

# **A 'CONTAMINATED' DISCOURSE REFLECTING A LARGER FAILURE OF LEADERSHIP**

Reflections on the Marriage and Divorce Bill in Uganda

Arthur LAROK

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**actionaid**

Throwing out the Bill is just a temporary setback-they can bury their heads in the sand but the body is out, the Ostrich knows better. The issues will have to be dealt with one way or another... did we ever expect this regime to actually pass this bill? I think this setback is a step up for a comeback. Victory will one day come on this bill and many other progressive reforms.

Richard Ssewakiryanga, Executive Director, National NGO Forum

## Introduction

In the recent past, Ugandans have been consumed by the discourse on the merits and demerits of a proposed piece of legislation called the Marriage and Divorce Bill. Gazetted and tabled in 2009, the 9<sup>th</sup> Parliament had debated a few of its 178 clauses when some clauses were determined to have become so 'contentious' that the MPs were sent back, not to sensitise and explain the provisions but to consult their constituencies. This despite the fact that the Uganda Law Reform Commission and other interested parties had previously held wide consultations already. The NRM caucus has since decided that the proposed legislation should not see the light of day and agreed it should be re-drafted.

The discourse on the Marriage and Divorce Bill ranks high among the most talked about topics in Uganda in the last 10 years. It is high up there and comparable to the debates about the betrayal by 7<sup>th</sup> Parliament when they removed Presidential Term Limits from the Constitution, the debate about outcomes of the General Elections in 2006 and 2011, the CHOGM and OPM Corruption Scandals, the arson meted on Kasubi Tombs, the Election of President Obama in the USA, Kiprotich winning gold medal for Uganda after 40 years of waiting, the death of James Mulwana (RIP) and Hon Cerinah Nebanda (RIP), to mention a few. It is in the context of these comparisons that we must locate the discourse on the Marriage and Divorce Bill. We must thus dispel, from the onset, the myth that it is a diversionary matter for it is as important as any other important matter of national concern.

However, it is, unlike many of the other topics, one of the most 'contaminated' discourses on the public scene. This is most unfortunate but not surprising for first, we must all accept that the Marriage and Divorce Bill seeks to overcome one of the most deep-seated socio-economic and political injustices in history and in our times. The main beneficiaries of this unjust status quo will fight it tooth and nail. They have, as part of their tactic, not presented the essence of this discourse. Instead they have 'stage-managed' what is now being presented by the media as a 'popular rejection' of the Bill by women and men across Uganda. Second, we must look at the present setback on the Marriage and Divorce Bill as part of the wider failing of Leadership and Government.

As advocates of this important piece of legislation, we may never win the debate on the Marriage and Divorce Bill in our time but like Richard's quote above asks of us, we should not despair for no matter how long it takes, sustained people's action for good will prevail - light will overcome darkness, truth will rise above falsehoods and right will overcome wrong.

The rest of this paper is divided into five short subsections. Immediately following this introduction is an ideological reason why ActionAid, the entity I head in Uganda, openly supports the Marriage and Divorce Bill to clarify that beyond the diversionary tactics being meted on NGOs who support this government legislation, there are more fundamental ideological convergence points. The third section articulates what in my view the Marriage and Divorce Bill is really about, according to emerging consensus from 'male champions' and other advocates. The fourth, is a reflection on the contaminated debate in the media and other spaces and what this means. The fifth contains some proposals going forward and a short conclusion ends this discussion paper.

## Why ActionAid Uganda supports the Marriage and Divorce Bill

Detractors in the on-going debate on the Marriage and Divorce Bill often accuse NGOs supporting this proposed legislation of being agents of foreign interests and promoters of western culture. I will return to that discussion later, but for now, I would like to focus on why ActionAid, the organization, is advocating for the passage of the Marriage and Divorce Bill, albeit with minor amendments.

**Firstly**, central to ActionAid's ideology are two critical beliefs - a) that poverty and the injustice it comes with are caused and perpetuated by unequal power relations that exist from the family level to global institutions; b) more importantly, perhaps, is that poverty and the injustice that it comes with can be overcome through conscious actions by citizens either working as individuals or collectively. In short, injustice and poverty is a factor of power and how it is exercised and most importantly, citizen action when appropriately harnessed has limitless potential to overcome unjust status quo.

**Secondly**, ActionAid's programming is anchored around two mutually reinforcing intervention logics; a) to transform the condition of the poor, majority of whom are women who are in large part denied direct property ownership because of the inherent unfair beliefs, customs and attitudes; and b) transform their position so that they climb the ladder to shape decisions that affect their lives. The Marriage and Divorce Bill, if enacted, in our view, will be a major boost to the historical, structural and social injustice against one gender-woman.

**Finally**, AAU is firmly in support of this Bill because we have evidence from our work that it will be of immense value to the individuals, families and communities among whom we work. I adduce lessons from two projects we run. The first is Women Protection Centres (WPC) project we run in 9 districts providing shelter, psycho-social, mediation and legal aid to women who face the twin injustice of domestic violence and HIV/AIDS. From this project we are confident that the Marriage and Divorce Bill would make Ugandans more responsible when making decisions to enter into marriage unions or to cohabit, for either way, the rights and responsibilities of both parties would be clarified and understood and would bring even more respect to the institution of marriage. Furthermore, through the WPCs we have learnt that over 70% of the injustices that occur to the family and women in particular are issues relating to property and relationship between 'husband' and 'wife'. We have also learnt through this project, especially when we make referrals to other

authorities, that current laws fall considerably short of adequate provisions on sexual offenses within marriage.

From the Unpaid Care Work - <http://www.actionaid.org/uganda/no-time-development>, a project whose aim is to 'make visible women's unpaid care work and its importance to the functioning of any society, we learn that we must as a matter of urgency better recognize and value women's contribution to wealth creation for families in general and accumulation and acquisition of matrimonial property in particular. The idea that women come into a marriage with nothing and should leave with nothing is not only inaccurate but is most derogatory of the critical role women play in society's transformation. If we cost unpaid care work provided by women, we realise that we would never afford it. So at the very least we must value and reward it. The quote below from a key advocate of the Marriage and Divorce Bill reinforces this point:

*...put a commercial title to all unpaid care work to fully appreciate its worth. If your spouse opens the gate for you, call it gatekeeper and give it a monthly pay, if they cook call it chef and give a monthly pay to it, if they drop and pick kids, call it driver and pay that too, if they clean, give a job title and do the same. If we did this and added up, we would discover that it is more costly to do what many of our wives and sisters do as care at home...*

We learn that we must protect rights of women to acquire and own property, individually and jointly. This will promote fairness and respect of rights of women, including those in cohabitation.

## What is the Marriage and Divorce Bill really about?

Despite all the misconceptions about the Marriage and Divorce Bill, something we turn to in Section 4, I must stress that the Bill in our view is fundamentally about dignity, justice and equity before, during and if need be, after marriage. Before, because the enactment of this Bill will make us all think very carefully before we enter into unions—be it marriage, cohabitation or any other. If one is not ready, they will not have to - the Bible in St. Paul's letter to the Corinthians says so too. During, because once we are in union, marriage or cohabitation, both parties will have rights and responsibilities and finally, after if necessary, because in case of separation due to natural or other reasons, we still must guarantee equal rights and justice for those involved. If only we understood and read the clauses of the Marriage and Divorce Bill in that light, we would be more constructive in engaging in the raging debate about it.

**Secondly** and possibly most importantly, the proposed law is about **redressing a major injustice constructed around patriarchy**. Patriarchy - a system of dominance of the male over the female gender that even makes women with limited awareness unjustifiably believe that it is the best system to protect and serve their interests. This we must accept! For far too long men have dominated society and this Bill in truth will redress this male dominance and the biases and injustices it comes with for the good of the wider society. Will many selfish men stand in the way of this Bill and do all they can to block it? YES they will! Their fear is natural and we should not accept it for a valuable return that an empowered woman will be to society at large. This Bill therefore, is a call to men and all those with the mentality that patriarchy exudes to reign in and subjugate some of their unfairly and unjustly assumed power and authority for the greater good of society. As male

champions we should make men appreciate this fact rather than goon the offensive.

**Thirdly**, the Marriage and Divorce Bill **speaks to a reality of societal evolution that we find ourselves in - it is not about what ought to be (the ideal), but what is (the reality even if less than ideal)**. For instance, I am a Catholic and my faith is against the use of condoms or other contraceptives (although we have accepted it in exceptional situations). But is that conservative stance in sync with today's reality? The NO chorus of youthful Makerere students in the dialogue for which the paper was originally written proved this point. Our religious leaders who have been fervent critics of this law especially the rights in divorce and cohabitation provisions should know that despite all the teachings on the Christian marriage as a lasting union until separation by death, divorce is a reality of life and cohabitation constitutes 65% of unions in Uganda from whom the church draws many of its followers, Uganda being about 80% Christian. While they are right to argue that we should deal with the underlying causes of divorce and cohabitation and should not relent in that effort, the state shall not wait for them to fulfil this mission for a huge fraction of our population already suffer the adverse effects of this phenomenon without clear legal protection of their rights and while it persists and probably even deepens with modernity, we must protect rights of those involved now and in the future as the church and religious leaders continue with their crusade for moral uprightness.

**Fourthly**, the Marriage and Divorce Bill **is about the present as it is about the future**. If many of our current leaders are worried about the immediate effect of the enactment of the Bill on their lives now for they have multiple partners but profess otherwise or fear that their property will be shared with all they are cohabiting with, they should deal with that fear privately. Most importantly, they should worry about their sons and daughters, children and the future generation that will suffer the adverse effects of the issues articulated in the Marriage and Divorce Bill. Would I want my little girl to be raped in marriage when she is unwell? No? Can I do that to my wife? No? But the truth is, a lot of this is happening! WE challenge all those opposed to this point to visit our WPCs, FIDA Uganda and other places with this information and get educated about what happens on the ground on a daily basis! The onus should be on those opposed to the proposed law to ameliorate some of this suffering to explain why this is happening to this extent across the entire country. Are these people from space?

**Fifth**, we must all remember that the proposed law, **just like any other law will not be a panacea for all problems in marriage or other unions**. Some misinformed people seem to imagine so and therefore present the unfortunate and pedestrian argument that with the enactment of the law, the powers of clans, elders, customs, religious persons, etc. will wane. All these constituent parts of society will continue to play their role and there is enough for them to do. The law will compliment all these efforts for as long as they are not inconsistent with fundamental rights of people, their dignity and justice especially as enshrined in the 1995 Constitution of the Republic of Uganda. Let me illustrate this with a personal experience - I have had a long standing argument with my Spouse Rachel who insists I should put on my wedding ring at all times. In April as I was preparing to make a presentation to Makerere, she insisted that I wear it whilegoing for the dialogue. I accepted but then forgot it at the window (sorry Rachel). Anyhow would Rachael, under the new law, take me to Police over this? I don't think so. Why, because we can resolve it through dialogue, but should this become such a serious matter that affects her psychologically or in other ways, she will speak to my mother, maybe sisters, friends and more. Only if all that failed would she possibly seek legal redress. Is there a problem with that? I don't think so since all available avenues prior to her seeking recourse before the law would have been exhausted. That's just the way it is and should be! The law will come in where other avenues ultimately fall short!

**Sixth**, the object of the Marriage and Divorce Bill is to **reform Ugandan laws relating to Marriage, separation and divorce**, to clarify types of recognised marriages in Uganda, marital rights and duties and recognition of the reality of cohabitation only in relation to property. The Bill in sum gives effect to the principle in Article 31 (1) of the Constitution that men and women are entitled to equal rights in marriage, during marriage and at its dissolution if that should happen, as it does. This is the stated purpose of the Bill. Unfortunately it has been deliberately distorted and misinterpreted and basic tenets hidden from the wider public in order to drive it away from purpose. Some refer to it as “Marriage to Divorce Bill”. Worthy to note too is the fact that while the Bill is being touted as new, this couldn’t be farther from the truth. It is an attempt to consolidate and harmonize various laws relating to marriage, some as old as 1904.

## Some Reflections in the Contaminated Discourse on Market

It would be unfair not to respond to some unfortunate and irresponsible views and comments made by some of our leaders and in the media. As a student of Political Science, I know that perceptions can move mountains and the debate on the Marriage and Divorce Bill is so contaminated that the truth may count for nothing. Nevertheless below, I focus more on the lies and common narratives that are contaminating the discussion on the Marriage and Divorce Bill and try to expunge some viewpoints expressed in the media by political leaders, comedians, self-preserving people especially men and some fundamentalist people driven by religious doctrine. Here we go!

- **‘There are other more important issues to deal with’:** I actually agree to some extent to this assertion only that I maintain that ‘other’ doesn’t necessarily mean we subordinate the discussion on Marriage and Divorce Bill to equally important issues such as corruption, bad roads, child sacrifice, the need to restore Presidential term limits in our Constitution, domestic revenue, load-shedding or child and maternal mortality. All of these are important and for those that need a legislative review such as the Marriage and Divorce Bill, restoration of Term Limits or Electoral Reforms, we need our expensively paid Members of Parliament to work on all of them this year! And I add without accepting UGX 5million as a bribe or inducement for them to do what they are supposed and well-paid to do. We expect our MPs to work harder so we see value for money in the House!
- **‘The Bill will create commotion in homes’:** Some comediancum political leaders have suggested that because of the clause on ‘marital rape’ which term as used in the former Domestic Relations Bill doesn’t even exist in the current Marriage and Divorce Bill, one may start intercourse with their partner and for those who talk during the act, a disagreement may emerge 5 minutes along the way and at that point (and without reasonable grounds) consent breaks down and everything thereafter is rape! They suggest that after every two minutes for those who stay longer than that, we should ask, ‘honey is everything still ok’? Now if that is not comedy, I do not know what it is! Maybe a tragedy as advised by Makerere University Professor.
- **‘That the Marriage and Divorce Bill is Foreign’:** There is an accusation that promoters

of the Marriage and Divorce Bill are being funded by westerners and the whole agenda is utopian and against 'the way of doing things by Africans and their culture'. The women behind this are accused of being lesbians or promoting lesbianism and the men homosexuals. This claim cannot be further from the truth unless we are claiming that the drafters and owner of this Bill - the Government of Uganda are agents of the pervert ways of the West, if there is something like that. Secondly, this view over-exaggerates the influence of NGOs for if we are able to make a whole Minister of Constitutional Affairs prepare and sign the Bill, pass it through cabinet, presumably chaired by the President of the Republic of Uganda, in the presence of Professors and Generals who are ministers, then on to Parliament, then there is a problem with the government.

And indeed there is, as I argue below, for now, it is important to reiterate that the Bill belongs to government and it should not disown it for frivolous reasons. In fact, the Bill is good as it upholds gender equality in Marriage, harmonises existing laws on the matter, addresses the gaps there in, is fair and achieves social justice, addresses poverty and protects human rights of both spouses.

## Could the bill in fact demonstrate a wider failure of Leadership?

We should not take the foregoing for comedy or read the reactions and actions of the NRM caucus for granted. These realities present a serious challenge for this country. They tell us we have a fundamental governance problem. I argue that the impasse on this matter is yet another demonstration of the following teething problems in Uganda at present.

**The Resurgence of an Imperial President and a raging power struggle!** First, I think that the failure of this Bill should be seen as part and parcel of the wide failure of government. If a Bill can be originated in government after extensive well-documented consultative processes, pass through cabinet chaired by the president and then go to parliament and the same officials of government turn around and oppose it, there must be something fundamentally wrong with the way government does its work. And yes there is a lot which is wrong.

According to some analysts, the way that government has subjected this Bill to the strangest of dramas is a manifestation of the growing tension between two arms of the state - the Executive and Legislature and possibly the two significant leaders that head these institutions. It is argued that given the Speaker's professed passion and belief in the need for the Marriage and Divorce Bill and her determination to undo the inability of 3 previous Parliaments to enact it, its passage under her leadership would be a milestone and give her a boost in her leadership. This is particularly so, argue the analysts, because she needed to fight back after the wide perception that she 'lost' previous rounds when she took a different position from that preferred by the President in the saga around the death of Honourable Nebanda and her failure to recall Parliament last year over connected matters. Then her resolve was further tested in the Oil Debate last year that led to the passing of the Oil and Gas Legislation with an unpopular clause that gives politicians a lot of power in shaping deals in the industry - and now comes the Marriage and Divorce Bill which was proceeding well until the President stepped in and again has had his way.

**Is the NRM Party Caucus Uganda's de-facto National Parliament?** One way in which the

President is able to curtail the powers of the institution of Parliament is through the NRM Caucus which in effect is where all major decisions before parliament are taken, usually at State House and this ultimately renders Parliament that the Speaker heads, at best a toothless barking dog and at worst a laughing stalk. We saw this during the debate on Presidential Term Limits, the discussion around Oil legislation and will see more as we debate the Public Finance Bill. The President who orders the caucus as he pleases always gets his way. If they resist, he has the ability to instruct those in charge of the consolidated fund to draw millions of cash to 'legally' distribute to our often financially strapped Caucus Members and other MPs. Again, the story of betrayal of the nation by MPs in the 7th parliament when they removed presidential term limits, the forceful enactment of oil legislation late last year, the forcing through parliament of the Traditional and Cultural Leaders Act or the law that empowers some people to tap into our phones are all evidence of the mafia approach that some of our leaders have.

In short there is only one bull in the kraal and it must remain so. The principle of separation of powers, which was already under severe test at the promulgation of the 1995 Constitution is all but being put to death and with on-going efforts to get the all-important matter of deciding budget matters within the NRM caucus, we may as well consider this principle dead and think of others ways of restoring sanity.

**Unprincipled Leadership:** Perhaps most importantly, the current malaise is evidence of failing and unprincipled leadership. How can the NRM leadership which has always laid claim to being champions for women empowerment, turn around and block legislations that seek to make a significant contribution in that direction? How can majority of MPs (I need to single out a few for praise like Gen. Kahinda Otafire, and Woman MP for Nakasongola) make such a mockery of consultations by consulting people through rallies and documenting the chorus from citizens who haven't even read the Bill as a rejection of the Bill? Many Ugandans are rejecting what they don't even fully understand thanks to the distortions of and incitement of the people on the Bill by some of the MPs. If Maj. Gen. Kale Kayihura is looking for unscrupulous people inciting the public, he should arrest some of these MPs instead of the Black Monday Movement crusaders fighting against corruption.

**An Unhelpful Media:** Thirdly, the media, a very important institution for advancing democracy and justice in any society, in our opinion ought to behave more than just a blackboard where anyone with chalk can write. There are some diversionary views that have been shared by people that the media simply replays, as if some form part of entertainment. How for instance can a News Editor of a TV Station viewed across the country choose to show an MP from Karamoja who dramatizes the point that in their culture consensus is through force and that they must fight to get their women down so as to demonstrate their strength rather than accord time to advocate by explaining the Bill. The media must have a position on some of the social injustices and while they are free to provide space, even for divergent views, it is not right to simply allow comedy when we are talking about serious issues.

## Any specific message for men?

I must be sensitive to the fact that in that workshop, I was invited to share insights on the question of 'what will be the benefits to men of enacting the Marriage and Divorce Bill'. The question was



difficult and so I decided to pose it to my fellow male champions. Below I present a summary of their feedback.

- a) A fellow male champion told me to argue that patriarchy is the biggest danger that men are faced with today because patriarchy is abused power that deceptively makes men think and believe that they are in charge of the world. It has for long been used to suppress women and humanity. By undermining women and their potential, patriarchy keeps the world operating at half-potential. In having no comprehensive law that protects women and men in family relations makes the most important institution in society - the family, susceptible to abuse and collapse. I have been told that studies suggest that divorced and widowed men die faster than their female counterparts and so we have everything to gain from the proposed law especially for those desiring to live a bit longer!
- b) I also received a message and positing that the enactment of this law will partly contribute to resolving some of the key economic fundamentals especially when it comes to property sharing, unemployment and slow economic growth. Some spouses, I am told will fear to invest in matrimonial property because of the negative elements of patriarchy. Many men are highly dependent on women and so empowering them is critical for us. Like argued earlier, if were to monetize the contribution women make in our lives, we would not afford it and since we can't do that, it is only fair to recognize and accept their rightful place in society.
- c) Another male champion suggested that the law will set men free from the bondage of not living with a free conscience. The Bill if enacted will also allow men an opportunity to share their dignity with women that deliver their sons and daughters. And their sons' will inherit a new world in which they will be transformed from drivers to lovers of women. Connected to this point is an obvious but difficult to admit reality that suppressing women by men and attempting to control them is one of the biggest burdens men carry in their lives. We can set ourselves free with more empowered women in our society.
- d) Another male champion argued that the Marriage and Divorce Bill if enacted will help men grow up and stop thinking for 51% of humanity. In economic terms, women do most of the heavy lifting and research shows earning by women (forget about those who spend all their money on hair and toe nails, who are the minority) and their management of finances benefits the family more than what men do and handle. This Bill, if enacted will motivate women to do more knowing that their share is protected. Lastly, men by supporting this Bill would have contributed to building stronger families as a foundation for successful societal institutions.

## So what do we supporters of the Bill have to do?

The most critical tragedy in the current discourse is complete and deliberate misinformation. Putting the right message in a way that different people will understand it, women, men, poor, rich, young and old, differently able persons, literate or otherwise is important. Equally important is the need not to look at the advocacy for the passage of the Marriage and Divorce Bill as a benign apolitical venture that will be easily accepted by the powers that be. While trying to improve our sensitization and conscientization about (as opposed to consultation on) the Marriage and Divorce Bill to the population, we must also put some of our leaders on the spot for betraying an important cause. I outline a few ideas that are not fully developed in this paper for a deliberate reason:

- **Undertake better scenario planning:** One of the most important things we must do as advocates of this bill is to invest in scenario building and planning so that we are not taken aback by any developments or setbacks as we witnessed when the NRM Caucus resolved to shelve the bill. The framework below will ensure we are prepared at all times:

Scenario	What this would mean for the cause	What would be our actions
Best Case		
Worst Case		
In Between		

- **Expose our MPs for a poor job done on the Marriage and Divorce Bill:** It is clear that most MPs made a mockery of the so called consultations either because they are part of the conspiracy against social justice or simply have no capacity to organize proper consultations. We must challenge the outcomes of their actions and should sample people from the constituencies where MPs claim Bill has was totally rejected and take them through the Bill and let's see what they say after words. Details of this can be discussed outside this public paper.
- **Strengthen the idea of Male Champions and do a National Caravan:** It is clear that we need more male champions, including outside the NGO fraternity. We should have voices of these men in the media. A national caravan for this purpose may get a diversity of voices from religious persons, peasants, artisans, celebrities like Golola(yes he can be liberated from his views on women) and Mugula, senior citizens, traders, etc. This together with human interest voices from rural women will add value to the current voices.
- **Challenge the Media and work to develop an alternative narrative:** Despite the misgivings we have about the media, there is no doubt that they remain an important platform to engage with, in its diversity - mainstream and 'new' media. We need a good media strategy that will attempt to shift the narrative from the current contaminated one without simply having commercial relations which is what most media houses are proposing at present. Professional media advice would help in this regard.
- **Release our proposals for the amendments necessary for the Bill:** Despite the largely 'contaminated' debate, there are some constructive critiques emerging from discussions that we should respond to in a sober way. Some text may need to change without making concessions on the fundamentals. For instance do we lose anything by removing the word divorce from the title and dealing with the substance? I suggest the following format which if filled well will enable us lead a constructive discussion and also challenge those who have issues with some provisions to state their alternative.

Provision/Clause of the Bill	Constitutional Basis	Our position (retain or amend)	Our proposed text if amendment is needed
Title			
Clause 178			

This way we stand a chance of focusing the discussion on substance and specifics as opposed to form and generalities.

- Make this a political issue for 2016: Most crucially we must realize that many of the social justice causes may need to be approached a bit differently. The benign advocacy approach is under serious test in present day Uganda. Today, evidence and argument is not enough for there are far too many survivors in our political space. Guided less by the servant-leadership principles, they are preoccupied with their political survival and so a laudable undertaking should be to make it politically risky for them to ignore our demands. In the political weighing scale, we should thus add the shelving of the Marriage and Divorce Bill as one of the failures and together with 2-3 other issues, corruption being another; we should make this count in the 2016 elections. Details of how this can be done are a subject of a detailed discussion out of these pages!

## Conclusion

**‘...wherever the Marriage and Divorce Bill is taken, we shall follow it and bring it back. If they bury it, we shall unbury, if they shelve, we shall un-shelve, if they dismantle, we shall re-assemble...’ Warren Nyamugasira**

Just like I started this paper with a quote from a male Champion, so do I end with another as captured above. In addition, I have a word of caution to fellow champions of the Marriage and Divorce Bill. We should not assume that everyone sees the Bill the way we do. We must go the extra mile, be more expansive for this to get around in an effective way. We must prepare for a more protracted struggle than earlier imagined for this is an undertaking that will have far reaching effect on the balance of power and historical injustices. We should communicate better and not take anything for granted.

Without appearing to be competing with comedians and fervent critics of this piece of legislation, we ought to deploy strategies that seek to mobilize citizens from below without losing national spaces we already are present at in a synergetic urban - rural political engagement that will introduce real risk for those we are up against. In all this it may be critical to always recall, like one analyst mentioned, that ‘the real bottleneck is at the top of the bottle’. To overcome the bottleneck won’t be easy but the prospects of it and returns it could come with should give us the impetus to keep on course for if there is a long journey ahead, we must start immediately.

So while there is so much to be disappointed and upset about in this struggle for the Marriage and Divorce Bill and other reform agendas, this is not a time to despair. The ball remains in our court! WE should play our part for as a re-known leader once remarked, ‘we may never know the results that come of our actions, but if we do nothing there will be no result’! So we shall not despair.

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ActionAid is a global movement of people working together to further human rights for all and defeat poverty.

### **ActionAid Uganda**

Kampala Head Office

Tel: +256 392220002/3

P. O. Box 676 Kampala, Uganda

Kansanga Ggaba Road

Email: [info.uganda@actionaid.org](mailto:info.uganda@actionaid.org)

Website: [www.actionaid.org/uganda](http://www.actionaid.org/uganda)