

**THE PROCESS, CHALLENGES AND
OPPORTUNITIES INVOLVED IN REFORMING
DOMESTIC RELATIONS LAWS IN UGANDA**

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2000/HD03/754 U

**A DISSERTATION SUBMITTED TO THE DEPARTMENT OF PHILOSOPHY,
IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE AWARD OF
THE DEGREE OF MASTER OF ARTS IN HUMAN RIGHTS, FACULTY OF
ARTS, MAKERERE UNIVERSITY**

NOVEMBER 2009

ABSTRACT

Marriage and the family are important institutions in Uganda, a country of multi-ethnic, cultural and religious identities with strong indigenous family and clan systems. Laws to govern marriage have been in existence since the pre-colonial era, they are so many (6), each with unique provisions based on either religious or cultural persuasion, some of which discriminate especially against women. There have been efforts to reform the laws to align them with the Constitution and International Law principles of equality between women and men, but the process has taken several years.

The general objective of the study was to develop strategies for enacting equitable domestic relations laws in Uganda. The specific objectives were to- examine factors in the legislative process affecting reformation of Uganda's domestic relations laws; identify the challenges involved in the process; find out opportunities in the process; and, suggest a way forward for effective and just domestic relations laws.

Data for the study was obtained through mainly qualitative methods (face to face interviews, focus group discussions, researcher's memos and recollections from local workshops, analysis of video clips, and informal interviews with various individuals and groups); supplemented by quantitative techniques (structured questionnaire). The triangulation of methods ensured the credibility of findings. The study was carried out in Kampala, and sampling was mainly purposive.

The study found four key factors in affecting the process of reforming Uganda's domestic relations laws namely: role ambiguity between Ministries of Gender and Justice; lengthy multi-layered consultations on the Bill; political expediency; and a male-member majority in Parliament. Socio-cultural, religious values and norms were identified as

critical challenges for the reformation in addition to gaps within the draft Bill. Good political will; strong networks of Civil Society Organisations; women and men in Parliament who support the DRB, and Courts of Law were identified as opportunities for the reform process.

The study concludes that: Appreciation of women's human rights amongst religious leaders and the wider community of especially men is low; there is a wide scope of opportunities for strengthening the protection of women's rights; the legislative reform process is complex; national consensus building on necessary reforms can take several years; and that the family is a highly cherished institution and its protection is of paramount importance.

The study recommends: Strengthening community awareness and male involvement; pursuing strategic litigation to challenge rights violations; developing an East African Community Strategy for advancing women's rights; and developing programmes to address root causes and contributing factors for gender inequalities in marriage and family life, among others.

The study provides stakeholders with new insights in the area of women's human rights and gender equality.