



Civil Society and the Democratisation Processes in Kenya and Uganda: A Comparative Analysis of the Contribution of the Church and NGOs

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Abstract

Civil society comprises various interest groups such as human rights groups, co-operatives, trade unions and the church through which individuals collectively carry out their social enterprises. The rise of the centrality of civil society in much of Africa, in both development discourse and the democratization process, has been in response to state weakness. As a result it has become the cutting edge of the effort to build a viable democratic order. This paper contends that the success of civil society in forcing political concessions in Africa relates to the availability of opportunity to mobilize, agitate and bargain with the state from a position of strength. However, the notion that a generic civil society is uniformly progressive in challenging the African authoritarian state and advancing democratization may not be accurate. This comparative study attempts to bring out the underlying similarities and differences in the contribution of the Christian church and NGOs as civil society organizations to the democratization process in Kenya and Uganda.

Introduction

Civil society may be seen as an arena where manifold social movements and civil organisations from all classes attempt to constitute themselves into an ensemble of arrangements so that they can express themselves and advance their interests (Bratton, 1989a: 417). The concept of civil society has become central to the contemporary discourse on democracy and democratisation. In Africa, the authoritarian character of the post-colonial state is underlined by its dominance of civil society. The state has tended to rationalise this dominance on the grounds that the imperatives of rapid economic development and nation building would not permit any accommodation to the oppositional activities of individuals and groups.

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There is, however, an emerging view of the central role of civil society, religious ideas and NGOs in the process of political liberalisation and democratisation on the African continent. Democratisation is seen as a political process, as it has to do with the transformation of state and political society. The spontaneous resurgence of civil society in Kenya and Uganda, and indeed in much of Africa, is a common explanation for this change. Fed up with poverty, economic mismanagement and authoritarianism, civil society, although still weak, has risen up to challenge authoritarian rule and demand good governance and democracy. Religious organisations and NGOs, in some instances, have spearheaded this trend. The proponents of civil society believe that the existence of an active civil society is crucial to the vitality of political democracy. The promise of the growing NGO sector is that it will contribute to the needed democratisation of African countries by pluralising and strengthening civil society.

This paper examines, in comparative terms, the theoretical and empirical basis of these claims in the Kenyan and Ugandan context. The comparison serves as a pivot for arriving at a comprehensive historical and sociological appreciation of the differing contribution and contradictory tendencies of civil society to the democratisation processes in the two countries. It is argued that the notion that generic civil society is uniformly progressive in challenging the African authoritarian state and in advancing democratisation may not be accurate. As Kasfir (1998b:126) observes, non-state organisational actors in the African civil society may be capable of no more than modest, tentative and often reversible contributions to democratisation. Assessing whether these actors strengthen democracy requires a notion of civil society which evaluates what is happening, not what ought to happen.

The paper is divided into four parts. Part one is an overview of the theoretical concepts of civil society and democratisation. Part two looks at the role of the Christian church in Kenyan and Ugandan democratisation processes. It is argued that since the 1980s, Christian churches in Kenya, unlike those in Uganda have been 'at the centre' of pressures for democratisation. Part three, discusses the contribution of NGOs in both Kenya and Uganda at two levels: first, as they seek to pluralise the civil society environment, they pursue actions that may enable them and other interest groups in society to operate freely and unfettered by the state. Second, the NGO empowering role of grassroots communities where they pursue their development activities. Part four is an appraisal of the contradictory nature of civil society, the church and NGOs in the democratisation processes in Kenya and Uganda.

Towards a Theoretical Framework

Civil society is usually defined in relation to the state; that is, the way society is organised outside the state. For Bayart (1986), civil society is society

in its relations to the state, in so far as it is in confrontation with the state. It consists of a range of organisations of self-interests, which are protected by various mechanisms such as an independent judiciary and a free press, from interference by the state. According to Chazan (1992:282), the nurturing of civil society is widely perceived as the most effective means of controlling repeated abuses of state power, holding rulers accountable to their citizens and establishing the foundations of durable democracy. In this regard, for instance, the impetus for the late democratic transitions in Africa has been traced to the growth and political activity of civil society across the continent (Ndegwa, 1996:2). Among the most vocal opponents of authoritarian regimes in African countries have been voluntary and associational groups such as churches, organised labour, professional associations and grassroots movements.

However, the notion of generic civil society as being uniformly progressive in challenging the authoritarian African state and in advancing democratisation may not be accurate. As Ndegwa (1996:6) argues, 'there is nothing in civil society organisations that makes them opponents of authoritarianism and proponents of democracy'. There is no theological virtue in the notion of civil society. Civil society may advance without a democratic ideal. In Africa, where norms of hierarchy and authority are highly pronounced, civil society may be a significant reservoir of authoritarianism and anti-democratic values. Civil society could obstruct the process of democratisation. The recognition of the various tendencies in civil society and their predisposing factors is crucial to the analysis of the patterns of interaction between state and society (Abutudu, 1995:5).

The definition that separates civil society from the state leads to a flawed conception of civil society. As Kasfir (1998a:1-3) observes, the wholesale belief in civil society as the basis of democratic order, leads to a distortion in the analysis of the relations of state and society and the possibilities of democracy is exaggerated. Civil society cannot be sharply divided from society in general. Neither can the state be separated from civil society. The proponents of civil society wrongly conceptualise who are the organisational actors playing significant roles in securing a new public sphere, or questions whether the civil society actors who are supposed to bring democracy can actually do so.

An alternative conception of civil society could be for one to come up with an agenda, the definition of a common project in order to, in the context of authoritarian regimes, effect the transition to democracy. This project might be seen to mark its transition from civil society 'in itself' to civil society for 'itself' (Abutudu, 1995:6). The understanding of the interconnectedness between civil society and the state in this regard is crucial. Civil society reflects both divisions in the larger society and the needs and

demands of state actors. This may limit civil society organisations' capacity to cause authoritarian states to become more democratic. As Kasfir (1998b:125) contends, patronage-based political economies like those in Africa produce incentives for civil society actors to organise platforms for gaining power rather than creating reform. Habituated by many years of extensive interference, and little effective capacity to implement policies, state officials both threaten and infiltrate organisations in order to deflect initiatives for reform.

The expectation of NGOs and other civil society organisations such as self-help and ethnic associations as agents of democratisation remains contentious. Given the diversity among NGOs' positioning with regard to the democratisation movement, the blanket civil-society – political liberalisation thesis requires revision. Democratisation is basically a process of establishing, strengthening or extending the principles, mechanisms and institutions that define a democratic order. According to Ndegwa (1996:7), organisations in civil society may be supportive of democratisation. This is premised on two central factors. First, when they articulate democratic values as well as pursue actions to challenge non-democratic regimes. Second, the success of civil society in forcing political concessions in Africa relates to the availability of opportunity to mobilise, agitate and bargain with the state from a position of strength.

The transposing of civil society and democratisation still remains problematic. As Kasfir (1998b: 142–5) points out, with notable exceptions, the African organisations specified by conventional civil society notions are new, lack social roots, have objectives unrelated to on going political conflicts and are heavily financed by outsiders. He contends that scholars and donors need to rethink the assumptions on which they expect civil society to contribute to democracy. In the process, they ought to pay at least as much attention to political institutions as to civil society. Any conception of civil society and its contributions to the democratisation processes in Africa must take note of the interconnectedness between civil society and the state as well its limitations in causing authoritarian states to become more democratic. It is in this light that we examine how the Christian church, NGOs and other civil society organisations in Kenya and Uganda have been involved in the process of democratisation.

The Church and the Democratisation Process in Kenya and Uganda

The Christian churches have been involved in Kenyan and Ugandan democratisation processes for some time. It is argued that over the decades, Christian churches in Kenya, unlike Uganda, have been 'at the centre' of the pressures for democratisation. On the other hand, over this period churches

in Uganda have rarely been spearheads of democratic change but instead have often mediated state power and the general population. This part seeks to explain the differing role of the respective churches in Kenya and Uganda in the democratisation process. This is discussed at three levels. First, the conditions that give the church the opportunity to mobilise. Second, the contributions of the church in the struggle for democracy and third, the limitations of the church in these processes.

The Church and the Democratisation Process in Kenya

First, the opportunity of the church to engage in the process of democratisation in Kenya has been created by its organisational resources, the deteriorating socio-economic conditions and the emergence of an oppressive one-party state in post-colonial Kenya. In the process of centralisation, the church remained among the few institutions that managed to keep a degree of corporate independence from the state. It is this organisational resource that was put to critical use in the struggle against oppression in the 1980s and 90s. Originating from the colonial period, the dense network of structures, bodies and organisations of the church in virtually every social and economic sphere, gave it an organisational distinctiveness (Saber-Friedman, 1997:26). In multi-ethnic and differentiated societies like Kenya, the church affords the means for a broad dissemination of its moral doctrines and social political views. This enables them to contribute to the socialisation of African citizens and thus affecting the prospects for democratic participation. In the period of change, the established Christian churches and their organisations as expressed in the National Council of Churches of Kenya (NCCCK) and Evangelical Fellowship of Kenya (EFK), demonstrated their willingness to reach out to the disenfranchised and those on the margins of society. As a space of integration and construction of solidarities and because of its ability to combine both sacred and profane resources, the church in Kenya came to enjoy a specific type of power. The power to deliver and the power to tame and define reality. It is from this position that its most important ministers spoke out (Saber-Friedman, 1997:30). Second, the deteriorating socio-economic conditions gave the church even more legitimacy as it expanded the social and economic projects that it had instituted since the colonial period.

The third opportunity for the church arose as a result of the rise of an oppressive oneparty system in Kenya. When civil society is repressed by a state, churches remain 'zones of freedom' and tend to take up the political functions of the repressed organisations. As a result, due to its popular credibility, the church became one of the only remaining available tools of expression of dissatisfaction and the urge for change in the country. The church advocacy role took mainly the form of confrontation with the state.

The church contributed to establishment of pluralism in a number of ways. First, it was central in generating and sustaining a public discourse on democracy and change in Kenya (Ngunyi, 1995). It criticised excesses in the exercise of state power. It protested against change in electoral law, which removed the secret ballot replacing it with a queuing system, denounced brutal evictions of squatters in Nairobi and the state-engineered ethnic clashes in the Rift valley, which had turned it into the 'unhappy valley' (Berman and Lonsdale, 1992). The discourse that the church forced upon the state created an atmosphere conducive to change by accelerating processes aimed at transformation that were already underway. This discourse was informed by the conviction that the question of power and oppression was not a preserve of government and politicians. This was perhaps summed up more aptly by the late Bishop Muge. While addressing the Church of the Province of Kenya (CPK) Youth Organisation, Muge warned that 'the church couldn't compromise theological issues with secular or temporal matters'. The church was urged to protest 'when God-given rights and liberties are violated. The church had a special duty to 'give voice to the voiceless' (Throup, 1995:151). Rev. B. Njoroge Kariuki went a step further: 'The church has a duty beyond the rescue of victims of oppression. It must try to destroy the cause of oppression. The church will have to enter the political arena to do this' (Saber-Friedman, 1997:36). In a sense therefore, the clergymen were concerned that civil liberties had been curtailed and saw it as their duty to contribute to bringing about change.

The church is, however, confronted with a number of contradictions and limitations in the realisation of a democratic order. Much of the church based opposition to the Moi regime in Kenya has a distinct Luo and Kikuyu ethnic basis, while many of the churches giving strong support to the government come from the same ethnic groups, particularly Lalenjin and Kamba that uphold the regime. The EFK represents a feeble Luo-Kalenjin alliance with Kalenjin faction assuming a preponderant position. The NCKK is a multi-ethnic institution with strong Luo, Kikuyu, Embu and Meru presence (Ngunyi, 1995:126). Political patronage or lack of it has also accounted for the different political stances on the part of the leadership of different churches. Those institutions pursuing advocacy politics are also those excluded from political patronage under Moi, while inclusion in state patronage networks largely accounts for the position taken by the 'loyalist' institutions in defense of the regime. Ethnic patronage dealt a blow to the emerging democratic movement.

While the church contributed tremendously to democratisation process in Kenya, there are limitations in that much of the political stances taken during the process of political liberalisation, was largely a function of ethnicity and political patronage. The social bases of most of the 'activist' institutions are ethnic groups with strong political traditions but who had been

excluded from power, particularly the Luo, Luhya and the Kikuyu, who were progressively being purged out of the centres of power. For civil society organisations to be seen as strengthening democracy, a notion of civil society which takes into consideration the terrain of the discourse is required. For most African societies, ethnicity and political patronage should be taken into serious consideration in civil society discourse.

The Church and the Democratisation Process in Uganda

The church in Uganda unlike in Kenya, has rarely spearheaded the struggle for democratisation but instead most often mediated state power in the general population. The specific historical context and the different nature of the terrain on which the central political and social conflicts have been fought in the two countries inform the differences. In this part we discuss this at three levels. First, we examine the determinants of church involvement in Ugandan socio-political conflict. Second, we analyse the restricted/stunted nature of church discourse on democracy and human rights in Uganda and third, examine the tendency for the church to identify itself with existing holders of power.

The identification of the Anglican Church as a church of the establishment and the Catholic Church as anti-establishment has had profound implications for the involvement of the church in the struggle for democratisation in Uganda. The animosity between the two Christian churches has had disastrous results for the democratisation process as it has precluded the presentation of any form of united front on issues of civil liberties and human rights (Kiwanuka, 1961). The historical origins of this animosity can be traced to the colonial period. The Catholic Church lost the battle for political power to the Anglican Church in the 1890s. Since then, the Catholic Church concentrated on building up a 'spiritual kingdom', parallel to the state but not in direct competition with it, loyally cooperating with the colonial government in a more or less apolitical way (Ward, 1995:72).

The centrality of the Catholic church in the formation of the opposition Democratic Party in mid 1950s only exacerbated the polarisation (Kassimir, 1998:57). This compromised the autonomy that civil society organisations such as the church are supposed to have by representing a section of the population. The position of the Anglican Church could not help matters as there appeared divisionism in its internal organisational structures as well based on ethnicity and regionalism (Mudola, 1993). The nature of church-state interaction and the articulation of the democratic question by the church have been further compounded by unresolved regional and ethnic questions in the country. These divisions have obstructed the capacity of the Church to advance the collective will of the society on issues of democracy and human rights.

During colonialism and especially towards independence, the ethnic question came to dominate the concerns of the internal politics of the Anglican Church. As Ward (1995:73–75) notes, if the Baganda were preoccupied with fears of losing their status and integrity as a nation in an independent Uganda, other ethnic groups were equally apprehensive about renewed domination by Buganda. The election of the first Anglican African Bishop in 1965, Bishop Erika Sabiffi, a non-Muganda, caused an uproar. Such ethnic chauvinism could not help to bring the church at the centre of broad issues of democracy and democratisation.

The Catholic Church under the leadership of Bishop Kiwanuka emphasised the need for respect for human rights, the equality of the people, a spirit of patriotism, among others (Waliggo, 1995:113). While this was positive in comparison to the practices of the Anglican Church, it could not be realised in practical terms. The proposition of individual Bishop cannot be a substitute to institutional capacities. The politics of the organisations contributes to their potential for political influence. The Catholic Church did not escape the problems of the ethnic question. The combination of unresolved regional question and the animosity between the Catholic and Anglican Churches and the quasi-establishment stance of the Anglican Church, have precluded the deployment of organisational capacities of the Christian church in Uganda to mount an effective challenge to authoritarianism in the country.

The discourse on democracy and human rights by the church has been rather stunted both for historical and contextual reasons. The erosion of human rights and civil liberties in post-colonial Uganda, in general, was met with silence from the church, apart from a few protests, (Pirouet, 1995:249). Typical comments that were made did not directly concern the internal politics of Uganda. On 16 January 1967, for instance, the government ordered ten Roman Catholic missionaries to leave the country. Archbishop Emmanuel Nsubuga issued a statement in protest, 'Catholics in Uganda and elsewhere are deeply perturbed by the government's decision this week to expel 10 priests who were accused of helping and sheltering Sudanese rebels and of involving Uganda in danger of a war with the Sudan' (Mudoola, 1993:39). Internally, however, the Church remained silent as hundreds of political figures were detained without trial in the 1960s.

At the height of human rights abuse in the 1970s during Idi Amin's regime, a unity against oppression was forged between Buganda and the rest of Uganda, between Catholics and Protestants, and within the church itself. However, in spite of this, weaknesses in the church of Uganda, the religious rivalries between Catholics and Protestants, inhibited an effective response. Perhaps the context, particularly the character of Idi Amin's regime, conditioned any response. As Ward (1995:82) correctly observes, 'To protest was to risk some definable punishment which could be calculated in advance.

Rather it was to risk unspecified ills involving loss of property, torture, imprisonment and death, not to mention reprisals on ones family'. Anglican Archbishop, Junan Luwum, who was murdered and several Bishops who had to flee to exile during Amin's regime exemplify the fate of any protest. Survival became paramount to the struggle for human rights.

Perhaps the major failing of the Christian church in the democratisation process in Uganda has been the maintenance of the quasi-establishment stance of the Anglican Church on one hand and the ambiguity of the Catholic Church on the question of democracy, on the other. The Protestant Church has viewed itself as the church of the establishment. Indeed, all past Presidents apart from Idi Amin have been Protestants. This precludes any vigorous condemnation or denunciation of the erosion of human rights and democratisation on the part of the Catholic Church.

The ambiguity in the Catholic Church is exemplified by the wavering positions of the Church leadership on the question of democracy. In 1986, for instance, the Catholic bishops declared that 'a multi-party system of government is an expression of fundamental freedom of assembly and association guaranteed by our National Constitution'. Three years later they had fallen in line with the state position on the democratisation process and return of multi-party politics. They collectively stated that 'As to the concrete question of what form government Uganda should adopt, we must state clearly that the church does not advocate one form' (Kassimir, 1998:77).

Patronage and corruption, as in the case of Kenya, has compounded the situation. Patronage based political economies like that of Uganda produce incentives for civil society actors to organise platforms for gaining power rather than creating reform. State officials both threaten and infiltrate organisations in order to deflect initiatives for reform. The increasingly dwindling sources of donor funds has resulted in Church leaders and even Muslim leaders to succumb to patronage from the state. For instance, all religious leaders, Christian and Muslim have received donations of four-wheel drive vehicles from the National Resistance Movement (NRM) government through President Yoweri Museveni. As a result, the Church in Uganda has more often than not blessed the wishes of the power holders. This is clearly illustrated by the stand of the church on the so-called no-party system of governance. As Kassimir (1998:61) correctly notes:

Clearly the current political system under the NRM falls short of the definition of democracy commonly accepted by civil society approaches, with critics pointing not only to the unfair electoral advantages of the NRM in a no-party system, but also to restrictions on associational rights in civil society itself.

In spite of this, the church has largely endorsed these infringements on inalienable fundamental human rights at the altar of patronage from the state.

The elevation of the NRM, which is in reality a political party, to a 'system' and then subjecting the population to a referendum. on 'political systems' in June 2000, was perhaps one of the most open abuse of civil rights in Uganda. Yet the church, which should have acted as the voice of the voiceless, has largely endorsed the process. The Uganda Joint Christian Council (UJCC), in a joint pastoral letter of 24 May 1999, was very supportive of the Referendum. It had this to say: 'The referendum on political systems scheduled to be held in the year 2000 offers to the people of Uganda the opportunity to make a choice of the political system that best promotes the interests of the country (UJCC, 1999a:1).

Six weeks later, on 2 July 1999, a law to regulate the process, The Referendum Act (1999) was fraudulently passed in parliament without a quorum. Yet three months later, the same joint council was urging people, using the usual state arguments, to participate in the exercise essentially aimed at entrenching a one party monolithic state. The UJCC recommended that: 'The referendum is a constitutional issue. So it is being recommended that in the spirit of constitutionalism all citizens should participate' (UJCC, 1999b:8). This stand of the church on democratisation in Uganda is in stark contrast to that of the Kenyan churches that in the 1980s and 1990s took upon themselves the role of advocating for democratisation effectively as they command massive respect.

In comparative terms, the churches in Kenya and Uganda have played contrasting roles in the democratisation processes of the respective countries. Due to a combination of unresolved regional questions, civil conflict and submission to patronage, the Ugandan church has been less effective in the process. On the other hand, although the emergence of different political stances on the part of church leadership during the process of political liberalisation in Kenya was largely a function of ethnicity and political patronage as well, many members of the clergy were concerned that civil liberties had been curtailed and freedom of expression restricted and therefore they became champions of the struggle to get rid of these unwarranted restrictions in Kenya's body politic. To date, the church is active in the reform process to get rid of draconian clauses from the constitution.

The NGOs and the Democratisation Process in Kenya and Uganda

In this part, we discuss the contribution of NGOs in both Kenya and Uganda at two levels: one, as NGOs pluralise the civil society environment, they pursue actions that may enable them and other interest groups in society to operate freely and unfettered by the state. Second, the NGO empowering role of grassroots communities where they pursue their development activities. These processes, for both countries, are not problem free. First, NGOs

constitute a network of resourceful organisations that are growing increasingly autonomous of the state. They are, therefore, unlikely to be left alone. Second, NGOs have the potential to change state-society relations. The ensuring 'political jealousy' has led both the governments of Kenya and Uganda to attempt to control NGOs and their resources through legislation in the name of preserving national sovereignty.

NGOs and the Democratisation Process in Kenya

The Kenyan NGOs have played a contributory role in the democratisation process with some successes. However, in this process they have invited hostility from the state as, at the same time, they have confronted some limitations. The NGOs involvement in the process has been analysed as a case of availability of opportunity, NGO collective organisation and alliance with international organisations.

The opportunity for NGOs in Kenya to influence democratic change has arisen out of the weakness of opposition parties. As Ndegwa observes, 'given the weak and divided opposition parties, progressive organisations such as churches and NGOs involved in development have an opportunity to pursue an empowerment agenda within their sphere of activities' (Ndegwa, 1996:9). Historically as well, civic associations have functioned as a nucleus for people's mobilisation against the state in Africa (Fowler, 1993:46). This historical experience gives NGOs an opportunity to participate effectively in the process of democratisation and strengthening of civil society. The authoritarian character of the post-colonial Kenyan state and its general assault on civil society calls for a focused and systematic approach which the NGOs and church provided, particularly in the 1990s.

The activities of NGOs were not interfered with by the state so long as they remained 'developmental' and in general support of the statist developmentalist ideology of Harambee (Kanyinga, 1995). This changed when, the state faced increasingly hard economic times towards the end of the 1980s. In patronage based economies such as Kenya's, the increasing flow of development aid to NGOs instead of the state resulted in political 'jealousy' on the part of the state. This is because the state's diminishing development resources would undermine its capacity for political patronage and legitimization (Ndegwa, 1996:36). The state is often uneasy when confronted with a threat to its hegemony. It is within this context that the state sought to control the NGOs through legislation, by enacting the NGO Coordination Act, 1990. The Act resulted in the activation of the NGOs and other civil society organisations.

The NGOs as a result, became one of the various actors opposing the single-party government on diverse issues such as electoral laws, human rights and lent further momentum to the democratisation movement unfolding in

the 1990s on Constitutional Reform. The challenge of the legislation became the focal point of NGO-state relations. It resulted in NGOs' success in blocking the obnoxious articles. As Ndegwa (1996:110–115) correctly observes, 'the eventual success of the NGO challenge itself had important implications for the political reform movement: it allowed NGOs to operate freely and independently from state interference – thus increasing the freedom of actors in civil society'. This act provided the evidence that civil society actors opposing a repressive state can have important bearing on political reform process. In the Kenyan context, both the Green Belt Movement and the Undugu Society of Kenya show that grassroots empowerment is an important outgrowth of fairly mundane development activities that require no explicit commitment by the NGO to oppose the state. As the NGOs try to empower the people, there is a tendency to come in conflict with the state.

The NGOs acting as agents of democratisation in Kenya has not been problem free. Contrary to civil society theorising, NGOs are not predisposed to opposing single-party dictatorship. In what he calls exposing the 'two faces' of civil society, NGOs have not always been opposed to the state, the Undugu Society of Kenya being pro-government and the Green Belt Movement being very critical of government (Ndegwa, 1996:110).

The NGOs contribution has been further limited by the organising principle of ethnicity and patronage. The general observation that patronage-based political economies produce incentives for civil society actors to organise platforms for gaining power rather creating reform applies in Kenya. Kanyinga (1995:118) argues that the role of NGOs has probably strengthened rather than weakened patronage. To him, most of Kenyan NGOs have tended to promote 'development' in the narrow sense rather than democratisation and have systematically sought to 'fit in' with the socio-political structures, which define and reproduce it. NGOs have tended to avoid working through groups that are involved in political change or controversy. As a result, their contribution to the pluralising of civil society is a deeply ambivalent one.

The alliance of NGOs with other oppositional forces in civil society in late 1980s and early 1990s, though commendable, did not amount to much. The newly legalised opposition parties' embrace of NGOs cause amounted to little in terms of sustainability of the democratic struggle. As the opposition parties fragmented, the frictions came to be reflected in the entire society. The failure of the opposition parties to capture state power dealt a devastating blow to the democracy movement. Like the divisions that emerged in the church, the NGO community came to reflect the different political stances in the broader society. The experience of the church as that of NGOs implies that nonstate organisational actors in the African civil society may be capable of no more than modest, tentative and often reversible contribu-

tions to democratisation. The contribution of NGOs to the democratisation in Kenya is commendable despite the above contradictions and weaknesses.

NGOs and the Democratisation Process in Uganda

The NGO phenomenon, in its contemporary sense, is a recent phenomenon in Uganda's socio-political development. Apart from the church, the rise of NGOs involved in the discourse on democratisation, political and civil liberties in Uganda are a recent occurrence. In thirty years of Uganda's independence, the country witnessed seemingly endless terrorism and human rights abuses. Several regimes in succession denied the Ugandan people their fundamental liberties. Freedom of speech was suffocated; lives lost, arbitrary arrests and detentions were the order of the day. Though there was pretence of a multi-party system between 1981–85, the political party in power denied the existence and operation of any form of autonomous organisations within civil society not allied to it. Lack of these facets in society led to the rise of NGOs concerned with political and civil liberties (Okuku, 1997:82). Second, the rise NGOs, as in Kenya, is a result of the increased funding that changes in the policies of donor countries made available. They also sprouted on the crest waves of international sympathy that came Uganda's way after the fall of the regimes of Idi Amin and Milton Obote II that were notorious for human rights abuses. From just a few in the 1980s they turned into a massive movement in the 1990s.

In civil society literature, it has been suggested that NGOs have a unique position in society in that it can reach the people, educate and empower them hence enabling them to assert themselves and struggle for the democratisation of the socio-political space. By looking at the practices of the civil liberties NGOs, their organisational capacities and how they relate to the Ugandan State, the capacities of selected human rights NGOs to the extension of civil liberties are analysed, contributing to the democratisation process. These include the Uganda Human Rights Activists (UHRA), Foundation for Human Rights Initiatives (FHRI) and Action for Development (ACFODE) among others. These organisations have tried to translate the civil/political rights into a political culture with very limited success.

All the three organisations were formed in the 1980s and 1990s reflecting the growing concern with human rights issues as part of the democracy question. In organisational terms, the UHRA is faced with internal power wrangles that led to the break away of FHRI. Both UHRA and FHRI, have personal rule by the founder leaders, suffer from donor dependence, have limited spread countrywide and there is general hostility from the State towards their activities. This has led to their limited capacity to empower the population. ACFODE on the other hand, although focused on empowerment of women, has been limited to urban areas (Okuku, 1997:87). This

has been worsened by their focus on micro-elements rather than upon macro-dimensions of the economy, governance and social services. They have emphasised projects rather than programmes (Oloka-Onyango and Barya, 1998:135). This has resulted in their rather dismal contribution to the democratisation process.

A study on Ugandan NGOs, discounts the automatic association often made between liberalisation and democratisation (Dicklitch, 1998). NGOs as important actors within civil society, are allowed to function as long as they 'fit' within the liberalisation agenda, fulfilling a gap-filling role, particularly of poverty alleviation (John de Connick, 1992) rather than empowerment or advocacy. In this regard, more telling about their limited capacity to contribute meaningfully to the democratisation process is their practices. NGOs have been compelled to exercise a significant amount of self-censorship to avoid confrontations with government. Unlike NGOs in Kenya which were central on attacks on state restrictions, Ugandan NGOs have avoided 'controversial' issues such as army abuses and the political restrictions associated with the 'movement' system (Human Rights Watch, Uganda, 1999).

NGOs in Uganda are not supposed to be bastions of democracy as this role is assumed to be taken care of by the increasingly statist Local Councils (LCs). The state has appropriated the themes of the democracy question including human rights, good governance and accountability often by setting up organisations for their fulfillment. For instance, the Uganda Human Rights Commission (UHRC) investigates human rights abuses and the Inspectorate of Government (IGG) ensures accountability in public service. The findings of these organisations are not pushed to the logical conclusion.

The Ugandan NGOs are strictly controlled by the state. As in Kenya, the state exercises significant control over NGO activities through the NGO Registration Board Statute that stipulates conditions for registration and deregistration. The NGO board is filled with members of police and secret services. The regime does not hesitate to clamp down on vocal critics such as political parties and the regime (Dicklitch, 1998:106). According to Sheila Kawamara, Coordinator of the Uganda Women Network (UWONET), as quoted in Human Rights Watch-Uganda Report, however: 'They (Government) often remind us of our registration, which requires us to be non-political, non-partisan, non-everything' (HRW-Uganda, 1999:104). The government has interfered in civil society activities without any critical response from the NGOs, the church and other civil organisations. Concerned with the violence in the North and the insistence by the NIZM government to resolve the conflict violently, the church and NGOs in March 1998 sponsored a Kampala peaceful procession to urge the government to negotiate with rebels. The state cancelled it on the apparent grounds that

the peaceful procession could be turned into a political event. As HRW-Uganda, observes, '... society in Uganda continues to be effectively prevented from addressing some of the most pressing human rights issues in Uganda, namely the political restrictions which operate under the movement system (HRW-Uganda, 1999:109).

Apart from this open control, the state has responded to NGO activism in ways that have been suggested by Fowler (Fowler, 1993:50). Members of the regime can create their own NGOs. In Uganda, the members of the regime have not only created their own organisations, but the state has created bodies to act as 'NGOs'! In 1993, the government, for instance, established the National Association of Women's Organisations in Uganda (NAWOU), which is facilitated by the Ministry of Gender and Development. The state also has attempted to form an all-encompassing NGO forum, the National Council of Voluntary Social Services (HRW-Uganda, 1999:110). This distorts the contributions the NGOs could make to the democratisation process in the Uganda.

The result has been the emergence of an NGO sector that is apolitical and dependent on foreign donors with lack of coordination of its own autonomous activities. Such a sector is currently incapable of bringing pressure to bear on the state and keeping it accountable. However, as Dicklitch (1998:155) notes 'the fact that NGOs exist and that they are engaged in some advocacy and empowerment projects is, however, a positive sign'. On the whole the NGOs contribution to the democratisation process in Uganda has not been salutary in comparison to Kenyan NGOs. NGOs face obstructions from the State and they are in themselves very fragmented and donor dependent.

Conclusion

The Church and NGOs are confronted with some limitations and contradictions in the democratisation processes in Kenya and Uganda. In comparative terms, NGOs and the church in both countries, confront similar problems which limit their capacity to act as agents of democratisation. Most of them lack internal democracy yet for them to be effective in their mission of pluralising society there is need to evolve an internal culture of adherence to democratic values. Second, they exhibit extraordinary donor dependence. In particular, NGOs in both countries are by and large based on charity. They are constituted as benefactors. What they give out is therefore charity and not rights, a result they are accountable to those who finance them, not to the people they intend to benefit. Therefore, the celebratory accounts of the rise of NGOs and their activities must take note of the fact that the NGO sphere can produce complex political possibilities, democratic and anti-democratic.

The Church in Kenya contributed to the establishment of pluralism, by generating and sustaining a public discourse on democracy and change, criticising excess exercise of state power as it gave 'voice to the voiceless'. The churches more so in Kenya, commanding mass respect, still remain an important voice of criticism against the Moi regime. For the churches in both countries to be effective agents of democratisation, however, they must get rid of their ethnic and patronage stances.

To the civil society theorists, we contend that any conception of civil society and its contributions to the democratisation process in Africa must take note of the interconnectedness between civil society and the state as well as limitations in causing authoritarian states to become more democratic. The success of civil society in forcing political concessions in Africa relates to the availability of opportunity to mobilise, agitate and bargain with the state from a position of strength. These resources are few in between and decreasing. Civil society should not be celebrated as an ideal. There must be a recognition of the various tendencies in civil society and how they may be harnessed to advance the democratisation process. Civil society contains both democratic and anti-democratic tendencies. These weaknesses, notwithstanding, there are possibilities for citizen empowerment and ultimate involvement in the process of change and democratisation.

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