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Cultural values, popular attitudes and democracy promotion: how values mediate the effectiveness of donor support for term limits and LGBT+ rights in Uganda

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Cultural Values, Popular Attitudes and Democracy Promotion

How Values Mediate the Effectiveness of
Donor Support for Term Limits and LGBT+
Rights in Uganda

Merran Hulse

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Bonn, 15 October 2018

Merran Hulse

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Abbreviations

AHA	Anti-Homosexuality Act
AU	African Union
CSO	civil society organisation
DEMG	Democracy Monitoring Group Uganda
DGF	Democratic Governance Facility
EU	European Union
FDC	Forum for Democratic Change
HRAPF	Human Rights Awareness and Promotion Forum
LGBT+	Lesbian, Gay, Bisexual, Transsexual
MP	Member of Parliament
NGO	non-governmental organisation
NRM	National Resistance Movement
OECD	Organisation for Economic Cooperation and Development
PCA	Principal Components Analysis
RLP	Refugee Law Project
SMUG	Sexual Minorities Uganda
UJCC	Ugandan Joint Christian Council
UK	United Kingdom
US	United States
USAID	United States Agency for International Development

Executive summary

Democracy is frequently thought of as a “universal value”. Donors for the Organisation for Economic Cooperation and Development (OECD) accept this assumption and take measures in recipient countries that aim to promote or uphold values they consider central to democracy, including political competition and individual equality, among others. However, some scholars have questioned whether such values are actually universally applicable, and whether donors need to disavow themselves of the notion that “one size fits all” when it comes to promoting democracy in developing countries. Nevertheless, the role of cultural values in mediating the effectiveness of democracy promotion is relatively under-theorised in existing research.

This discussion paper is part of the larger research project “What is democracy’s value?”, which aims at understanding how societal values and attitudes influence the effectiveness of international democracy promotion in African countries. The project looks at how social values and political attitudes mediate democracy promotion in two specific realms: attempts by heads of state to circumvent presidential term limits, and reforms to legislation in the realm of family law and Lesbian, Gay, Bisexual, Transsexual (LGBT+) rights. This discussion paper focusses on two cases that took place in Uganda: Yoweri Museveni’s successful 2005 campaign to remove presidential term limits from the Constitution, and the attempt to pass legislation outlawing homosexuality in 2014. In both cases, OECD donors intervened, to varying degrees, in an effort to uphold basic principles of democracy. Despite popular support for maintaining term limits, donor interventions were unsuccessful in the first case. They were, however, successful in thwarting the Anti-Homosexuality Act, even though it had a high level of popular support.

The findings of the Ugandan case studies problematise the assumed link between cultural value dimensions – popularised by cross-cultural researchers such as Hofstede, Schwartz, and Inglehart and Welzel – and popular political attitudes. A tendency towards particular value dimensions does not necessarily seem to predispose Ugandans towards particular attitudes, nor does a match or mismatch between the value dimensions of donors and Ugandans result in a corresponding match or mismatch of political attitudes. Likewise, a widespread political attitude does not dictate the outcomes of reform processes, at least in the authoritarian context in which Ugandan politics takes place. More important is the magnitude of material incentives and/or sanctions offered by donors, and the transnational alliances between international and domestic actors. This is not to say that values do not matter. Cultural values are an integral part of the social and political contexts in which democracy promotion takes place and are an important factor in informing the behaviour of executive decision-makers. A greater understanding of cultural values, beliefs and attitudes is integral for both the study of democracy promotion and designing context-sensitive and effective interventions to support democracy in recipient countries.

1 Introduction

Since the advent of the “third wave of democratisation” after the Cold War, Organisation for Economic Cooperation and Development (OECD) countries and multilateral organisations have taken up the cause of promoting democracy, particularly in developing countries. Over time, the democracy promotion agenda has been merged with the development agenda, in the belief that democracy and socio-economic development are co-dependent and mutually reinforcing (Carothers, 1999). Collectively, OECD donors have spent billions on election assistance, judicial reforms, supporting civil society, political parties, media independence and other programmes designed to support key components of a democratic society. Yet, an assessment of whether democracy promotion actually works reveals a mixed record. Without considering the methodological difficulties of assessing the effectiveness of democracy promotion, it would appear that the success of democracy promotion has been modest, at best, and most certainly doomed to failure unless driven by domestic pro-democracy actors (Burnell, 2007). One of the reasons for the mixed record on the effectiveness of international democracy promotion may be the overlooked role of societal values and attitudes towards democratic principles (Leininger, 2016). While some scholars of democratisation have claimed that certain cultures are incompatible with democracy (Huntington, 1996), others have taken the more nuanced view that “one size does not fit all” (Carothers, 1999) and that international democracy promoters should be cognisant of the possibility – and perhaps, need – for alternative and non-Western conceptions of democracy that may be a better fit for non-Western cultures (Bell, 2006). Nevertheless, scholars of democracy promotion still widely neglect a systematic integration of social values and attitudes into their empirical analyses.

Aside from informing contested and competing understandings of democracy, values may also play a role in mediating the effectiveness of interventions by international democracy promoters. This is because analysis of the effectiveness of democracy promotion tends to rest on assumptions of cultural universalism. Instruments that were effective in promoting democratisation in one location are similarly assumed to be effective in other geographic locations (Striebinger, 2016). Most notably, there is an assumption that material (dis)incentives in a context of power asymmetry and/or aid dependency will contribute to democratisation along the lines of the democratic model promoted by donors. Donors uncritically assume that the actors targeted by their interventions share the same fundamental value-orientations as themselves and will opt for democratisation when faced with the right incentives. However, not all countries are favourably disposed towards participatory politics, nor interventions from would-be democratisers (Fish, 2012). Some countries may prioritise values and attitudes that do not fit well with the values prescribed by external democratisers and are willing to forgo donor-offered incentives in order to uphold those values. Greater sensitivity towards contextual value-orientations on the part of donors can therefore help donors to design interventions that are context-sensitive and more effective.

This discussion paper is part of the larger research project “What is democracy’s value?”, which aims at understanding how societal values and attitudes influence the effectiveness of international democracy promotion in African countries. A large-scale comparison of democratic reforms in African countries from 1990 to 2015 aims to uncover the conditions under which values and attitudes influence the outcomes of democracy promotion, while a qualitative comparison of six cases of reforms across four countries (Uganda, Malawi, Mali and Senegal) aims to understand how values and attitudes influence the effectiveness of the

mechanisms of democracy promotion. In particular, this paper focusses on two reform processes that took place in Uganda between 2004 and 2014. In both cases, OECD donors intervened in domestic reform processes with the aim to improve or protect democratic principles. In the first case, donors unsuccessfully tried to halt the removal of presidential term limits. In the second case, they successfully stopped the implementation of the infamous Anti-Homosexuality Act (AHA). In both cases, donors used intervention mechanisms based on both the logics of appropriateness (persuasion, rhetorical condemnation) and consequences (economic threats, suspension of aid), with varying degrees of effectiveness. In both cases, within-case process-tracing is used to examine how Ugandan values and attitudes mediated the effectiveness of these measures.

The following section discusses key concepts, the theoretical framework linking societal values and attitudes to the effectiveness of democracy promotion, and sets out four hypotheses and our methodological choices. Section 3 details the two Ugandan cases: first, the process leading to the removal of presidential term limits in 2005, and second, the AHA of 2014. Section 4 examines the applicability of the four hypotheses to the cases. Section 5 outlines the key findings and offers recommendations to policy-makers involved in democracy promotion in Africa.

2 Research design: theory and method

2.1 Democratisation and external support

At its core, liberal democracy consists of the key elements of competition, equality, participation, vertical and horizontal accountability, freedom, rule of law and responsiveness (Diamond & Morlino, 2005). These different dimensions overlap and depend on each other, such that an improvement or regression in one area affects the other dimensions and the overall quality of the whole system (Diamond & Morlino, 2005). In this project, we focus particularly on the principles of political competition and equality and assume that improvements or regressions in either of these realms affect the overall quality of a country's democracy.

Our first set of cases is focussed on political competition. Genuine political competition through elections is a core component of any democracy. In recognition of this, many donors have supported electoral assistance programmes and the inclusion of presidential term limits when drafting the constitutions of new democracies (Posner & Young, 2007). Although not a universal feature of all democracies, constitutional term limits (usually of two terms) are argued to be a bulwark against abuses of the incumbent's power, particularly in countries in which the electoral system and other institutional checks and balances are weak (Maltz, 2007). Institutionalised term limits lower the barriers of entry to politics for new candidates, help to maintain regular turn-over of elected officials and therefore contribute to political competition (Cheeseman, 2010). They also make it harder for incumbents to develop patronage systems and arguably reduce the value of developing them in the first place, as incumbents know they will eventually be voted out of power (Wilmot, 2015).

There are several ways in which genuine political competition can be thwarted in emerging democracies. Elections may not offer any real choice due to fraud or otherwise low-quality elections. The electoral cycle may be disrupted by civil war or military coup, or incumbents

may try to make constitutional amendments that allow them to run for third or subsequent terms, with all the advantages bestowed upon them by incumbency. This has been an increasingly frequent phenomenon of young democracies in Africa (see Ntomba, 2015). However, it has not yet received much scholarly attention, as countries undergoing the “third wave” of democratisation first had to cope with the challenges of restricted elections, civil wars and military coups, which received the bulk of scholarly attention. Therefore, we focus part of our research on attempts to remove or circumvent presidential term limits.

Our second set of cases focusses on the principle of political equality. Democratisation does not occur only in delimited situations such as elections or third-term debates. It is also an ongoing process that addresses long-term changes in institutions, attitudes and values in an effort to increase the political participation of all citizens. One of the core principles of democracy is the political equality of all citizens, which involves not only equality before the law (the principle that all are subject to the same laws, regardless of race, gender, religion, ethnicity, sexual orientation, etc.), but also the opportunity for equal political participation of all citizens. Here we look at legislative reforms to family law, as this is the realm in which important advances in improving the rights of women and achieving their political participation are made. However, we also look at the issue of Lesbian, Gay, Bisexual, Transsexual (LGBT+) rights and recent attempts to institutionalise discrimination against the LGBT+ community in various African countries. We assume that such legislation undermines the equality of LGBT+ individuals and limits their political participation, in much the same way that conservative family policies can have the effect of undermining the equality and participation of women. Much of the recent wave of anti-LGBT+ legislation aims to criminalise those who advocate for LGBT+ rights (Kretz, 2013). It is comprised of fundamentally undemocratic pieces of legislation that have not yet received much attention in the literature on democratisation. We focus on these issues due to the close link they have with societal values, making it easier to analyse the role of societal values in processes of political contestation. As research on the nexus of societal values and democracy promotion is at a nascent stage, the selection of an empirical domain closely linked to values makes for a most-likely case for analysis.

The “classical” perspective on democracy promotion emphasises the role of international actors such as donors and international organisations as being one of pro-democracy “senders”, whereas recipient countries are “receivers” of norms, with negotiations over these norms taking place between the domestic and international communities (see Acharya, 2004; Axt, Milososki, & Schwarz, 2007; Börzel & Risse, 2007, 2012; Chayes & Chayes, 1993). However, the reality is rather more complex. Democratisation is often a fraught process in which different actor groups compete at the domestic level to promote their vision of political order, building alliances with other domestic and international actors in the process of advancing their agenda. Likewise, international actors are not separate from the domestic policy-making process (Leininger, 2010). International organisations and non-governmental organisations (NGOs) often found “sister organisations” in-country, which are staffed with both local and international staff who become involved in national debates. Even the embassies of donor countries and OECD donor agencies are part of the political and social systems of the countries in which they work and – in the course of their efforts to promote democracy – will take specific positions on particular political debates and build alliances with other actor groups in order to advance that position. Although they may find agreement on a general pro-democracy agenda, the positions of international actors towards particular policy issues may not be unanimous, leading to disagreement among international

actors over specific objectives and how to achieve them (Grimm & Leininger, 2012). Therefore, we erode the conceptual division between purely external and internal actors. In an effort to “bring the outside in”, we adopt an actor-centric approach that makes a conceptual distinction between pro- and contra-reform actor constellations, with each constellation having the possibility of having international, domestic, state and non-state actors belong to it. This has the advantage of shifting the analytic focus onto the dynamics between pro- and contra-actor groups, and how international and domestic groups may work together to achieve specific goals. It also acknowledges the fact that domestic actors do not unanimously welcome or reject democracy promotion, while also allowing for the possibility that there are other international actors who oppose the promotion of democratic principles (e.g. conservative states or religious organisations that may work to oppose greater freedoms for women).

2.2 Societal values, political attitudes and democracy support

Scholars of democratisation have long been interested in the question of how cultural values influence the likelihood of political transition and consolidation (see Dahlum & Knutsen, 2017; Huntington, 1996; Inglehart & Welzel, 2005; Maleki & Hendriks, 2015; Sen, 1999). However, with the exception of Steven Fish (2012), scholars of democracy *promotion* have not engaged on the question of values to the same extent.

Values are “conceptions of the desirable that guide the way social actors select actions, evaluate people and events, and explain their actions and evaluations” (Schwartz, 1999). They are abstract, intersubjective and socially transmitted notions about what is important in life that serve as heuristics, or “rules of thumb”, to guide the behaviour of individuals in society (see Boyd & Richardson, 1985; Nunn, 2012). They are thus a product of social learning and change slowly, and most times inter-generationally (Henrich & McElrath, 2003). We assume that social values inform the political attitudes of individuals. Attitudes are more concrete and observable positions towards specific issues and are more changeable than fundamental values (Schwartz, 2006). Political attitudes are relatively easy to measure via survey methods; however, value-orientations are, methodologically, a more difficult proposition. Most commonly, values are measured by mining attitudinal data to uncover particular value dimensions. The most well-known of these include Hofstede’s four cultural dimensions: *Individualism-Collectivism*, *Power Distance*, *Uncertainty Avoidance* and *Masculinity-Femininity* (2001). Shalom Schwartz (2006) used survey data to delineate seven cultural dimensions – *Embeddedness*; *Intellectual Autonomy*; *Affective Autonomy*; *Hierarchy*; *Egalitarianism*; *Mastery*; and *Harmony* – whereas Ronald Inglehart and Christian Welzel (2005), using their World Values Survey, identify two primary cultural value-orientations: *Traditional-Secular* and *Survival-Self Expression*.

We borrow from the work of Hofstede and Schwartz in our assumption that two particular value dimensions, namely *Individualism-Collectivism* (Hofstede, 2001) and *Hierarchy-Egalitarianism* (Schwartz, 2006), are relevant for debates on third terms and the rights of women/LGBT+. Hofstede’s *Individualism-Collectivism* dimension is related to attitudes towards interpersonal ties. Individualistic societies tend towards a preference for valuing the self over the group, preferring loose ties between individuals, self-reliance and competition between individuals. Collectivist societies, on the other hand, tend towards subordinating the individual to the group and show a preference for in-group cohesiveness

and cooperation, rather than competition, as a means of decision-making. Therefore, we assume that this value dimension taps into societal values regarding political competition and influences attitudes towards the issue of term limits. Our reasoning here is that more individualistic societies will tend towards favouring competitive political systems, including limits on presidential terms. Collectivist societies, on the other hand, are more likely to favour the stability of the social unit and may fear that political competition will result in instability, making them less inclined to support the idea of term limits.

Schwartz's *Hierarchy-Egalitarianism* dimension is related to how power, resources and roles should be distributed in society. Hierarchical societies tend to view the unequal distribution of power, resources and roles as legitimate, and individuals are socialised to comply with the rules and obligations attached to their ascribed role in society. Egalitarian societies, on the other hand, are ones in which individuals are encouraged to view each other as moral equals who shared basic interests and rights as human beings. We assume that this value dimension taps into values related to equality and influences attitudes towards the rights of women and the LGBT+ community. Societies that value egalitarianism are more likely to view women as having the same rights and entitlements in society as men, and they are more likely to tolerate homosexuality, or at least oppose legislation that aims to limit the rights of LGBT+ individuals. Hierarchical societies are more likely to be patriarchal and impose limits on the rights of women and/or sexual minority groups.

Unfortunately, neither Schwartz nor Hofstede extensively surveyed African countries, and we lack comparative data on *Individualism-Collectivism* and *Hierarchy-Egalitarianism* value dimensions across all of our cases. To compensate, we identified several items from the Afrobarometer survey that can be mapped onto the two value dimensions and used these items to construct an index of *Individualism-Collectivism* and *Hierarchy-Egalitarianism* for each of our case studies (see Annex II).

2.3 Social values, actor constellations and the effectiveness of external support for democracy

Measuring the effectiveness of democracy promotion interventions is notoriously difficult. There is the problem of determining what we mean by “effectiveness”, whether we look at immediate outcomes or more long-term impacts, and the difficulty of attributing any positive or negative developments, specifically to donor interventions (Burnell, 2007). For the purposes of this qualitative case study, we conceptualise effectiveness in terms of a donor's self-set goals (was their goal to further democracy in the country, and if so, how?), and the extent to which they were able to achieve their self-set goals. Our assessment is based on the reflections of individuals within the donor community, collected via interviews as well as secondary media sources. We also consider the democratic quality of the support itself. Non-participatory, perhaps even coercive, interventions can undermine democratic procedures within the recipient country, even if the final outcome is considered “good” for democracy. This acknowledges that there is at times a tension between outcomes and processes in international democracy support (Burnell, 2007).

This brings us to the point that there are different instruments via which donors can promote democracy. These can be distinguished according to whether they operate via a logic of consequentialism or appropriateness. Instruments that operate via a consequentialist logic,

such as sanctions, legal impositions or financial incentives, induce behavioural change by appealing to actors' rational, cost-benefit analysis of the situation. Actors are expected to rationally weigh their various options and choose a course of action based on expected material payoffs (Striebinger, 2016, p. 7). Democracy promoters can therefore facilitate democratisation by ensuring that the benefits of democratic behaviour outweigh the costs of undemocratic behaviour. The logic of appropriateness, on the other hand, understands behaviour in terms of what actors believe to be an appropriate response to a given situation, regardless of material factors (Checkel, 2005; Börzel & Risse, 2012). Democracy promotion instruments based on a logic of appropriateness therefore focus on changing understandings of appropriate behaviour, usually via socialisation and persuasion through training programmes, capacity-building and other accompaniment measures. Donors can also signal whether they perceive behaviour as being (in)appropriate via verbal support or condemnation; but, as has been pointed out, the esteem in which donors are held by recipient countries determines how effective rhetorical interventions are (Fish, 2012). If donors are not esteemed, then their (dis)approval is less relevant to domestic actors, and they are less concerned about a loss of international legitimacy or the risk of "shaming" by international actors (Striebinger, 2016).

Both types of instruments implicitly rely on value judgements for their effectiveness (Striebinger, 2016). For example, when faced with a donor intervention, a head of state's cost-benefit analysis is likely to include *immaterial* social costs and benefits as well as *material* ones. Responding to donor incentives may bring material benefits, but it may cause sufficient social costs among a domestic audience that recipient countries willingly forgo the material incentives on offer from donors. Alternatively, a recipient country may hold donors in high esteem and deeply value their approval, sufficiently so to incur domestic material costs in seeking international approval. Prevailing social values in the recipient country play an important role in the calculation of immaterial costs and benefits. Domestic decision-makers take into account the values and attitudes of the society they operate in, as well as the values, attitudes and incentives being offered by the international community, and in this way aggregate material and immaterial incentives emanating from both domestic and international sources when charting a course of action.

Following this reasoning, we develop four hypotheses regarding how social values mediate the effectiveness of donor interventions to support democratic principles.

H1: The more organisational resources a (domestic) actor group controls, the more likely it is to achieve its aims.

Our first hypothesis does not deal directly with social values; however, it is important for evaluating the effectiveness of donor interventions, particularly in cases where interventions are focussed on supporting civil society actors who are key stakeholders in domestic reform processes. The hypothesis stems from insights in the literature on social movements, which notes that organisational resources are required for successful mobilisation (Jenkins, 1983). Relevant resources include financial resources – sometimes supplied by donors – as well as human resources, informational capital, linkages with other groups in society and the number of members or followers that the group can successfully mobilise (Edwards & McCarthy, 2004; McCarthy & Zald, 1977). Groups that can draw on greater resources are more likely to be able to influence the reform process in the direction of their objectives. Many civil society organisations (CSOs) in Africa rely on donor funding as their primary

source of funding. Although this can increase their capacity, donor funding can at times be a double-edged sword, as foreign-funded CSOs sometimes find themselves under attack on the grounds that they are perceived to be promoting “foreign” interests (Carothers & Brechenmacher, 2014). This brings us to our second hypothesis:

H2: The greater the match between an actor group’s position and prevailing political attitudes, the more likely it is that the actor group achieves its aims.

Societal values are a part of a country’s culture and play a role in informing individual attitudes towards political issues. However, that is not to say that culture or values are unchanging monoliths and that everyone in a society has the same values and attitudes. As the above discussion on internal/external actor constellations illustrates, there are groups of liberal and illiberal actors that participate in national debates and try to influence the process one way or another. The extent to which they are able to influence the debate depends, to a certain extent, on how well their agenda fits with prevailing social values and attitudes among the mass population. If progressive groups find little popular support due to a mismatch of values and attitudes, then they are less likely to successfully sway the debate. Such groups may find themselves discredited and delegitimised as “foreign agents”, particularly if they are recipients of donor funding.

H3: The greater the fit between values promoted by donors and prevailing social values, the more likely it is that material incentives contribute to reform in the direction supported by donors.

Hypothesis three factors values into a consequentialist logic of decision-making. We assume that material (dis)incentives offered by donors are less likely to be effective if there is a great gulf between the values promoted by democracy promoters and prevailing social values in the recipient country. The perception that decision-makers follow a foreign, donor-imposed agenda that does not fit with domestic values and priorities can create negative audience costs, and perhaps even threaten the likelihood of being re-elected. On the other hand, we expect material incentives to work most effectively if there is a shared consensus on values between donors and the recipient country, as there is then little risk of negative audience costs.

H4: The higher the esteem in which donors are held by recipient countries, the more likely it is that rhetorical interventions from donors contribute to reform in the direction supported by donors.

Finally, there is the matter of how democracy-promoting donors are perceived within the recipient country. Some recipient countries may be more favourably disposed to outside intervention than others, and they may be more or less favourably disposed to particular foreign actors engaged in democracy promotion (Fish, 2012). For example, a particularly acrimonious relationship with a former coloniser may make a country wary of any interventions originating from the former coloniser, or even “the West” in general. If donors are not esteemed, then their approval is less relevant to domestic actors, and they are less concerned about a loss of international legitimacy or the risk of “shaming” by international actors (Striebinger, 2016). On the other hand, if donors are held in high regard in the recipient country, then the social costs generated by rhetorical condemnation and international shaming are higher and more likely to contribute to moves towards democratisation along the line prescribed by donors.

2.4 Methodological approach and case selection

In order to answer these hypotheses, we collected data on all attempts to prolong presidential term limits and attempts to reform family law or legislation pertaining to LGBT+ rights in Africa (including North Africa) from 1990 to 2016. We identified opportunities for third-term attempts by identifying instances when a term limit was reached and whether the incumbent made an attempt to prolong his term. This was then classified as “successful” or “unsuccessful” according to whether the incumbent was able to both remove constitutional term limits and win a subsequent election, thereby allowing him to stay in power. We identified 48 instances in which presidential term limits were reached. There was an attempt to prolong term limits in 18 of these cases, and 13 of these were successful. Regarding law reforms in the area of family law/LGBT+ rights, we identified 172 attempts to reform legislation, 139 of which were successfully passed into law.¹ Of these, 91 improved the rights of women or LGBT+ people, while 11 eroded them.

Uganda was chosen as one of our country case studies, as it saw a successful attempt by President Yoweri Museveni to extend term limits in 2005, and an unsuccessful attempt to legislate against LGBT+ rights in 2014 – both of which were subject to donor interventions and the subject of value-laden debates within the country.² It is also a country in which OECD donors are highly active. Historically, Uganda has been highly aid dependent. Theoretically, this would give donors a high degree of leverage in supporting democratisation in Uganda (Mkandawire, 1999; Abrahamsen, 2000; Kersting & Kilby, 2014). However, donor efforts to support the principles of political competition and equality have not met with unambiguous successes.

We trace the process of Museveni’s removal of term limits and the passage of the AHA to determine the role of social values in mediating the effectiveness of donor interventions in these two cases. This was done by collecting newspaper articles concerning both cases, using online archives of the two primary newspapers in Uganda, *The Daily Monitor* (an independent newspaper) and *New Vision* (an outlet with the Ugandan government as the majority shareholder).³ This was supplemented with primary documentary evidence and Wikileaks diplomatic cables, where applicable. I also conducted 14 interviews with CSO actors and members of the donor community in Kampala in May 2017.

Ugandan social values and attitudes are probed using a combination of Afrobarometer data and opinions expressed in interviews and the media.

1 Successful law reforms are in all likelihood somewhat over-represented, as we identified cases by combing media reports. Successful or particularly contentious law reforms are more likely to be reported in the media, and therefore unsuccessful legislative attempts that did not attract media attention are probably under-represented.

2 For the comparative aspect of the project, we selected six cases with varying outcomes and with similar/dissimilar context conditions to create most-similar and most-different pairings. This is the subject of another paper.

3 *The Daily Monitor* was previously known as the *The Monitor* from 1992 until June 2005.

3 Country analysis: democratic reforms in Uganda

3.1 Political background in Uganda: from independence to present

Uganda achieved independence from Britain in 1962. The centuries-old Buganda kingdom was granted a special position within the new state. Although Milton Obote was elected Executive Prime Minister, with the Queen of England as head of state, a constitutional amendment in 1963 enabled the *Kabaka* (king) of Buganda to be appointed head of state as Non-Executive President. Ethnic, religious and geographic divisions led to the collapse of the post-independence government. In 1966, Obote's troops overran the *Kabaka's* palace and sent him into exile, weakening the power of the traditional monarchies, after which a new Constitution was drawn up and Obote was declared President. A military coup in 1971 overthrew Obote and placed General Idi Amin in power. The Amin regime was characterised by its brutality and economic mismanagement, with Human Rights Watch estimating the number of Ugandans killed by the regime to be between 100,000 and 500,000 (Human Rights Watch, 1999). Aside from brutal human rights violations, the Amin regime erased any semblance of democratic rights and principles, suspended the Constitution and elections, dissolved Parliament, gave the secret police almost unlimited power and persecuted ethnic minorities. Amin was overthrown in 1979 with the assistance of Tanzanian troops. Elections were held in 1980, and Milton Obote became the President for a second time. His second term was marked by violence, repression and a long-running war against armed opposition groups. Obote was overthrown by a military coup in 1985. After a few months of chaotic rule by the Military Council, the National Resistance Movement (NRM), led by Yoweri Museveni, seized control of the country in 1986.

Museveni implemented a “no-party” system in which political parties exist in name only. Parties were forbidden from campaigning or fielding candidates for office, with all political activity taking place under the auspices of a national umbrella organisation, known as “the Movement”, to which all candidates and voters belonged. Museveni justified this system on the grounds that multi-party democracy risked exacerbating ethnic and religious divisions, and in the past gave rise to dictators such as Amin and Obote. Museveni brought some degree of stability and economic development to the country, and during the 1990s he was lauded by Western countries as one of a “new generation” of African leaders (Ottemoeller, 1998).

In preparation for the first elections under the Movement system, a new Constitution was drafted in 1995. The Constitution guaranteed individual rights, separation of powers, term limits, and “other mainstays of effective democracy”, with the exception that the Constitution made Uganda a “no-party” state (Izama & Wilkerson, 2011, p. 65). The 1996 elections, with an overwhelming win for Museveni and his NRM, effectively endorsed the no-party system over the opposition's vision of a multi-party democracy (Ottemoeller, 1998). By the mid-2000s, the no-party system resembled a one-party system, and with increasing levels of human rights abuses and corruption, Western donors became more critical of Museveni's regime than they were in the 1990s (Tangri, 2006).

Uganda saw the introduction of a multi-party system in 2005; however, there has been little democratic consolidation. The NRM retains power through manipulation of state resources and elections as well as the intimidation of opposition forces (Freedom House, 2017). Corruption is endemic, with the country ranked 151 of 180 on Transparency International's

Corruption Perception Index (2017). Corruption scandals resulted in several OECD donors temporarily suspending aid in 2013.

Ugandan societal values

Our constructed indices of *Egalitarianism-Hierarchy* and *Individualism-Collectivism* indicate that Uganda is more egalitarian than hierarchical, and slightly more collectivist than individualistic (see Table 1 and also Annex II). This is supported by a recent study extending Hofstede's value dimensions to Ugandan university students. Rarick et al. (2013) find that Ugandan culture has a low degree of tolerance for unequal power relations in society, being similar in its egalitarian preferences to countries such as the United States (US) and Germany, and being more egalitarian than many other sub-Saharan countries (Rarick et al., 2013, p. 4). On the other hand, Rarick et al. find Uganda to be a much more collectivist country than most developed countries, although with scores similar to those of other African countries (Rarick et al., 2013, p. 6). Based on our reasoning of how such value-orientations connect to attitudes towards political equality and competition, we might expect popular attitudes to reject law reforms that discriminate on the grounds of gender and/or sexual orientation, and to reject individualistic competition institutionalised through term limits in favour of cohesion and stability.

Table 1: Ugandan value-orientations	
Egalitarianism-Hierarchy 0 = totally egalitarian 1 = totally hierarchal	Individualism-Collectivism 0 = totally individualistic 1 = totally collectivist
0.395	0.542

3.2 Case 1: constitutional reforms to remove term limits

Domestic reform process

The two-term limit imposed by the 1995 Constitution meant that after winning two consecutive elections in 1996 and 2001, Museveni was due to stand down in 2006. In his election campaign for the 2001 election, Museveni pledged to stand down at the end of his term and oversee Uganda's first-ever peaceful transfer of power (Tangri, 2006). However, this was not to be the case. In 2003 a Constitutional Review Committee was appointed by the executive and asked to review and recommend changes to the 1995 Constitution. They submitted a final report in December 2003. However, the committee's work was subject to heavy political influence, such that it changed its initial recommendation to maintain a two-term limit to recommending a referendum on the issue.⁴ In mid-2004, the Cabinet issued a White Paper, based on the committee's report, which recommended 114 changes to the Constitution. The most notable proposed changes included lifting restrictions on political

4 The Ugandan Constitution requires such a change to be made with Parliamentary assent rather than a referendum. Commentators suggest that the report made the (unconstitutional) recommendation due to political pressure, as Museveni was relatively assured of a victory by popular vote, but less certain that Parliament could be swayed to his will (Tangri, 2006).

parties, introducing a multi-party system, imposing sanctions on traditional leaders who violate the Constitution, and the removal of presidential term limits.

In December 2004, the government presented the Constitutional Amendment Bill, which contained more than 100 proposed changes, to Parliament. Opponents criticised this “omnibus legislation”, as it bundled together positive changes with negative ones and suggested passing all proposed changes together, even though some changes required different ratification procedures (“Too late for Museveni to become an Eyadema”, 2005; Interview 3). Content-wise, all actors – government and opposition alike – were in favour of the introduction of multi-party democracy (Makara, Rakner, & Svasand, 2007). Most of the controversy was generated over the proposed deletion of Article 105(2), which would remove the limit on presidential terms and allow Museveni to run for a third term.

The bill was put to parliamentary debate in February 2005. The Parliament was divided on the proposed changes to Article 105(2), with some Members of Parliament (MPs) strongly opposing the change on the grounds that it would “create dictators” (“Too late for Museveni to become an Eyadema”, 2005). Other MPs sought a compromise that would allow Museveni an extra term through a transitional arrangement while maintaining term limits in the Constitution (“MPs vote for Kisanja”, 2005). Those in favour of removing term limits argued that the introduction of multi-party democracy risked creating instability, especially if Museveni was obligated to step down. Removing term limits, they argued, would allow Museveni to stay in power and soothe the transition to multi-partyism. Thus, the term limits issue became linked to the move to multi-partyism. However, the sincerity of such arguments is undermined by well-founded allegations that approximately 70 per cent of sitting MPs in Parliament received cash payments in exchange for their support on the bill, including the removal of term limits (Tangri, 2006; Tripp, 2010; Interview 3). Many political actors were also enjoying the spoils of office under Museveni’s patronage and would fear losing access to resources or facing possible prosecution under a different regime (Tangri, 2006; Interview 1).

The *Kisanja* Bill, as it became known, was put to a vote in Parliament on 28 June 2005.⁵ The voting procedure was changed from a secret vote to an open vote, in an effort to police the votes of the MPs who had received cash payments (Tangri, 2006; Interview 3). MPs voted 232 to 50 in favour of removing term limits from the Constitution, along with 97 other repealed or amended articles contained in the same amendment bill. MPs who voted in favour of repealing term limits justified their decision on the grounds of not wanting to block the other 97 amendments; high levels of popular support for Museveni and the NRM among their domestic constituents; the necessity of political survival; and the need to maintain stability during the transition to multi-partyism. For example, MP Dr Steven Malinga justified his vote thus:

This country is going through a transition. We are venturing into an area [multi-partyism] we haven’t known for 20 years. Therefore, it is important that we get somebody who is experienced, knowledgeable and has his feet on the ground to guide the country through this period. Any misadventure, we could end up experiencing what we went through in the ’70s. (The Daily Monitor, 4 July 2005)

5 *Kisanja* means “to give someone a second chance” in the Kiganda language.

A month after the parliamentary vote on the term limits, a referendum on the introduction of a multi-party system was held. Voters were asked whether they agreed to “open up the political space to allow those who wish to join different organisations/parties to do so to compete for political power?”, with 92 per cent voting “yes”. Interestingly, a referendum five years earlier, in June 2000, came to the exact opposite conclusion, with 90 per cent of voters preferring to maintain the Movement system instead of a multi-party one.

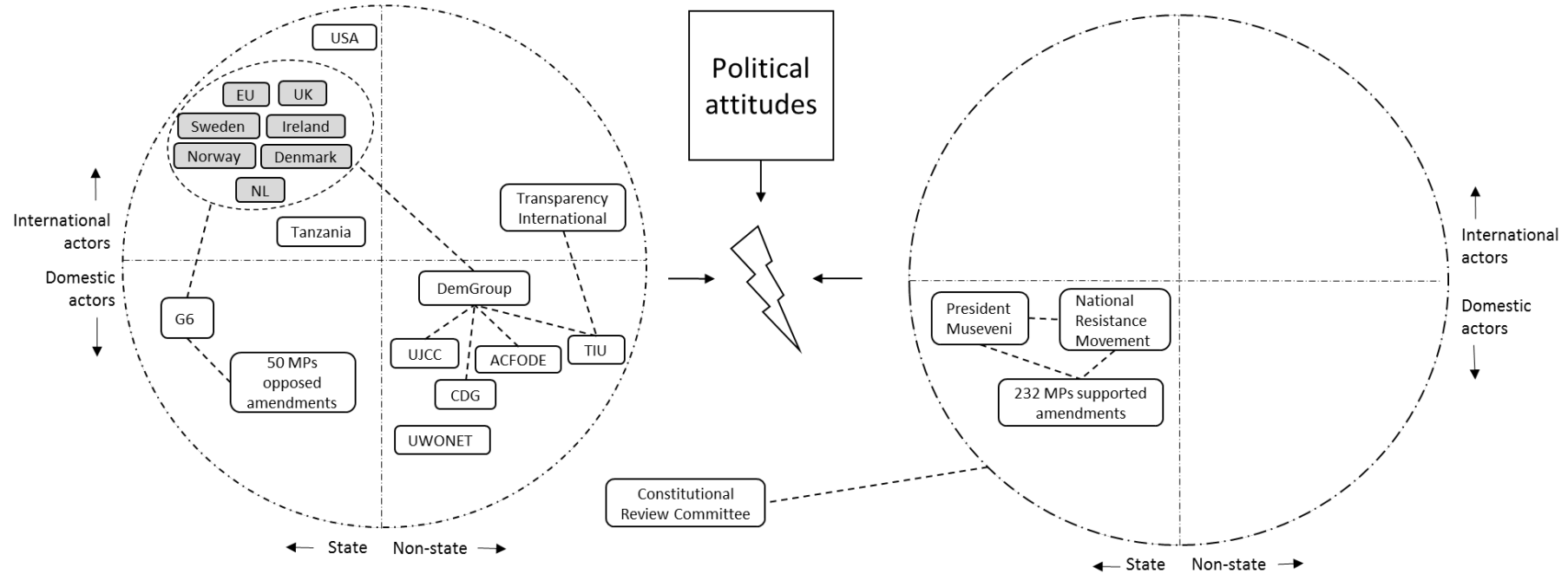
Figure 1 shows the main actor constellations involved in the debate over term limits in the 2004-2005 period. Those opposed to the removal of term limits included several civil society groups who protested against the removal of Article 105(2), as well as opposition parties and MPs in the Parliament, some of whom approached the donor community for support. Initially, the Constitutional Review Committee was also opposed to removing Article 105(2); however, undue political influence and stacking of the committee with Museveni allies effectively neutralised its opposition.

Figure 1: Pro and contra actor groups involved in term-limit debate, 2004-2005

Uganda 2005

Actors opposed to removal of term limits

Actors in favour of removing term limits



G6: "Group of Six" opposition parties
DEMGroup: Democracy Monitoring Group Uganda
UJCC: Uganda Joint Christian Council
CDG: Centre for Democratic Governance
ACFODE: Action for Development
TIU: Transparency International Uganda
UWONET: Ugandan Women's Network

Source: Author

Civil society/other actor constellations

The proposal to remove term limits did not generate particularly strong opposition from civil society, partly due to the fact that active civil society was discouraged under the Movement system and was not particularly strong at the time (Tangri, 2006). What few protests there were came from women's rights activists, particularly the Ugandan Women's Network, which descended on the Parliament to protest, and the Ugandan Joint Christian Council (UJCC), which adopted a resolution opposing the removal of term limits, but later acknowledged that Parliament had the power to amend the Constitution (Tangri, 2006). The UJCC was part of an NGO consortium called DEMGroup (Democracy Monitoring Group Uganda). However, there is little evidence that this group, or the other members of the group, were outspoken or mobilised on the term-limit issue, which is possibly the result of a lack of organisational capacity. The main opposition to the lifting of term limits came from opposition parties and their MPs in Parliament. The Forum for Democratic Change (FDC) organised several protests against the removal of terms limits on the streets of Kampala ("Ugandans will decide their political future", 2005). MPs opposed to the removal of Article 105(2) formed a pressure group within the Parliament. At an earlier point, they believed they had sufficient numbers on their side to stop the proposed changes, but intimidation and bribery eroded their numbers ("Opposition loses hope", 2005). While the political manoeuvring to secure the removal of term limits was well documented in the independent print media, government influence over radio broadcasting and state-owned newspapers – the means through which the majority of rural Ugandans receive news – meant that both sides of the debate were not well-represented, particularly among audiences in rural Uganda (Tangri, 2006).

International interventions

Although generally well-disposed towards the Museveni regime due to its ability to deliver economic development and contributions towards regional stability (Tangri, 2006), Western donors were opposed to the attempt to remove term limits. Both American and British diplomats raised their concerns directly to Museveni in private meetings ("America against third term", 2005; Tangri, 2006), while Tanzania President Benjamin Mkapa also privately urged Museveni to retire at the end of his term ("Kisanja threatens EA unity", 2005). The main opposition party, the FDC, lobbied the international community, particularly the European Union (EU), the United Kingdom (UK), Denmark, Norway and Ireland – countries with strong records of promoting good governance in Uganda – to suspend aid in response to the attempt to remove term limits. In response, Britain suspended \$9 million in budgetary support due to concerns over the handling of the political transition to multi-partyism and the lifting of term limits ("Britain blocks aid to Uganda", 2005). The British High Commissioner also publicly condemned Museveni's attempts to stay in power, stating, "very few [leaders] retain respect after overstaying in power" ("British envoy warns against third term", 2005). Other donors also cut their aid by small amounts, but these were "limited gestures intended for domestic consumption in donor countries" and unlikely to seriously deter Museveni and his supporters (Tangri, 2006, p. 193; Interview 3).

Evidently, this limited donor intervention was not sufficient to sway the agenda, as a few days later the *Kisanja* Bill was passed in Parliament with a healthy majority. After the fact, the outgoing American ambassador also condemned the removal of term limits, stating that "term limits contribute to democracy ... especially in African countries where the questions of

succession are so difficult”, and that “we have been uncomfortable with the process” in which the Constitutional amendments have been conducted (“President Bush not opposed to Museveni’s third term”, 2005). Likewise, Benjamin Mkapa also condemned the removal of term limits while on a state visit to Kampala (“Of Museveni’s Kisanja and Mkapa’s words of wisdom”, 2005), but again, this was after the vote had taken place and, evidently, not an intervention that could sway the debate in a meaningful fashion.

In all, the international response to the removal of term limits was minimal. Part of the reason for this is that donors, who had been heavily pressing for the introduction of multi-party democracy, were caught somewhat unawares by the “omnibus legislation”, the implications of which took some time to untangle. Secondly, there is the sense that some corners of the donor community perceived the removal of term limits as an acceptable concession in return for multi-party democracy, especially given Museveni’s relatively good international reputation at the time (Interview 3). Thirdly, the Ugandan Parliament noted that development partners may have been divided on the matter due to their varying constitutions and practices, which provide for both open and limited terms (“Legal team dodges 3rd term decision”, 2004).

Ugandan political attitudes towards term limits and international actors

Afrobarometer data on attitudes towards term limits in Uganda were collected in Round 2 (2002) and Round 4 (2008). In both instances, respondents indicated a high level of popular support for the idea that Presidents should not serve more than two terms in office (80 per cent and 72 per cent, respectively). Round 3 was conducted in Uganda from 12 April to 4 May 2005, the same time period that the debate over term limits and the transition to multi-partyism was taking place. On this round, several questions pertaining to political parties and term limits were asked. The results indicated a real scepticism of the value of multi-party democracy, with 38 per cent approving of the idea that only one party should be allowed to run for office, and 42 per cent agreeing that political parties create division and confusion. The same survey also indicated a very high level of trust in the President (78 per cent trusting the President “a lot” or “somewhat”) and that most respondents were in any case unaware of how many times an individual can be elected President (only 40 per cent gave the correct answer). This perhaps indicates some level of popular support to the argument put forward by some MPs, that the transition to multi-partyism necessitated the lifting of term limits, so that Museveni could oversee the transition and ensure continued stability. Likewise, many interviewees underlined the perceived importance of stability in Uganda as a factor in Museveni’s popular support, particularly among rural and older voters who remember the turmoil of the 1970s and 1980s (Interviews 7; 11; 1; 3; 8).

We do not have exact data on how Ugandans perceive Western donors. However, Round 2 (2002) did ask Ugandans how well various international organisations – including the East African Community, the African Union (AU) and the EU – were doing their jobs. Survey responses suggest that Ugandans have favourable perceptions of these three organisations at about a similar rate (27 per cent, 27 per cent and 28 per cent, respectively), but the majority of respondents did not know enough about the organisations to adequately respond. This would suggest that the average Ugandan citizen is not overly concerned with Uganda’s international reputation. In any case, neither the AU nor the EU made any kind of intervention, rhetorical or otherwise, in the third-term debate. Benjamin Mkapa, in his capacity as the Tanzanian head of state, could be considered an East African Community representative,

especially as his public comments included references to how the third-term issue could threaten the unity of the East African Community (“MPs’ reactions to Kisanja vote”, 2005). However, this seems to have had little overall effect on the nature of the debate. Several government agents wrote op-eds in the national newspapers attacking Western donors for imposing multi-partyism on Uganda and having double standards for advocating for term limits when many donors do not practice this at home (“Ugandans will decide their political future”, 2005; “We cannot go multiparty without Museveni”, 2005; “What’s good for Britain”, 2005; “Yes or no, Museveni is winner”, 2005).

3.3 Case 2: Anti-Homosexuality Act

Domestic reform process

In 2008, Ugandan human rights activists became aware of a proposed anti-homosexuality bill, drafted by socially conservative MPs. The bill was allegedly drafted with the help of US evangelicals, who had been holding prayer breakfasts and seminars on “exposing the homosexual agenda” in Uganda (Williams, 2013; Wikileaks, 2009a; Interview 1). In April 2009, MP David Bahati, accompanied by several religious leaders and family-focussed CSOs, proposed to table a private members bill in Parliament in order to strengthen Uganda’s existing provisions against homosexuality. Bahati and other speakers during the debate framed homosexuality as a serious threat to children and traditional family structures, and as something imposed on Ugandan society by international actors such as the United Nations (Parliamentary Debate, 29 April 2009). Even at this stage, it was clear that supporters of the act, such as MP Benson Obua-Ogwal, anticipated a negative response from the donor community:

I have heard a few cowardly voices in the corridors which purport that if we do not support homosexuality, then Uganda stands to lose aid. I would like to say that we cannot afford to mortgage and sacrifice the future of our children on the altar of aid and that is why we have to stand firm. (Applause) [...] we can afford to do without aid if it is pegged to homosexuality. (Parliamentary Debate, 29 April 2009, p. 6)

MPs approved the motion, and the private members bill was tabled in October 2009. The AHA proposed possible life in prison for the offence of homosexuality and possible death penalty for “aggravated homosexuality”.⁶ It also criminalised anyone “aiding or abetting acts of homosexuality”, or any individual or organisation perceived to be promoting homosexuality. It would also punish any person in authority who is aware of offences under the act and fails to report them to the relevant authorities within 24 hours, thus affecting landlords, teachers, health workers, counsellors, lawyers or any other person or organisation providing services to the LGBT+ community.

The proposed legislation met with intense international condemnation, particularly over the proposed use of the death penalty. Subsequently, the Legal and Parliamentary Affairs Committee recommended that the death penalty be dropped from the act. Nevertheless, several hundred people, led by evangelical leaders, gathered in Kampala to demonstrate their

6 Aggravated homosexuality was defined to include same-sex acts with a person under 18 or a disabled person; committed by a person who is HIV-positive; committed by a parent, guardian or person in a position of authority; or involving the use of drugs.

support for the act (“The love that still dare not speak its name”, 2010). Shortly afterwards, President Museveni made a public statement distancing himself and the NRM from the act and expressing reservations over the potential international effects of the act: “It’s not just our internal politics. It is a foreign policy issue, and we must handle it in a way which does not compromise our principles, but also takes into account our foreign policy interests” (President Museveni, quoted in “Museveni warns NRM on Homo Bill”, 2010).

Museveni appointed a Cabinet Committee to review the AHA in 2010. The Committee found the AHA to have many technical defects in both form and content, as many clauses were found to be either unconstitutional or redundant due to existing laws. The report recommended that the “useful aspects” of the act be integrated into the existing Sexual Offences Act. However, the Committee did recommend that outlawing the “promotion of homosexuality” should be considered (Branch, 2010). Following the findings of the report, the Cabinet unanimously voted that existing laws against homosexuality are sufficient and recommended the bill be withdrawn. Nevertheless, the Parliament voted to reopen the debate in October 2011, and in February 2012, Bahati reintroduced his private members bill.

By this point, Rebecca Kadaga, a prominent anti-gay campaigner, had been appointed the Speaker of Parliament, making it easier for Bahati to re-table the AHA. In October 2012, Kadaga travelled to Canada to attend the 127th Assembly of the Inter-Parliamentary Union. Canadian Foreign Minister John Baird used the opportunity to strongly criticise Uganda’s record on protecting the rights of the LGBT+ community, referencing the recent murder of activist David Kato.⁷ Kadaga was offended by his comments and stated: “When we came for this Assembly [...] we expected respect for our sovereignty, our values and our country [...] if homosexuality is a value for the people of Canada they should not seek to force Uganda to embrace it” (quoted in “Kadaga, Canadian Minister in gay row”, 2012).

Upon her return to Uganda, Kadaga stated that she would not be intimidated by Western powers and announced her intention to re-table the AHA on the parliamentary agenda (Parliament of Uganda, s.a.). The AHA was tabled for a vote on 20 December 2009. However, the Speaker arranged for the AHA to be left off the Order Paper, meaning that only a select few actually knew that the act would be debated and voted on that day (Paszat, 2017). Fewer than 20 MPs spoke on the issue, and some reports put fewer than 20 MPs in Parliament who were actually present to vote on the AHA on the day (Paszat, 2017, p. 2034). The act “passed” the vote, although the vote was opposed by the Prime Minister on the grounds that the required quorum for passing legislation was not present. Nevertheless, the act was passed on to the executive for presidential assent.

Museveni delayed signing the AHA while awaiting the results of a report he commissioned on whether homosexuality is a choice (“Uganda: Museveni ‘seeks US advice on homosexuality’”, 2014). He also wrote to the Speaker, expressing his reservations and belief that religious convictions should not drive public policy:

I normally separate spiritual matters from social issues. [...] My private view, which I never seek to impose on anybody, is that people can have different social arrangements and be very spiritual. Can’t a Moslem who is polygamous be as spiritual, as godly, as a Christian who is monogamous? (Quoted in Paszat, 2017, p. 2037)

7 A member of the Sexual Minorities Uganda (SMUG) activist group, David Kato was murdered less than a year after his picture appeared in a tabloid newspaper as part of an article titled “100 Pictures of Uganda’s Top Homos: Hang Them!” A male sex worker was sentenced to 30 years in prison for his murder.

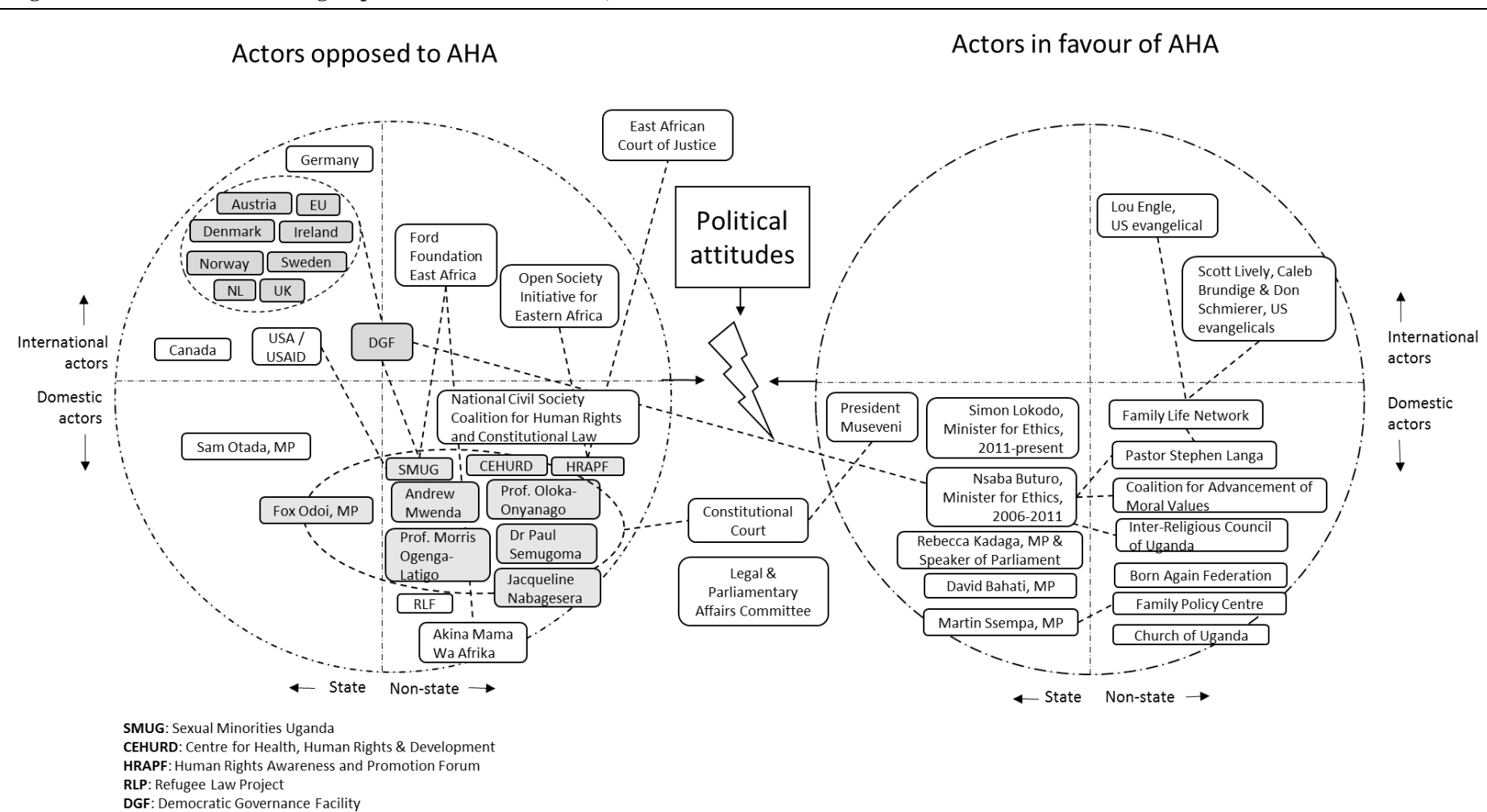
Given Museveni was acutely aware of the donor position (see below) and the potential negative effects on Uganda's international reputation, he most likely preferred to avoid such legislation, even if he himself was "intemperate" on the issue of homosexuality (Wikileaks, 2009b). However, he would risk alienating influential MPs, religious leaders and a socially conservative public by openly opposing the AHA and being seen to stand up for the rights of the LGBT+ community. By February 2014, though, Museveni had evidently changed his position, as he signed the act after stating that there was no evidence that homosexuality is something people are born with (Paszat, 2017). The signing of the AHA immediately met with strong international condemnation, and several key donors – including the United States Agency for International Development (USAID), the EU, the Netherlands, Norway and Denmark – suspended aid to Uganda (see below). A subsection of the civil society coalition (illustrated in Figure 2 by the dotted line encircling the shaded domestic actors) lodged a petition against the AHA at the Constitutional Court, calling for the law to be struck down on the grounds of violating the Ugandan Constitution and international human rights conventions (Oloka-Onyango et al. vs Attorney General of Uganda, 2014). On 1 August, the Court nullified the AHA on a technicality, ruling that the AHA passed without the required quorum. The Court issued its ruling on the AHA remarkably quickly ("Uganda court annuls anti-homosexuality law", 2014; Gettleman, 2014), and many commentators believe the Court was directed to make its ruling by the executive.

Civil society and other actor constellations

The AHA received much support from several family-orientated CSOs, many of them run by Ugandan evangelicals with strong links to international evangelical networks, particularly from the US (Williams, 2013; Wikileaks, 2009a; Interview 2). For example, it was the Family Life Network, run by Pastor Stephan Langa, which hosted the 2009 seminar on "Exposing the Homosexual Agenda", which was attended by American evangelicals and several Ugandan MPs and the Minister of Ethics and Integrity. The AHA was also supported by more mainstream religious actors, including the Anglican Church of Uganda and the Inter-Religious Council, which brings together the religious leaders of the Catholic, Anglican, Orthodox, evangelical and Muslim communities. The Forum for Kings and Cultural Leaders in Uganda also supported the AHA and expressed their alarm at "how Western governments and their agents are aggressively pushing for the legitimization of homosexuality, which to us is not a human right, but a human vice" (Branch, 2010).⁸ These civil society actors found strong support from several conservative and/or evangelical state actors, including several MPs, the Minister of Ethics and Integrity, and the Speaker of the Parliament, who were able to push the AHA through Parliament.

⁸ When contacted, these actors did not respond to requests for an interview.

Figure 2: Pro and contra actor groups involved in AHA debate, 2009-2014



Source: Author

On the opposing side, CSOs advocating for human rights, the rights of sexual minorities and the rule of law banded together into a coalition, known as the National Civil Society Coalition for Human Rights and Constitutional Law, for the specific purpose of opposing the AHA. The coalition consisted of about 50 organisations and aimed to unite civil society voices in highlighting the risks posed to the rights of LGBT+ individuals as well as civil society more generally (Interview 2; Interview 12). About half of the CSOs involved were LGBT+ or sex worker organisations, the other half were CSOs with principled positions, but most of the driving force was provided by the LGBT+ organisations (Interview 13). SMUG, an umbrella organisation for 18 smaller CSOs advocating for the rights of gays, lesbians and transgender people, was one of the key driving forces of the coalition (Interview 1), but it was unable to host the coalition itself due to limited institutional capacity and financial infrastructure (Interview 13). Initially the coalition was hosted by Akina Mama Wa Afrika, a feminist organisation, but they were unable to continue hosting the coalition after an internal restructuring (Interview 12). From September 2010, the coalition was hosted by the Refugee Law Project (RLP) of the School of Law, Makerere University. However, the RLP came under intense pressure from state actors. Staff were harassed on the street, and the director was publicly condemned in the media (Interview 13). Eventually, the RLP was threatened with losing its licence to operate in the refugee camps in northern Uganda and was forced to stop hosting the coalition (Interview 13; Interview 1). The coalition subsequently found a spiritual home at the Human Rights Awareness and Promotion Forum (HRAPF), a CSO that campaigns for access to justice and equality before the law. Despite the pressures put on them, the coalition was extremely active and engaged in lobbying against the AHA. Multiple campaigners against the AHA expressed the view that the broad-based coalition that framed the campaign in terms of human rights and health and legal issues that affect all sectors of society – not only the LGBT+ community – was important for opposing the AHA (Interview 12; Interview 1).

The coalition and several of the CSOs involved also received substantial financial support from international sources, including funding from bilateral donors, basket funds such as the Democratic Governance Facility, multilateral organisations such as the EU, and international foundations such as the Ford Foundation and the Open Society Foundation (Interviews 2, 12, 13).⁹ The coalition engaged regularly with the donor community, offering recommendations and informing donor strategies in how to approach the AHA (Jjuuko & Mutesi, 2018). For example, it was at the request of the coalition that donors lobbied Museveni, and also at their request that such lobbying efforts be behind-the-scenes interventions, as “the Coalition was concerned about the anti-democratic implications of executive interference in the legislature’s work” (Paszat, 2017, p. 2036), as well as the risk that public condemnation from the US or other donors would “fuel the anti-homosexual and anti-western rhetoric of the bill’s proponents” (Wikileaks, 2009b). However, some interviewees expressed the view that the various CSOs making up the coalition were not a united front in their recommendations to the donor community, with some requesting suspension of aid while others advised against it (Interview 9; Interview 8). This may have been a contributing factor as to why donors did not take unified action in response to the AHA (see below).

9 The Democratic Governance Facility (DGF) is a basket fund of eight like-minded European donors, namely the EU, Austria, Denmark, Norway, Sweden, the Netherlands, the UK and Ireland. The DGF partners with the Ugandan government to implement good governance, and it also empowers civil society organisation to take an active role in the democratisation process (Interview 4).

International interventions

The AHA was the subject of intense international condemnation when it was first tabled in 2009. Western governments, including the US, the UK, Canada, Australia and France, publicly condemned the proposed act (“Uganda donors cut aid after president passes anti-gay law”, 2014). Sweden and the EU also vowed that they would suspend aid if the AHA became law (European Parliament Resolution, 2009). Two years later, the UK added its voice to those threatening the suspension of aid if the AHA passed (“Uganda donors cut aid after president passes anti-gay law”, 2014). However, some civil society actors questioned the value of such threats, saying that such threats are “counter-productive and emboldens those pushing the legislation” (Wikileaks, 2009b).

There is evidence to suggest that donors worked quietly, behind the scenes, with MPs and other political decision-makers who did not agree with the AHA to slow its progress through Parliament. For example, a diplomatic cable details a meeting between American officials and the chairperson of the Legal and Parliamentary Affairs Committee, Stephen Tashobya. It details how Tashobya rebuffed pressure from the Minister of Ethics to speed the AHA through committee approval and how “criminalizing homosexuality ranks low on his committee’s list of priorities” (Wikileaks, 2009c). Donors also privately discussed the AHA with Museveni himself, making it clear there would be financial consequences if the bill were to pass. In turn, Museveni encouraged MPs to “go slow” on legislation and held several meetings with key supporters of the act in order to dissuade them (Paszat, 2017). The donor community also funnelled substantial financial support to the civil society coalition against the AHA and provided rhetorical support as and when required, although in most cases the donors were asked to take a back seat and not become too visible in the fight against the AHA (Wikileaks, 2009b; Interview 7). In this sense, the donors played a double strategy in the early stages of the AHA – by working with sympathetic decision-makers to slow the act’s progress, and by supporting civil society advocacy. The coalition’s scepticism of the value of rhetorical condemnation from donors seems to have been validated by the incident in Canada, where the Canadian Foreign Minister’s strong words appeared to humiliate and anger Rebecca Kadaga to the extent that she made it her personal objective to oversee a parliamentary vote on the AHA.

Once the AHA became law, several donors, as promised, responded by suspending or redirecting aid. The biggest overall cut came from the World Bank, which suspended a \$90 million loan pegged for strengthening the Ugandan health care system, an amount that represented 20 per cent of the health care budget for 2013/2014 (“Briefing: Punitive aid cuts disrupt healthcare in Uganda”, 2014). USAID suspended in total \$13.4 million (out of annual support of \$700 million) across a number of programmes, but mostly affecting programmes in the area of HIV prevention. USAID also withdrew funding to the Inter-Religious Council of Uganda as punishment for its public support of the AHA (“Briefing: Punitive aid cuts disrupt healthcare in Uganda”, 2014). Sweden announced it would withdraw direct aid of \$10 million, the Netherlands suspended \$9.6 million pledged in support of the judicial system, while Denmark and Norway together redirected more than \$17 million worth of aid from the government to CSOs (“Briefing: Punitive aid cuts disrupt healthcare in Uganda”, 2014). In total, the estimated size of the cuts and suspensions amount to approximately \$140 million, having particular effects on the health sector (“Briefing: Punitive aid cuts disrupt healthcare in Uganda”, 2014). Germany, the UK, Ireland, the EU and Canada opted not to cut aid, preferring not to take measures that might negatively affect

ordinary citizens and citing the advice of some sections of the civil society coalition that aid cuts were not a good idea (Interview 5; Interview 9). The “like-minded” donors in Uganda are highly coordinated and meet regularly with each other through a Democracy and Human Rights Working Group. This was an important mechanism for discussing developments in relation to the AHA and coordinating donor responses (Interview 7). However, several members of the donor community acknowledged that, in the end, states have their own interests in Uganda as well as varying demands for action from constituents back at home (Interview 6; Interview 8). In conjunction with the divisions among the civil society coalition, it is perhaps not so surprising that the donor community in Uganda did not formulate a highly coordinated response to the AHA.

Ugandan attitudes towards homosexuality and international actors

The World Values Project surveyed Uganda in 2001 and asked a number of questions probing Ugandan attitudes towards homosexuality. The results illustrate that the vast majority of Ugandans are intolerant of homosexuality, with 91 per cent of respondents stating that homosexuality is “never justified”, while 76 per cent said they would not want homosexuals as neighbours (Inglehart et al., 2014). Round 6 of Afrobarometer, conducted in 2015, asked Ugandans several questions on homosexuality and likewise found very high levels of support for the criminalisation of homosexuality (92 per cent agreeing “very strongly”). There were 85 per cent of Ugandans who would strongly object to having a co-worker, supervisor or religious community member in a same-sex relationship, and 95 per cent stated they would report a relative or friend in a same-sex relationship to the authorities. Survey data from the World Values Survey and Afrobarometer also indicates that Uganda is a deeply religious country: 76 per cent of respondents say that religion is “very important in their life” (Inglehart et al., 2014), and 77 per cent attend religious worship at least once per week (Afrobarometer Round 6, 2015). The religiosity of Uganda is a significant factor here, as most actors interviewed identified religious leaders, who are respected and influential social actors, as responsible for whipping up anti-homosexual sentiment (Interview 2, Interview 9, Interview 13).

As in the previous case, we lack precise survey data on how Ugandans perceive OECD donors. However, Round 6 of Afrobarometer (2015) did ask Ugandans which international actors have the most influence in Uganda (albeit without qualifying whether that influence is positive or negative). The responses illustrate that the US is perceived as the most influential external actor, far ahead of the other mentioned OECD donor and former coloniser, the UK. This would suggest that rhetorical interventions from the US would carry more weight than intervention from others. Although, without information on whether American influence is perceived as positive or negative, we cannot say a priori whether rhetorical condemnation would generate collective introspection so as to maintain Uganda’s good standing with the US, or rather generate a backlash.

Table 2: International actors with the most influence on Uganda	
United States	39.7%
China	20.2%
UK	5.7%
International organisations	4.2%
South Africa	4.1%
None of these	1%
Some other country or organisation	0.2%
Don't know	23.2%
Source: Afrobarometer Round 6 (2015)	

4 Appraising the hypotheses: explaining the effectiveness of support to democracy

4.1 Access to resources strengthens domestic actors

Our first hypothesis posited that the more resources that are controlled by a domestic actor group, the more likely it is to achieve its objectives, with “resources” including funding, human and informational capital, as well as connections with other domestic and international actors. An analysis of the actor groups involved in the two Ugandan cases broadly supports this contention.

In the first case, actors opposed to the removal of term limits were able to mobilise fewer resources in support of their cause than the constellation favouring the removal of term limits. Civil society groups at the time were relatively weak and, despite some small protests, did not manage to mobilise many supporters among the population. What opposition there was among opposition parties and MPs was eroded via bribery and political intimidation via the use of state resources. Although the anti-third-term actors did have links to the donor community, the donor community was not sufficiently interested or coordinated enough to apply pressure on the Ugandan government in a meaningful fashion. What limited resources the donor community did deploy in support of the opposition was evidently not sufficient to counter the influence of the executive's patronage networks and political manoeuvring. The actor constellation in favour of removing presidential term limits had access to state resources as well as the state-controlled media, and it successfully exploited these in order to frame the debate and achieve its preferred outcome.

In the second case, both the pro- and anti-AHA actor constellations were well-resourced and well-connected with other actors, both domestic and international, while neither actor constellation received overt support from the regime. The pro-AHA actors were driven almost entirely by the activism of conservative and religious actors and a handful of state actors that were sympathetic to their cause. These actors were connected to domestic religious leaders and also to international evangelical networks. It is unknown to what extent these international religious actors financially supported domestic pro-AHA actors, or to what extent they were involved in drafting or advising on the AHA, although all

interviewees, as well as multiple secondary sources, identify these international actors as having had a significant influence on the debate. On the other side of the debate, the anti-AHA constellation was also well-organised, with strong connections between different CSOs working in the areas of LGBT+ rights, human rights, justice and health. This CSO coalition was also well-connected to the donor community and substantially supported with funding from OECD donors and international CSOs. However, CSOs may have found this to be a double-edged sword, as it fed into the narrative of a “Western-backed homosexual agenda” being imposed on Ugandan society, with sexual minority groups delegitimised as foreign agents opposed to the values and interests of Ugandan society. It is harder to identify a clear “winner” in the AHA case than in the term limits case, as both constellations were able to achieve their objectives at different times. During the course of the debate, the competing factions were able to gain the upper hand at different moments due to the value-driven support of Ugandan society on the one hand, and the equally value-driven support of the donor community on the other.

4.2 Popular attitudes do not necessarily dictate outcomes

Our second hypothesis posited that the greater the congruence of political attitudes between an actor group and broader society, the more likely it is that the actor group achieves its aims, as it can draw on popular support to legitimise and energise its advocacy. This is strongly supported by the AHA case, as it was very clear that the AHA enjoyed popular support among broader society. However, the term limits case is less clear.

Afrobarometer data indicates high levels of support for the idea of restricted political terms, which is a popular attitude that does not “gel” with the country’s collectivist value-orientation, nor the actual outcome of the 2005 reform process. However, the debate over the constitutional amendments was more nuanced than the one on whether Museveni should be allowed another term or not, and it was tied up with anxieties about a return to multi-party democracy and the risk of political instability. The same Afrobarometer data illustrates scepticism towards the idea of multiple political parties, as well as high levels of trust in the President. This suggests that the manner in which the public debate over the constitutional amendment was framed – that term limits should be removed so that Museveni can oversee the political transition and ensure stability – had some traction with popular beliefs and attitudes. There is also the fact that, although most people supported the idea of term limits in the abstract, the majority of respondents did not actually know how many terms a President can serve. The data suggest that, although voters may support the principle of term limits in the abstract, they may hold different attitudes when it comes to specific leaders, particularly if those leaders enjoy popular support or citizens are concerned about a change in the status quo.

Uganda’s egalitarian value-orientation would suggest that citizens hold attitudes that favour the principle of political equality, including equal rights for women and other minority groups. This is true when we look at attitudes towards women’s rights: 80 per cent believe that women are entitled to the same rights and freedoms as men (Afrobarometer, Round 5, 2012). However, this preference for political equality does not carry through to attitudes towards the LGBT+ community, where the vast majority of ordinary Ugandans do not approve of homosexual behaviour, nor wish to have LGBT+ individuals as part of their community. This was underlined by popular protests in support of the AHA and anti-

homosexual messaging in the media and from religious leaders. The actor constellation in favour of the AHA was able to draw on this public support and claim legitimacy for their actions on the grounds of representing “the will of the people”. That they could draw on this support meant that it was very difficult for those opposed to the AHA to publicly articulate their position, and they found few supporters beyond the educated and urbane elite of Kampala. Nevertheless, the anti-AHA coalition was able to achieve its ultimate objective of quashing the AHA.

In all, we do not find as clear a link between value-orientations, popular political attitudes and outcomes in the two reform cases, as had been expected. *Individualistic-Collectivist* and *Egalitarian-Hierarchical* value-orientations do not necessarily translate into specific popular attitudes towards term limits or the rights of sexual minorities. Nor do prevailing societal attitudes necessarily result in the outcomes one might expect (in a democratic context), as in both cases, the ultimate outcome of the reform process did not conform with popular attitudes towards term limits or LGBT+ rights. However, as the term limits case illustrates, successfully reconciling a desired outcome with a conflicting popular attitude may involve a process of (re)framing, such that the issue at hand comes to cohere with existing values, or becomes linked to other popularly held attitudes.

4.3 Donor incentives, if sufficient and coordinated, can shape outcomes

The third hypothesis posited that material (dis)incentives offered by donors are unlikely to be effective if there is a big gulf between the values (explicitly or implicitly) promoted by donors and the values held by citizens of a recipient country, as compromising on societal values creates immaterial social costs for decision-makers.

When it comes to questions of political competition, there is certainly a cultural gap between the individualism of liberal democracy as promoted by Western donors and the more collectivist orientation of Ugandan society. Many Ugandans in the mid-2000s were wary of political competition (as represented by the idea of multi-partyism) and a possible return to instability and conflict, whereas Western donors heavily promoted a move from the “no-party” system to a multi-party system. Despite this difference in values and attitudes towards multi-partyism, both Western donors and Ugandan citizens were aligned in their attitudes towards presidential term limits. However, the outcome did not reflect either popular attitudes or donor attitudes. OECD donors were either too unwilling or uncoordinated to impose serious material costs on the regime. Furthermore, Museveni was able to reduce the immaterial social costs of removing term limits among his domestic audience by framing the removal of term limits in terms of the potential risks brought by multi-partyism – an approach that resonates with Ugandan collectivist values.

In the second case, both Western donors and Ugandans are orientated towards egalitarianism. Although many Western countries have, in recent years, extended the principle of political and social equality to those identifying as LGBT+, a Ugandan understanding of equality does not (yet) include sexual minority groups. So while there may not have been a gulf in the underlying value-orientation, there was a very large gulf in attitudes towards homosexuality. In this case, however, the donors were able to influence the outcome with the help of sanctions, despite popular support for the AHA. This time, the donors were much more coordinated and imposed costlier sanctions on the regime than in

the term limits case. Yet, Museveni was again able to reduce the domestic audience costs of complying with an unpopular donor demand by having the Constitutional Court strike the act down, rather than nixing it himself. Museveni thus avoided a societal backlash directed at himself. However, donor sanctions did have the unfortunate side-effect of playing into the narrative of a “Western-backed gay agenda” and contributed to increased homophobia on a societal level.

In conclusion, the hypothesis that material disincentives are less effective when there is a gap in donor and recipient values is not well supported by evidence from the Ugandan cases. First, it seems that a gap between donor and Ugandan values does not necessarily lead to a gap in political attitudes towards certain issues. Second, the fact that the donors were effective in one case (the AHA) and ineffective in another (term limits) seems to have more to do with the size and costliness of the sanctions applied in each case, rather than the alignment of cultural values of donors and Ugandan citizens.

4.4 Public criticism makes little positive difference

The final hypothesis posited that when donors are held in high esteem, instruments based on the logic of appropriateness – such as rhetorical support or condemnation or long-term capacity-building programmes that aim to persuade populations – are more likely to be effective. This is because actors seek social approval and legitimacy, particularly from others they hold in high regard. Condemnation from an actor held in high regard imposes a social cost, and in this way rhetorical interventions from donors or other international actors can help shape national-level debates.

The evidence from the Ugandan cases suggests that OECD donors, with the exception perhaps of the US, are not held in particularly high regard, nor thought to be particularly influential in Uganda – a view echoed by interviewees (Interview 8). OECD donors may have been held in higher esteem in the past, but declining levels of aid, the growth of Chinese influence and the perceived hypocrisy of Western donors (Interview 3) mean that the Ugandan regime is less invested in Western perceptions and less vulnerable to Western criticism. Indeed, international condemnation of the removal of term limits did not make any difference to the outcome and served only to generate several media reports on the hypocrisy of Western donors. On the other hand, international condemnation of the AHA was much stronger than in the first case. However, here we should distinguish between behind-the-scenes lobbying and public condemnation. Behind-the-scenes lobbying, which mixed the logic of appropriateness (“this is wrong and will cast Uganda in a poor light”) with a consequentialist logic (“there will be consequences if the AHA passes”), was for some time effective in keeping the AHA off the parliamentary agenda, as many decision-makers recognised the damage that such legislation would do to Uganda’s international reputation. This most likely would have continued, if not for the public shaming of the Speaker of the Ugandan Parliament. This instance illustrates that public condemnation from donors can sometimes backfire, particularly if the issue enjoys popular support in the target country. Not responding to donor criticism would have resulted in a loss of face for the Speaker, and there are, in such cases, populist points to be gained by “standing up to the West”. The case illustrates that, under certain conditions, public criticism may actually be counterproductive to donors’ objectives.

In conclusion, the Ugandan cases do not offer strong support for this hypothesis, but neither do they disconfirm it. We are unable to draw any conclusions on how values and attitudes mediate the effectiveness of long-term persuasion and socialisation-based programmes, since these were not significant factors in either reform process. However, we can find some support for the idea that rhetorical interventions are unlikely to be effective if recipient countries do not particularly care what donors think, or do not perceive them as being influential in their country. Importantly, the evidence from the AHA case illustrates a potentially important finding: that public criticism from international actors may be actively harmful if their values are perceived as antithetical to domestic values.

5 Conclusions and recommendations

5.1 Conclusions

Instruments of democracy promotion

The two cases illustrate that public rhetorical condemnations from donors may have little positive effect, and in some cases may even be counter-productive. By generating feelings of humiliation and/or powerlessness, public condemnation by a more powerful actor may actually create incentives for decision-makers to “stand up to the West”, particular if they are assured of high levels of popular support at home. Behind-the-scenes persuasion is more effective and comes with less risk of generating negative audience costs. However, OECD donors have their own domestic audiences and citizen demands for action on what is perceived as egregious policy-making in recipient countries. Donors need to be cognisant of these competing audience demands and associated risks when deciding what course of action to take. Material disincentives – such as the suspension of aid – can work, but only if sanctions are substantial enough to create a real incentive for change. Symbolic cutbacks are not sufficient to induce behavioural change. Lack of coordination among donors also tends to undermine the effectiveness of sanctions, particularly if the sanctions of individual donors are relatively small. The Ugandan cases support the results of other studies on the use of conditionality in external democracy promotion.

Values \neq Attitudes \neq Outcomes

Popular attitudes towards political competition and equality of sexual minorities are not anchored to cultural value dimensions, at least not in the manner we theorise. Predominant value-orientations on the *Egalitarianism-Hierarchy* and *Individualism-Collectivism* dimensions do not directly translate into specific political attitudes and actual behaviour. The origins of political attitudes are a highly complex question. On the micro-level of individuals, social psychology studies have probed the role of personality traits, upbringing and even genetic characteristics in the formation of political attitudes (Hatemi & Verhulst, 2015); on the macro-level, cultural values and other situational/environmental factors also play a role. However, the literature is not clear on whether or when micro- or macro-level factors are most important, nor whether cognitive or affective factors are more important for preference formation (Fleeson & Nolte, 2009; Zajonc & Markus, 1982). Nor are we certain that causality works in the direction assumed: It may be the case that actual behaviour influences attitudes and then values, rather than vice versa (Bem, 1972).

Theoretical problems aside, the cases clearly illustrate that neither value-orientations nor prevailing popular attitudes necessarily dictate the outcomes of domestic reform processes, at least not in the semi-authoritarian context in which Ugandan politics takes place. Perhaps it is not so surprising that we find that the outcomes of reform processes in a semi-authoritarian context are not necessarily reflective of the “will of the people”. More surprising is that donors aiming to support democracy in Uganda intervened in the AHA case in a manner that subverted the procedurally democratic elements of the process. This illustrates that democracy promotion efforts often encounter a tension between process and outcomes: the apparent contradiction that facilitating democratic processes in recipient countries may not result in outcomes congruent with respect for individual rights.

Ultimately, understanding the outcome of a given reform process is perhaps more about understanding the incentive structure faced by the executive than about prevailing values and attitudes, particularly in undemocratic contexts where the “will of the people” can be subverted. However, this is not to say that values and attitudes do not matter. Societal values and popular attitudes still factor into executive decisions and behaviour. For example, Museveni and many Ugandan MPs were careful to temper their opinions on the AHA due to its popular support. Even in authoritarian contexts, executives are cognisant of popular opinion and unwilling to unnecessarily incur negative audience costs. In short, immaterial audience costs matter, as they contribute to incentive structures, and societal values play a role in determining what kind of behaviour is costly to a domestic audience.

Actor constellations

The two Ugandan cases illustrate that democracy promotion is not characterised by a simplistic distinction between opposing external or international and domestic forces, with domestic actors being nudged towards democracy by international actors. The reality is more nuanced, with competing alliances composed of both international and domestic actors. These alliances cross cultural boundaries and are driven by shared political attitudes and beliefs among different societal factions. The cases illustrate that international support can do a great deal to boost the activism of domestic groups. Donors that wish to effectively promote democracy, and counter retrogressive forces, should therefore invest in relationships with domestic pro-democracy activists and be ready to support civil society groups and movements at opportunistic moments.

5.2 Recommendations

Based on our findings in the Ugandan cases, we can offer several recommendations to the democracy promotion community.

- First, support to domestic actors is essential for political transformation. Financial support for progressive forces in society is particularly needed in contexts in which good governance is in short supply, as undemocratic reforms are often backed by the inappropriate use of state resources. In times of a “liberal crises”, it is, thus, important to maintain support for democracy (financially and rhetorically).
- Second, for culturally sensitive issues, such as LGBT+ rights, donors should not push aggressively for transformation. Change has to come organically and be driven by domestic actors. Meaningful change may take a generation or more. Pro-active

engagement from international actors risks creating a negative backlash and worsening the situation. When faced with negative legislative developments, such as the AHA, donors should resist the urge to publicly condemn such acts and work quietly with interested domestic parties to stall their progress.

Third, donors need to invest time and effort in understanding the contexts in which they operate. This includes not only the political economy analyses that have become standard for most democracy-supporting organisations, but also an appreciation of cultural values and popular attitudes, and how political issues are interpreted through the prism of cultural values. Having a full appreciation of such matters can help donors to appreciate the situation in which domestic decision-makers find themselves, and it can help donors to design interventions that are more likely to have the desired effect.

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Annex I: Chronology of events

Removal of presidential term limits timeline

Date	Event
1995	New Uganda Constitution imposes a two-term limit
29 June 2000	Referendum on Uganda's political system. Voters are asked whether they prefer to adopt a multi-party system or maintain the "no-party" Movement system; 90 per cent vote to maintain the Movement
Mid-2004	Cabinet issues a White Paper on proposed changes to the Constitution
Nov 2004	Alleged bribing of MPs
Dec 2004	Government presents Parliament with 119 constitutional amendments
Dec 2004	Women's rights activists go to Parliament to protest proposed lifting of term limits
Early 2005	Constitutional Review Committee rejects notion to abolish two-term limit
Feb 2005	Constitutional Amendment Bill appears before Parliament
March/April 2005	Public demonstrations in Kampala against the proposed changes to the Constitution
2005 (exact date unknown)	American ambassador to Uganda and visiting US Senators met with Museveni and Cabinet-level officials
First half of 2005	Tanzanian President Benjamin Mkapa travels to Uganda for private meeting with Museveni
April 2005	Opposition party FDC writes to diplomatic community, requesting freezing of aid. Subsequently visits Danish, Norway, EU, UK, and Irish embassies to solicit support
April 2005	UK suspends £5 million worth of aid to Uganda due to concerns over the handling of the political transition
17 June 2005	Public condemnation of third-term attempt by Britain
20 June 2005	Parliamentary debate on proposed changes
28 June 2005	Parliamentary vote on Constitutional Amendment Bill. Parliament approves proposed changes to Constitution
July 2005	Condemnation of removal of term limits from Tanzanian MP and media
7 July 2005	US ambassador condemns removal of term limits on radio talk show
27 July 2005	Coalition of opposition parties lodges injunction at Constitutional Court to delay the referendum until an appeal on its legality can be heard
28 July 2005	Second referendum on Uganda's political system. Voters are asked whether they agree to open up political space through introduction of a multi-party system; 94 per cent vote "yes"
August 2005	Tanzanian President Benjamin Mkapa visits Uganda
Oct 2005	Multi-party political system commences
17 Nov 2005	Museveni is chosen as NRM's presidential candidate
Late 2005/early 2006	Britain, the Netherlands, Norway, Sweden and Ireland cut direct contributions to Ugandan budget
23 Feb 2006	First multi-party elections in 25 years; Museveni wins 59 per cent of the vote

Anti-Homosexuality Act timeline

Date	Event
2008	Uganda National Prayer Breakfast, hosted by The Fellowship
2008	Proposed act is leaked, activists and donors become aware of it
5-8 March 2009	Seminar on Exposing the Homosexual Agenda, organised by Family Life Network
29 April 2009	David Bahati proposes to introduce private members bill on homosexuality
2009/2010	Media publishes list of “known homosexuals”
April 2009	Parliament passes a resolution to allow Bahati to submit a private membership bill
14 Oct 2009	Act tabled in Parliament
Dec 2009	Proposal to replace death penalty with life in prison
22 Dec 2009	Public protest in support of the bill
2009-2013	Passage of the bill slows down. Interested parties working to keep the bill off the Parliamentary Agenda and prevent a vote
Jan 2010	Museveni releases public statement on the bill
2 May 2010	US evangelical Lou Engle addresses a crowd of 1,300 at Makerere University about the AHA
May 2010	Cabinet Committee recommends withdrawal of the AHA
26 Jan 2011	LGBT+ activist and SMUG member David Kato murdered
Aug 2011	Ugandan Cabinet unanimously votes that existing laws against homosexuality are sufficient, recommends that the bill be withdrawn
Oct 2011	Parliament votes to reopen the debate
Feb 2012	Bahati reintroduces act
Oct 2012	The 127th Assembly of the Inter-Parliamentary Union, Quebec, Canada, at which Rebecca Kadaga is admonished by Canadian Foreign Minister.
2013 (exact date unknown)	Anti-homosexuality pamphlet circulated among MPs
20 Dec 2013	Act passes in Parliament
Feb 2014	Presidential assent
June 2014	Suspension of aid
March 2014	Petition of Constitutional Court
1 Aug 2014	Law nullified by the Ugandan Constitutional Court
Sept 2016	The “act” of the AHA is challenged in the East African Community’s Court of Justice, but dismissed on grounds of mootness

Annex II: Ugandan value-orientations

The two empirical types of cases that we identified were mapped onto two different dimensions of cultural/value-orientations, as found in the existing literature. Case type one – presidential term limits – were mapped onto the *Individualism-Collectivism* cultural dimension (Hofstede, 2001), while case type two, cases on family law reform and LGBT+ rights, were mapped onto the *Egalitarian-Hierarchy* dimension (Schwartz, 2006).

Items: Presidential term limits debate → Individualism-Collectivism value-orientation

Individualism-Collectivism has been investigated from various vantage points since Hofstede's original conceptualisation. Individualistic value-orientations emphasise loose ties between individuals, self-reliance and the importance of the self above the group. Collectivist orientations put more emphasis on the collective, in contrast to the self, and the integration of individuals in strong, cohesive and united groups. Importantly, in relation to our cases, while individualism favours competition, collectivism favours consensus and cooperation. Earlier studies established that collectivism is associated with better in-group coordination, as people seem to be more likely to act pro-socially out of inherent motivations and without direct external incentives (Wagner, 1995; Moorman & Blakely, 1995). However, such coordination payoffs are not found on the societal level, at which it could be argued that collectivism would thus support a better coordinated opposition to Presidents seeking an end to term limits (Marcus & Le, 2013). Individualism, with its emphasis on competition, can be hypothesised to raise the stakes against a possible lifting of presidential term limits, as term limits substantially hamper political competition. Studies that indicate that individualism is associated with greater social capital (i.e. engagement in associations, etc.) and a greater radius of interpersonal trust (Allik & Realo, 2004; Van Hoorn, 2014) further support this. Unfortunately, it is difficult to reconstruct the *Individualism-Collectivism* dimension using the Afrobarometer data. Hence, we identified only three out of eight possible items that can be used to construct a rough *Individualism-Collectivism* index (all items taken from Afrobarometer, Round 2):

1) *“Which of the following statements is closest to your view? Choose Statement A or Statement B:*

A: Since everyone is equal under the law, leaders should not favour their own family or group.

B: Once in office, leaders are obliged to help their own family or group.”

2) *“Let's talk for a moment about the kind of society we would like to have in this country. Which of the following statements is closest to your view? Choose Statement A or Statement B:*

A: People should look after themselves and be responsible for their own success in life.

B: The government should bear the main responsibility for the well-being of people.”

3) *“Which of the following statements is closest to your view? Choose Statement A or Statement B:*

A: In order to make decisions in our community, we should talk until everyone agrees.

B: Since we will never agree on everything, we must learn to accept differences of opinion within our community.”

Response categories to all items are semantic differentials of the following kind:

<i>Agree with A</i>
<i>Agree with B</i>
<i>Agree very strongly with B</i>
<i>Agree with neither</i>
<i>Agree very strongly with A</i>

Items: Family law reform/ LGBT+ rights → Egalitarian-Hierarchy value-orientation

The law reform cases we identified all focus on political equality. We chose to link the law reform cases to value-orientations that focus more closely on equality than the Individualism-Collectivism dimension. Following Schwartz (2006), we chose his Egalitarianism-Hierarchy dimension. According to Schwartz' own conceptualisation, the hierarchy dimension describes

hierarchical systems of ascribed roles to insure responsible, productive behaviour. It defines the unequal distribution of power, roles, and resources as legitimate. People are socialized to take the hierarchical distribution of roles for granted and to comply with the obligations and rules attached to their roles. Values like social power, authority, humility, and wealth are highly important in hierarchical cultures. (Schwartz, 2006, p. 141)

By contrast, egalitarian value-orientations

induce people to recognize one another as moral equals who share basic interests as human beings. People are socialized to internalize a commitment to cooperate and to feel concern for everyone's welfare. They are expected to act for the benefit of others as a matter of choice. Important values in such cultures include equality, social justice, responsibility, help, and honesty. (Schwartz, 2006, p. 141)

Again, we identified three items from Afrobarometer (Round 3) that can be used to construct a measure imitating Schwartz' *Egalitarianism-Hierarchy* dimension. We mapped the Afrobarometer items onto the sub-dimensions that make up Schwartz' *Egalitarianism-Hierarchy* concept (see Schwartz & Boehnke, 2004; Schwartz, 1992). However, Afrobarometer survey data offers only a limited number of items corresponding to the 11 sub-dimensions of Schwartz' concept. These are:

1) *“Which of the following statements is closest to your view? Choose Statement A or Statement B.*

A: In our country, women should have equal rights and receive the same treatment as men do.

B: Women have always been subject to traditional laws and customs, and should remain so.”

(Mapped on to the “equality” sub-dimension)

2) *“Let’s talk for a moment about the kind of society we would like to have in this country. Which of the following statements is closest to your view? Choose Statement A or Statement B.*

A: As citizens, we should be more active in questioning the actions of our leaders.

B: In our country these days, we should show more respect for authority.”

(Mapped on to the “authority” sub-dimension)

3) *“Which of the following statements is closest to your view? Choose Statement A or Statement B.*

A: It is better to have free schooling for our children, even if the quality of education is low.

B: It is better to raise educational standards, even if we have to pay school fees.”

(Mapped on to the “social justice” sub-dimension)

Again, these response categories to all three items were given as semantic differentials:

<i>Agree with A</i>
<i>Agree with B</i>
<i>Agree very strongly with B</i>
<i>Agree with neither</i>
<i>Agree very strongly with A</i>

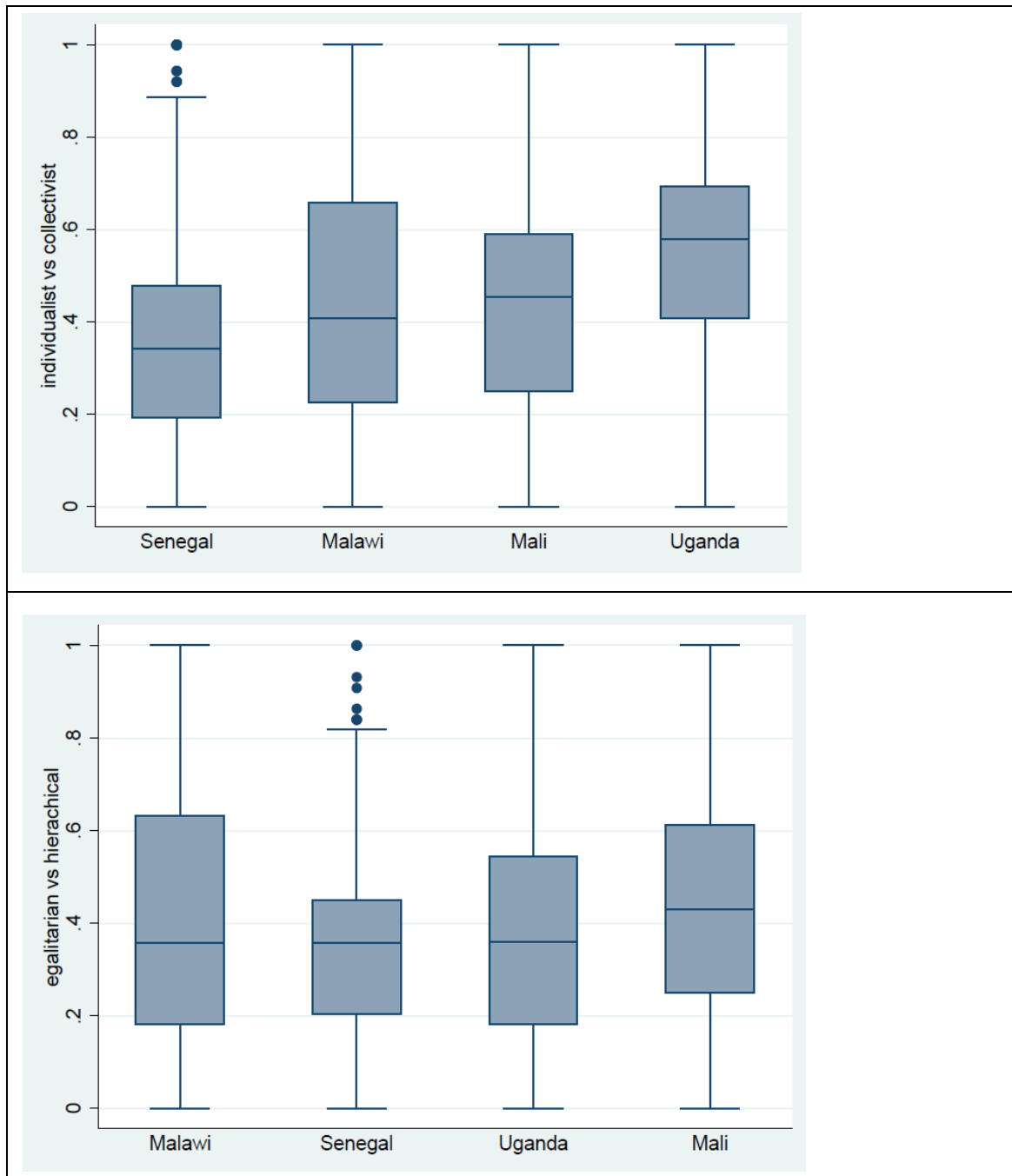
Methodology of index construction and results

The indices were constructed using Principal Components Analysis (PCA). All items were recoded so that their response categories align. The ultimate PCA was done on a polychoric correlation matrix¹⁰ to account for the ordinal scales of the items. In both cases, only one component was retrieved, which explained only about 40 per cent of overall variation between the items, and scores for each respondent were calculated and normalised to range between 0 (egalitarian/individualist) and 1 (hierarchical/collectivist).

10 For brief and intuitive explanation, see: <http://www.theanalysisfactor.com/principal-component-analysis-for-ordinal-scale-items/>

Country means are shown in the table and the boxplots below inform the distribution:

Index	Malawi	Uganda	Mali	Senegal
Egalitarianism-Hierarchy	.395	.36	.418	.335
Individualism-Collectivism	.404	.542	.414	.353



Annex III: List of interviews

Interview 1	OECD donor
Interview 2	Ugandan CSO
Interview 3	OECD donor
Interview 4	OECD donor
Interview 5	OECD donor
Interview 6	OECD donor
Interview 7	OECD donor
Interview 8	OECD donor
Interview 9	OECD donor
Interview 10	OECD donor
Interview 11	OECD donor
Interview 12	Ugandan CSO
Interview 13	Ugandan CSO
Interview 14	Ugandan CSO

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