

**PREVALENCE AND MANAGEMENT OF SEXUAL HARASSMENT AT
THE WORKPLACE: THE CASE OF UGANDA PRISON SERVICE
(2002-2006)**

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Declaration

I, Julius Aloka, declare that this work is original and has never been submitted to any University for a degree award

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Dedication

This work is dedicated to my mother, Veronica Akapo Itingu, who has not lived to share this humble achievement. It would have been a great joy and honour to her ultimate wish; emancipation through education.

She was a remarkable person who believed in education as a tool of emancipation. For her love and inspiration, I am what I am. This humble achievement is a direct result of the sheer pressure she put on me to succeed at all costs. She did not only take interest in my success but also made huge sacrifices to help others in need to take on education.

In doing these, she made her humble contribution to the growth of this nation, if not, this world. To her, I owe a lot.

May her soul rest in eternal peace.

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List of abbreviations

P.O	-	Principal Officer
O/C	-	Officer in - Charge
ACP	-	Assistant Commissioner of Prisons
SACP	-	Senior Assistant Commissioner of Prisons
U.P.S	-	Uganda Prisons Service
R.P.C	-	Regional Prisons Commander
C.P	-	Commissioner of Prisons
PHQ	-	Prisons Headquarters
P.T.S	-	Prisons Training School and Staff College
UNO-		United Nations Organization
FGD-		Focus Group Discussions

Abstract

Sexual harassment in the work place has drawn a lot of controversy by the many different perceptions and definitions that have characterized it. The controversy is worsened by the fact that discussions on the topic have mostly been done on a western industrial setting; giving it a central view that it is a problem of affluence, hence specific to western societies.

Despite this controversy, sexual harassment has been clearly identified as a health hazard that bears heavily on the human rights of an individual. It is a sex discrimination issue that affects the vulnerable in society. That far from being a ‘feminist invention’ meant to distort reality; it’s a discipline problem and has the potential to cause damage to both the individual and the organization.

The United Nations Organization (UNO) Employment Commission, women and human rights organizations have through advocacy and their declarations, tried to impress upon member states to legislate against sexual harassment or any other practices that are discriminatory on the basis of gender.

Using the Uganda Prisons Service (UPS), this study sought to show that inspite of being a host to many advocacy groups, Uganda has made limited progress towards tackling the issue and minimizing its effects amongst its workforce. Sexual harassment continues to flourish across the social strata. The study highlights the political and socio-economic factors responsible for this pathetic state of affairs and other inadequacies in terms of the necessary legislation to curb this abhorrent behaviour. It also shows the main actors and how they are at play with each other to the detriment of the Uganda Prisons Service.

Using both the quantitative and qualitative research methods, the study revealed that there is ‘conducive’ environment allowing sexual harassment to flourish and the laws that could counter the situation are seriously wanting. Even where they are present, they are too general and largely

redundant and ineffective. Institutional attempts to resolve sexual harassment cases are also wholly biased towards the men who happen to dominate the UPS and other institutions and are responsible for policy.

The study also reveals that although awareness is steadily growing among the population, it's mainly among the elite in society which makes the fight against it seem a far cry.

The study therefore recommends that both policy makers and managers of institutions should critically identify the root causes of sexual harassment, its implications on our society and how best to address it.

CHAPTER ONE

1.0 Introduction

The Uganda Prisons Service (UPS) is a security arm of government established by article 15 of chapter 12 of the constitution of Uganda 1995. It is part of the Uganda Justice System that also includes the Police, the Judiciary and the lower Local Council (LC) courts that is responsible for imprisonment of offenders or suspected offenders awaiting trial in the courts of law. As a security arm of government, UPS contributes to the protection of all members of society by providing reasonable safe, secure and humane custody of offenders in accordance with universally accepted standards.

The UPS is centrally administered through prison units throughout the country which number 46. They are based in at least every district save for the few recently created by the National Resistance Movement (NRM) government. These units fall under eleven different regions managed by Regional Prisons Commanders (RPCs) who play both supervisory and administrative roles to the various units under their control. All these report to central command at Prisons Headquarters (PHQ) based in Kampala. All matters are handled on a chain of command arrangement, making it very bureaucratic.

However, there are also other prison units called Local Administration Prisons (LAPs). These are altogether 176 and are based at sub-county and county levels. They are run under local government arrangement and at the moment have no direct link with the UPS. They were, therefore, excluded from the sample population of this research.

The UPS employs both men and women and as at 31st December 2005 it had altogether 4211 uniformed and non-uniformed staff. Of these only 300 were females. Of the 298 senior officers,

only 63 (21%) were female, of the 140 senior uniformed staff, only 9 (23%) were females-“UPS Staff Establishment 2006”, UPS Policy and Planning Department.

Sexual harassment has become a topical issue among research and policy makers because it is a blot on the global fight against inequalities between sexes in the workplace environment especially in the third world countries. Governments all over the world and organizations in particular are facing pressure from international bodies to put measures in place to address issues that cause inequalities in workplaces. Only then can they claim to be consistent with international legislations on discriminations based on sex.

In Uganda, a wind of change came with the NRM government that took over power in 1986 promising Ugandans that theirs was not ‘just a mere change of guards but a fundamental change’. With this came concepts like Affirmative Action (AA) that only used to be heard of in the vocabulary of western industrialized countries. The concept was meant to transform the women from being mere housewives to being participants in the boardrooms, government bodies and all other sectors of the economy as equal partners. This achievement was wrapped up by the promulgation of the most gender-sensitive constitution, (as noted by Anikire).

To this end and to hasten the process, women in Uganda were given special privileges in institutions of higher learning, in politics and in employment opportunities in general. This opening of space saw many women organizations such as FIDA, ACFODE, etc come to the fore to champion the women’s cause and push for policies that minimize sex discriminatory tendencies against women such as sexual harassment and sex exploitations.

The Workplace

Oxford Advanced learners dictionary defines it as “an office, factory, etc where people work” (Hornby, sixth edition, Oxford University press – 2000). This definition points to a place where production of goods and services takes place and contributes a major part to the control and care of citizens. To produce these goods and services, these places must employ people or relate to them as clients or customers. The workplaces in the UPS include all that is found in a typical prison station i.e. the offices, the inner prison area (boma), the prison barracks and all child care centers providing education and health care to staff members and their children. Most of these people’s lives rotate around these institutions. This study focused on the people employed in these areas, the structures, conditions, the cultures and how these employees relate to each other sexually because these places are “decisive for our paid working life and wellbeing. It is therefore of great importance how they function, which logic dominates, which actors and groups set the agenda and how the relationships between people are formed” (Mats Alvesson and Xonne Due Billing – 1997).

Governments and organizations allover the world recognize sexual harassment as an impediment to their ability to maintain the best employees they can find. It is only through selecting and retaining the most talented, creative and experienced employees regardless of gender that they can maintain a competitive edge over others. Organizations interested in re-inventing their images in order to capture their market share of customers have therefore made attempts to place barriers on all forms of sex discrimination, including sexual harassment at their work places.

In spite of these attempts to eliminate obstacles hindering total attainment of equity at the work place, sexual harassment has remained alive and a topical issue, even as more and more women managers join the work force. This trend has been attributed to mainly three factors:-

The first arises from the fact that sexual harassment is a new term which however describes the age-old problem of unwelcome conduct of a sexual nature. Both men and women have different intuitive responses to definitions and incidents of sexual harassment and even different feelings about how policy should be implemented. These contradictions have been escalated by academicians themselves; a number of who have re-ignited the debate by the acknowledgement that 'sexual harassment' is an 'imprecise' term whose meaning and degree of emphasis is difficult to place. In other words they raise questions whether the vice should be understood as "power" behaviour or as a "sexual" behaviour?

Secondly, there is also a general view that it is a "feminist invention, which has the deliberate or unintended consequences of prescribing the normal (sex) relationships that develop when men and women work together (Hellen Watson, 70). According to her, "men therefore tend to perceive sexual harassment allegations as a natural result of unsuccessful sexual relationships".

The third aspect has to do with power relations in organizations where society has culturally and historically placed a lot of power on the men who have used it to dominate the women. Those, over generations, women and children, and girls especially have been "socialized not to", causing vulnerability amongst these groups. That because of this, organizations all over the world have been so structured as to be an extension of the power relations within an environment in which men continue to play the game along gender roles and who controls who in the workplace.

However, in today's world where women have made in-roads in attaining top managerial positions, the trend is changing. With this shift in the balance of power, sexual relationships within organizations have tended to change from where only women were victims of sexual harassment to being the harassers of men themselves.

In the US, a study done by the Merit System Protection Board (MSPB) in 1995 indicated that 44% of women and 19% of men have experienced unwanted sex interactions in the workplace (Reese and Lindenberg, 1999:2). But while the women "are much less likely to initiate sexual encounters and yet more likely to be hurt by sex at work", men on the other hand "report virtually no work -related consequences of sex behaviour and the majority are flattered by sexual overtures from women". (Pringle, 1989: 164).

Whether it is the men or women who harass, the issue has drawn attention to the centrality of sexuality in the work place and organizations. There is a strong opinion that sexual harassment is an organized expression of power by one group that must be tackled because of its detrimental effects on career and credibility of individuals and organizations. The matter can no longer be ignored. This study provides evidence of the existence of sexual harassment in the UPS. It also advances possible solutions.

There is an argument that whoever controls the workplace has used his/her position of power to dominate the other and set the "agenda" and standards in their own interest. So matters of a sexual nature should, therefore, be left to the two people involved and that there should be no

external interference. Questions however arise about rape or defilement and where they fall in these arguments of no interference and whether they are addressed inadequately if at all.

In spite of these conflicts in perception and definition, and the fact that it “only came into the language in 1976” (Pringle 1989), sexual harassment is today recognized as a central feature of gender inequalities at work and it is much alive and widespread in public organizations, and affects both men and women.

Today, as the percentage of women managers has increased, so has the feminist movement and equal rights activists. These have drawn attention to the centrality of sexuality in workplace organizations and have insisted that sexual harassment is an organized expression of male power, which must be tackled because of its detrimental effects on a woman’s career and credibility.

Sexual harassment is also now regarded as a contravention of obligations imposed by law for all organizations to be good employers. The UN has provisions in its charter that deals with any type of discrimination including along the lines of sex. According to the European Union, sexual harassment is a form of employee misconduct and so employers have a responsibility to deal with it as they do with any other form of employee misconduct, as well as to refrain from harassing employees themselves.

The Uganda Prisons Service (UPS), as an organization in a third world country like Uganda, faces a number of challenges especially arising from conflicting definitional and perceptual issues concerning sexual harassment. The traditions and cultures of our societies still place the men in dominant roles. The organizational bureaucratic structures of the UPS are also such that

men dominate. And given that sexual harassment is a concept that is not deep-rooted in our legislation and practices, it's of great importance to investigate how the organizations cope.

1.1 Problem Statement

All over the world, sexual harassment has been known to exist in various government institutions, and Uganda's case has been well documented in this regard. Awareness about its detrimental effects on society and organizations has also risen. A number of women organizations in the world have risen to the challenge and have drawn attention to the issue. In this endeavor, Uganda has not been left out. It is now common knowledge worldwide that sexual harassment is an unwelcome and an abhorrent behaviour that needs to be addressed along with its detrimental effects.

Despite this growing knowledge and the fact that cases and reports of sexual harassment are on the increase in Uganda and in the UPS in particular, no action has been known to have been taken against its perpetrators. This study therefore sought to reveal the prevalence and management of sexual harassment in the UPS and to lay out strategies of dealing with the problem.

1.2 General Objective of the Study

The primary objective of the study was to examine the nature and prevalence of sexual harassment in the Uganda Prisons Service.

1.3 Specific Objectives

- (i) To examine the nature and prevalence of sexual harassment in the Uganda prisons service.

- (ii) To analyze the causes of sexual harassment in the Uganda prisons service
- (iii) To examine problems associated with sexual harassment in the Uganda prisons service.
- (iv) To identify measures that can be taken to address the problem of sexual harassment in the Uganda prisons service.

1.4 Significance of the Study

1. The study was intended to examine the nature and prevalence of sexual harassment in the Uganda Prisons Service. Sexual harassment, where it exists in society, takes many forms and it was important to ascertain how it manifests itself in the UPS.
2. It was also meant to be an eye opener to the fact that sexual harassment exists in the workplace and is something that needs to be dealt with owing to its many negative aspects to the victims as well as to the organizations.
3. Upon providing evidence of its existence, the study was also meant to suggest solutions to the problem of sexual harassment in workplaces.
4. This study was also expected to add value to the existing body of knowledge from students, academicians and researchers who may appreciate the problem of sexual harassment in the organizations in Uganda and enhance their understanding of its consequences to society.
5. It was hoped that the study would enable policy makers both within the UPS and from government to appreciate the problem and come up with appropriate remedies to address the problems associated with sexual harassment.

1.5 Scope of the Study

The study was conducted in four prison units purposively selected from around the country. The selection targeted mainly four aspects: those units where only female staff are employed and those with a mix of both female and male staff, those that employ more male staff than is the norm in other units, and Prisons Headquarters where there is a high concentration of senior officers and with a heavy non-uniformed staff presence.

The study also sought the opinion of some retired officers throughout the country as well as prominent academicians conversant with the subject of sexual harassment.

The study covered the period from 1985 to 2006. This is the period when a lot of women issues came into prominence. With the coming to power of the NRM government in 1986, a women's ministry was created in 1988. This saw many women organizations coming to the fore, such as FIDA, ACFODE (Nagaddya, 1993) etc, who came in to lobby and advocate for women representation and participation at all levels of decision making as well as the reform of laws affecting women and working for the introduction of gender issues at all levels. This period should help to highlight how those trends have affected the management of women issues in the UPS.

CHAPTER TWO

2.0 LITERATURE REVIEW

2.1 Introduction

A lot of literature has been written about sexual harassment in the workplace. This review attempts to look at some of the available literature under the following themes: nature of sexual harassment in organizations or institutions, causes of sexual harassment in organizations, effects of sexual harassment in organizations, and measures put in place to address the problem of sexual harassment.

2.2 Nature and Extent of Sexual Harassment in Organizations

Sexual harassment has been recognized as a worldwide problem that can occur anywhere. And while it has been known to affect mainly women, men have also been subjected to it. While sexual harassment is mainly between the sexes it has also been recognized that, it can happen within same sexes i.e. male or female employees may subject fellow workmates of their gender to harassment on the basis of their sexual orientation.

Although sexual harassment has been described in various ways from country to country, and across the various cultures and practices, they all typically refer to “unwanted conduct of a sexual nature, where either the rejection or imposition of such a conduct can have negative employment consequences for the victim, as well as undesirable effects on the work environment” (Eugenia Date-Bah, 132). Despite the differences in definition, it’s accepted that for an act to be considered sexual harassment, it must be sexual in nature, unwelcome to the recipient of such behaviour and must be reasonable in the circumstances; that the person who was harassed felt offended or humiliated.

This categorization automatically differentiates it from sexual engagements that are mutually consensual. Questions however arise about relationship between the bosses and juniors that may appear consensual but beneath it lie tenets of pressure and a need for self-preservation on the part of the victim. Issues therefore arise on how to determine what is unwelcome and what is sexual. This controversy has led many to include sexual or love relationships that involve a type of abuse of authority or 'sexual blackmail', by use of inducement etc in their definitions, especially as long as such behaviour has the ability to cause stress, loss of self-esteem or interferes with an individual's work performance. Hence "consent or participation which is obtained by fear, intimidation, threat or coercion will not mitigate a complaint of sexual harassment".(Dr. Frank Till 1980)

He states that sexual harassment also takes many forms, from the physical, to the verbal as well as psychological. He summarizes these as the range of conducts that constitute sexual harassment as generalized sexist remarks; inappropriate and offensive, but occasionally sanction-free sexual advances; solicitation of sexual activity or other sex linked activity by promise of reward; coercion of sexual activity by threat of punishment; sexual crimes and misdemeanors.

Sexual harassment exists and persists in different regions of the world for sometimes different reasons altogether. However, there is a temptation to think of it as a "western concept that only applies to western industrialized society and that it may not apply to the Muslim world or African setting. That those have their own female controlling practices" (Testimonies of the global tribunal on violation of women human rights; at the UN World conference on Human Rights-Vienna, June 1993-Niamh Reilly)

As Safran (1976) says, “sexual prowess in most African cultures symbolizes men’s power and is intricately linked with the institution of polygamy and culturally endorsed male promiscuity. It is perpetrated because it is interpreted as normal, complimentary and even flattering to victims”.

Despite the differences that might exist from region to region, sexual harassment is known to exist at the workplace and is determined more by the gender that controls the workplace and is responsible for the discrimination at work. Gallengah (pg 10) in her research found that in the 43 organizations she researched, the patterns were similar and whatever the exception, women’s overall share of jobs though increasing and achieving greater visibility in certain high profile roles, the men almost still exclusively dominated the decision-making power. Niamh Reilly calls it the “patriarchal play and display of power. Hence Simmels’ comments that a man’s position of power does not only assure his relative superiority....but it assures that his standards become generalized as genetically human standards”. In other words, in the work place, it is the men who set the agenda.

Richard Anker and Catherine Hein in their studies asserted that because men control the workplace, the women are often subjected to sexual pressure in order to obtain jobs and promotions, and that women seek rich and influential male friends as a means to obtain jobs and money. Karanja (1981) in his study of Lagos, Nigeria found that sexual harassment was widespread and that the main targets for sexual pressure were the less educated, the single and those working in low paying jobs as typists, secretaries or petty contractors. Paul Nyende (2000) found that of the women interviewed in Uganda, 65% admitted having been sexually harassed and this was mainly because women’s jobs not only offer low pay, little privilege and routine tasks but also require women to serve emotional support and be sexually attractive to men.

According to him, women in all backgrounds and positions in the hierarchy have been subjected to sexual harassment.

Where the men have fallen victims of sexual harassment it has been mainly because of the coming into play of such concepts as equality, affirmative action, women's emancipation, human rights etc. This has led to change of attitude in women in the way they dress, their attainment of higher position in workplaces and hence their influence over the men.

The absence of laws or their inadequate implementation in most regions, particularly in Africa, has also led to the persistence of sexual harassment at the workplaces. Clare Semambo (2001) points out that sexual harassment in Britain came to the fore only when government policies were put in place to hold employers liable for failure to incorporate sexual harassment policies in rules governing their employees. In Uganda, the 1995 constitution provides for affirmative action and the right to work. As a result very few formal complaints are made and victims rarely seek professional advice.

Generally therefore the extent and nature of sexual harassment in the third world and particularly Uganda is still a grey area that needs further investigation so that it's put on the agenda of the public.

2. 3 Factors Responsible for Sexual Harassment in the Workplace

Like in the previous theme of the nature of sexual harassment, factors responsible for this problem may vary from situation to situation.

A number of scholars agree that sexual harassment has its bearings on four aspects, namely biological essences, outcomes of social roles, fundamental political categories and communicational practices and discourses of power.

Hearn *et al* (1992) postulate that sexual harassment is all about sexual differences between males and females so that sexuality becomes instinctive sexual drives and libidos. That because of biological circumstances, men as well as women have sexual desires or urges, which are natural and normal.

Alvesson and Billing (1997) agree with Hearn *et al*, that to understand gender issues one has to look at the “constructions and reconstructions” of gender relations, and how these influence the way things are done. That these constructions are contingent upon gender roles that society has prescribed. That in their interaction gender roles open up considerable room for detailed forms of sexuality i.e. as in the many ways men might flirt with women in the workplace.

In politics, organizations have become a series of sites where the danger of sexuality can be both repressed and exploited. Historically therefore, sexuality acknowledges sexual interests. Sexual communities and sexual identities can be open to change even in rigid bureaucratic system.

Feminists, (Callagher- 1995), Pringle (cited in Hearn *et al*) however have insisted that sexual harassment is not only an individual problem but also part of an organized expression of male power. It is one way that women are kept out of non-traditional occupations and re-enforce their secondary status in the workplace. This perception is further re-enforced by the bureaucratic set-up of most organizations. Bureaucracy that was thought to be ideal and progressive has instead

created patriarchal structures and reinforced arbitrary power held by fathers and masters in traditional society. In bureaucracy, male domination of organizations and sexuality are emphasized.

According to Ditomaso (cited in Hearn *et al*), sexual harassment is a result of competition between the sexes for domination. The men who have traditionally held the dominant role have reacted to the challenge from women through hostility expressed in issues of sexual harassment.

In the Uganda context, Semambo (2001) asserts that in Africa context, sexual harassment is viewed as western concept and therefore non-existent in a typical African setting. But, this study recognized that culture and traditional beliefs were other factors responsible for sexual harassment in the workplace.

2. 4 Effects of Sexual Harassment to an Organization

Sexual harassment has the overall detrimental effect on a woman's career and credibility. In some cases, it has led to the loss of job. According to Pringle (Hearn, *et al*; 1992) even if it is difficult to know where "male power" begins and ends, and whether women are in all cases "victims" or whether women consent to the sexual demands of men or not, there will always be an effect felt by the harassed.

Itzin and Newman (1995) have agreed that because of the pressure, the women have to do better at the workplace to keep their jobs, their career paths have become much more fragmented due to managing work, child-rearing and domestic responsibilities. Because of the pressure of "having to work twice as hard to get the same level", some women have had to opt to either remain

childless or solicit the aid of maids to take care of the children while they concentrate on their careers thus creating another problem of harassment at home.

Carothers and Crull (1984) assert sexuality has become part of the workplace negotiation so much that sexual favours have become a currency by which women trade for easier jobs, promotions and job security. Even if the woman shows genuine interest, the man will see it as another opportunity to exercise his dominance over the woman, and will use the opportunity to exploit it. There is also a general feeling now by men that they are being feminized, creating unnecessary hostility between the sexes and a breakdown of the social structuring of occupations as there is a move towards individualization of occupations.

Gutek and Koss (1993), Reese and Lidenberg (1999), Stockdale (1996) allude to the costs involved both to the victim and the organization in three areas of Somatic health, psychological health and work outcome.

Gender harassment and overt and serious sexual harassment is linked to post-traumatic stress disorders, mainly victims quit their jobs, complainants are subsequently fired, and others do not later find employment owing to poor references. Others withdraw from work in form of absenteeism and low productivity, change career intention, experience low job satisfaction and deteriorated interpersonal relationships with co-workers and other negative attitudinal and emotional changes.

The costs to the organization where sexual harassment goes unchecked can be enormous, whether the complaints are raised or not. Staff who may or may not be victims but are affected

by sexual harassment in an organization may react through poor morale, high turn over rate, lower productivity and high absenteeism. As a result of the high turnover of employees, the organization meets costs to replace such staff. An organization with a reputation of sexual harassment or discrimination tendencies as a whole becomes less attractive to potential employees, hence less applicants pool from where to select suitable employees. And where there are appropriate and well defined laws on sexual harassment, legal action by victims against organizations have proved expensive in legal fees. Organizations that therefore seek to re-invent themselves and compete favorably with others must therefore address the above losses through comprehensive legislation against sexual harassment.

2. 5 Measures to Combat Sexual Harassment in Organizations

Research indicates that although the adoption of “model” policies is widespread, the public sector has lagged behind the private sector in establishing and successfully implementing such policy (Reese and Lindenberg, 4). The application of policies also differs from country to country because of difference in perception of the concept of sexual harassment. The public service is known for its severe financial constraints and no comprehensive training in and full application of sexual harassment policy.

Malkovich and Boudeau (1994), Hall and Taylor (2002) all have highlighted the positive changes that have taken place in the USA and UK respectively towards achieving equality and fair treatment of employees at the workplace. Legislations have been put in place like the Employment Law 1970, the Equal Pay Act and the Sex Discrimination Act of 1975 in Britain which have continued to undergo major transformations.

In the USA, the trend is similar with Equal Employment Opportunity Act (EEO) and Affirmative Action (AA). These measures allow minorities in workplaces to seek redress in case of discrimination, and encourage women and minorities to take advantage of job opportunities. The studies confirm that as a result of the above, women have made gains since the 1980s while men have made terrible slides.

Research in Uganda also points to attempts on policy in sexual harassment areas. Nyende (2000), Semambo (2001), Asiimwe (The Monitor, 5th March 2004; 18-19) all lament that while there are general law books supposed to address problem of discrimination, there are none to specifically address individual issues of gender discrimination. That challenges such as sexual harassment, denial of maternity leave, lack of child care facilities, lack of equal pay for work of equal value have not yet taken centre stage and few complaints are made and victims rarely seek professional advice.

This lack of uniformity in application of policies across nations and organizations shows the need for identifying areas for policy improvements, finding out rates of reporting of sexual harassment, perceived incidents, respondent definitions of sexual harassment and factors connected to successful policy implementation.

2. 6 Theoretical Framework

Sexual harassment in the workplace can be linked to many theories, but for this study, I shall site the gender, feminist and organizational theory. Gender theory is “widely used to refer to social constructions of sex and decision based on differences of sex, however indirectly” (Hearn et al

1992; 2), so much so that sexuality of men, their gender and the male sex can be conflated and be explained by just male sex. Sexuality and gender are linked through and explained by two categories, biological and naturalized or normalized. Gender theory therefore arises from the pro-women analysis that asserts that the women have for a long time been a minor factor in the global male dominated system. The theory has been in existence for a long time and has kept changing. It has been affected by different interests exposed by social groups, human sub-cultures and different practices over the ages.

This gender theory points to the sexual differences between human beings and the struggle between the male and female for the domination of the other. While the winner of this struggle dominates, the weaker has to adopt means of survival by devolving. The result is that over the years, the men have become stronger and have subordinated the women ever since. So, gender is a power-relating issue.

This study shall however be informed by the organizational theory and the way it relates to the feminist theory. Organizational theory focuses on how organizations are structured to ensure progress and development of the organization. The success of an organization depends on its culture and how power and authority is distributed. The feminist theorists however believe that organizations are structured in such a way that the men continue to dominate the women because gender inequalities and power relations are actually transferred to the workplace. Organizational practices therefore favor men almost exclusively as managers on the belief that men alone possess qualities for these positions. According to this line of thinking, women managers are believed to be less likely to possess the skills, abilities and attributes needed for management.

That this perspective remains alive and well in the minds of managers in today's workplace, and that because of this, women are subordinated to low paying jobs in companies.

Over time feminists have continued to push for equity between the sexes by putting up barriers against the sexual power structures in organizations. They have therefore urged the women to place themselves in competition with men because they assert that women have different and even better skills than men for managing the demands of the workplace.

The men however have reacted to the challenge by attempting to use their power to secure their dominant roles by emphasizing the "womanness" of women. They claim that these women challenging the male authority are creating the problems of both sexual harassment and gender discrimination. "Sexual harassment is therefore a form of sex discrimination that manifests itself in the workplace and affects those who by their location or action refuse to enact their subordination to men" (Hearn *et al*, 1992; 88).

From the review of the literature on sexual harassment, it is quite clear that while a lot of inroads have been made in some advanced societies or countries to tackle the problem, it is still a challenge worldwide but particularly in the third world. Research is also more concentrated in those advanced societies more than in the third world making it a growing problem. However, the fact that it is getting absorbed into public debates is an admission that sexual harassment exists and is an abhorrent behaviour that is no longer just a family affair but one that calls for external intervention

CHAPTER THREE

3.0 METHODOLOGY

3.1 Introduction

This chapter reports on how the study was carried out. These will include the following; the study area and population, size and method of sample selection, data collection and analysis, limitations and ethical considerations.

3.2 Research Design

Case study of sexual harassment in the Uganda Prisons Service in the regions of East, West, Central and North. The reason for this was for geographical representation of the entire UPS as a sample population.

The sample population was further drawn from four prison units of Soroti, Luzira women's Prison, Kampala, Lira prison and Mbarara prisons respectively. All these four units had a total population of 256 staff distributed as follows: Luzira women's prison, Kampala (0 males, 58 females), Soroti (62 males, 14 females), Lira (60 males, 4 females), and Mbarara (56 males, 12 females). Luzira women's prison was selected because it is one between two units countrywide with the highest concentration of female staff.

3.3 Sample size, sample selection and study area and population

The four prison units provided the population from which the study sample was selected. Given that there was a disparity in numbers and ranks between the two sexes, the sample size was selected purposively for both sexes to take into account the various experiences at the different levels of the hierarchy: 60 males (distributed as follows; Soroti 20, Lira 20 and Mbarara 20); and 60 females (Luzira women's prison 30 and all the females from Soroti, Lira and Mbarara). Equal numbers of males and females were selected from the four prisons to eliminate any biases that may arise from unequal representation. No males were represented in the Luzira women's prison

because only women are employed at the unit. Given the small numbers of females in the other three prisons i.e. Soroti, Lira and Mbarara, all of them were included as part of the sample size. Another 5 retired officers, 3 senior female officers, 2 senior officers from prison headquarters, 2 parliamentarians, 2 police officers and 1 court official were also purposively selected for independent interviews.

3.4 Methods of Data Collection

Both primary and secondary sources of data were used in this study. The following were the primary sources;

3.4.1 Structured Questionnaires

These contained pre-coded questions meant to capture factual data on the existence of sexual harassment in the UPS. Questionnaires were administered to the 120 officers (60 males and 60 females) that formed the sample size of this study.

3.4.2 Focus Group Discussions (FGDs)

The topic of sexual harassment being a sensitive issue, it was important to get the respondents to brainstorm on the subject. When conducting FGDs, care was taken to make sure that officers of the same rank were included in the same groups. This was to eliminate an atmosphere of fear by the junior officers to speak in the presence of their seniors. Thus junior officers were grouped together and senior officers in their own groups. Thus in all there were a total of 12 FGDs. The FGDs helped the respondents get a deeper understanding of the concept of sexual harassment and to respond appropriately. Senior officers were included in the FGDs so that they could be

educated on the concept of sexual harassment since there is a perception that they are the ones who perpetrate it.

3.4.3 Individual Interviews

After the group discussions, it was found that a number of participants would not reveal detailed information; so individual interviews were also conducted. This helped to create some confidentiality and the respondents proved to be free and relaxed. These interviews allowed for probing and deeper discussion.

3.4.4 Key Informant Interviews

These were picked strategically depending on their experience, the position they hold, the roles that they play and the kind of information required. Those targeted were parliamentarians, the high ranking officers of UPS at the prisons headquarters who are policy makers, the retired prison officers, academicians as well as some lower ranked UPS officers but who are strategically placed in the hierarchy.

3.4.5 Observation

By interacting with members of the force during the study, aspects that were of concern to this study were captured through observation of the interpersonal relationships between the members of the UPS.

Secondary sources of data included the following;

3.4.6 Documentary review

Data was also collected through review of available data obtained from the UPS staff registry, the UNRC library, Makerere University Library and court records.

3.5 Data Analysis

This was done by both qualitative and quantitative methods

Qualitative Data Analysis

This was done by manual editing of all questionnaires to eliminate errors. Also a coding frame was developed according to the themes of the study and issues were discerned from checklists from the field note taking and interviews. The issues raised in the checklist were identified and placed under themes, which included among other things underlying reasons for the prevalence of sexual harassment, reasons for its persistence and the effects on the victims and the UPS.

Quantitative Analysis

Under quantitative data analysis, background characteristics such as age, sex, education level and ranks in the hierarchy were edited, coded and analyzed for descriptive purposes. These formed the bulk of the independent variables that affected the categories of victims and harassers and the effects of the problem on each category.

After these, frequencies of occurrences were tabulated and quantified using percentages by use of the Statistical Package for Social Sciences (SPSS) programme. This helped to establish the relationship between the variables mentioned above.

3. 6 Ethical considerations

1. The researcher sought introduction from the faculty and a letter of authority from the UPS to conduct the research.
2. Respondents were selected with care and the purpose of investigation was thoroughly explained to ensure utmost confidentiality.
3. Plagiarism was avoided at all costs by indicating all sources of information.
4. Personal opinion and experience of the researcher were avoided in order to eliminate bias.

3. 7 Limitations

1. The topic of sexual harassment was not familiar to most respondents. Besides, it is a taboo subject especially where bosses are involved. To overcome this, the researcher took pains to sensitize the respondents about the concept before the study could begin. In the case of the lower level of employees, the researcher had to carry out a pre-test to establish their level of understanding of the concept.
2. Uganda Prisons Service is an organization of high discipline but also suspicion. Lower level employees had fear of recriminations afterwards. The use of research assistants who assured them of confidentiality helped to overcome this.
3. There were budgetary constraints, which explains why the study took long to complete. However, this was overcome through the good will of friends and individual effort in mobilizing funds.
4. Some of the research assistants were quite slow in conducting the research in the apportioned areas. However this was overcome by allocation of deadlines within which they had to finish the study.

5. Personal commitments like job demands did interfere with the expected progress of the study. However, this was overcome through taking unpaid leave, which helped speed up the whole process of data collection.

CHAPTER FOUR

4.0 FINDINGS AND DISCUSSIONS

This chapter presents the findings, interpretations and discussions of the research on the prevalence and management of sexual harassment in the workplace; a case study of the Uganda Prisons Services (UPS).

The presentation is organized in tables and narratives, which are categorized according to the main themes of the research, that is;

4.1 Perceptions of Sexual Harassment in the UPS

This research revealed that sexual harassment is a concept that is not understood by a majority of respondents and the problem cuts across all the social strata.

Because of this, the research found group discussions and face-to-face interviews very useful, as the researcher was able to explain the concept in detail before administering the questionnaire and conducting the interview. In this way, it was possible to get genuine and realistic responses to the questionnaires and interviews.

Among the senior officers, only one was able to give a clear and precise definition. One senior female officer when asked what she thought of sexual harassment in the department responded thus, “as far as I am concerned, I see no problem in it and we encourage our officers to have those relationships. It is reality”. Quite obviously, she understood sexual harassment to mean normal love relationships among the members of the force, some of which end in marriage. While the responses were mixed, they depended not only on the sex of the individual but also on his/her level of education and social standing in the hierarchy location of the prison.

Among the junior level officers, the male officers while agreeing that sexual harassment existed, a majority thought it was no 'big deal' and should largely be ignored. This observation was mostly strong in Lira prison in the North where the concern about the insurgency posed by the LRA seemed to be a more serious issue and concern than sexual harassment. A majority felt it was a perfectly normal thing so long as there was no physical sexual assault on the victim. This contrasted a great deal with the other three prisons where there was a general condemnation of the whole act. This disparity in perception could possibly be explained by the exposure of officers from the other prisons located in relatively calm areas to awareness campaigns and electronic and print media.

The female officers, a majority of whom are young and educated agreed that it is a big problem, and thought it was high time the problem is dealt with. The others who did not seem to take it as a serious issue were mainly the elderly and less educated.

Among the senior officers, the opinion was largely unanimous that the problem was now with us and must be tackled. A few were of the view that while it may be a problem, it is not a priority in the face of other more challenging issues in a third world country like Uganda.

From this, it became very clear that the goal for the total women's emancipation was along way ahead. It has to start from sensitization at grass root level. It may even have to involve changing the whole school curriculum in this country to include such concepts as sexual harassment in the syllabus.

4.2 The Nature and Prevalence of Sexual Harassment in the UPS

It will be remembered that this study was conducted in four prison units purposively selected from all over the country. In Uganda, there are prisons that are exclusively for females and are managed by only female staff.

Then there are those that are exclusively for male prisoners and managed by only male officers. Others have both male and female inmates that are managed also by both male and female officers without having their numbers being proportionate. Other units, like most farm prisons are exclusively for male prisoners, but managed by mainly male officers and a few female ones, employed mainly in office duties as typing and reception clerks. These do not have to work on escort duty in the field.

All these scenarios had to be captured in order to determine how sexual harassment manifests in these various situations in the entire UPS. In all the cases however, except for exclusively female prisons, the top managers and most middle managers were found to be predominantly male.

In response to the first part of objective (i) which aimed at addressing the nature of sexual harassment at the UPS, the following were cited as the various forms of sexual harassment experienced (refer to table 1).

Table 1. Nature of Sexual Harassment in the UPS

	FREQUENCY & PERCENTAGE
Unwanted sexual advances	71 (44.9%)
Incest	7 (4.4%)
Rape	4 (2.5%)
Unwanted kissing/ touching/ fondling	16 (10.1%)
Indecent assault	20 (12.7%)
Sexual assault	17 (10.8%)
Defilement	23 (14.6%)
Total responses	158 (100.0%)

The above table clearly shows that unwanted sexual advances (44.9%) are the leading type of sexual harassment taking place in the UPS. This is followed by defilement (14.6%). Many respondents admitted that the existence of offensive verbal sexual comments (10.1%)

Rape, as an extreme form of sexual harassment is cited at (2.5%). As was pointed out earlier, a good number of respondents had cited rape (forced sex) as the leading form of sexual harassment, but even after explaining that concept during the group discussion, rape, indecent assault and other sexual offences still formed part of the responses.

Both the male and female officers admitted to having been sexually harassed by the opposite sex but in varying degrees. The female officers were more of victims of sexual harassment than they were harassers. However, some male officers including senior ones admitted to being harassed by some female officers.

Sexual harassment from a superior was considered to be more traumatic and difficult to deal with than if it is from a fellow junior officer. This is because among fellow officers, it is always “sexual banter” which is considered normal and therefore acceptable. As one wardress put it, “the only contact usually acceptable with a boss is through salutes. Any physical contact beyond this is suspect”.

In order to address the second part of objective (i) which aimed at establishing the prevalence of sexual harassment at the UPS, the following categories of perpetrators of sexual harassment and their frequencies were cited (Refer to table 2)

Table 2. Officers in UPS who sexually harass other officers

	Frequency & percentage
Female officers to fellow female	8 (6.3%)
Female officers to male	26 (20.3%)
Male officers to female	90 (70.3%)
Male officers to male	4 (3.1%)
Total Responses	128 (100%)

It is clear that sexual harassment is highly perpetuated by male against female officers at 70%. This is followed by the number of female officers who sexually harass male officer (20.3%), while 6.3% say there is sexual harassment by female officers against their female colleagues. Only 3.1% said there were male officers who harass their male colleagues.

For those respondents who said it is the male officers who harass female officers, they said this harassment cuts across ranks from the junior to the senior officers. However, while it is easy to

ignore harassment by the junior officer, doing so with senior officers is tricky. These categories normally will not take a 'no' for an answer and will want to pursue their interest to their "logical conclusion".

The category where female officers sexually harass male colleagues occurs in two forms. The first is from female colleagues trying and failing to secure a love relationship from a male officer and turning it into bitterness. She becomes abusive and alleges sexually untrue things about someone. Others may be a result of failed love relationships, which turns into bitterness.

The second form is of women officers at the level of Non Commissioned Officers (NCOs). These are usually senior in service, single and or widowed harassing young/single newly recruited and posted junior officers in an attempt to 'trap' them as husbands. Upon being rejected, they turn hostile and since they may be holding some positions in the hierarchy, they may influence decisions to be taken against the young warder like in deployment.

A number of newly recruited officers also cited a number of cases of sexual harassment by some female instructors at the training school. They would intimidate the male recruits who are subjects of their attention with a posting to a 'poor' or 'remote' station. Upon being rejected, the female instructor would normally resort to harassing the recruit during the training and some even succeed in influencing one's posting.

The number of cases of sexual harassment by female against female or male against male were low and the researcher found out that they were mere mainly a result of petty rivalries and not necessarily cases of lesbian/gay relationships.

In fact in the entire research, only one case of lesbianism and one of homosexuality at the training school and between recruits was found. In the homosexual case, there was harassment because the advances of another were rejected and resorted to fabricating sexual stories about the victim to the effect that he was not sexually active.

Sexual harassment also was found to be cutting across the entire chain of command, but again in varying degrees. While sexual harassment was found to exist among all categories of staff both female and male, the study revealed that the female officers in all the above cases formed the bigger percentage of victims and the male superiors (managers) turning out to be the major harassers.

However, the middle managers (orderlies, store men, principal officers etc), were also known to harass the lower level female officers because of their strategic placing in direct administration.

These are directly responsible for discipline and deployment of those below them. The bosses therefore administer through them, making them fairly more privileged than those below them.

Of the men who admitted to being victims of sexual harassment, they pointed out that the harassment came from first the female officers in senior positions than males, but also from those below them in form of provocative dressing and sexual innuendos and comments to outright display of sex organs. The harassment then comes when one ignores such gestures. In others, it occurs when there is a failed relationship. Below are the various scenarios in which sexual harassment occurs.

a) Male Managers Sexually Harassing Female Officers

It is important to note that in the UPS, just like in most security organizations, anyone higher in rank than you is your boss. However, the truly recognized bosses with authority and power to make and take decisions are those at the level of senior officers. However, immediately below there are the middle managers who also wield some limited authority and power over those below them.

As already pointed out, unwanted sexual advances is the most common form of sexual harassment and it is mainly perpetuated by the senior male officers against their female counterparts (70.3%), the majority of whom are junior in rank.

It is important to note that while some of the few senior female officers admitted having been sexually harassed, the harassment was at the time they still held junior ranks. The moment they attained senior ranks, the harassment ceased.

The other category are the university graduate female officers who started as senior officers. Most respondents in this category, while admitting to the existence of sexual harassment in the department, denied ever having been sexually harassed.

They argued that at their level, it was not possible to be sexually harassed because “they have the ability to take on any harasser”. They also argued that many male officers “seem to be intimidated by our status and rarely make advances towards us. They also know that my ‘no’ is a ‘no’ and many times they respect that”. It is important to note that many senior male officers are not university graduates themselves. This revelation therefore has its roots in the historical aspects of the UPS, because having women holding senior positions in the department is a new phenomenon from what the male officers were used to in the past – being the only bosses around

and being surrounded by the young, timid, meek and willing semi-educated female officers who were there for the taking.

With the appearance of these university graduates on the scene, the male superiority and dominance has been curtailed and challenged. Although they seem withdrawn they have continued to direct their sexual maneuvers on the lower-ranked female officers.

Therefore the real victims of these unwanted sexual advances are the young wardresses in the service and these take various forms;

A superior male officer can make a love proposition directly to the wardress of admiration, or through another officer from within the lower ranks or a middle manager such as a P.O who is his confidant. What is more common however, is for him to invite his intended victim to his office for a chat, or propose a date out of town, or an invitation to his house in case he is not married or the family stays elsewhere. He may also begin the process by way of signals. The wardress or junior officer of interest is deployed in a privileged position, like in the office as a clerk or in a position considered 'soft'. This ensures that a wardress does not have to perform night duty or field duties considered 'hard'. They may also be showered with privileges such as good accommodation, or a 'favorable ear' to any requests made.

In doing all these, the excuse the boss will always give is that "such wardresses have shown good work traits and a willingness to learn". Forget the fact that they may not even possess the requisite qualification for those positions, and the fact that there are already more qualified and experienced workers in the service.

These kinds of deployments are strategic for the senior officer because the wardress will always be available to him whenever he needs her. It also reduces suspicion in case the senior officer is the married type.

Asked how these actions constitute sexual harassment rather than normal love relationships the responses were varying but in agreement for both male and female respondents.

They argued that first while the senior officer may have the power to post a person of choice to any office within the unit of his authority, where wardresses are concerned, such deployments become suspect in circumstances where such offices already have qualified and experienced personnel.

Besides the deployment being unnecessary, the said wardress may not even possess the necessary qualification. They argued that certain offices like that of a clerk require people with the requisite technical training. Besides, why would an officer in-charge (O/C) pick on a freshly recruited wardress with no experience to such an office when there could be more mature and experienced staff, both male and female who have ever been tried, they reasoned.

In one station, they sighted a case where an O.C picked on a newly posted wardress and put her to work in a reception office. An affair developed but which the wardress did not want to encourage because she was already married though the husband was not staying with her. She also feared that the barracks gossip would reach the O/Cs wife and cause problems. She wisely requested to be transferred away on the excuse that she wished to join her husband. The O/C naturally tried to block her intention several times but she finally secured it by appealing directly to PHQ.

These maneuvers are not restricted to the bosses only. Junior male colleagues have their own tricks. The problem however according to female respondents, is that a boss (unlike a junior colleague) will never want to take 'no' for an answer. The more one says 'no', the more pressure one attracts on oneself.

It would appear the superiors officers' egos are incited by ones 'no' and to become more aggressive. It is this pressure that gets some of these wardresses to succumb and enter into an affair with the offending bosses. The logic here is that it is safer to accept than to reject the senior officer's advances; the repercussions can be worse.

The respondents also argued that these actions of giving 'handouts' in form of privileges are not healthy and are usually not welcome by the victims. They accept or encourage such relationships of the handouts and know very well that without their continued 'cooperation' the privileges would be terminated and substituted with more harassment. In this regard, a case was sighted of a very senior officer at PHQ who tried to get a female staff discharged from work for 'overstaying her leave'. The female employee however, raised a complaint, alleging that the said officer had made several sexual advances at her but which she rejected. The matter went silent and the female officer is back to work, although she later transferred her services to another ministry.

Unwanted touching

Asked how unwanted fondling, kissing and unwanted comments do take place, the following was revealed. Unwelcome touching and fondling, with 4% reporting rape as a form of sexual harassment. There was no case of sexually explicit postures being mentioned.

The unwanted sexual advances take many forms but the most common are through favorable deployments in the office rather than in the field or promises of promotion by those in senior positions, or having a 'soft spot' for the female employee by favoring her every request.

It can also take the form of a direct request or order as in 'let us meet at such and such a place at such and such a time or "today I am your visitor" etc.

While it's true that the category of unwanted sexual advances is more common, it is not necessarily the most offensive except where it is from a boss or middle manager and is persistent. According to most female respondents, it is sometimes possible to get round the problem by 'deceiving around' until they give up. Some opt to enter a relationship to avoid further harassment.

Most, however, find unwelcome sexual comments more offensive, especially more so when coming from a superior. This is because while a fellow junior officer may do so in passing, coming from a senior officer, it is more sinister.

A case in point is where an O/C commented on a wardress' breasts as still being firm and standing in spite of having just delivered a baby. According to the wardress, she was so embarrassed given that this was said in the presence of some of her colleagues.

All in all, this researcher found out that whether it is unwanted sexual advances, or unwelcome sexual comments etc, the respondents were very emphatic that coming from a superior, it is

traumatic and difficult to deal with than when from colleagues. This is because amongst colleagues, there is always 'sexual banter' which is considered normal and acceptable. As one wardress put it, "the only contact usually acceptable with a boss is through salutes. Any physical contact beyond this is suspect".

Fondling and Kissing

Fondling and kissing almost take place simultaneously by senior male officers on unsuspecting female officers. This is because these are the only ones with physical offices and have the power to summon anyone to their offices. This is however, against the standing orders in UPS whereby any junior officer wishing to see a senior officer must be matched by another officer. So in essence this means that there are always three or more people in the office which would naturally rule out 'foul play'.

However, senior officers have broken the norm on the pretext of encouraging an 'open door' policy where a junior officer may see the boss without a third party. This strategic manoeuvre allows the bosses freedom to summon anyone to appear before them anytime. It is during these meetings that unwanted fondling and kissing may take place. A boss will try to get close to his victim, sometimes without prior notice of intention. The idea is to sustain the pressure until the victim relents. So as time goes on, the 'summons' to the office or home become more and more frequent.

It is the same story when one is 'summoned' to the residence of the boss. Usually, the boss will make sure that he is alone in the house at the time.

For some, the boss may offer a lift on an evening outing. The fondling and kissing may begin in the car or at the venue of the outing. According to some respondents, the real problem here is that once the “boss has started doing these things to you, he will not want to stop. He will always grab any opportunity to grab you in order to do these ‘funny’ things to you”.

Sexual Comments

Sexual comments by male superiors come anytime and anywhere. Sometimes it does not even matter that it is in a public gathering like in a staff parade or a workshop. It is very rare that anybody feeling offended by such comments can respond appropriately for fear of offending the boss and get into more problems of harassment, including being branded undisciplined.

Some respondents attested to a story that is making the rounds in prison circles of a one very senior officer who once declared that all female employees in Uganda Prisons Service are ‘dry ration’ for senior officers in the department. Dry ration in military terms means specially packed foodstuffs for soldiers on special assignments or military operations. It is not known whether the statement was made merely from the ‘goings-on’ that the boss had observed or as away of encouraging the superiors to take advantage of the “supply of the goods” available to them. Whether the statement was made in jest, it certainly took hold and seemed to send the wrong message to employees because over time, it came to be accepted as a ‘norm’ that the female employees should be “used”.

That is probably why one wardress when asked whether she would accept a sexual advance from a boss, responded thus, ‘of course, who am I to object, after all are we not meant for them anyway. For me I cannot refuse’.

It was also revealed to this researcher that at the time this statement was made, it was common knowledge that senior officers from PHQ toured upcountry units in a convoy of vehicles, some of which would be carrying young beautiful wardresses to ‘give company to and to entertain the big men’.

Even where they are not provided initially, the O/Cs of the units being visited were expected to do the needful and find alternatives. It is no wonder that most prison units in the country side had a provision for guest accommodation (called Guest Houses). Although they were aimed at providing good accommodation for visitors in remote stations, they also helped to hide the practice from public scrutiny so much so that it remains a ‘family affair’.

One senior wardress revealed to this researcher that she was a victim of this practice when still a young wardress. At that time it was almost a ‘sure deal’ that once you slept with the boss from PHQ, a promotion would be assured to you. Unfortunately for her, when she was selected to “entertain” she was in her monthly periods and skipped the chance of a lifetime by not appearing at the venue. When promotions came shortly after, she was not among those promoted, yet she had previously been widely expected to get it. It was obvious she had disappointed the boss.

However the practice these days appears dead because it is not being conducted in an overt manner. The fear of contracting HIV/AIDS is also contributing to its becoming a covert act.

Sexual comments are also made during some of those ‘sessions’ in the office, at the boss house or in a bar. It may even be on the road during a chance meeting. One wardress who had just delivered a few days back met her O/C who commented that her “breasts were still as pointed as

those of a virgin, in spite of having just delivered a baby”. She said she was terribly offended but chose to ignore.

Another senior officer from PHQ who, when addressing staff while on a familiarization tour, commented thus; “my office is open to all and you and you are all free to come whenever you have a complaint; I will listen to you. I would particularly love a visit from some of these young and beautiful wardresses”. Such a statement coming from a highly ranked officer, can be disappointing but not surprising. And one only has to guess the implication such a comment may have on the behaviour of other lower ranked senior officers towards their junior female work mates.

4.3 Sexual Harassment Amongst Junior Officers

Sexual harassment in UPS is not restricted to senior male officers against the junior female officers. It also exists within the junior ranks though in a different mode. Unlike in the case of senior officers where the male predominantly harassed the junior female officers, amongst the junior ranks, sexual harassment is reciprocal with both the junior male and female officers harassing their colleagues of the opposite sex.

But even here harassment was found to come from the more senior among the juniors. These are those holding administrative responsibilities (middle managers, the orderlies, the store men, those in charge of parties and the principal officers). These may try to use their privileged positions to take advantage of the young newly recruited wardresses to get sexual favors. They for instance promise them better deployment at work and this is where harassment may intensify in case of rejection of their advances. It may also intensify if the victim terminates the affair.

Sexual harassment amongst the junior officers is mainly restricted to sexual advances with a promise of good deployment or some 'goodies' like free posho and beans in the case of store men. The others are the sexually offensive comments and teasing or outright abusive language.

Sexual touching, fondling or kissing was not cited among this category. This must be because the officers in this category rarely have offices, and where they do, these are rarely private because they are shared. They do not therefore have the freedom like their senior counterparts, to summon and perform these acts on their victims.

Many female respondents revealed that unlike sexual harassment by a boss, it was much easier to deal with that from a fellow junior officer. First there is little to gain from this relationship because all of them are 'needy'. According to one wardress, "a junior officer cannot lie to me about a promotion, money or any other related privileges. We are at the same levels of poverty. We are all an oppressed lot. So unless he is interested in a serious relationship, when I say no he must respect it".

Secondly, most junior officers are also intimidated by strong and assertive female officers. According to one wardress, "if he turns abusive because I have rejected him, I also abuse him and the matter ends there. If he turns violent, I will report him to the authorities".

The third reason is therefore that at the level of junior officers, the victim has the option of reporting to a much more senior officer for redress. In this case, the harasser either gets punished or in the case of persistent harassment, gets transferred away.

So it is logical to conclude that most sex relationships amongst junior officers are normal and out of mutual love affairs that develop. They are relationships with no strings attached. It does not mean however that sexual harassment does not exist. It is just that it is unknown and may largely be ignored or treated as 'sexual banter' common among equals and people working in the same environment.

Female Officers Sexually Harassing Male Officers

As earlier pointed out there was no case of a senior female officers reporting being sexually harassed by their male counterparts except for those who experienced it while still holding junior ranks. Most seemed to agree, however, that sexual harassment existed in UPS and even sighted known cases of victims as well as their harassers. This revelation was also countered by another, which claimed that female officers, both senior and junior, do sexually harass their male counterparts. The harassment mainly comes from those senior female officers who are single either as a result of being widowed or remained single after a series of failed relationships.

One respondent called them "rejects" who were no longer sexually appealing to the big men, and want to find solace in the much younger and unsuspecting junior officers. Most of them have awful lifestyles and were either heavy drinkers or engage in multiple love affairs". They may also be physically unattractive.

These normally entice their victims with 'freebies' and can spend their meager earning lavishly on the intended victims. But because of their lousy lifestyles, their advances are often rejected. Even where they succeed, they get terminated when the victim suffers ridicule from colleagues, or decides to divert his affection to a much younger wardress or woman. This is when

harassment intensifies from abusive language to attempts to “portray the victim to authorities” as a bad officer.

The harassment will also target the new partner of the victim, being called all sorts of names in the most sexually obscene words possible.

This harassment is limited because there are very few senior female officers in UPS and not all engage in the act. The main culprits are the younger junior female officers who sexually harass their male colleagues in a number of ways.

They do so by making direct sexual advances. They may tempt their victims by dressing in a provocative manner intended to attract attention. They may also make suggestive sexual comments. They get aggressive and reach the extent of following up their victims to their houses at wrong hours of the night.

One male respondent revealed that one female wardress visited him past the hour of midnight and when he failed to respond ‘appropriately’; she forced herself into his bed. He left her in the house and went to sleep in a friend’s house.

And like their senior counterparts, it follows the same trend when such advances are rejected, or “in the event that the relationship is terminated”. Then they call you all sorts of names. They may even allege to your colleagues that you are sexually impotent or your manhood is too diminutive to do anything”).

4.4 Sexual Harassment and Homosexuality

This researcher never found a case of the same sex love relationships in the stations of study. However, two respondents sighted two suspected cases in the training school in which two female trainees were believed to engage in lesbianism.

The second case however points to sexual harassment. Here a respondent revealed that while still at training school, a friend of his approached him in a manner that seemed to suggest that he wanted to initiate a homosexual relationship. He also revealed that he had one time found the same fellow and another trainee in a suspicious and compromising position in the bathroom.

When he rejected the advance, the friend went around telling whoever cared to listen that he, the intended victim was not sexually active. The same was told to his girlfriend who actually left him as a result.

So, although there were rumours of the existence of the vice in UPS, the researcher found it to be speculative with no concrete evidence or documented case. There was equally no evidence of its relationship to sexual harassment except perhaps in the above case.

4.5 Sexual Harassment During Recruitment

This is an area that is largely ignored because of the belief that the people who conduct recruitment of warders / wardresses are supposed to do so with impartiality and basing their judgment on meritorious terms. Unfortunately this is not the case all the time.

This study revealed that a form of sexual harassment exists during recruitment. First of all, this is so because the people already identified as the main harassers – the senior officers/ bosses, are the same people who conduct the interviews. They are not independent of UPS.

During interviews, sometimes beauty overrides merit. A case was revealed to this researcher where a senior officer declared that in the event of two female recruits tying on marks, the more beautiful one ought to be taken as “one way to give colour to the department, which for long has been flooded with only ugly faces”. Another officer, while giving final briefing to the recruitment team was also known to have directed thus, “go out there and try to bring some nice faces. Let us try to improve the general outlook of our department”. This command was clearly directed at the female recruits to be enlisted.

Another case is where a senior officer insisted that a female aspirant whom he seemed to have got attracted to should be enlisted much against the recommendation of the recruiting board. The board ignored this opinion because it felt she had done poorly and was not fit. Later, and to their surprise, the girl was on the list of those recruited. Obviously, the “big man had followed up her case at a much higher level”.

In another case, it was revealed that some of these girls were actually girlfriends of some of the senior officers before their recruitment. These officers then assist them to join the UPS, either “as a way to get rid of the burden or as a reward for the relationship”. The more aggressive form however is when a member of the recruitment board gets attracted to any of the aspiring female recruits. This is when sexual favours may be sought as a pre-condition for getting recruited. The boss will make a follow-up of a subject of his interest through their drivers or any junior officer involved in the exercise. These then deliver the victim to the hotel room of the boss. Usually the affair will end there but at times it may continue long after the victim has joined the force.

Some of these affairs may begin long before the recruitment gets underway. Desperate for a means to earn a living, some of these young girls are mis-advised to “go and talk” to a boss to ensure being enlisted. In their desperation, they are willing to do anything for the boss. Of course the only “things” they have at this point are their bodies. Unfortunately for them and in spite of having given in, they may not even succeed in getting enlisted for the job. It turns out to be a double loss.

4.6 Sexual Harassment during Training

This is an area largely ignored but it was revealed that a lot of sexual harassment is meted out to the young recruits – both male and female – in the training school at Luzira.

Uganda Prisons Staff College and Training School (PTS, as it is called) is one of the five prison institutions that occupy the popular Luzira hill which are called the Luzira Group of Prisons. It means that there are many of the prisons staff members residing on this hill, including very many senior ones from the headquarters. For many of these officers therefore, the training school turns out as a ‘hunting ground’ for beautiful young females. And for the young recruits, they are always reminded that every officer who is not a recruit is ‘senior’ by virtue of having passed through the training school before them. As one wardress remarked, “during the first instruction at the school, you are informed that all staff above you are ‘senior’ and should be saluted. It is much later you learn that not all ranks are supposed to be saluted. But by then everybody would have tried to take advantage of you”.

It was revealed that over the years, many a senior officer have got life partners from the training school. In the past, many of the 'girls' who would be selected to accompany a big man on a visit would be picked from the school. "Without prior warning, you would only be informed one morning that you have been selected to accompany the 'big man'. Sometimes you would not even be told which big man. You were simply to obey orders. It is when you reach there that you discover who the big man (men) is (are). Sometimes it would even be a government minister," one long serviced female officer revealed.

Today however, though the practice still exists it is not as 'official' as it was in the past. It is now more clandestine, with individual officers sending their messages of intent through those working at the school. "Of course it is still the same old things of promises for better posting after the training, and a good future. The only difference is that the request can be rejected without fear of repercussion as it was in the past", the female respondent continued. Some respondents pointed out however that the claim of having the option to reject is limited. One still has to consider the rank of the officer interested and the position he holds in the hierarchy, a rejection of whom may still bring one complications later on in the job.

The real problem however for the recruits, comes mainly from officers who work directly in the school, especially as instructors, both male and female. As one wardress put it, "if you want to enjoy your training, pray that no instructor demands for sex from you, or when she/he does, you don't reject it because that will mark the beginning of the *real training* for you. He/she will try to make it so hard for you that only the need for a job that keep you going. After that you have to ensure that the same instructor does not catch you on the wrong side of the school rules."

Female instructors were also known to pursue victims of their sexual interests, to the extent that they even follow up to ensure the warder of her interest is posted to a station of her preference. Instructors at the school have a hand in the posting of recruits after training. So, those recruits with particular interest in some workstations are sometimes so desperate that they are willing to pay money or their bodies for the stations of their interest. Other senior officers outside the training school can also use these same instructors to get recruit wardresses of their choice to be posted to stations of their interest.

Asked how this was possible when there were many other instructors involved in the posting, the response was that the practice works on the principle of comradeship – ‘you scratch my back as I scratch yours’. It is a chain, which works in harmony.

4.7 Causes of Sexual Harassment

In response to objective (ii) which aimed at analyzing the causes of sexual harassment in the UPS, the following causes were cited (refer to table 3)

Table 3. Causes of sexual harassment in the UPS

Cause	Frequency & percentage
Favorable transfers	11 (5.1%)
Goodwill from Superiors	56 (26.2%)
Fear	18 (8.4%)
Financial gains	28 (13.1%)
Good deployment	19 (8.9%)
Marriage relationship	7 (3.3%)
Peer pressure	22 (10.3%)
Pressure from superiors	23 (10.7%)
Promotions	30 (14.0%)
Total Responses	214 (100%)

The goodwill from superior officers (read senior) is the leading factor among the respondents (26.2%). It is common knowledge that superior officers in UPS, a majority of whom are male, wield a lot of administrative as well as economic power in the hierarchy and the feeling is that there is more to gain from a sexual relationship with a boss than without. They can give and they can also take away.

This was followed by the hope of a promotion at (14%). A promotion in UPS is a process but a process mainly handled by male senior officers who happen to be the majority. And, although promotions are supposed to be based on merit, sometimes it pays to know some “big shot up there”.

The other factor is the financial gain (13.1%). As already pointed out at the beginning of this chapter, sexual harassment is highest between male senior officers and their junior female counterparts. Also pointed out is the fact that sexual relationships between senior female officers and male junior officers can only be sustained more by the financial gain than the need for permanent relationship. Junior officers in UPS are among the lowest paid employees in Uganda, earning just about \$90 a month (\$3 a day). While the male officers may manage to survive through side incomes earned through their wives' effort at petty trade, their female counterparts have limited options yet they are also under constant pressure to look good and attractive.

The pressure to acquire status puts these young female officers in vulnerable situations that lead to sexual harassment. The junior wardresses become targets of the senior officers who are relatively well placed in the hierarchy and earn much more, (between \$300 and \$1000 monthly). They also have a host of other privileges. Sometimes the female, junior officers court these senior officers for the sake of these financial gains. Even where the motive is marriage (3.3%), it is usually secondary to financial gain. Marriage to a senior officer comes along with many financial benefits and privileges. It may be in the form of a family car, good house, clothes etc. which makes it difficult or unwise for one to refuse such prospects.

The pressure from superiors (10.7%) and peers at (10.3%) are also other factors. As pointed out earlier in the chapter, very few senior officers will take a 'no' for an answer. This is so, because of their egos and the way society has made all of us to believe that all women are for procreation and therefore must be subservient. So the first reaction in case of resistance is shock; shock that the female has guts to say 'no'. This is compounded further by the unquestionable authority that

they believe they have over all the others. They will therefore continue to demand as the only way to cover the shame of being rejected. And as you continue to resist, sexual harassment also intensifies.

The peer pressure is mainly because some junior officers think it is 'cool' to be sexually associated with a boss. This is due to the belief that this kind of relationship opens the door to paradise while closing out poverty forever. So, one is coerced to enter the relationship even against her will. Unfortunately it does not always work out as expected – no marriage, no benefits may be got. Instead there may be a terrible break-up and hence, worse harassment.

Then there are those who believe that some female officers seek sexual relationship with senior male officers to earn a good posting / deployment (8.9%). In the UPS, there are stations that are referred to as 'hard' and those called 'soft'. The hard stations would be those far from one's home district or based in remote areas like Karamoja, or those in the war zone in the north etc. The soft ones on the other hand are those that are based in towns, or are lucrative as in farms or the productive units. A sexual relationship is meant to help one secure a posting to a 'soft' station. But even within these 'soft' or 'hard' stations there may be privileged areas that one may prefer.

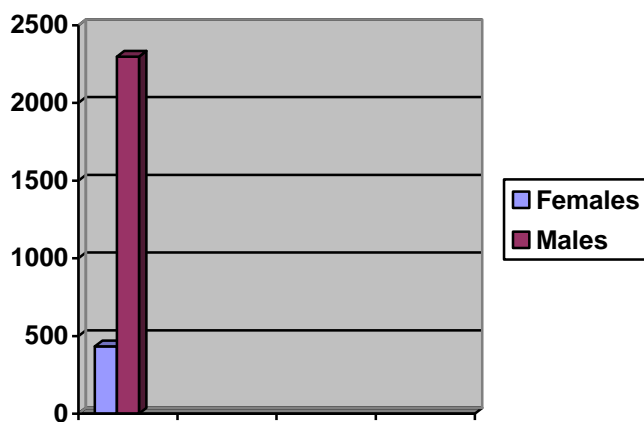
In one station I found a wardress who claimed to be unable to carry a gun for medical reasons. So she was permanently exempted from doing so even without any medical evidence. It later turned out that the O/C of the station had a love relationship with her.

There are those who believe that the fear of victimization is a factor in sexual harassment (8.4%). Given that an O/C plays a major role in promotions, transfers, deployment and almost all

revenue sources in the station, many believe that it might be suicide to ‘offend’ the big man. These senior officers are also known to give veiled threats to the effect that “everybody should remember that he keeps personal records of those below him”. These kinds of threats are common and are meant to intimidate. The junior female officers, being the more vulnerable, may be forced to succumb to such threats as a survival strategy.

The other factor is as a means to secure a favorable transfer for whatever reason, but mainly to a ‘soft’ station or to one of one’s preference (5.1%). It was revealed to this researcher that some transfers to PHQs and other Kampala stations had their origins in sexual relationship with some bosses at PHQ. In the short run, the female officers discover that they were merely being used and so end up being frustrated.

Graph 1: Showing the employment ratios (Male verses Female) in U.P.S



(Source: Employment figure in the UPS-Policy and Planning unit PHQ)

As already mentioned in the introduction to this book, the number of employed women in the entire public sector in Uganda is known to be just about 5%. In the UPS, the above figures show a similar trend (15 %).

This dominance of the male lot ensures that they control matters of policy. And just like sexual harassment is a form of sex discrimination, it means matters affecting women in the organization may not find much favour from those who control policy. Quite often, they are marginalized. For the UPS unfortunately, many of the female employees fall in the junior officer category while men dominate the senior category. This subordinate role means that they earn less in terms of income, that they constantly have to take orders from above (read male bosses) and that their futures are to a large extent, dependant on how they relate to those above them.

Many times they lack choices and their actions are driven by the need to survive at all costs as well as favorably compete with their male counterparts. In the face of sexual harassment, the need to survive in this competitive environment will most certainly override any other interests.

This situation also serves to re-enforce the historical factor that has tended to associate women with the subordinate role of procreation and subservience. It is no surprise therefore that the more (higher) the female officers climb the organizational hierarchy, the less the sexual harassment. (See table 10 below). This evidence shows that the higher positions gain, then more self-confidence and assertiveness. But the lower ranks in the hierarchy, however, leaves them subservient and vulnerable.

This evidence also shows that the men are equally threatened by women of equal or higher status. They merely take advantage of these junior female officers through intimidation using their position of power.

Table 4 below, shows the correlation between sexual harassment, age and education level.

Table 4: Correlation between sexual harassment, age and education level

VARIABLE	EVER SEXUALLY HARASSED				TOTAL
	YES		NO		
	F	M	F	M	
AGE RANGE					
20-30	25	11	7	11	54
31-41	30	8	10	13	61
42-52	12	5	1	2	20
52 ABOVE	3	0	0	1	4
Total	70	24	18	27	139
EDUCATION LEVEL					
Primary					
Seven	3	4	1	0	8
O Level	12	52	12	23	96
A Level	5	10	4	6	25
Tertiary					
Institution	3	5	1	1	10
Total	23	71	18	27	139

The above table clearly shows that cases of sexual harassment are to a large extent, dependent on the educational level of the victim.

Although the table shows that the Primary Seven category was the least sexually harassed (1 out of 8 respondents), it is because at this level of education, there is poor perception of the concept of sexual harassment. This category also covers the mainly conservative old employees who could be treating sexual harassment as normal sexual or love relationships between adults. However, from the Ordinary Level category, it is evident that sexual harassment tends to reduce as you climb the education ladder. There was no case of any female graduate who had ever been sexually harassed.

However, when I interviewed one female graduate who holds a senior position, this is what she had to say. “My friend, these things are all around us and I see them everyday. You see, men will always try their tricks on anyone in a skirt. You have to be critical and read all situations as they come. The problem is with these young girls who may not have many options against a ‘boss advances’. This statement tends to confirm that while sexual harassment knows no bounds with regard to education, in the case of highly educated female employees, there is a better understanding of the concept. This puts them in a better position to be assertive and also make informed decisions in sexual relationships.

With regard to age, it is clear that a majority of the employees fall below the age of 50 years and the frequency of cases of sexual harassment being highest in the 31-41 age bracket followed by 20-30 yrs and lower in the 42-52 yrs and lowest in 52 yrs and above age bracket.

The age factor is historical in the UPS, because uniformed female employees started to be taken on into the service after independence in 1962. The educational standards in the country were generally low and primary seven level was good enough for enlistment into UPS since they

could read and write. Later however, new challenges on the job market necessitated upgrading and so now the UPS has 'O' and 'A' level pass-outs. This means enhanced level of awareness of the social issues affecting them.

The researcher found interestingly that those sexually harassed and aged 50 years and above were mainly females, with only one being male. One of the female officers in a face-to-face interview admitted having had a number of affairs with her bosses. She even recalled an incident where she rejected the advances of one of them and was immediately shifted from a good house to a one roomed house. She was only saved when that particular O/C was transferred away and a new one with whom she immediately started a love relationship was brought in.

Asked why she rejected the first one and yet accepted the second, she said it was mainly because she was "still new and the man was not giving me time to settle. What were people going to think of me, that I am a harlot?. Besides, his methods were crude and he pounced on me without warning".

This finding emphasizes our cultural upbringing, which treats the problem of sexual harassment as a normal sexual relationship between the sexes that has only come to the workplace by extension.

It reveals the problem of perception among employees and the fact that the targets for sexual harassment are the young and vulnerable who have to learn to cope in order to survive. For this wardress therefore, her being in a good house was a reward for compliance, which she had to protect by being in a relationship with 'another' boss.

Marital Status versus Sexual Harassment

While 65.9% of respondents sexually harassed were married, it is important to note that out of the 14 who were single, 13 of them were harassed. Also 2 out of the 3 divorced were harassed while none of the widowed admitted being harassed.

The researcher also found out that out of the number of those married, some were harassed when not yet married, while also a good number were harassed when already married. In other words, marriage is no barrier to sexual harassment as one wardress pointed out “do you think those people care that you are married, to them your husband is secondary. It is like he is expected to understand”. Even the male officers who admitted being harassed by female officers also claimed that the marital status was never an issue.

The fact that all the widowed reported not being sexually harassed was explained by the HIV/AIDS pandemic in the country as a whole. Today, every death except for those that happen through accidents, is suspect and very few are willing to venture there for fear of catching the disease. A good number are also considered ‘old’ and ‘used’. Besides the presence of children in such families pose a potential burden. This confirms that most preferred category for sexual harassment are the young and single and this is so for both men and women.

Weak Laws and Lack of Departmental Guidelines

The Uganda Constitution, 1995 does not address the problem of sexual harassment in more specific terms. Apart from advocating in general terms for equal treatment for all individuals

(article 24, p ...), it does not criminalize sexual harassment and so it can only be treated as a civil offence.

A magistrate revealed that except for cases of rape, defilement and indecent assault, the courts do not receive cases of sexual harassment because the law does not criminalize it. Respondents from the Police and Uganda Human Rights Commission (UHRC) also confirmed the same situation. But even if this law existed, copies of the Constitution are very scarce in the UPS especially among the junior employees who need them most. A majority claimed not to have read it at all, while those who have read it claimed to have found it difficult to understand. This means that most staff of the UPS are ignorant of the laws of this country.

This is where guidelines within UPS would have come handy. Unfortunately there is nowhere in the Prisons Act 1995, the Prisons Standing Orders or List of Disciplinary Offences where sexual harassment is mentioned. Apart from admission by top managers that the problem exists in the UPS, there is no policy in place either on the notice boards or on files kept in the registry drawn as a cause of action to address the problem.

The Poor Attitude of Top Managers

Apart from the problem of weak laws and absence of guidelines, what also emerged from both the group discussions and the interviews, is that while many in the top leadership do not understand the concept, the few who do, don't seem to have a course of action to take when it does occur. They also do not have the positive attitude needed to deal with the problem, apart from calling the female employees, 'dry ration' for the senior officers, and relegating it to being

a problem of affluent societies, which Uganda as a third world country is not yet ready for. Instead they attribute the problem to poor communication between partners, or failed love relationships or outright indiscipline on the part of female employees who are seeking revenge for misdeeds committed.

Table 5 below shows actions known to have been taken by victims of sexual harassment.

Table 5: Immediate action taken by victims

	Frequency & percentages
Resign	3 (2.1%)
Ignore	22 (15.3%)
Desert the service	3 (2.1%)
Report to authorities	83 (57.6%)
Request for transfer	33 (22.9%)
Total responses	144 (100%)

Although a majority of respondents claimed that most victims report cases of sexual harassment to the authorities, there is virtually no evidence that any action is taken against the harasser. The Staff Registry at PHQ had no formal documentation of cases of reported sexual harassment except in individual files of employees involved.

An employee of the registry revealed that they receive a number of letters alleging sexual harassment of junior female officers by their senior counterparts, and especially by O/Cs of stations. According to him, the only action known to have been taken is for the officer accused of

harassment to be told to respond to the allegation. Other times the officer is summoned to PHQ to explain. And that is all. It never gets known if the affected officer put up a good defense or not. He reports back and resumes the abhorrent behaviour

He also revealed that most complaints come after some administrative action is being meted out on the complainant or victim. It may be a transfer to a 'hard' station, or a disciplinary proceeding for another offence committed. In such a case, it is easy to dismiss the alleged case of harassment as a revenge act by the 'victim', and so it is usually ignored. In most cases, the 'victim' is instead punished by being given a transfer to another station. This is based on the silent rule that you first obey orders and then complain later. The complaint therefore dies in the process.

Other such complaints come as anonymous letters, but alleging sexual harassment. Unfortunately the official policy about anonymous communication is to destroy and ignore. Such complaints are therefore rarely followed up and come to naught. And this is why complainants probably opt for or even welcome transfers as a way to get out the problem. Unfortunately also, because of lack of a policy on sexual harassment, this option was not found to be useful.

One wardress revealed that although she had managed to get herself transferred, it caused her more problems. She was permanently marked out as a trouble-causer and so she found it hard to raise issues on parade as she would always be viewed with suspicion and therefore ignored.

Never mind that the issues would be unrelated to sexual harassment. Her mistake was to have loosely hinted in her application that sexual harassment was the reason for seeking the transfer. The other option therefore would be to request for a transfer without giving the actual reason as sexual harassment. But this was equally found not to be helpful, either because she would be denied the transfer or it meant that the sexual harassment would continue even in her new

environment. This is so because the person harassing her is usually the boss himself (read O/C) and is usually one of those to sanction such a transfer.

It is this hopeless situation that explains the 15.3% of respondents who suggested that the matter of sexual harassment be ignored. The reason that was given for this during the group discussion was that “there was no need to create turmoil over such a trivial matter”.

That it was all an issue of relationships and every person had a right to say no and stick to it. This argument was mainly fronted by the male respondents. Asked how they expected these “trivial matters’ to be ignored, especially when the options of a transfer or reporting do not work, they said that the “women should learn to cope by deceiving around until the person harassing them gives up”.

The female officers however, argued that the issue should be reported because; we look at these senior officers as our parents who should guide and protect us. When they also turn to be the aggressors, whom do we turn to, it is just not good”.

Unfortunately however, not many give up as pointed out earlier on. This is more so in a situation that could have started as a normal sexual request but turns into sexual harassment because each of the parties sticks to his/her decision. The senior male officer insists while the junior female officer continues to say no.

Given this situation of inaction by those in authority, it is no surprise that 22.9% prefer being transferred away while 15.3% choose to ignore. These are all survival techniques in the face of limited options.

The percentage of those who either resign or desert the service (2.1%) is significant as it shows the lack of mechanisms to address the problem. Desertion is surely a last and a desperate step to take for people in a tight job market.

This desperate situation was well highlighted by one senior officer, while responding to the absence of a policy that addresses the problem of sexual harassment in the department. He said; “sexual harassment, like other issues of gender equality or human rights, is a problem of affluence in society. Uganda as a poor third world country has many problems to grapple with, such as poverty, diseases, low levels of education. For us therefore, to pretend to be tackling problems of affluence, amidst this needy environment is to get our priorities totally upside down and therefore wrong”.

This poor response by top management towards reports of sexual harassment, the lack of guidelines as well as the weak laws on sexual harassment are further compounded by the porous line between indiscipline and demands for one's rights.

How does one differentiate between a genuine complaint from a victim of sexual harassment and an outright case of revenge hence indiscipline? On the list of offences in the UPS, one can be charged for insubordination, discreditable conduct etc for bringing up a complaint against a harasser without evidence.

As one respondent revealed, “I swear to you that you will be alone in case you openly raise such a complaint against your boss. Even your closest friends will desert you. Nobody would want to go down with you”.

The fact that sexual harassment is not criminalized in this country aggravates the problem. There is difficulty in proving a case of sexual harassment in a court of law. No wonder then that victims resort to unorthodox methods of writing anonymous letters as a way of highlighting the problem.

But as we have noted earlier, such letters come to naught. Sexual harassment instead flourishes.

4.8 Problems Associated with Sexual Harassment

In response to objective (iii) which aimed at examining the problems associated with sexual harassment in the UPS, the following problems were cited (refer to table 6)

Table 6: Problems Associated with Sexual Harassment in the UPS

Effect	Frequency & Percentage
Malingering	17 (12.2%)
Lack of morale	98 (70.5%)
Withdraw from duty	9 (6.5%)
Absence form Duty	15 (10.8%)
Total Responses	139 (100%)

The highest percentage (98%) said lack of morale was the overall effect of sexual harassment because it cuts across all staff whether one is a victim or may not be directly involved in sexual harassment. This could partly explain why there are probably few female officers that make it to high positions of leadership.

Low morale naturally leads to poor performance hence lack of promotion. This lack of morale is equally responsible for the malingering among the affected staff as well as absenteeism and withdrawal from duty. In some of the disciplinary case proceedings involving junior female staff, some have sighted rejection of love advances from male bosses or supervisors as the reason for the disciplinary proceedings.

What this points to is that a disciplinary proceeding does not have to be specific to sexual harassment for it to be so. Even offences like neglect of duty, disobedience of orders etc can have a bearing on an earlier case of sexual harassment though not in every case.

During one of my focus group discussion with female staff, I asked why they could not bring out such cases clearly in their testimonies and they chorused “and get into more problems”. Apparently, it is best to keep silent about the sexual harassment bit or else your future is lost forever. Whichever boss looks at your file thereafter will write you off as a bad case and you will be treated with suspicion and avoided like a plague. That means no promotion for you and no privileges. They said this case extends to even bosses at Prison Headquarters.

Five of the six bosses talked to admit to being “victims” of such malicious charges but alleged that the majority of the cases are out of sheer indiscipline or incompetence by female staff. It had however been pointed out during the group discussion that revenge by bosses for being rejected often took the form of malicious disciplinary proceedings against the victim. For the same offences, those who would have succumbed to the wishes of the boss are left untouched. This malicious trend may not be exclusive to the most senior officers only. It may also be perpetuated

by those at the level of orderlies (supervisors), or those in-charge sections within the station and have supervisory control over others.

The loss of privileges standing at 24% is limited to a few opportunities such as working in high court where lunch allowances are paid, or non-inclusion into the hired labour parties or gangs where some allowances are also paid to staff on duty or poor deployment whereby you are always on hard parties where you go the full length of hours without rest or early relief.

The senior male officers however allege that these female officers who get charged with disciplinary offences are generally weak performers and like to malingering. They have to be constantly reminded or charged for their misdeeds, hence the allegations of sexual harassment to gain sympathy. From nowhere they begin to say they are being “followed” or “witch hunted” because they rejected the boss. However, the fact that these cases exist points to a problem in the UPS. A case in point is one of Nakasongola Prison that happened in 2004, and yet another in Lira Prison (as related to me in interactive discussions with key informants during the study).

So, the overall effect of this is a poor working relationship between some male bosses and their female staff that ultimately leads to poor work output and outright hostility and violence. Where such allegations have been proved malicious, they have caused unnecessary trauma to the victim.

That these cases have led to poor performance, leading to the escapes of prisoners have caused substantial loss to the UPS in terms of resources used in the recapture of such escapees. Societies also suffer as these escaped criminals get back to society and terrorize the people again – a waste of taxpayers’ money.

The lack of morale has led to frustration because of lost fortunes. A few cases have been known to over-indulge either in alcohol consumption or promiscuity as a way to get back at the boss in a show of power but end up ruining themselves even more.

The lack of morale also comes for those who are not direct victims of sexual harassment, but also from those that are disgruntled and feel cheated because they have been left out by not being in 'close' association with the boss. So they fear they may neither be promoted nor well deployed in the few available places because those in close association with the boss have cheated them to it. Never mind that they may not have even been eligible in the first place.

A case in point is where a new recruit wardress who was recently posted to a unit and was immediately deployed to work in the reception office allegedly because she had "potential to do well". The reception office is a very sensitive office that handles much of the data on prisoners in custody. It handles admissions and discharges of inmates. Any mistake here may lead to early or delayed release of inmates from the prescribed date. It can also be a source of fraudulent release of prisoners. Although deployment of such an officer remains the discretion of the O/C, it calls for persons of competent and high moral standards.

Staff openly wondered how the O/C had known these qualities existed in this recruit wardress within such a short time. They concluded that the reason was because the O/C was known to be openly flirting with the wardress. They saw it as a 'reward' for the flirting and to have her nearer to him physically.

As it turned out, the wardress did not seem to be comfortable with this arrangement and opted out by requesting for a transfer, sighting illness and an opportunity to be nearer her husband. Apparently, she was married to someone else. The point here is that once staff begin to see you as openly flirting with the opposite sex, it impacts negatively on your authority and integrity over them and they begin to view your every action with suspicion. It generally creates a bad-working relationship as there is poor social interaction among the employees.

Equally however, there are also problems for those who may succumb to sexual harassment in the hope of a benefit of a promotion or good deployment. These love relations that emerge in the hope of reaping benefits often lead to disastrous effects. It is normally a source of internal rivalries as the boss moves from one relationship to another. Those that are ‘discarded’ resort to other means of getting back at the boss to cover up their frustrations for “lost opportunities”. A case is where a wardress had been jilted when the boss took on another wardress but accepted to go on a safari with him as a way of patching up. Upon arrival at a town, several kilometers and towns away, she locked him out of the room and alleged sexual harassment to the police.

Prisons Headquarters also took up the matter and before investigations were completed, the boss died in a shooting incident where suicide was highly suspected. Although no connection was officially made between these two incidents, those who were privy to the relationship suspect that the hotel incident could have partly contributed to this death.

Many bosses who enter these relationships are actually married. They do so with no intention of taking on another wife even if they initially promised so. Unfortunately, the wardress on her part

would have entered the relationship with a lot of expectations. These expectations however, come crumbling down upon realizing that she was merely being used. There have been cases of some turning violent either to the man himself or to the rival at home. Often times these actions have turned too scandalous for the offending bosses that they have never recovered from the consequences.

Many have had their careers stagnate with no promotions coming their way. Sometimes because of this tainted image, management has had to transfer away the offending boss. Such transfers have the effect of destabilizing family and social relations. Besides, they may be transfers on demotion meaning the loss of privileges etc.

These have had devastating effects on their families and work output. The wardresses who have gotten into this situation have faced worse. A part from their careers stagnating with no promotion, they have often times been transferred to far off and remote stations, not only as a punishment but also as a way to protect the offending boss. Many times the transfers is even initiated by the offending boss through his many connections with officers at Prisons Headquarters.

Among other effects are incidences where these wardresses get children with various “fathers” but end up as single mothers. Considering their meager incomes, this leads to social burdens such “street kids” and child abuse of various forms. And, because these are children brought up without proper parentage, they end up as victims of sexual harassment themselves, possibly because of the environment. They may also indulge in early sex. The result is unwanted

pregnancies, early parenting and of course school drop outs, attaining low levels of education thus ending up with low income jobs, predisposing them to sexual harassment. Hence the vicious circle.

The worst effect of this case scenario is for the wardress to succumb to HIV/AIDS either because they have entered the relationship determined to ‘win’ at all costs or merely because of their vulnerability to the boss’ manipulations, they have thrown all caution to the winds. The inevitable outcome has always been death.

Table 7 below, highlights the punishments meted out to those who refuse to comply with the sexual advances from the bosses as cited by the respondents

Table 7. Punishment for Refusing Sexual Advances from the Bosses

Punishment	Frequency and percentage
Dismissal	46 (23.4%)
Demotion	23 (11.7%)
No promotion	45 (22.8%)
Poor deployment	17 (8.6%)
Unfavorable transfer	31 (15.7%)
Loss of privileges	24 (12.2%)
Being unfairly charged	11 (5.6%)
Total responses	197 (100%)

Table 7 above shows that a good percentage of respondents cited dismissal (23.4%) as a punitive measure meted on those who reject the boss advances .However a closer look at many of the cases of staff dismissed from the U.P.S shows that there is no case that has come up because of sexual harassment.

4.9 Proposed Punitive Measures for Those Involved in Sexual Harassment

In order to address objective (iv) which aimed at identifying the measures that can be taken to address the problem of sexual harassment in the UPS, the following punitive measures were suggested by the respondents (refer to table 8)

Table 8: Suggested Punishments for those involved in Sexual Harassment

Form of punishment	Frequency and percentage
Charge	47 (31.1%)
Transfer	31 (20.5%)
Demote	19 (12.6%)
Ignore	9 (6.0%)
Dismiss from work	42 (27.8%)
Be cautioned and counseled	1 (0.7%)
Be reprimanded	2 (1.3%)
Total responses	151 (100%)

Although 31% recommended that those who sexually harass should be formally charged and another 27% recommended dismissal from work, this was the case only in the questionnaire

interview. This was on the understanding that sexual harassment could be at the level of rape, which is a criminal offence.

However, during the group discussion and the key informant interviews, it was unanimously recommended that formal charges and dismissal should only occur in extreme cases of sexual harassment. However, the opinion ironically changed that ordinary cases of sexual harassment should be ignored or the perpetrators be counseled and reprimanded. Both the men and women shared this opinion.

They were also very strong on the recommendation that officers both senior and junior who harass “should also suffer the same fate they mete out to their victims” by being transferred away to other stations or be demoted from their high positions, to “reduce their power over the juniors”.

It was also thought that if one was transferred away to another station, it has the effect of disturbing the family/ social relations, which could in turn have economic effects. This would be applicable for both the bosses and their juniors. It was thought that the boss would get affected in cases where several cases of sexual harassment had been brought up against him, whereby eventually top management would take action on him by transferring him, or even trim some of the benefits attached to his office, because of a tainted reputation.

Although there is no formal documentation of reported cases of sexual harassment, or any other complaints made by officers, an officer who once worked in the junior staff registry admitted that during his time there, they had received a number of written complaints by female staff alleging sexual harassment especially against the person of the O/C. Where a follow up action is

done, it is usually your word against that of the officer in-charge. The O/C is usually asked to respond to the allegation in writing normally it ends there and it never gets known if the O/C put up a good defense or not.

However, there was also a more serious case of a very senior officer based at Prisons Headquarters who tried to get a female officer discharged from the service for overstaying her leave. When the employee raised a complaint alleging that the said official had made sexual advances on her which she had rejected, the matter went 'silent', the lady is back to work – although she later transferred her services to another ministry.

Other such complaints according to this source come as anonymous letters. The official policy about anonymous communications is to destroy and ignore. So such complaints come to naught. Other respondents suggested a transfer (22.9%) as a way of getting a way from the problems. This was not found to be very useful during the group discussions because it was found out that because of lack of a clear departmental policy on sexual harassment, most likely the victim would face the same treatment even in the new station.

One wardress revealed that although she had managed to get a transfer it turned out neither to be in her favour, nor helpful since the same harassment continued in her new station. Unfortunately, for her, she had not hidden the reason for her seeking a transfer. And because of this, she continued to be viewed as a "trouble causer" even at her new station. It is therefore safer and convenient to be silent on the real reason for seeking the transfer and give other excuses rather than mention sexual harassment. This however has its own limitations.

The request will not fall through because the boss who may be the harasser will not see the threat or accusation directed at him and so may not sanction the transfer. This means continued suffering for the victim and hence more frustration.

Another group recommended that sexual harassment should just be ignored (15.3%) during the group discussion; the reason that emerged for this was that there was no need to create turmoil over a trivial matter. That it was all an issue of relationships and a person had a right to say no and stick to it. The majority of those who urged this way were men. The female officers on the other hand felt that the issue should be reported because “we look at these senior officers as our parents who should guide and protect us. So when they turn around to woo us, it is bad”.

Asked how they cope with this situation where they cannot report or get transferred, they said that they learn to cope by deceiving around until the person gives up.

Unfortunately, not many give up. This is where a situation that started as a normal love request turns into sexual harassment because both parties stick to their decision.

The other category was that of those who recommended resignation or desertion as an option, at 21% each. A closer scrutiny of the respondents revealed that these groups consisted of the recently recruited female staff. Most likely the realities of the job environment in the country had not yet sunk. Otherwise they would have known that resignation or desertion is not as simple as they appear and there is no record of any staff having quit their jobs because of sexual harassment.

CHAPTER FIVE

5.0 CONCLUSION AND RECOMMENDATIONS

In this last chapter, the summary, conclusion and recommendations are drawn from the findings in the previous chapter.

5.1 General Third World Attitude Towards Sexual Harassment:

Sexual harassment at work is not a hazard that has attracted any significant attention because it is a new phenomenon in the African context where very few people are employed in the formal sector. Among the employed, women constitute only 0.5% of this number; such concepts have therefore not yet taken root in our work environments. No wonder therefore that the concept clearly appeared alien to many respondents and even among top managers. To the majority, attention should instead be paid to the more pressing matters of poverty, disease and ignorance amongst the population.

Perception and Understanding of the Concept

Despite its being a topical issue today, the findings have revealed that within the U.P.S, the concept of sexual harassment is not clearly understood by many, both within the junior and senior ranks. It took the researcher a lot of time to explain to the respondents its meaning before they could respond to questions meaningfully- lending credence to the general misconception that sexual harassment is foreign and un-African. Many described it as either forced sex or violence towards women by men.

This confirms that efforts by women rights activists to highlight the problem have not yet penetrated many sectors of public life and organizations. It is also quite obvious that there is a

poor reading culture within the department as evidenced by the absence of reading facilities and materials i.e. libraries and literature. The few books scattered in the shelves of many offices, are old law books, which have nothing on sexual harassment. Besides being inaccessible and held as personal to office, you only get access when and if you occupy that office.

A number claimed to have only heard of the concept from newspapers and or during school days, while others claimed they were hearing it from the researcher for the very first time.

Also the level of education for most of the respondents contributed to this lack of understanding (awareness). At the level of Primary seven and ordinary level, it was unlikely that such people had heard of the concept and where they had done, it was even more unlikely that they could perceive its meaning.

While discussing the issue with one of the retired prison officer, he disclosed that during their time, issues such as sexual harassment were unheard of. Not even rape was heard of within the service. Their only issue of concern was how to avoid catching syphilis or gonorrhea. This confirmed the point raised by the researcher earlier that this study would among other things try to establish the level of understanding and perception of the concept within the UPS.

Levels of Education

Few female officers were of and above the “A’ level standard of education. Their limited understanding even at this level makes them look at sexual harassment as an alien and foreign concept. A part from contributing to the poor perceptions about sexual harassment among

respondents, the low levels of education amongst staff of the UPS, and particularly the female workers, also served to promote the high prevalence rate of sexual harassment in the UPS.

Love relationships and Gender Powerlessness

The research revealed that although there are numerous love relationships amongst staff, they are not on a level ground. One key informant summed it up well “if such relations were between juniors alone or senior officers alone, there would be no problem. There is a problem when a love relationship is between a senior male officer and a junior female officer. The thing that comes to mind is that either the junior female officer is up to some scheming for privileges or the senior officer is simply exploiting the junior”.

As to why she thought this was so, she said, most of the relations’ eventually collapse. In most of these cases, the senior officer is already married. The moment the wife learns of the affair, there is a crisis, and the boss has no option but to drop the junior officer. Besides, why should the boss engage the junior officer in the first place? He is supposed to be her mentor, a father, why should he turn to her for love. It is an abuse of trust and it should be discouraged. It causes unnecessary frustration at work”.

So while a love relationship between staff may appear normal on the surface, as pointed out in the introduction, it is an extension of the power of men and their continued domination over women. These relationships always develop out of pressure on the junior female staff by the boss. Well aware of the enormous power the boss has over her, she has to play safe. Even for some who try to adopt by “telling lies and giving false promises” to the boss, they find it

unsustainable in the long run, as evidenced by the many love relationships that were evident. If the boss can sustain the pressure, the easy way out is to succumb.

So while they may appear ambivalent towards the boss, by and large, these sexual acts and advances were unwelcome to her. But for the fact that she is “unsophisticated, very keen to keep her job” and progress in her career, “she thinks this is the tariff to pay” in spite of the humiliation and injury she is suffering.

The low levels of education also ensure that these young girls are unable to compete in the job market. A prison job is like a godsend and to lose it means getting back to the streets. This partly explains why there are few cases of sexual harassment that have ever been brought up as complaints, and none at all in the courts of law.

Sex Inequalities at the Workplace

While a low employment rate for women is true for most organizations in this country, for the UPS, it is simply too low. The uneven numbers between the sexes in UPS is very prominent. The few women employed at senior level means that the men remain the dominant factor at decision-making levels throughout the establishment, be it at station or departmental level. Such strategic positions within the units i.e. Orderlies, Store men, Reception Clerks etc become the domain of male employees. This makes it difficult for the few females there to influence decisions and raise awareness amongst their ilk about the detrimental effects of sexual harassment to them as individuals and to the organization.

It also seems to emphasize their vulnerability and subordinate role in an atmosphere where the dominant voice is male. This means that in matters of discipline, rights and who controls who in the work place, the female workers role is subordinate to that of their male colleagues. It is the men who “set the agenda and standards” about what will be considered sexual harassment.

As Hellen Watson (p66) put it, “being in a positions to manage power by influencing how ‘facts’ are presented to and perceived by a wider audience is of immense significance in harassment cases. It involves the ability to influence how certain issues are presented and understood by others, and represents artificial dimension of material and other more visible aspects of power relations”.

According to the top managers at PHQ, recruitment of few females is deliberate. They argued that the nature of jobs performed in the UPS sometimes do not favour the women employees. Given that the majority of prisoners in custody are male, it only takes the male ‘strengths and shrewdness’ to counter that of the male inmates. Female officers may not run as fast in the event of an escape, and neither do they have the strength to disable and subdue male prisoners in case of unrest, as would their male counterparts.

At best, the women officers can only manage their female prisoners in the female wings of the prisons, who unfortunately are few, hence the few female employees in the department.

While this observation alludes to what many authors have termed ‘positive discrimination’ where tasks may be assigned with due consideration to the biological and other social differences between the sexes, this however, poses problems in sexual relations at the workplace.

Because the same alludes to the fact that ‘women cannot manage because of their problematic relation to power and authority and hence they are always willing subordinates. This argument

according to Cockburn (1991) cited in Anne Witz, *et al*, creates a link between sexual politics of the work place to body politics where women will do anything in order to climb the organizational ladder.

This high ratio of male staff to female staff means that there is masculine culture in the UPS centering on male 'homosexuality'. For a female entering this work environment means that she will have problems interacting and relating with her colleagues. They will "find it difficult to adopt authority positions, instead being routinely positioned in ways subordinate to men and sexual harassment becomes a greater possibility". Collinson and Collinson (cited in Anne Witz, *et al*, 178).

This relation is even strikingly prominent in senior male officers and the female staff lower down in the organizational ladder. What is employed are hegemonic forms of masculinity and heterosexualisation which are "accepted as a routine part of every day life". So what is looked at as 'friendly' behaviour of the boss towards the female worker is actually "undermining, humiliating or threatening, tipping into either verbal or physical sexual harassment".

Like the senior prison officer who while on a tour of prison units, told the staff in one station that they should be free to approach him without fear in his office in Kampala and bring their complaints. When he invited everyone regardless of rank, especially these "beautiful young girls" the intentions tipped towards unwanted sexual comments.

Or the other officer who commented about the breasts of a female officer being ‘still straight and firm yet she had just given birth to a baby. The same female officer claimed that a colleague used to come and touch her breasts “anyhow” until she quarreled with him. This attention to the woman’s erotic parts is tantamount to sexual harassments.

These incidences point to the fact that although such behaviour gives pleasure to the male boss and hardly get reported about, they serve to confirm that sexual harassment is perceived at a point where men call up women’s embodiment in ways that diminishes their competence and authority.

Organizational Structure of the UPS

The bureaucratic nature of UPS has tremendous implications on how sexual harassment cases are handled. The extensive ranking arrangement and requirement to adhere strictly to the chain of command makes it difficult for cases of sexual harassment to come to the fore. Before a case of sexual harassment reaches the highest office of the Commissioner of Prisons, it is a requirement that it passes through the Orderly at the station, then the Principal Officer (P.O) who may or may not be the duty officer, then to the Officer in-Charge. To flout this process would be indiscipline. Then the O/C routes it through the R.P.C to the Commissioner of Prisons (C.P). Before it reaches him, it may have to pass through the ACP junior personnel and SACP in –charge (Administration). It is a long chain which would call for patience and endurance.

It should not be lost on anyone that any of the above officers can take a decision on the matter to either forward it or bury it. Normally, the practice in such sensitive cases is to downplay it on the pretext that the “matter will be solved locally”. But it turns out to be an excuse to get an escape route for the harasser.

It should also be remembered that these strategic offices are dominated by the male officers. The long bureaucratic arrangement is not just discouragement to a potential complainant but as one junior female officer put it, “you have to have the courage to undergo a lot of humiliation, threats and scorn from colleagues before the matter reaches the C.P”.

This arrangement effectively puts a bar on how many cases ever come up for redress. Even the ‘lonesome existence of UPS staff makes female members vulnerable to sexual harassment because of the barracks arrangement. The staff members are in ‘confined’ environments and like the prisoners that they keep, they have limited contact with the world outside their own.

Although there is no formal rule stopping staff from going out there to seek friends, there is a regulation that prohibits staff from going out of the barracks without permission from the authorities. The logic is that one may be called for duty incase of an emergency.

Therefore, the only male adults they know closely are their colleagues but whose general living standards are as deplorable as their own. They are not attractive as partners so in this circumstance, they are forced to “seek rich and influential male friends as a means to obtain jobs and money” (Karanja, 1981). And so without intending it, the U.P.S has designed a living environment for its staff that has instead contributed to the high prevalence of sexual harassment in the Service.

Organizational Culture

One thing that came out clearly is that for most staff, sexual harassment is a foreign concept that is being brought in to interfere with the status quo. It is the reason many respondents argued that sexual harassment does not exist, and considered normal any love relationships sexual comments or flirting and touching that develops between staff.

Accordingly to them, in the African culture, there is no woman who will agree to a sexual relationship on the first attempt, lest be considered a harlot. The idea is to act tough to gain respect from the would-be suitor.

To the male staff therefore, a ‘no’ from a female is like a challenge and the more she resists, the more is the challenge. Many writers agree that the “many kinds of acts that constitute sexual harassment vary according to cultural and social practices and the social contexts in which they occur. As a result, definitions of sexual harassment have changed and differ from region to region, country to country in an attempt to accommodate these differences.

The UPS case is not helped by the derogatory statement that was once made by a high ranking prison boss to the effect that all female staff in the prison service are ‘dry ration’ for O/Cs (read bosses).

The statement may not have been intended but the sentiment as caught on by both male and female staff. Perhaps that is why one female informant, a junior female staff boldly declared “who am I to refuse a request for love from a boss? After all, are we not meant for them?”.

The Power of the Manager

In the UPS, the long and bureaucratic organizational ladder gives excessive powers and authority to those in management; the O/Cs, P/Os, RPCs, SACP and the C.P himself.

These are the officials who control the financial resources and are normally better facilitated than most staff. They are entitled to privileges such as cars, drivers, allowances, better housing, e.t.c.

Given that they control the financial and most other resources in the department, most activities do happen after their express say. They also control and manage matters of discipline, deployment, transfer and recruitment.

Given this excessive power that they do possess, it is no surprise that the highest number of sexual harassers came from the management. They are prone to misuse this power in a “quid pro quo”, kind of sexual harassment where they demand a sexual favour in exchange for certain job benefits.

A case in point is where female members of a recruitment team revealed that some times beauty of candidates for recruitment matters. She revealed that one time a decision had to be made between two female recruits and the head of the team ruled that the ‘more beautiful one’ should take the vacancy as one way to improve the over all outlook of the department. Later however, the same senior officer is known to have followed up the female recruit to the training school to let her know how she came to be there. For him, this was payback time.

Many also within the department prefer that even where complaints of sexual harassment came up, they should be left to the individuals involved since either of them could be responsible. Both the junior and senior managers do not recognize it as an issue of indiscipline among male

members of staff and an abuse to the human rights and freedoms of another (female worker) or can have detrimental effects on the efficiency of the department.

This explains why there are no records of cases of a sexual harassment nature that have been handled in a disciplinary procedure. This is clearly shown by the revelation of the officer from the junior staff registry who also claimed that such cases even when they are reported are simply filed away or treated as anonymous and destroyed. This may also be responsible for the few cases that have come up despite the rampant existence of the problem.

Legislation on Sexual Harassment

While many countries outside the third world have made tremendous steps to eliminate sex discriminatory practices from the work place, countries like Uganda have clearly not started. The constitution of Uganda, the supreme law of the country, advocates in general terms for equal treatment for all individuals (Article 24).

Accordingly, therefore, sexual harassment is not a criminal offence and can only be treated as a civil offence, unless it takes extreme proportion such as rape. A magistrate of the court revealed to the researcher that except for cases of rape, defilement and indecent assault, the courts do not receive cases of sexual harassment probably because the law has not criminalized it.

It's quite clear that the government through its many legal bodies and commissions has not recognized the gravity of the problem. It is very clear that the matter has been left to individual organizations to deal with the problem in their best interest. That is assuming that they will recognize and appreciate its existence.

Departmental Regulations on Sexual Harassment

Sexual harassment is flourishing in UPS because of lack of a policy and standards. Sex and sex-related relationships are treated as 'freebie' for employees. As expected, there are no formal guidelines or rules and regulations in place specifically addressing sexual harassment or sex discrimination of any kind for that matter.

A close scrutiny of the Prisons Standing Orders or List of Offences of which an employee could be liable for disciplinary procedure revealed a glaring absence of any section dealing with sexual harassment.

This can be blamed on severe financial constraints, the general lack of a comprehensive policy on sexual harassment and its poor application in the public sector. This explains the remoteness of any chance of complaints on sexual harassment coming up for redress inspite of the existence of the problem and its impact on the individual and the organization. The few that do make it to the files are treated as diversionary and are given lukewarm attention. At best it is the victim who instead suffers by being transferred to another station and so the cycle of harassment continues.

Even the chain of command arrangement that exists, besides being long and frustrating, does not pronounce itself on such complaints that are as sensitive and many times as traumatizing as sexual harassment.

The solution for the victims is to learn to cope with the problem in their own way and pray that the harassment will one day stop. Only God knows what will happen if it does not stop and instead gets worse.

The Uganda Human Rights Commission is the right body in the country to deal with such matters of a civil nature but also have the moral authority to provide a remedy to a complainant at all costs including helping them to seek legal redress in courts of law for any criminal liability. However, this approach is limited by the element of having to prove the criminality “beyond reasonable doubt” besides the known discomfort the whole process presents to the complainant, particularly the women.

The cost of sexual harassment to UPS is two fold; to the individual who in this case may be the victim, and to the entire department. First and foremost, sexual harassment has a direct impact on the well being (health) of an individual who happens to be a victim. Every employee in any organization is supposed to be guaranteed full benefits of employment, which are; entitlement to quiet enjoyment, free of physical intrusion, harassment, molestation and unwelcome approaches.

The fact that respondents alluded to incidents of denied promotion, unfavorable transfer, poor deployment, or getting directly or indirectly punished merely because they did not respond favorably to a boss, means that sexual advances deny the workers the enjoyment of their employment. In effect, they do not render their full and equal participation at the workplace and some have been known to withdraw completely to themselves because of repeated harassment by multiple superior officers. These are the ones who are often branded undisciplined and under the disguise of being harassed as an excuse.

Even for those who manage to endure either through trickery or by succumbing to the pressure from a boss as away to avoid being “ostracized, victimized or teased by peers” or merely for the

benefits that may accrue, the end result is the same; stress / trauma, loss of self-esteem and credibility. Eventually their careers suffers, as was the case with the clerk from Lira prison whose affair with her boss was found out by his wife. The clerk was the one transferred to another unit.

The UPS equally suffers as an organization making this suffering two-fold. As the victim withdraws her participation through absenteeism or lowered productivity, (poor morale) lowered job satisfaction and other attitudinal and emotional changes, the organization also suffers. To fill the gap created, the organization has to 'pull' on other staff and this eventually causes overwork and stress.

Cases of O/Cs making junior officers work one main shift instead of two are common. The recent mass escapes of prisoners in Arua, Apac and Adjumani is believed to be a result of poor deployment of staff, because of a shortage created by the presidential elections of 23/2/2006. Most staff were deployed as election constables in that election. Shortages of staff created by whatever reason has potential to create such scenarios to the detriment of the organization

Secondly, relationships have the effect of creating indiscipline in the organization. It is true that the UPS operates on a strict code of conduct but the sexual relationships that develop tend to create ridicule, rivalries and outright anger from both the victims and staff who may not be party to the saga. It therefore follows that discipline is pegged on respect for those in authority and for each other. Whether it is the arrogant behaviour of the beneficiaries, or it is the anger of those who feel 'overworked' and 'marginalized' by those benefiting, or it is the revenge act of those

who felt jilted; all these combine to create a poor working relationship in the organization and therefore a poor work output.

5.2 Conclusion

This research has clearly revealed that sexual harassment has been and still is a workplace problem in organizations in Uganda. The magnitude in each case may differ according to the nature of the organization but it cuts across all sectors, both public and private. The reasons it has continued to flourish lie in the general lack of awareness of the concepts, vulnerability of women caused by their limited levels of education, the fact that women in most organizations continue to occupy the low cadre jobs, our societal cultural beliefs about a woman, and particularly our structures of organization (hostile environment), the dominance of men in most managerial positions of every organization, the inequalities in employment levels of men against women.

Above all, the absence of an enabling law to deal with sexual harassment is a problem in itself. Because of this, the Constitution of Uganda provides for sex as a preserve of people of opposite sex who are not clearly related. It clearly believes in sex based on consent and only criminalizes incest, defilement, rape and indecent assault.

The tragedy for Uganda and UPS in particular is that those at the level of management do not therefore feel liable for any acts of sexual harassment on some of their employees. They do not feel concerned that sexual harassment is a discipline problem and a job hazard that needs to be tackled as any other job hazard in the organization.

The other problem is failure to recognize that sexual harassment is a human rights issue that must be addressed if only to create equality and a 'quiet enjoyment' of work by all at the workplace. As a result sexual harassment is treated as inconsequential to the day to day operation of the organization.

Another tragedy is to fail to recognize the detrimental effects of sexual harassment on the performance of the organization. The wide spread belief is that it is a problem of private organizations that are out to make profits, while in public service organizations like UPS, the problem is a non-starter.

Sexual harassment like democracy, human rights, equality of sexes etc may be a product of affluence in societies but in effect it is also about providing quality service in an efficient and effective manner. It is also about obeying the law of the land.

All these combine to create a hopelessness and helplessness for the victims of sexual harassment. As one respondent summed it up "when I had just joined, I thought it was normal behavior in UPS and I thought I would learn. Today I have matured and I have learnt to cope. Even if you seek a transfer to another station, or you get another job, there will always be another boss to harass you. You know for us ladies, this kind of pressure will not go, it will always be there". So until the law begins to bite and hold organizations responsible or liable to fines sexual harassment will continue to thrive. This statement also confirms the old adage that old habits die-hard. But it is important to note that while they may not die easy, they die eventually. It however takes commitment and a sustained struggle.

While many respondents agree that sexual harassment is commonplace in UPS, they insist that it is a normal trend in any community and should not be allowed to cause a bad image to the department by letting it leak outside the department. With proper communication, they say, it can always be resolved.

At an abstract level, this may be part of the crisis in the third world. But at a human social level, an obvious dilemma is that there are rarely unambiguous rules of behavior; more often than not people juggle with a collection of fragmentary models of and for reality.

5.3 Recommendations

From the findings of this study, it is obvious that the concept of sexual harassment is still very remote in the thinking and workings of many organizations including UPS in spite of its prominent presence. Because the line between sexual harassment and normal love is actually very thin, it is difficult to get a quick consensus on the definition let alone the remedy of the vice. The researcher therefore recommends that as a first step, UPS should consider vigorous sensitization of its workers across the board in order to address the poor public perception and attitude towards sexual harassment.

This should be done through training and awareness raising strategies to ensure that all employees know their rights and responsibilities. That the issue of sexual harassment should be highlighted on an on-going basis, through staff parades and inspection tours, as well as through training programmes in the Prisons Training School (P.T.S). In order to make a fair understanding of the problem, discussion should also include the local cultural backgrounds of

the officers. The framework arrived at is likely to be weaved into a more accepted policy across the board.

Once the understanding of the policy has spread, the next best thing for the UPS to do is to develop and promote a written policy as a key aspect of prevention. This researcher disagrees with the assertion by one senior officer that the problem of sexual harassment is that of affluence. The issue should be that of recognizing that the problem exists and is a common and recurrent issue, and that it has detrimental effects on the organization, which in this case is true.

Such a policy should thoroughly define sexual harassment and comprehensively address the consequences for any breach by any employee including the type of disciplinary action that can be taken. Copies of such a policy should then be widely circulated and regularly updated. These actions would not only serve to demonstrate that the UPS is committed to a complete elimination of sexual harassment in the department but also serve to give confidence and comfort to workers who are vulnerable.

Such a policy would help to separate between what are normal sexual relationships and sexual harassment through a comprehensive complaints procedure. As it is now, this boundary is blurred.

This should be closely followed by establishment of a women's desk headed by a competent and highly placed female officer adequately facilitated and supported by specially well-trained female officers to enable complaints to be made and acted upon. This move would help staff, a

majority of whom expressed that matters of sexual harassment should not be taken out of the department, but be tackled within as a 'family affair'.

This measure would greatly help to eliminate the present, traumatic cumbersome, bureaucratic and often unsuccessful procedure of complaint resolution. These support mechanisms will ensure smooth resolutions with the least possible trauma for the victims and help to check the present institutionalization and exploitation of these women by the powerful male employees.

It is also a fact that the dominance of men in most organizations at the policy making level makes legislation targeting women problems fail. A case in point is the present domestic bill now in parliament. Therefore for this sexual harassment policy to work, the UPS through affirmative action needs to make a deliberate attempt to increase the number of female senior officers from its present low levels. This should help these women to influence policy on matters affecting their ilk.

The government of Uganda is signatory to many UN conventions including one on human rights etc. it is contingent upon her to put in guidelines on how to deal with the problem of sexual harassment.

At a key policy level, the law makers should re-design laws on sexual harassment as stand alone policies instead of being too 'broad and generic' where its impact and clarity is compromised. This would then stand as a basis on which other organizations would draw their inspiration to tighten their own strategies to eliminate the problem. At the same time, copies of such revised laws should be widely distributed to benefit the target groups.

Other quasi-judicial bodies such as the Inspectorate of Government and Uganda Human Rights Commission should also be empowered and supported to pursue such cases including following them and providing necessary support to victims where criminality is sighted. In that case, the matter should be referred to police for legal redress.

The UPS should also design a record keeping system that ensures proper documentation of reports and complaints of sexual harassment. This will not only help to monitor and identify problem areas to be targeted for further awareness raising strategies but it may also assist in discharging the organizations liability.

Every effort must also be made to discourage any love relations within organizations as these have proved to be the main causes of sexual harassment, among other social ills in organizations. The effort should, as a priority, be directed at love relations between particularly the senior officers and their junior counterparts. This should be by way of sanctions and fines, and through a comprehensive policy.

Overall, the Government of Uganda should intensify efforts towards the education of the girl child. The present effort at Universal Primary Education (U.P.E) as well as affirmative action are measures in the right direction. The more these vulnerable groups are empowered the more they will be able to make informed decisions about social relations at personal, organizational and cultural levels. It would also help them to push for reforms that will benefit themselves.

A reading culture should also be strengthened at the level of the department. This should be kick-started by provision of decently stocked library facilities at every station. These should be open and accessible to all staff and not left to be the preserve of those who hold specific office accommodation, as it is the case at the moment

CHAPTER SIX

6.0 REFERENCES

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4) What forms of sexual harassment exist in the Uganda prisons service?

- ☐ Unwanted sexual advances ☐ Incest ☐ Rape
- ☐ Unwanted kissing/ touching/ fondling ☐ Indecent assault
- ☐ Sexual assault

5) Why do you think sexual harassment exists in the Uganda prisons service?

- ☐ Financial gains ☐ Favours from superiors ☐ Peer pressure
- ☐ Pressure from superiors ☐ Favorable transfers
- ☐ Good deployment ☐ Marriage relationships
- ☐ promotions ☐ Fear

6) Have you (personally) ever experienced sexual harassment?

- ☐ Yes ☐ No

7). Do you know of a workmate or employee of U.P.S who has experienced sexual harassment?

- ☐ Yes ☐ No

8) Who did this act of sexual harassment?

- ☐ Senior officer ☐ Junior officer ☐ Other, specify

.....

9) Would you have a problem with someone who sexually harasses you?

- ☐ Yes ☐ No

If yes how? ☐ Hatred ☐ Embarrassment ☐ Fear ☐ ill will

10) Have you ever experienced any of the following?

- ☐ Female officers sexually harassing fellow female officers
- ☐ Female officers sexually harassing male officers

☐ Male officers sexually harassing female officers

☐ Male officers sexually harassing male counterparts

11) Have you ever been accused of sexual harassment?

☐ Yes

☐ No

If yes, specify.....

12). Do you know of a colleague in the U.P.S who has ever been accused of sexual harassment?

☐ Yes

☐ No

If yes who was he/she? ☐ Senior officer ☐ Junior officer

☐ Other, specify.....

13) Do you think sexual harassment can lead to a punitive measure?

☐ Yes

☐ No

If yes, which of these? ☐ Dismissal ☐ Demotion ☐ No promotion ☐

Poor deployment ☐ Transfer (Unfavourable)

☐ Loss of privileges ☐ Being unfairly charged

14). Does sexual harassment affect performance at work?

☐ Yes

☐ No

If yes how would it affect it?

☐ Malingering ☐ Lack of morale

☐ Withdraw from duty ☐ Absence from duty

15) Have you ever been unfairly treated as a consequence of sexual harassment?

☐ Yes

☐ No

If yes, briefly state what was done?

16) What's your opinion of sexual harassment?

☐ Normal practice and should be ignored ☐ Bad practice and should be discouraged ☐

Bad practice but should be ignored.

17) As a victim of sexual harassment what would you do?

☐ Resign ☐ Ignore ☐ Desert ☐ Report to authorities ☐

Request for transfer

18). How would you react if your boss asked you for a love relationship?

☐ Its ok and I would accept ☐ Its ok but I would not accept

☐ Its unacceptable

19). Are you aware of anyone in the UPS who has been punished for sexual harassment?

☐ Yes ☐ No

If yes specify type of punishment?

20) What should be done to someone who sexually harasses another in the Uganda prisons service?

☐ Charge ☐ Transfer ☐ Demote ☐ Ignore

☐ Dismiss from work ☐ Other, specify

21). Does the Uganda prisons service have any rules/ regulations governing sexual harassment?

☐ Yes ☐ No

If yes, where could you find them?

Appendix 2:

Check- list for key informants and focus group discussions

1) Definition of sexual harassment; ☐ knowledgeable ☐ Not knowledgeable

2) Does sexual harassment exist in the UPS? ☐ Yes ☐ No

If yes can you cite some examples

3) How would you rate sexual harassment in UPS? ☐ High ☐ Medium

☐ Low

4) Who does it? ☐ Colleagues ☐ Superiors ☐ Junior ☐ male staff

☐ fellow ladies ☐ Fellow men ☐ Civilian staff

5) Which of these forms of sexual harassment is most offensive to you?

☐ Sexual advances ☐ Verbal sexual advances ☐ kissing

☐ Touching and fondling ☐ Suggestive postures

6) Why do you think it exists in the UPS?

☐ Satisfying selfish ends ☐ Favoritism

☐ Fear of bosses ☐ Female staff encourage it

☐ I do not know

7) Is it possible for a male staff to have a love affair with a female staff?

☐ Casual relationship ☐ Marriage ☐ Other, specify.....

8) Why did you opt to join the UPS?

☐ My grades ☐ Relatives' advice ☐ Self motivation

☐ No other alternative ☐ other, specify.....

9) What would you do if you were sexually harassed?

☐ Go to court ☐ report ☐ desert ☐ transfer

☐ Just persevere

10) What should be done to somebody who sexually harasses another?

☐ Sack ☐ Demote ☐ Transfer ☐ Ignore

11) Would sexual harassment affect performance?

☐ Malingering ☐ Absenteeism ☐ Low morale

☐ Good deployment ☐ Promotion

12) What could be the reason for sexual harassment in the UPS?

☐ Promotion ☐ Transfer ☐ Promotion

13) Does sex play part in the following?

☐ Recruitment ☐ Transfer ☐ Promotion

☐ Deployment

14) Do you think some laws do exist regarding sexual harassment?

☐ Not aware ☐ Constitution ☐ Standing orders

15) Have you ever read the constitution of Uganda? ☐ Yes ☐ No