



**LUND**  
UNIVERSITY

Department of Political Science

STV003  
Autumn 2005  
Tutor: Anders Uhlin

# Abstinence at the Expense of Condoms?

An Analysis of NGOs' Opportunities to Work with HIV  
Prevention in Uganda

Karin Fransson  
Karin Wallin

# Abstract

Uganda is a unique case because the HIV infection rate was significantly reduced in the 1990s and explanations for the success vary. In 2004 the U.S. doubled its aid to HIV/AIDS programs in Uganda. At the same time the Ugandan government started advocating abstinence and faithfulness at the expense of condoms. This thesis analyses how the Ugandan government's changed attitudes towards HIV prevention have affected the opportunities for faith- and non-faith-based organisations to work with HIV prevention. The theory of political opportunity structures is used, as well as theories on donor impact. The conclusion is that the opportunities have changed in favour of faith-based organisations, which are supported by the Ugandan government as well as the U.S. In opposite, the opportunities for non-faith-based organisations to gain funding and decide their preferred HIV prevention strategies are constrained. The applicability of the theory of political opportunity structures is discussed for the Ugandan context specifically, and for NGOs generally. The conclusion is that there are useful elements within the theory for this case and for future research on NGOs.

*Key words:* Uganda, HIV prevention, NGOs, donor impact, political opportunity structures

*Characters:* 80 746

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# List of Abbreviations

ABC	Abstinence, Be Faithful, Condoms
AIDS	Acquired Immunodeficiency Syndrome
CIA	Central Intelligence Agency
FBO	Faith Based Organisation
GDP	Gross Domestic Product
Health GAP	Health Global Access Project
HIV	Human Immunodeficiency Virus
HRW	Human Rights Watch
ICESCR	The International Covenant on Economic, Social and Cultural Rights
NGO	Non-Governmental Organisation
PEPFAR	The President's Emergency Plan for AIDS Relief
POS	Political Opportunity Structures
SM	Social Movement
STI	Sexually Transmitted Infection
UAC	Uganda AIDS Commission
UN	The United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Program
U.S.	The United States
USAID	United States Agency International Development
USD	U.S. Dollar

# 1 Introduction

Today more than 40 million people are infected by HIV and AIDS, and a majority live in Sub Saharan Africa (World Aids Day). In the early 1990s Uganda was one of the worst hit countries in the world. Since then Uganda has become known as the unique success story of declining HIV infection rates. Statistics vary, but most sources agree upon that the overall prevalence of HIV/AIDS declined from about 15 to about 6 percent between 1990 and 2000. How was this remarkable decline possible? Explanations vary, but the early response by the Ugandan President Museveni, as well as the government's open and inclusive approach allowing for different actors to address HIV/AIDS in their own unique ways, are often pointed out as important factors. Prevention messages customized to the local context are likely to have contributed to reduced number of sexual partners, delayed onset of sexual activity and increased condom use.

The situation changed in 2004, however, when the U.S. doubled its aid to HIV/AIDS programs in Uganda and the Ugandan government changed its attitudes towards HIV prevention strategies. The U.S. government and Uganda's First Lady claim that abstinence education was the key to Uganda's success story. Since 2004 there is a severe condom shortage in the country due to changed policies and financial pressures on non-governmental organisations (NGOs) to stop supplying condoms (Health GAP 2005). Stephen Lewis, the UN Special Envoy for HIV/AIDS in Africa, states that the increasing aid from the U.S. has influenced the Ugandan government to emphasise abstinence at the expense of condom use, which "is resulting in great damage and undoubtedly will cause significant numbers of infections, which should never have occurred." (Genderhealth 2005a).

This thesis analyses how the Ugandan government's changed attitudes towards HIV prevention strategies have affected the opportunities for NGOs working within the country. The analysis shows that the changed attitudes have affected faith based and non-faith based organisations differently. There are numerous research projects about Uganda and HIV/AIDS, but as far as we know, there has not yet been any analysis of how changes in a government's attitudes affect different NGOs working with HIV prevention. The changed attitudes affect the political opportunity structures (POS) in Uganda and hence alter the possibilities for NGOs to work in their own preferred way. Furthermore, the conditional aid from the U.S. affects which prevention strategies the NGOs benefit from advocating. We argue that NGOs, working locally with affected people all over the country, are most suitable for deciding their own strategies. Hence, it is important for NGOs to have the possibility to work without getting hindered by laws or other constraints concerning what they should and should not do.

## 1.1 Purpose and Research Questions

The purpose of this thesis is twofold. The main purpose is to analyse how changes in the Ugandan government's attitudes towards HIV prevention strategies have affected the opportunities for NGOs working with HIV prevention within the country. The changed attitudes are influenced by the U.S. catholic inspired standpoints and hence affect the opportunities for different kinds of organisations in different ways, depending on if they are faith-based or not. Thus, this perspective is included to illuminate the different opportunities for faith- and non-faith-based organisations working with HIV prevention. The main research question reads:

- How has the Ugandan government's changed attitudes towards HIV prevention strategies affected faith- and non-faith-based organisations' opportunities to work with HIV prevention within the country?

The additional purpose is to test the applicability of the theory of political opportunity structures. This theory was developed for a slightly different context, however it is interesting to evaluate if it is fruitful to use in this context. The sub-question reads:

- Which dimensions and elements of the theory of political opportunity structures are applicable and useful in this specific case?

The theory's appropriateness in this specific case is tested and in addition the theory's applicability for research on NGOs is discussed.

## 1.2 Methodology

This thesis focus on Uganda, since Uganda's HIV prevention strategies are watched closely and are likely to affect neighbouring countries' politics. The thesis is a case study and by choosing to focus on one case it has been possible to carry out a thorough research. It is however not possible to draw conclusions which can be generalized from a single case study, but the results from this study can be valuable when initiating research on other countries. According to Human Rights Watch (HRW), even the perception of opposition to condoms in Uganda has the potential to fuel anti-condom reactions in other parts of Africa (HRW 2005a:67). It is also worth noting that the U.S.-influenced HIV prevention strategies used in Uganda are promoted in all 15 focus countries included in the U.S. President's Emergency Plan for AIDS Relief (PEPFAR) program. Hence, the

findings on affected opportunities for NGOs in this thesis can be of value when initiating research in other PEPFAR focus countries. The discussion about the theory of political opportunity structures can be of value for future research on similar topics. Furthermore this thesis points out future research that we consider needs to be done in Uganda.

As mentioned in the introduction there have not, as far as we know, been any research connecting changes in a country's policies on NGOs' opportunities to work without restrictions. Despite extensive reading on the topic we have not found any material connecting these two variables. After reading about different theories we found that none of them were entirely concerned with how political changes can affect NGOs possibilities to work without restrictions. The theory which seemed to be the most useful was the theory of political opportunity structures. Hence, the theory's appropriateness is tested on the empirical material used in this thesis (Esaiasson et al. 2004:40).

The main book used about the theory of POS is *Comparative Perspectives on Social Movements* by McAdam et al., and additionally some descriptive articles found in scientific journals, like *British Journal of Political Science* (e.g. Kitschelt) are used. The choice of using the theory of POS could be questioned, but since there are elements in the theory which the analysis finds useful for this study, the choice can be motivated. The theory is tested on the empirical material to analyse its applicability for this specific study. "Theories are only fruitful if they can be applied to cases beyond the ones they were first designed to explain" (Kitschelt 1986:84). This critical evaluation of the usefulness of the POS theory in a new context can hopefully be seen as a contribution to future research using the POS theory.

The study is a qualitative research of empirical character and mainly based on secondary sources like previous research, articles and testimonies from different NGOs. The availability of material have been limited due to us being situated in Sweden. However, since a lot has been written about Uganda it has not been a problem finding material concerning the changed attitudes of the government and HIV prevention. Furthermore, there is a vast amount of reports concerning the situation for NGOs in Uganda. This thesis can be seen as a possible feasibility study for a field study. A field study could include interviews with actors within NGOs working with HIV prevention in Uganda on how they have experienced the changes in opportunities.

### 1.2.1 Critical Discussion Concerning the Material

It has not been possible to go to Uganda for field research, which would have been useful to get a better understanding of the complex context for this research problem. Hence, the opportunities looked at are the ones presented in the available material. A field study would perhaps have revealed other changes in opportunities that are not covered in the material used. Still, the changes found are relevant and important, since the analysis shows that they have effects upon NGOs.

The official documents from the Ugandan state and the U.S. (PEPFAR) used for the empirical chapter can be classified as primary sources. We are aware of the fact that our own sympathies might affect the selection and how trustworthy we find different sources (Thurén 1997:63). It is also likely that the U.S. government's material together with the Ugandan government's material might represent a different view than non-faith based Ugandan and international NGOs. Therefore sources from both sides are used.

The ambition has been to keep as high a validity of this study as possible and we have strived to use as reliable information as possible (Lundquist 1991:107,108). For a statement – especially a controversial statement – to be plausible, it needs to be confirmed by at least two, from each other independent, sources (Thurén 1997:49). Sources should preferably not be influenced from outside at all, and must not be suspected to give a false picture of reality because of the writers personal, political, economical or other interests (ibid:11). The topic of this thesis is value laden, and religious standpoints play an important role in this case. It is therefore not easy, maybe not even possible, to find completely objective information and wholly independent sources. All secondary sources can be suspected to have some kind of tendencies (ibid:63). To minimize this risk articles written by scholars from well-reputed Universities and also Internet sites from well-known and recognized organizations like the United Nations Development Program (UNDP) and Human Rights Watch, as well as books written by professional scholars have been used. This is unfortunately no guarantee and a critical point of view against our sources does not prove them true. Rather, it is a way of organising our thinking systematically and to avoid as many pitfalls as possible.

## 1.2.2 Definitions and Operationalizations

To define the concept 'non-governmental organisation' (NGO) is of importance here, since it is used throughout the thesis. Different scholars use different definitions and there is no common approved definition. In this thesis an NGO is defined as an organisation which is not directly tied to a government or any other state power. This does not necessarily mean that they do not collaborate with the government or the state power within a country. The term includes organisations which work at the local level in a country, both domestic organisations and organisations which have come from another country. Furthermore, they are organisations which are working to help the humanity in a country. Their goals are limited and they use moderate strategies in their work (Uhlin 2005).

It is also significant to make the distinction between faith-based organisations (FBOs) and non-faith-based organisations (non-FBOs). In the concept 'FBOs' we include religious and religious-based organisations, while 'non-FBOs' include those NGOs which are not openly devoting themselves to a religion and not advocating religious beliefs. Human Rights Watch, PEPFAR and other sources we use do not elaborate on these categories any further. One should keep in mind, though, that the FBOs referred to in this study are probably based on Christian or

catholic beliefs, since they are the ones most likely to receive U.S. funding through PEPFAR. Many of the faith-based HIV/AIDS organisations in Uganda are linked to the growing brand of Christian fundamentalist churches. (HRW 2005a:43,44)

Concerning the operationalization of the phrase ‘the changed attitudes of the Ugandan government towards HIV prevention strategies’ included in the main research question three issues are highlighted. These are; 1) the U.S. influence as the major donor, since it is likely that the U.S. have an impact on the Ugandan government’s strategies, 2) the changed attitudes of the Ugandan government towards HIV prevention strategies, and 3) the Ugandan NGO-law, which has grown in strength because of the government’s changed attitudes.

### 1.2.3 Delimitations

The HIV/AIDS politics in Uganda is a huge topic which can not be covered in a thesis of this scope. Therefore, the focus is exclusively on HIV prevention and more specifically on the Ugandan government’s changed attitudes towards HIV prevention strategies, the U.S. influence and the NGO-law.

This thesis focuses on two opportunities which have changed for NGOs as an effect of the changes in the Ugandan government’s attitudes towards HIV prevention strategies. These two opportunities are the freedom for NGOs to decide their own HIV prevention strategies and their access to funding. This choice has been made because we reason that they are the ones of most significance. By choosing to focus on few opportunities it is possible to do a more thorough research. Furthermore, the research is limited to look at NGOs working with HIV prevention. Consequently, NGOs working with HIV/AIDS in other ways, for example with medical care or with children who have been orphaned, are not included in this thesis.

Moreover, other donors than the U.S. are excluded because the U.S. are, through PEPFAR, the major donor to Uganda’s HIV prevention programs. Therefore the U.S. has a potentially vast influence on the Ugandan government and NGOs in the whole country and hence this can also have consequences for aid from other donors. Furthermore, the U.S. increasing aid levels are even more interesting considering that the World Bank, the Netherlands and Norway have decided to stop about ten percent of their aid to Uganda. Additionally, Sweden announced on December 18, 2005, that they have stopped all aid to the Ugandan government. These donors argue that the Ugandan regime has broken their development agreements, and that the situation concerning the respect for human rights, democratic development, transparency and corruption has worsened. (DN 2005)

## 1.2.4 Disposition

The second chapter gives an overview of the theory of political opportunity structures and describes the dimensions which could be of use for the analysis. Furthermore, some complementing theories and thoughts, which can be of value for the analysis, are presented. In chapter three a background to the context of Uganda and some characteristics of the country important for this thesis are given. Chapter four focus on the empirical findings concerning the changed HIV prevention situation in Uganda since 2004 and also discusses faith- and non-faith-based organisations. In chapter five we analyse the empirical findings with help from the theoretical framework developed in chapter two, and answer the research questions. A discussion on the suitability of using the theory of POS in the context of Uganda specifically and NGOs generally is posed. Furthermore, some possible consequences for the future are pointed out and recommendations for future research are given. The final chapter concludes the findings of this thesis.

## 2 Theory

In this chapter an overview of the theory of political opportunity structures is given. The three main dimensions are presented and the elements which could be useful for the analysis are brought up. As a complement to the POS theory some thoughts from other perspectives, namely aid and NGOs, are presented. It is necessary to include the concept of donor impact for the context of this research, since Uganda is dependent on aid. Together with this concept, the three dimensions form a theoretical framework which will be used in the analysis.

### 2.1 The Theory of Political Opportunity Structures

The concept of political opportunities was first used by Eisinger in an attempt to try to explain why some American cities experienced riots concerning race and poverty during the late 1960s and why some cities did not. Eisinger found that cities which did not experience riots had institutional openings enabling discussions leading to political participation by movements. Since then the theory of political opportunity structures, by some called political opportunities, has been developed by political process theorists like Doug McAdam, Charles Tilly and Sidney Tarrow. They established the link between institutionalized politics and social movements (SMs) (McAdam et al. 1996:2). The POS theory focuses on how social movements mobilize, how collective action starts and what political environment makes violent protests, revolutions and conflicts likely to occur. Theorists often refer to the “world outside the social movement as the structure of political opportunities” (Meyer & Minkoff 2004:1459). What guides all theorists is that revolutions and social movements are formed by the political opportunities and constraints available in the national context where they operate.

Throughout the years the theory has been developed and a lot of other dimensions have been added and these “theoretical efforts have enlarged the explanatory capacity of the concept but reduced its’ specificity” (Della Porta 1996:63). Different scholars have developed their own theoretical frameworks with varying dimensions of POS in the centre. McAdam (1996) has made an attempt to synchronize the dimensions used by the main authors in the field and proposed three composite dimensions. To avoid confusion between individual scholars, we have chosen to focus on these composite dimensions of POS. The dimensions used are 1) openness or closure of the institutionalized political system, 2) the stability or instability of elite alignments, and 3) the presence or absence of elite allies.

### 2.1.1 Openness or Closure of the Institutionalized Political System

Many theorists argue that the most important factor of POS is how open or closed institutions are to network or social movement pressures and participation. The opportunities social movements have to affect the government and to cooperate with them depends on the openness of institutions. It also includes what possibilities movements have to affect the government's decisions, what opportunities they have to be a part of the agenda-setting and whether movements have any channels of communication. One can find explanations to the success of movements by referring to the formal structures of the political power (McAdam et al. 1996:17). A report written about the civil society in Uganda makes similar remarks independently from this theory. The report states that the political culture, nature and also the government's form and structure have critical impacts on the roles played by NGOs (Thue et al. 2002:30). The movements are dependent upon the opportunities which the institutional structure and the ideological position of those in power can provide. The greater control of economic resources and decisions through political institutions, "the more limited are the resources available with which to challenge policies" (Kitschelt 1986:64).

There is a "need for including the context in which movements operate" (Gamson & Meyer 1996:277). The political environment in which the movement is embedded constitutes a powerful set of constraints/opportunities affecting the movement's development. This in turn also effects the opportunities for movements to use their preferred strategies. Knowing whether a country is authoritarian or democratic is a starting-point when having a look at the political environment. An open regime is more willing to accept new groups than a closed regime. To examine whether movements are entitled to participate in governmental meetings and whether they have any influence on governmental decision-making is also of significance. "Sometimes we can find specific laws [...] that determine the degree of openness or closure" (Sikkink 2005:157). When the political power structures change and also when the state itself changes, the changes can produce or reduce opportunities for movements. When a movement experiences increased opportunities it "implies more space and fewer constraints" (Gamson & Meyer 1996:277).

The openness of a political regime is dependent on the number of political parties, factions and groups which express different demands in the politics of a country. The larger this number might be the easier for different groups to get their voices heard and be a part of the agenda-setting (Kitschelt 1986:63). This is also confirmed by other scholars outside the POS theory. They state that it is important that political parties exist which take up civil society issues and give NGOs a chance to mobilize with the electorate (Thue et al. 2002:30).

### 2.1.2 The Stability or Instability of Elite Alignments

The second dimension outlined by McAdam is called "the stability or instability of elite alignments" and highlights the significance of informal power relations.

This dimension refers to long-term set of elite alliances that tend to structure political systems. The difference between this dimension and the next is the time aspect. This dimension refers to enduring alignments, while the next dimension focuses on the temporary presence or absence of elite allies. (McAdam 1996:27)

The instability of changing political alignments in liberal democracies is indicated by electoral instability. When the fortunes of the government and the opposition parties change, possibilities of new coalitions emerge. This may encourage dissatisfied groups to try to exercise marginal power and may encourage elites to seek support from outside the political parties. (Tarrow 1996:55) Another element included in this dimension is the divisions within the elite. Unified elites make it harder for groups outside the political system to exercise marginal power, while divisions between the elites encourage external groups to form elite alignments. (ibid:56)

### 2.1.3 The Presence or Absence of Elite Allies

The third dimension of the POS theory is also concerned with informal power structures, namely whether an organisation has influential allies or not. The theory of POS emphasizes the conflict and alliance structures which provide resources and oppose constraints external to the group (ibid:54). As mentioned above, this dimension relates to more short-term elite allies. In the case of violent protest, influential allies can protect a movement from brutal repression (ibid:55). Both Tarrow and McAdam describe the dimension of elite allies very briefly and base it on empirical examples from previous research. The concept speaks for itself and therefore it is not developed any further.

## 2.2 Theories on Donor Impact

Since the POS theory is not mainly concerned with NGOs (see concept definitions in section 2.1) it is appropriate to complement the theory with some thoughts from scholars about aid and NGOs. Half of Uganda's budget is foreign aid, and therefore it is also important to highlight some issues to be observant of when discussing aid (Mwenda & Tangri 2005:453). Carol Lancaster has examined the (lack of) effectiveness of aid to Africa and different donors' strategies and their impacts. She states that it is clear that donors like the U.S. have had an important impact on African thinking on development. Furthermore, she argues that foreign aid can have political impacts on recipient countries' domestic policies. The more powerful the donor – the more impact possible. Aid is connected to political symbolism and can affect diplomatic relationships between donors and recipients. Raising aid levels often symbolizes warming relationships and cutting down aid is a way of showing displeasure with the recipient country. (Lancaster 1999:49,63,65,76)

Lancaster further argues that donors' goals with aid can be more than just development issues. "A number of governments also provide aid to promote their religion, language, or particular values." (Lancaster 1999:77). These cultural objectives often have a strong appeal to the public in the donor country, and can be emphasized for that reason. Cultural objectives can be biased in the selection of which countries to give aid to and what the aid finances. (ibid:77)

Several scholars agree that it is important not to underestimate the political aspect of aid (e.g. Parkhurst, Van Rooy, Lancaster). Some donors use sanctions and other political tools to influence the activities of the NGOs they support (Van Rooy 1998:66). Aid also has implications for state sovereignty and the control governments have over domestic policies and programmes (Parkhurst 2005:573).

A report on the civil society in Uganda states that donors clearly influence the character and the role of NGOs. That is mainly because they fund NGOs activities, influence their agenda(s), and therefore hold them liable. This makes NGOs vulnerable, since most organisations are dependent on their donors. (Thue et al. 2002:30)

## 3 Background

This chapter provides a background to the context of Uganda and highlights some issues of importance for this thesis. After some basic facts about the country, the present political situation is depicted. Then follows an overview of the HIV/AIDS situation and finally the Ugandan government's initial HIV prevention efforts are described.

### 3.1 Basic Facts about Uganda

Uganda is a relatively small, landlocked country in East Africa, bordered by Kenya, Tanzania, Rwanda, Congo and Sudan and the official language is English. The population is estimated to be 27.3 million people (CIA), of which the greater majority is living in rural areas with subsistence agriculture as a major source of food and income. Uganda's population is young; half of the people are below 15 years. (UNDP 4:3) The annual population growth rate is 3.3 percent, and each Ugandan woman gives, on average, birth to 7.1 children. Life expectancy at birth has declined from 51.1 years in 1970-1975, to 46.8 years in 2000-2005. (UNDP 3)

Uganda achieved strong economic growth and macroeconomic stability in the 1980s and the economy expanded by six percent per annum on average, but Uganda still remains one of the poorest countries in the world (UNDP 4:5). GDP per capita in 2003 was USD 1,457, counted in purchasing power parity (UNDP 3). The same year, Uganda was ranked as number 144 out of 177 countries at UNDP's Human Development Index (UNDP 2). The Uganda Development Report 2005 states that the distribution of welfare gains varies across regions, sectors and social/economic groups (UNDP 4:3).

About 60 percent of Ugandans are Christian, most of them Catholics. It is estimated that 25 percent of Ugandans identify with Christian fundamentalist churches, especially the young people, and the number is growing. (HRW 2005a:43)

Uganda has been receiving an increasing amount of aid since the 1980s. An average of USD 500 million a year was given to Uganda between 1992 and 1996 and since 1996 more than USD 800 million a year has been donated. These large amounts of aid have been channelled through the state. (Mwenda & Tangri 2005:452,453) Uganda received USD 38 aid per capita in year 2003, which is USD 961.4 million in total (Worldbank). Uganda is highly dependent on aid since donor support finance "over half of the budget and 80 percent of development expenditures, especially since the late 1990s" (Mwenda & Tangri 2005:453).

## 3.2 The Political Situation in Uganda

Uganda is presently ruled by President Museveni, who has been in power since 1986. During his regime, the political environment in Uganda has improved significantly, compared to earlier dictatorships and tyranny of for example General Idi Amin. Freedom House rates Uganda as being partly free. Freedom House rates political and civil rights where 1 is the best and 7 the worst. To give an example, Sweden is a country which enjoys 1 in both; Uganda is rated as 4 in political rights and 5 in civil rights. Uganda has what is called a 'Movement political system', which by the government is described as broad based, inclusive and non-partisan. However, critical voices describe it as a "no-party system of government which eschews the need for opposition parties, deriding them as sectarian and divisive" (Thue et al. 2002:14). There was a referendum in 2000 and the Ugandans voted for the Movement system instead of a multi-party political system. The outcome of the referendum has, however, been questioned. The current restrictions of competitive politics makes scholars "wonder whether genuine democracy can be realized within the context of a political framework in which there is a continued exercise of a monopoly over the articulation of views about governance, the suppression of organized opposition and the curtailment of political space." (ibid:14).

General elections for the President, parliamentarians and for local councils are under the no-party arrangement and candidates are competing on the platform of individual merit. The last presidential election was held in 2001 and the conditions it was held under questions its legitimacy. "State and other official resources were mobilized in support of Museveni's successful candidacy, and [...] the ban on most formal party activities further hindered the opposition." (Freedom House 2005:660) However, "it was clear during the elections which candidates were for the Movement and who weren't. President Museveni won and stated that the Movement had indeed won the elections – in spite of the fact that political parties did not officially compete therein." (Thue et al. 2002:15). Election observers from Norway argued that the last elections of MP's to Uganda's Parliament "were conducted amidst political turmoil and a legal framework that most outside commentators considered favourable to the ruling regime. [...] It is becoming clear that the Movement functions as a political party in a context where other parties' possibilities to campaign are severely curtailed by law." (ibid:15,16).

In northern Uganda there have been military struggles for the last 16 years waged by opponents to the current government, foremost the Lords Resistance Army. The loss of life and property has been very high over the years and the war has forced an estimated 1.6 million civilians to live in internally displaced persons camps. (Thue et al. 2002:15, HRW 2005a:55) To fully discuss this war is beyond the scope of this thesis, therefore it is only mentioned briefly in its relation to the HIV/AIDS situation. Human Rights Watch has accused the Ugandan forces of torture, rape, and recruitment of child soldiers, yet, the Ugandan state comes under minimal pressure from the international community to speed up the

resolution of these situations (Parkhurst 2005:576). A report for the Norwegian embassy states that the armed conflict does not seem very high on the government's agenda. "The absence of focus on unstable situations in various parts of Uganda leaves an impression to outsiders of a legitimate political system able to exercise political and territorial control." (Thue et al. 2002:15). Parkhurst agrees with this and argues that Uganda has developed its national legitimacy well, and hence experiences less pressure from aid donors than other countries in the region (Parkhurst 2005:576). This is however beginning to change, since some donors have stopped their aid to Uganda.

On November 14, 2005 Besigye, the main oppositional candidate for the presidential elections in March 2006, was arrested on charges of rape and treason. A week later the Ugandan government banned public demonstrations related to Besigye's trial, and the police arrested opposition leaders who were planning demonstrations for the day Besigye was scheduled to appear in the High Court. (HRW 2005b) The political environment in Uganda, with suppression of voices of the opposition and restrictions of political spaces both within and outside the Movement structure, means severe constraints for some NGOs. NGOs are invited by the government to participate in policy formulation, but only when policies already have been outlined (Thue et al, 2002:16). The Ugandan state keeps NGOs on a short leash under the NGO-law, which is discussed further in section 4.3. In short, it forces NGOs to register before they are allowed to operate in the country, and thereafter they face severe supervision and obligations to follow the government's policies.

### 3.3 HIV/AIDS in Uganda

Uganda was the first African country to identify AIDS, in 1982, and by the early 1990s it was one of the worst hit countries in the world. Since the outset, AIDS has killed an estimated 940,000 Ugandans, including 78,000 in 2003 alone. Most of these victims were of childbearing age, and have left close to one million Ugandan children as orphans, many likely to be forced into exploitative situations to survive. (HRW 2005a:14)

Uganda is known as the success story of falling infection rates since remarkable declines were observed throughout the 1990s. Statistics vary, but most agree that the national HIV prevalence fell from 10-20 percent in 1991, to an estimated five percent at the end of 2002 (Parkhurst 2005:571,574). Human Rights Watch points out that the declining figures may mask regional and demographic variations, for example are HIV rates higher in urban than in rural areas, and in at least three regions of Uganda the HIV prevalence either stagnated or rose between 2001 and 2002. In northern Uganda there is also a higher HIV prevalence rate due to sexual coercion and exploitation in the context of the conflict. (HRW 2005a:15,56)

Uganda's Ministry of Health estimates that more than one million people are living with HIV/AIDS in Uganda today (UAC). Nearly 80 percent of those

infected with HIV are 15-45 years old, the most economically productive age group, and hence the socio-economic impact of the epidemic has been immense (UNDP 1).

The vast majority of HIV infections in Uganda and sub-Saharan Africa are transmitted through sex. More than 50 percent of Ugandan girls have had sex by the age of 17, usually with someone older. Young girls often have sex with older men out of economic need, which is thought to account for a significant number of new HIV infections. The age disparities both increase the likelihood of sexual coercion and limit girls' ability to demand fidelity and condom use. Early marriage and polygamous relationships are a common phenomenon which further increases girls' and young women's HIV risk, as men often engage in concurrent sexual relationships without using condoms. (HRW 2005a:14,15)

HIV/AIDS has a gender-biased dimension. For every boy reported infected with HIV in 2002, there were six girls reported. About 13 percent of the Ugandan women did not know any method of avoiding AIDS in 2001, compared to five percent of the men. (ibid:17) It is also the women's responsibility to take care of the sick and it is common that they also take care of relatives' orphaned children.

Uganda's declining prevalence rates are unique for the whole world, and are even more notable since the neighbouring countries have seen continual growth in HIV rates. There is a lack of consensus as to why the HIV-prevalence rate has declined in Uganda; abstinence groups and the First Lady of Uganda claim abstinence is the key to Uganda's success (Back to the Bible Truth), while Human Rights Watch argues that partner reduction played a much larger role than abstinence. Human Rights Watch refer to the fact that teenage girls became pregnant at the same rate and at the same ages as before during this period. This "suggests that any drop in HIV prevalence among girls could not have been due to girls' postponing sex or becoming less sexually active, but instead to their having sex in more regular partnerships." (HRW 2005a:69). There was an intensive campaign for staying with one partner in the 1990s which "further suggests that fidelity, not abstinence, was the most successful component of its HIV prevention efforts." (HRW 2005a:69). Parkhurst means that the normalization of life that occurred with the end of the civil war in 1986 could have played a significant factor in reducing the spread of HIV in Uganda. He also refers to behaviour changes; the number of sexual partners was reduced, the onset of sexual activity delayed, and reported condom use increased. (Parkhurst 2005:574,575)

Human Rights Watch's standpoint is that access to information about HIV/AIDS without discrimination is a human right. The UN body responsible for monitoring the implementation of the Convention on the Rights of the Child claims that "parties must ensure that children have the ability to acquire the knowledge and skills to protect themselves and others as they begin to express their sexuality." (HRW 2005a:17). The International Covenant on Economic, Social and Cultural Rights (ICESCR) committee claims that "States should refrain from limiting access to contraceptives [...] from censoring, withholding or intentionally misrepresenting health-related information, including sexual education and information, as well as from preventing people's participation in

health-related matters. [...] States should also ensure that third parties do not limit people's access to health-related information and services." (HRW 2005a:17).

### 3.4 The Governmental Response to HIV

President Museveni chose early – in contrast to many other world leaders – to publicly address the issue of HIV and called on all members of society and politicians to fight it. He encouraged NGOs, churches and donors to become involved in the fight and advocated an open and inclusive approach to the problem. Many scholars believe that this encouragement of a wide number and diversity of HIV prevention messages, as well as relaxation of state controls on mass media, has helped changing behaviours and reduced the number of new infections in the country (i.e. Parkhurst; HRW 2005a; Epstein). Moreover, this diversity of messages across the country was often customized to local needs and conditions (Parkhurst 2005:575).

*The government did not call for one particular method of dealing with the disease, but instead invited a wide range of stakeholders to partake in policy consultation. It established an enabling environment which allowed for different actors to address HIV in their own unique ways. In doing so, Uganda took the challenge that HIV represented state capacity and legitimacy, and turned it on its head. Rather than attempting to undertake HIV prevention campaigns in one set model across the country, which would probably have proven unworkable, the government adopted an indirect approach in which one of its key responsibilities would be to support the wide range of non-state actors involved in HIV activities. (Parkhurst 2005:583)*

The result of the Ugandan inclusive approach was that a large number of NGOs became involved in the HIV issue. In 1997 the government estimated that over 600 NGOs were involved in AIDS related activities in Uganda. The state did undertake some early and important initiatives of its own, but Parkhurst means that the importance of non-state actors in Uganda can not be underestimated. Each organisation was free to design its own prevention messages and interventions in the communities it served. According to Parkhurst these tailored messages to the local populations are likely to be more effective than messages on any one generalized approach to behaviour change. An UNAIDS study has found that most models for sexual change show some results, but no one model emerges to be most effective. Different individuals and groups need “different motivations, information, or structural change to sustain sexual behaviour change. By facilitating so many locally designed interventions, the Ugandan state has helped propagate a multitude of messages targeted to specific group needs.” (Parkhurst 2005:584).

## 4 Empirical findings

This chapter brings up the U.S. aid to HIV prevention in Uganda, the Ugandan government's changed attitudes towards HIV prevention strategies and the NGO-law. Furthermore, it discusses how faith- and non-faith-based organisations have been affected by these three changes.

### 4.1 U.S. Aid to HIV Prevention in Uganda

Under President Bush's leadership and with the support of the U.S. Congress, the President's Emergency Plan for AIDS Relief (PEPFAR) was launched in 2003. The purpose of PEPFAR is to "support national strategies to reach prevention" (Congress Report 2005:65) where faith-based organisations are priority local partners. The U.S. doubled the funding for HIV/AIDS programs in Uganda in 2004 to approximately USD 91 million. Out of this, 56 percent was allocated to abstinence and faithfulness (AB) programs. The U.S. has budgeted approximately USD 137 million for HIV/AIDS programs in Uganda 2005. For 2006 Uganda can expect approximately USD 170 million from PEPFAR. The U.S. strategy for HIV prevention is often referred to as "ABC", which stands for Abstinence (for unmarried youth), Be faithful (for married couples) and Condom use (only for "high risk" groups). The "high-risk" population include prostitutes and their clients, long-distance truck drivers, migrant populations like miners and fishermen, drug users and couples where one person is infected with HIV. They are "audiences that are appropriate for a condom promotion message" (USAID). It is not allowed to use the PEPFAR money to promote or distribute condoms to anyone not included in these "high-risk" groups. Hence, abstinence is the only approved HIV prevention strategy for unmarried youth. Different ways are used to get PEPFAR's messages out, where television, radio and prints play important roles. In these medias "promotion of abstinence, including delayed initiation of sexual activity and secondary abstinence for youth who have already become sexually active" are advocated (Congress Report 2005:18).

## 4.2 The Ugandan Government's Changed Attitudes Towards HIV Prevention Strategies

In 2004 the Ugandan government and President Museveni expressed a new view of HIV prevention strategies and altered the earlier open and inclusive approach to a more narrow focus on abstinence and faithfulness as approved prevention strategies. In a speech at an international meeting of AIDS experts in 2004, President Museveni called AIDS "a moral problem," caused by "undisciplined sex" and said that condoms should be reserved for prostitutes. (Epstein 2005; HRW 2005a:62) Uganda's First Lady is a vocal proponent of abstinence approaches and she has criticized condoms as well as people who distribute them to young people (Epstein 2005).

In October 2004 the Ugandan government recalled all government-funded condoms, which is the main source of free condoms, allegedly in response to failed quality control tests. Uganda's minister of state for primary health care, said in response to the condom shortage crisis: "We want to slowly move away from the condom. As a ministry, we have realized that abstinence and being faithful to one's partner are the only sure ways to curb AIDS. From next year, the ministry is going to be less involved in condom importation but more involved in awareness campaigns; abstinence and behavior change." (HRW 2005a:65). In fact, these official statements against condom use contradict the Uganda Ministry of Health's National Condom Policy and Strategy, which states that "correct and consistent condom use shall be widely and openly promoted to all sexually active individuals as an effective means of preventing HIV/STI transmission and as a family planning method." (ibid:64).

The Ugandan government introduced new taxes and quality-testing requirements on all imported condoms in late 2004, which according to a letter signed by a long list of Ugandan AIDS activists and NGOs, led to price increases of more than 500 percent. The same letter states that condoms were largely absent from public clinics in September 2005 and accuses the government for undermining public confidence in the effectiveness of condoms against HIV. "We are struck by the sudden shortage of free government and other subsidized condoms at a time when the government is collaborating with the United States to expand abstinence-only programs throughout Uganda. We do not believe this is coincidental." (Health GAP 2005)

In November 2004 Uganda presented a draft on an official national policy titled the "Uganda National Abstinence and Being Faithful Policy and Strategy on Prevention of Transmission on HIV". This policy draft uses almost exactly the same definition of abstinence education as in U.S. policy documents, however without referring to these. The draft describes how abstinence and faithfulness will be promoted as the most effective means of preventing HIV and that "special emphasis will be placed on promoting delaying sexual debut among the young and faithfulness in marriage, eliminating sexual promiscuity". (HRW 2005a:25)

Information on correct condom use has been presented in HIV prevention materials in schools in Uganda since the late 1980s. Since 2004, however, Human Rights Watch states that significant influence by U.S. policy and funding have caused incorrect and misleading information in HIV education materials for all schools in Uganda. For example, that marriage protects society from sexual diseases and that condoms have less than 65 percent protection rate and small pores that could allow the HIV virus through. In fact, laboratory tests show that it is not possible for the HIV virus to permeate condoms, and the risk of HIV infection decreases by 80-90 percent with consistent condom use. Furthermore, married people, especially women, face a high risk of HIV infection, which is neither mentioned in the U.S. funded school material, nor in FBOs' abstinence education. (HRW 2005a:33,38,39,61)

### 4.3 The NGO-law

According to the Ugandan constitution article 29(e), freedom of association shall include the “freedom to form and join associations or unions, including trade unions and political and other civic organizations” (Ugandan Parliament). Furthermore, since Uganda is part of both the International Covenant on Civil and Political Rights and the African Charter on Human and People’s Rights the people of Uganda should have the right to start and join NGOs, but this is not the case today. In Uganda the government exercises extensive control over the activities and the existence of NGOs. According to Ugandan law NGOs have to be approved and registered with the National Board for Non-Governmental Organizations<sup>1</sup> before they are allowed to operate in the country. The NGO Board defines an NGO as “a Non-Governmental Organization established to provide voluntary services including religious, educational, literary, scientific, social, or charitable services to the community or any part thereof” (Thue et al. 2002:17). The NGO Board is under direct control of the government. The NGO Board consists of government officials, also including security officials, both of which are appointed by the minister of Internal Affairs. Reports written about the NGO-law react upon the fact that the NGO Board consists of security officials, which the reports reason indicates the extensive control the government has upon NGOs (i.e. HRW 2001, Thue et al.). Also to be noted is that no NGO-representatives are included on the NGO Board.

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<sup>1</sup> As from here the National Board for Non-Governmental Organizations will be referred to as the NGO Board.

### 4.3.1 Content of the NGO-law

The law which came into effect in 1989, three years after Museveni was elected, put limits on the work of NGOs. On initial submission to register, the organisation is required to fill out a form which establishes the following details of the NGO: name; country/area of origin; countries the organisation is affiliated to; objectives of the organisation; names of officers; sources of funding; property owned; privileges; and promoters (owners) (Barr et al. 2003:13).

The government, through the NGO Board, “has full power to determine which NGOs are permitted to operate” (HRW 2001:7). This board can refuse to register any NGO or put limitations on the NGOs’ work, which the NGOs have to follow. The NGO Board has also got the power to dismiss individuals whom they do not approve of from the NGOs’ staff, normally critics or opponents of the government. Once approved by the NGO Board, NGOs are monitored by the government and can have their registration withdrawn at any time. If withdrawn, the NGO Board does not have to give any reason why they withdrew the registration. NGOs are not allowed to take the case to court but can only discuss why their registration was withdrawn with the Ministry of Internal Affairs.

*Under the twin threat of surveillance and de-registration, it would be surprising if some NGOs at least did not feel obliged to adopt more cautious policies and practices than they would wish, and to steer clear of activities that, while entirely legitimate, could be controversial or politically sensitive, and incur government displeasure (HRW 2001:7).*

Registration does not necessarily mean that NGOs can operate as long as they want. NGOs are required to renew their registration within one year and then every three years. No life long certificate is issued for purposes of control and monitoring by the government. NGOs also have to pay a registration fee when applying. If an NGO would operate in Uganda without being registered they will be fined and if they do not pay the fine the person in charge could be imprisoned. The NGOs have to advocate what the government considers to be good policies or they might be confronted by the government. “Although the NGO Registration Statute sets no such requirements, NGOs must function as nonpolitical and nonsectarian organizations, and practice a significant amount of self-censorship of their programs in order to obtain and maintain registration” (HRW 1999). The government is dubious of NGOs because they think that they might turn into political parties (ibid).

In 2001, the government introduced the Non-Governmental Organizations Registration (Amendment) Bill<sup>2</sup>. The Bill proposed would increase state control over NGOs and put further restrictions on NGOs, but that legislation has not advanced because of extensive objections by NGOs and other observers. If the Bill would eventually be approved, it would put further restrictions on the

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<sup>2</sup> As from here the Non-Governmental Organizations Registration (Amendment) Bill will be referred to as the Bill.

registration process and require that apart from being registered, the NGOs would need a special permit to allow them to operate in Uganda. Furthermore, the penalties for operating without being registered would become harsher and the board's power to reject or revoke an application would increase. (HRW 2001:1)

## 4.4 Faith-based Organisations

FBOs in Uganda, advocating abstinence and opposing sex before marriage, are favoured for PEPFAR funding and hence receive more money than ever before. Already during the 2000 election campaign, President Bush, a born-again Christian, promised to provide more federal funding to faith-based groups working on various social problems. (Epstein 2005) Religion plays an important role when the U.S. decides how to fund HIV/AIDS services and the U.S. global AIDS strategy points out that FBOs are in a good position to help young people to see the benefits of abstinence until marriage (Arnold 2005). However, critics claim that many FBOs in Uganda do not have a long experience of working with HIV issues, and therefore might not be the ones best situated for the challenge (Epstein 2005). Brook Baker, spokesman for Health GAP, claims that Bush is working to increase the amount of FBOs working in Uganda and is "encouraging them to question condoms, condemn abortions, and preach abstinence-only messages." (Rinaldo 2004).

Beatrice Were, who is working for an NGO called Actionaid Uganda, says that the FBOs in Uganda have the blessing of President Museveni, the First Lady and the Ugandan government. The Catholic Church is the major receiver of the PEPFAR funds, spending the money on Catholic organisations which do not provide or inform about condoms at all and rewarding FBOs promoting virginity, abstinence and fidelity. PEPFAR has made it possible for more fundamentalist churches to advocate abstinence in a way which they did not do pre-PEPFAR. (Genderhealth 2005b)

An example of the growing influence of FBOs is that they in 2003-2004 managed to change a teacher's manual for (U.S. funded) HIV prevention education for all schools in Uganda. Information and diagrams, for example illustrating a condom offering protection from HIV, were removed from the initial text, and a chapter on "ethics, morals and cultural values" was added. (HRW 2005a:31) According to Human Rights Watch this was possible because FBOs were financially empowered by the U.S. and had developed links to the highest political offices (ibid:33).

### 4.4.1 Non-faith-based Organisations

Non-FBOs in Uganda, which used to promote and distribute condoms, now have to support abstinence and faithfulness under the pressure from PEPFAR as well as the Ugandan government. The U.S. global AIDS coordinator, Randall L. Tobias,

has warned that groups should not promote condoms and abstinence as of equal importance if they want to continue getting U.S funding (Genderhealth 2005a). Furthermore, in order to conduct U.S. funding, the Bush administration require NGOs to sign a pledge that they condemn prostitution, which AIDS workers say will stigmatize inhabitants in Uganda who are in need of education and treatment (Arnold 2005). NGOs in Uganda know that the more they talk about abstinence, the more U.S. funding they will receive and NGOs which used to promote condoms are afraid that they will loose their funding if they continue to advocate condoms. Organisations promoting or distributing condoms are looked upon as being immoral and are not considered for PEPFAR funding (Genderhealth 2005a, Health GAP 2005). The Bush administration, the religious Right, FBOs, churches and other promoters of abstinence claim that NGOs promoting condoms promote promiscuity and encourage people to have sex. In fact, a UNAIDS report “found evidence that sexual health education for children and young people that included the promotion of condom use and safer sexual practices, did not increase participant’s sexual activity.” (HRW 2005a:74). Other studies comparing abstinence-only education with programs including factual information about contraception show the latter to be more effective on all counts. Many non-FBOs agree that encouraging young people to delay sex and reduce their number of sexual partners forms a rational part of any comprehensive approach to HIV prevention. (ibid:67,74) However, they mean this must be complemented with correct information about condoms.

Earlier efforts to promote condoms in Uganda have resulted in “dramatic increases in knowledge, attitudes, and behaviors towards condom use, achievements that are widely credited with helping to reduce HIV incidence and sustain relatively low rates of infection.” (ibid:61,62) These achievements are at risk today, however, when the government and FBOs are undermining the credibility of condoms and most non-FBOs are too afraid to promote and distribute condoms. Condom use “remains to this day the most efficient means of protection against HIV transmission” (Genderhealth 2005b). AIDS activists in Uganda point out that the political leaders used to support condoms but have now turned to abstinence instead. Beatrice Were from Actionaid Uganda says that one risks ones own life if protesting against the government’s decisions. (Genderhealth 2005a) Non-FBOs working with orphans and children affected by AIDS in Uganda claim abstinence-until-marriage messages to be irrelevant and potentially dangerous in their context. They argue that abstinence is a message for the elite and a waste of time and money in the slums. Orphan girls sell sex for food and housing, and what they need is assistance, services and access to protection, not judgmental abstinence messages. (HRW 2005a:53)

# 5 Analysis

In this chapter the theoretical framework developed in chapter two is used to analyse the findings from the empirical material. Thereafter, it is illuminated how the opportunities for FBOs and non-FBOs working with HIV prevention in Uganda have changed. The opportunities looked upon are; the freedom for NGOs to decide their own HIV prevention strategies, and their access to funding. Thereafter, the applicability of the different dimensions of the theory is discussed, as well as differences between social movements (SMs) and NGOs. The theory of POS was developed for SMs and a brief discussion around using this theory on this case where the focus is on NGOs is posed. Finally, some implications for the future in Uganda and suggestions for future research on this topic are discussed.

## 5.1 Applying the Theoretical Framework

To perform the analysis of the empirical material the three dimensions from the theory of political opportunity structures introduced in chapter two are used. They are; 1) the openness or closure of the institutionalized political system, 2) the stability or instability of elite alignments and, 3) the presence or absence of elite allies. The additional analysis category developed in chapter two, called ‘donor impact’, goes beyond the POS theory. This transnational dimension is brought in while, according to complementing theories and the empirical material, the U.S. has a significant influence on how the domestic HIV prevention strategies in Uganda are shaped.

### 5.1.1 Openness or Closure of the Institutionalized Political System

There exists a lot of elements within the dimension of openness or closure of the institutionalized political system. Some of them have been more useful when analysing how the Ugandan government’s changed attitudes towards HIV prevention strategies have affected the opportunities for NGOs working with HIV prevention. Many scholars argue that the most important factor of POS is how open or closed institutions are to network or social movement pressure and participation. Uganda’s institutions can be considered as being closed for NGOs since they are not invited to participate in the agenda setting, but only invited once decisions have already been made (Thue et al. 2002:16). This part of the open/close dimension is not particularly applicable for this specific case, since this

thesis does not focus on whether movements can participate with or pressurise institutions.

Something which is applicable from the POS theory is that it states that movements are dependent upon opportunities which the ideological position of those in power can provide. The changed attitudes towards HIV prevention strategies by President Museveni and his powerful allies can be seen as a change in their ideological position. This change to focus more on abstinence, affects NGOs which promote condoms, since they do not share the ideology of the government. (See further discussion in section 5.2.)

An element in this dimension which is particularly useful is the political environment. To know whether a country is democratic or authoritarian is a starting point when having a look at the political environment. Even though the political environment has improved since Museveni came to power, Freedom House still rates Uganda as being a partly free country where the inhabitants hardly enjoy any political or civil rights at all. The openness is also dependent on the number of political parties in a country. The larger the number the better for different groups to get their voices heard (Kitschelt 1986:63). Since there is an absence of approved oppositional political parties in Uganda, there is also a missing link in NGOs possibilities to influence government policy. We are not studying NGOs possibilities to influence the Ugandan government, but it should be mentioned that it is of importance how many parties exist within a country; this will be developed further in the next section.

Another aspect of the political environment is that laws can exist therein, which determine the “degree of openness or closure” (Sikkink 2005:157). There is an NGO-law which constitutes constraints and opportunities for NGOs in Uganda, depending on whether they are FBOs or non-FBOs. The NGO-law came into effect in 1989, and has always kept Ugandan NGOs under supervision. It demands that NGOs register with the NGO Board and thereafter the organisations will be monitored by government officials. The government claims that a law for registration is necessary to keep track of the NGOs and their work. However, we reason that the directions within the Ugandan law are too strict. According to the law NGOs have to advocate what the government consider being good policies or they may get confronted by government officials. When the government changed its attitudes towards HIV prevention strategies the contents of the law also grew in strength. Since the government is promoting abstinence and faithfulness over condom use, condoms have become a politically sensitive issue. The NGOs who used to advocate condoms risk losing their registration if they were to start promoting condoms again. The NGO-law does not allow NGOs to question the government and its policies and therefore the best way for NGOs to ‘survive’ is to advocate what the government advocates, namely abstinence and faithfulness. We find that the law is a severe constraint for NGOs to work without restrictions in Uganda, and that this could lead to an increased number of HIV infections.

### 5.1.2 Stability or Instability of Elite Alignments

Uganda's political system is the so called Movement system which is based on individual merits and does not allow political parties. Hence, the government does not cooperate with oppositional parties, and therefore there are no elite alignments. Since there is an absence of oppositional political parties there is also a missing link in NGOs possibilities to influence government policies in Uganda. It is important that political parties exist which take up civil society issues and give NGOs a chance to mobilize with the electorate, in that way they can too be a part of the agenda-setting (Thue et al. 2002:30). That in turn means constraints for NGOs; at the time being for the NGOs which advocate condoms, since they do not have the support of the government in their work. If oppositional parties were allowed within in Uganda, the condom-advocating-NGOs might have had a party supporting them, instead of the way it is now when they are being opposed.

The dimension of elite alignments is an interesting aspect of POS since it shows that the lack of elite alignments in Uganda hinders the opportunities for NGOs to get involved with political parties. It is interesting to include this aspect as a background element, and as an explanatory factor to the political situation for NGOs, but less useful when answering the main research question. The inexistence of elite alignments has been there ever since Museveni came to office and is not something which has changed as a consequence of the Ugandan government's changed attitudes.

### 5.1.3 Presence or Absence of Elite Allies

Advocates of the POS theory and several other scholars (i.e. Lancaster, Parkhurst, Thue et al.) agree that the presence or absence of influential elite allies affects the opportunities available for NGOs. President Museveni, the First Lady and ministers in the government have expressed negative attitudes against condoms and NGOs working with condoms since 2004. Considering that neither opposition, nor opinions opposite to the government's opinions are allowed in Uganda, the conclusion is that it is in practice impossible for non-FBOs to find elite allies within the country. The empirical material states clearly that most FBOs, on the other hand, are strongly against condom use and preach abstinence only for unmarried youth, which makes them excellent partners for President Museveni, the First Lady and the Ugandan government. Furthermore, many FBOs have powerful allies in U.S. ambassadors, which secures a good deal of both influence and funding. To summarize, FBOs in Uganda have many potential elite allies, while non-FBOs are likely to lack influential allies.

The presence of influential elite allies helps to put FBOs in a favourable position when it comes to funding and potential influence over government decisions. For example, the U.S.-financed empowerment and links to the highest political offices in Uganda made it possible for FBOs to change the content of HIV prevention school material, removing illustrations of condoms and instead adding a chapter on ethics, morals and cultural values (HRW 2005a:31,33). Since

this school material is distributed by the government, the content has implications for teachers' and NGOs' future HIV/AIDS work. If correct information about condom use were included, it would be an approved information source and could strengthen NGOs who would like to continue advocating condoms. Now, however, the school material has become another obstacle for those who want to promote condoms. Furthermore, the added moral message is likely to raise the stigma and guilt surrounding the disease. This dimension has proved to be a useful part of the POS theory for analysing this case.

#### 5.1.4 Donor Impact

Many scholars in the fields of aid and NGOs agree that donors can have a political impact on recipient countries' domestic policies (i.e. Lancaster, Parkhurst, Thue et al.). Furthermore, Lancaster argues that the more powerful the donor – the more impact is possible (Lancaster 1999:63). In 2004, the U.S. doubled its aid for HIV/AIDS programs in Uganda, and since then they are the major donor in this area. Hence, the U.S. is in a position to have an impact on Uganda's HIV prevention strategies. The U.S. aid is strictly conditioned, 56 percent is earmarked for abstinence and faithfulness programs. During 2004, President Museveni and his government changed their earlier open and inclusive approach to a narrower attitude, favouring abstinence and faithfulness over condoms as HIV prevention strategies. With support from the theories of above mentioned scholars as well as several Ugandan and international organizations, we argue that it was no coincidence that the Ugandan government radically changed its attitudes and approved strategies at the same time as the U.S. doubled its funding.

Lancaster states that raising aid levels often symbolizes warming relationships and cutting down aid is a way of showing displeasure with the recipient country (ibid:63,76). Therefore it is interesting to note that the U.S. significantly raised its aid to Uganda at the same time as some other donors withdrew their aid, referring to a worsening situation concerning respect for human rights, democratic development, transparency and corruption (DN 2005).

Donors' goals with aid can be to promote their religion and cultural values, which might work favouring in selection of what the aid finances (Lancaster 1999:77). This seems to be the case in Uganda. The U.S. PEPFAR guidelines are based on Catholic values, advocating abstinence and not approving condoms as an appropriate HIV prevention strategy for unmarried youth. Hence, these U.S. values result in consequences for U.S. funded NGOs' opportunities to work in Uganda.

According to the International Covenant on Economic, Social and Cultural Rights (ICESCR) committee "States should refrain from limiting access to contraceptives [...] from censoring, withholding or intentionally misrepresenting health-related information, including sexual education and information, [...] States should also ensure that third parties do not limit people's access to health-related information and services." (HRW 2005a:17) Since the late 1980s, HIV prevention materials in Ugandan schools have included information on correct

condom use, in line with the ICESCR statement. Since 2004, however, the Ugandan state has failed to live up to this when including incorrect and misleading information in HIV education materials. For example, heavily exacerbated condom default rates and descriptions of marriage as the best way of prevention against HIV, without mentioning that married women face a high risk of HIV. These changes in educational material violate the ICESCR statement and were introduced by FBOs and financed by the U.S. This demonstrates the donor power of the U.S., as well as the recently increased impact of FBOs.

## 5.2 Changed Opportunities for FBOs and non-FBOs

This section discusses and answers the main research question: *How has the Ugandan government's changed attitudes towards HIV prevention strategies affected faith- and non-faith-based organisations' opportunities to work with HIV prevention within the country?*

The opportunities for NGOs focused on are the freedom to decide their own HIV prevention strategies and their access to funding. One can see from the analysis of the different dimensions that these opportunities have changed for both FBOs and non-FBOs. These opportunities have changed because of the influence from the U.S. through PEPFAR, the changed attitudes of the Ugandan government towards HIV prevention strategies and the NGO-law which has grown in strength as a result of the two aforementioned.

### 5.2.1 Freedom for NGOs to Decide HIV Prevention Strategies

The empirical material revealed that the Ugandan government's former open and inclusive approach encouraged different actors to promote HIV prevention in their own preferred way. NGOs used to have the freedom to decide their own preferred HIV prevention strategies, but they are no longer encouraged to do that. In 2004 the government changed to a much narrower strategy, advocating abstinence and faithfulness and downplaying the role of condoms. The analysis shows a unanimous discrepancy between FBOs' and non-FBOs' opportunities. Most FBOs agree with the new, catholic inspired, government HIV prevention strategies, and are happy to preach abstinence-only for unmarried youth. Most non-FBOs, on the other hand, used to inform about and distribute condoms as an important part of their HIV prevention strategies. This puts them in a non-favourable position since the government can, according to the NGO-law, put limitations on NGOs work if they do not follow the government's policies. The government does not want NGOs to question its strategies and therefore the best way for NGOs to 'survive' is to advocate what the government advocates, namely abstinence-only for unmarried youth. Another obstacle with the NGO-law is that NGOs have to be registered with the NGO Board to be allowed to work in the country. Since the

government is at the moment advocating abstinence and faithfulness, there is a risk that NGOs could lose their registration if they promote condoms.

FBOs have several allies both within the government and the U.S., which support the abstinence strategies used by FBOs. For example, the U.S.-financed empowerment and links to the highest political offices in Uganda made it possible for FBOs to change the content of HIV prevention school material, removing illustrations of condoms and instead adding a chapter on ethics, morals and cultural values (HRW 2005a:31,33). Therefore, the school material has become another obstacle for non-FBOs who want to promote condoms. Since opposition is not allowed in Uganda, it is hard for non-FBOs to find influential allies whom can support them to advocate condoms.

### 5.2.2 Access to Funding

Most NGOs in Uganda are dependent on funding to be able to pursue their work. Their access to funding has changed since the government changed its attitudes towards HIV prevention strategies. The analysis shows that FBOs are more likely to receive U.S. funding since they are preferred partners. The U.S. aid is strictly conditioned, 56 percent is earmarked for abstinence and faithfulness programs, which evidently benefit FBOs who are supporting these strategies. In applications for PEPFAR money, organisations have to state how much of the money would be sub-granted to FBOs (ibid:43,44).

The presence of influential elite allies helps in putting FBOs in a favourable position when it comes to funding, since both the Ugandan government and PEPFAR explicitly favour FBOs. This preference of funding towards FBOs put non-FBOs in a non-favourable position.

## 5.3 Applicability of the POS Theory

The second purpose of this thesis is to test the applicability of the POS theory in the context of Uganda. This section discusses and answers the sub-question which reads: *Which dimensions and elements of the theory of political opportunity structures are applicable and useful in this specific case?*

Even though the POS theory was developed for studies concerning riots and protesting, there are elements within the theory which do not specifically focus on protesting, and thus are useful in the analysis. The POS theory was, as pointed out in the theoretical chapter, developed for social movements. There are differences in the definitions of NGOs and SMs which one should be aware of. Political Scientist Anders Uhlin has put together common definitions which state that the goals are more far reaching for SMs (e.g. change the politics of a government), while the goals for NGOs are more limited (e.g. help people who are infected by HIV/AIDS). Another difference is that SMs use confrontational strategies to achieve their goals, whilst NGOs rather use more moderate strategies. (Uhlin

2005) Having drawn on the differences between these two, we claim that the POS theory could also be used for NGOs. Theories about donor impact use some similar arguments as parts of the POS theory, which supports that the theory of POS can also be used on NGOs.

Throughout the analysis the usefulness of the different dimensions of the POS theory were discussed, as well as which elements within the dimensions were useful or not for this specific case. Several elements within the dimension of ‘openness or closure of the institutionalized political system’ were found to contribute to the analysis. The dimension of ‘the stability or instability of elite alignments’ highlights the importance of opposition in a country. Thus, this dimension is useful to give a background picture of the situation for NGOs in Uganda, but less helpful when answering the main research question. The dimension of ‘presence or absence of elite allies’ proved to be useful, and a valuable explanation factor for opportunities for NGOs.

Included in the second purpose of this thesis is to discuss if the POS theory can be fruitful for research on NGOs. In this specific case it has shown to provide valuable research tools that helped structure the theoretical framework. Even if the suitability of the different dimensions varied, two out of three dimensions turned out to offer important insights. Hence, the conclusion is that the POS theory has the potential to be adjusted to research on NGOs. However, the dimensions of the POS theory were not enough to help answer the main research question. Transnational influence, like impact from donors, is a missing part in the POS theory if one is concerned about NGOs’ opportunities to work for the people rather than SMs’ protests against a government. Due to the character of the main research question, thoughts from other scholars were added to build a more complete theoretical framework. Hence, an additional analysis category based on theories on aid and NGOs was developed. The analysis shows that the category of donor impact is a valuable key to understanding the case of Uganda. Scholars of the POS theory argue that the theory has been conceptualized too broadly, thus the proposal to develop it further in yet another direction might not be welcomed with open arms. Nevertheless, the POS theory can be used in its current form, if complementing thoughts are added to fit the theory to the specific research question asked.

## 5.4 Implications for the Future in Uganda and Future Research

This chapter is concluded by mentioning a few possible implications for the future of Uganda. In 2005 Uganda received USD 137 million from PEPFAR. Considering that the U.S. has budgeted approximately USD 170 million to HIV/AIDS programs in Uganda for 2006, one can expect nothing but increasing influence from the U.S. in the near future. The fact that several other donors have

withdrawn their aid to Uganda makes the future impact from the U.S. possibly even more significant.

In November 2004, Uganda presented a draft on a new official national HIV prevention policy, which describes how abstinence and faithfulness will be promoted as the most effective means of preventing HIV. Furthermore, there is a bill up in parliament, concerning additional restrictions and supervision within the NGO-law. If the stricter NGO-law and the new abstinence and faithfulness policy are approved, it would further constrain NGOs' possibilities to work with their own preferred HIV prevention strategies, particularly advocating and distributing condoms. This might result in increasing HIV infection rates, reversing Uganda's success story. It is therefore interesting and important to follow the case of Uganda in the future. In particular, we argue that future research is needed concerning the trends in HIV infections as a result of declining trust in and access to condoms, as well as the effects of the abstinence programs. There are no evaluations so far from these programs in Uganda since they only started in 2004. It is important not only to rely on national statistics, but to follow up the behaviour of the participating young people through careful field research. It is of greatest importance that the effects of the abstinence-only programs, as well as the lack of condoms, are properly evaluated and that future policy decisions are based on correct and non-biased information. Since the PEPFAR program is applied in other countries, it is of importance to follow up the development of HIV infection rates as well as to study the consequences for NGOs in those countries.

## 6 Conclusions

This thesis has analysed the opportunities for faith- and non-faith-based organisations to work with their preferred HIV prevention strategies in Uganda. The Ugandan government used to allow and encourage NGOs to customize HIV prevention messages to the local context, which is credited as an explanation for the declining infection rates. In 2004 the government changed its attitudes towards HIV prevention strategies, and started to focus on abstinence and faithfulness at the expense of condoms. The analysis shows that the U.S. has become influential in Uganda since doubling its aid to HIV/AIDS programs in 2004, and that the U.S. is in a position to have an impact on the Ugandan government's attitudes. Furthermore, the analysis shows that the NGO-law has grown in strength because of the changed attitudes of the government. These changes have possibly had many impacts on NGOs' opportunities to work without restrictions. This thesis focused on two opportunities which were found to have been affected, namely the freedom for NGOs to decide their own HIV prevention strategies, and their access to funding.

The analysis shows that the government's changed attitudes towards HIV prevention strategies affect FBOs and non-FBOs differently. The NGO-law states that NGOs should follow the government's policies. This affects non-FBOs' opportunities to decide their own HIV prevention strategies. Non-FBOs used to inform about and distribute condoms, but no longer dare to do this, since it is no longer approved by the government. Non-FBOs have also stopped promoting condoms either to gain or to avoid losing U.S. funding.

FBOs advocate abstinence and faithfulness as HIV prevention strategies; therefore they are not restricted by the government in pursuing their own strategies. FBOs are favoured partners for U.S. funding since they agree with the U.S. and the Ugandan government's view of advocating abstinence and faithfulness.

The second research question concerned the applicability of the theory of political opportunity structures in this specific case. The analysis shows that there are useful elements within the different dimensions of the theory. However, a complementing category, donor impact, was needed to perform a thorough analysis of the case. The usefulness of the POS theory on NGOs was also discussed. The conclusion is that the POS theory has the potential of being adjusted to research on NGOs rather than social movements. Depending on which research question is asked one might have to add another concept to the theory to make it more appropriate to the specific case researched.

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