 2001, when Dr. Kizza Besigye, Uganda's long-time opposition leader, launched his bid for the presidency, directly challenging the incumbent President Museveni, many citizens excitedly participated in activities geared towards supporting Dr. Besigye's candidacy. However, with time, they grew frustrated by his incessant riots, particularly those organised during the post-2010 elections. Similarly, there is recent excitement about the arrival of Bobi Wine, the young and charismatic member of Parliament from Kyadongo East Constituency and his prospective bid for the presidency in 2021 aimed at challenging President Museveni for political power.
133 Like the Save Mabira Forest campaign or the Black Monday campaign.

quickly running out of steam once the state unleashes a repressive force to put down demonstrations. We identify four binding constraints on citizen mobilisation, participation and representation and these include: personalisation of the organisation agenda setting around a founder; repressive state capacity; poor coordination within the CSOs network; and a weak economic base.

(i) Personalisation of the organisation agenda-setting around a founder – what we can call the 'organisation founder syndrome': It has become common for many CSOs in Uganda to fail to emancipate themselves from the founder's capture. Founders of organisations are critical for getting the organisations established, defining the ideology around which the members are organised, mobilising and inspiring members to remain involved in civic activities and galvanising members to build a value system that fosters cohesiveness within the membership. However, sometimes organisations have failed to emancipate themselves beyond the founder's lasting influence and, as a result, have struggled to pursue their long-term agenda. This has been the biggest challenge with most political parties in Uganda.[134] The effects of founder's organisation capture often becomes manifest when the founder is no longer with the organisation. For example, the Uganda Peoples' Congress (UPC) party was built around the personality of Dr. Milton Obote; so when he was overthrown and fled the country, UPC went into 'limbo' and has never been the same party it was in terms of membership and representation across the country. Similarly, when Dr. Kizza Besigye left the Forum for Democratic Change's (FDC) party leadership, his successor, General Mugisha Muntu spent much more time dealing with internal party wrangles than defining the party's strategy for moving the organisation forward. These wrangles reached their peak in 2018, when a breakaway faction emerged that exited the FDC under the leadership of General Mugisha Muntu to form a new organisation.

(ii) Repressive capacity of the state: The Ugandan state has historically been repressive of civil society. During the colonial period, the British colonial government passed the 1952 ordinance that aimed squarely at curtailing the activities of civil society.[135] Subsequent post-independence governments inherited the same state apparatus and maintained similar laws or modified them but still aimed at controlling the activities of civil society.[136] For example, the NRM government has enacted the 1989 NGO Act, and amended it in 2006 and 2019 with the intent to monitor the activities of the NGO sector that has been visibly critical of president's long time in power. Specifically, the enactment of POMA emerged in the aftermath of the post-2011 election riots aimed at delegitimising all civil society-organised public meetings if

134 See news column in the Observer newspaper by Sulaiman Kakaire published on October 17, 2018, accessible here, https://observer.ug/news/headlines/58928-after-muntu-who-is-loyal-to-fdc.
135 See Scott (1966).
136 See Golooba-Mutebi (2008).

not granted permission by the police. The repressive force of the state has been most visible during riots that very often turn violent, leading to loss of lives and multiple injuries and arrests. This tends to heighten the transactional costs of delivering institutional reform and yet the benefits are in most cases externalised. As a result, many citizens grow increasingly cautious about antagonising state actors, progressively limiting the participation of citizens in civic activities.

(iii) **Weak coordination within the CSO network:** Although there are many CSOs in Uganda, there is no nationwide CSO coordination platform for ensuring coordination of civic activities of national importance. There are networks such as Uganda Youth Network (UYONET),[137] UCFA, NOTU and others that represent specific groups such as the youth, coffee farmers and workers, but a nationwide coordination platform does not exist. Poor coordination inhibits effective planning of civic activities of national importance, which has resulted in minimum citizen participation in civic activities.

(iv) **Weak economic base:** Uganda's economic growth has not produced structural transformation.[138] The economy remains deeply agrarian with a miniscule manufacturing and services industry. The majority of the citizens continue to live in rural areas, limiting their involvement in civic work. Although a multitude of community-based organisations (CBOs) and other voluntary economic organisations, such as Village Savings and Loans Associations (VSLAs), exist in nearly every district in Uganda, regular meetings seldom happen, and accountability issues that bedevil other CSOs are also replicated in these organisations, forestalling their capacity to retain members.[139] Building CSOs with deeper penetration in rural areas to involve rural citizens has proved challenging. As a matter of fact, recent theoretical evidence suggests that civil society vibrancy is consistent with a strong and emerging middle class.[140] Therefore, the fact that the largest fraction of the economic actors in Uganda are excluded from the middle class implies that the civil society network will continue to struggle to increase citizen participation in civic work.

6.1.3 Constraints on public policy influence

Citizen mobilisation, participation and representation are more effective if properly accompanied by well thought-out evidence-based policy proposals for alternative policy change. As earlier mentioned, although many CSOs exist in Uganda, few have had any measurable impact on public policy change. We identify three major constraints on public policy influence, and these include the inability

to conduct scientific research, political polarisation and weak coordination within the CSO network.

(i) **Inability to conduct scientific research:**[141] This is linked to budget challenges that limit their capacity to attract highly qualified researchers. Advocacy that is not backed by strong analytical evidence results in poorly drafted communication plans, member mobilisation campaigns as well as inability to compel moderate voices within the opposition. Research, therefore, forms an inextricable part of developing strong advocacy plans and strategies. Consequently, many would-be policy engagements turn into sessions of 'spray-gun' criticisms of government interventions, further driving the would-be moderate voices within from forming tacit or overt alliances with CSOs.

(ii) **Political polarisation:** This has been exaggerated by the 'politics of ousting President Museveni from power'. Recent research evidence suggests that any policy proposals spearheaded or supported by any group of CSOs or CSO leaders that are presumed

to be 'anti-President's stay in power' are not likely to succeed in cabinet.[142] Political polarisation has crowded out moderate voices within the government, subsequently gridlocking the process of public policy reform.

(iii) **Weak coordination within the CSO network:** Although many CSOs are incapable of conducting high-quality scientific research, there are a number with well-qualified researchers within a number of research institutes in Uganda. Research institutes such as Advocates Coalition for Development and Environment (ACODE), International Growth Centre (IGC) and the Economic Policy Research Centre, to mention but a few, have proven their capacity to produce high-quality publications that have the potential to be pivotal to public policy reform and advocacy. However, there is limited coordination with Uganda's CSO ecosystem that would ensure that collaborative frameworks are established to leverage the research resources available within these organisations to support the research and public policy needs of various CSOs.

6.2 Lifting the constraints on civil society capacity to shape Uganda's inclusive development agenda

This report's primary aim has been to broaden our understanding of civil society and subsequently examine its contribution to inclusive development. A reality check on Uganda's civil society has illustrated that, far from being thought of as a purview of the NGO sector, Uganda's civil society is in fact broader than that, encompassing many other organisations, including NGOs.

The report also shows that the organic developmental process of a deeply socially rooted civil society that began during the period of deep state intervention in the 1960s was abruptly halted by the shift to neoliberal economics in the 1990s.[143]

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137 Evaluation work, for example, a 2015 DGF UYONET evaluation report suggests that some of these networks have challenges related to a weak membership base, accountability issues and financial constraints and often struggle to ensure continuous member-organisation involvement in nationwide civic campaigns.
138 See Walter, Kiranda & Mugisha (2017).
139 Views from a focus group discussion conducted in Lwengo district.
140 See Fukuyama (2011).

141 See Robinson & Friedman (2005).
142 See Mugisha (2019).

143 See Mkandawire & Soludo (2003)

Therefore, the evolving organisational structures for embedding and entrenching civic values were cut short. The NGO sector eventually came to dominate the civil society space, attempting to fill the vacuum left behind by the deleterious effects of the structural adjustment programme.

The NGO sector was conceived as a supplementary sector to the state and was seen to complement the Ugandan state in providing social services that were desperately needed by the citizens, as the poverty report of the 1990s powerfully illuminated.[144] Therefore, by design, NGOs, although largely portrayed as citizen-responsive organisations, did not represent the interests of citizens, since many do not have a grass-roots membership base. Their agenda is largely shaped by the donors to whom they occasionally account. The citizens to whom they provide services have limited opportunity for influencing their programmatic work or even providing feedback on service delivery.[145] Essentially, the transition from membership-based organisations to NGO-led service delivery has tacitly disenfranchised citizens from actively participating in processes and activities that shape their developmental prospects.

However, there is now a rare opportunity to recast our civic efforts towards an agenda for supporting membership-based organisations. This opportunity can be seen in a number of ways.

First, there is now a softening of hegemonic tendencies in championing developmental ideas. No one believes that integrating old CSOs into the state apparatus, thereby complicating their political and economic governance, can work anymore.[146] At the same time, the neoliberal era has produced rising unemployment levels, poverty and income inequality, creating conditions for social and political instability. This now threatens citizen cohesion and trust, the building blocks of democratic governance.[147] This presents an opportunity for a progressive debate and conversation around the best way to embed society and the economy in the values and systems of a developmental state.

Second, there is increasing frustration with the unsustainable and continuous funding of NGO activities that have not produced any structural change in governance. Corruption in government, and more recently in NGOs, abounds, economic growth has stagnated or in some cases regressed, and there is growing apathy within the citizenry about civic work. This shift in contextual conditions is a clarion call for rethinking a strategy for building an empowered, effective, less foreign aid-dependent and more membership-based civil society.

However, leveraging these opportunities demands a pragmatic approach that targets interventions as close as possible to the binding constraints. The section above identified three main binding constraints on civil society growth and performance in relation to inclusive development. These are (i) internal governance of CSOs; (ii) inability to stimulate and sustain citizen mobilisation, participation and representation; and (iii) lack of capacity to influence public policy. We believe that these constraints are somehow

interconnected in a vicious circle. For example, to strengthen civil mobilisation, participation and representation, internal governance must be strengthened. This should build trust and confidence in CSOs, thus attracting and retaining membership. But in order to strengthen internal governance, citizen mobilisation, participation and representation must increase. Further, advocacy and civic activities must be embedded within an organisation's systems and weaned away from the founder or strong leader's capture. In the light of this, we suggest measures for addressing the above constraints (though these are by no means exhaustive):

6.2.1 Proposed measures for strengthening internal governance of CSOs

(i) Establishment of nstitute project-based supervisory boards appointed by the donors to oversee programme design and budget expenditures related to civic activities. These boards would serve until the end of the project life but would ensure that a culture of accountability is cultivated within the NGO and other civic organisations dealing with accountability challenges.

6.2.2 Proposed measures for strengthening citizen mobilisation, participation and representation in civil society organisations

(i) Expansion of funding to member-ship-based civic activities to include traditional CSOs such as churches and business associations such as the Uganda Small Scale Industries Association. However, the funding should be subordinated to the project-based boards suggested above. This will have the twin benefit of building accountability capacity within such organisations while at the same time boosting their financial capacity to expand the reach of their member-ship. As a matter of fact, these organ-isations hold the potential to embark on a financially self-sustaining path once their membership network has expanded and once they become entrenched in a set of values and membership-focused civic activities.

(ii) Supporting old and new CSOs to create regional coordination networks. This could start with profiling all existing CSOs by region, thereby constructing a database which could serve as a basis for building such networks. These networks can then become the platform for mobilising citizens to participate in civic activities within their respective regions.

6.2.3 Proposed measures for strengthening public policy influence

(i) Identifying moderate voices within government. Moderate voices always exist and can prove to be valuable when broaching difficult debates. Working closely with such moderate voices can stimulate government to see CSOs as partners rather than enemies of development.

144 See World Bank (1993).
145 See Brett (2009).

146 See Rodrik (2007).
147 See Stiglitz (2015).

(ii) Leveraging the capacity of existing research institutes to build, expand and strengthen the capacity of CSOs to conduct research for advocacy work. Research institutes can be interested in adapting their annual research planning activities to include the research needs of CSOs at the forefront of advocacy work. This can be achieved through coordinated efforts that bring together research institutes and CSOs that lead advocacy work.

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