



Master Thesis

Understanding Human Rights Defender's Risk Perception
and State Power:



Master:	Conflict, Territories and Identities
Study program:	Human Geography, Radboud University
Supervisor:	dr. H.J. Swedlund
Second evaluator:	dr. ir. M. van Leeuwen
Date:	August, 2014
Name:	Rik van Hulst
Student no.:	0812366
E-mail:	vanhulst.rik@gmail.com

Acknowledgements

First and foremost I would like to give special gratitude to dr. H. J. Swedlund for her supervision, ideas and help with this thesis. She helped me to demarcate my research case and recommended Uganda to me. I had a wonderful time there and met some interesting people, under which my supervisor during my internship at the Human Rights Centre Uganda Jacqueline Kasome. She supported me during my fieldwork in Uganda and helped me with finding the first contacts.

Second, I would like to thank dr. M. van Leeuwen for his contribution to this thesis by being second evaluator.

Third, I want to thank the interviewees, the human rights defenders and defender trainers who were willing to share their experiences, thoughts and notion with me. This thesis would not have been possible without their willingness to cooperate.

Last but not least, I want to express my special thanks to my girlfriend who supported me greatly during this research.

Rik van Hulst

Abstract

The purpose of this study was to investigate the role of state power on human rights defender's risk perception. The study is designed as a case study, where I did research on two groups of human rights defender with a specific interest in human rights and oil in Uganda: independent journalist and NGO-researcher. Research was conducted over approximately three months in Uganda between April 2013 and June 2013. Through a qualitative research, I analyzed the notions, perceptions and experiences of sixteen human rights defenders and three defender trainers. Additionally, I sketched the historical background of the stakeholders involved in the oil issue in Uganda to sharpen the vision on the present (Lawrence, 1984). By doing this, it became possible to understand certain behavior, decisions and motives of the actors.

The results of the study indicate that state power always has to be taken into account when assessing the risk of a human rights defender, as it has been shown that state power plays a large role on the risk interpretation. Defender's risk is interpreted to be a 'physical issue', more it is a psychological, financial, performance or social issue. This can be declared from the fact that more explicit forms of state power, e.g. an action to put defenders into prison, are most explicit and visible to the defender; whereas more implicit role of power is not. This study presents evidence that other dimensions of state power play a role on the defender's risk perception, under which system power – power that is deeply embedded in the acceptance of the role, structure and culture of the defender. It appears that power not necessarily needs to be put into action by the state, to be present. Defenders imposed power on themselves, e.g. out of fear to get arrested they did not report about the president or his family. They set themselves norms by expecting coercive behavior from the state as a consequence of their behavior. This shows the implicit role power plays in the risk perception of a defender. Last, to give more nuance to the core argument the analyses shows the influence of three intervening factors: individual characteristics, workplace and type of organization.

In the end, this study concludes that state power has to be taken into account when assessing defenders risk. State power plays a role that it can be exerted by the state (explicit role) or imposed by the defender him or herself (implicit role).

Table of contents

Chapter 1 Introduction.....	2
1.1. Significance of the study.....	3
1.2. Societal relevance.....	4
1.3. Structure.....	5
Chapter 2 Theoretical framework	5
2.1. Risk: economic versus social perspective	5
2.2. Operationalization of risk	8
2.3. Operationalization of power	10
2.4. Analytical framework.....	14
Chapter 3 Research Methodology	17
3.1. Fieldwork	17
3.2. Interviews	Fout! Bladwijzer niet gedefinieerd.
3.3. Data analysis	19
Chapter 4 Historical background.....	20
4.1. Uganda and oil.....	21
4.2. Historical background of the oil actors – from the late 19 th century	22
Chapter 5 Results – part I.....	29
5.1. Core argument.....	29
5.2. Intervening factors	33
Chapter 6 Results – part II.....	38
6.1. Resource power	39
6.2. Process power	42
6.3. Symbolic power	46
6.4. System power	49
6.5. Power-risk matrix	52
Chapter 7 Conclusion	54
7.1. Summary of empirical findings	54
7.2. Theoretical contribution	56
7.3. Recommendation for practice	57
7.4. Limitations of the study.....	58
7.5. Recommendations for further research work.....	58
Reference list	60
Annex I Interview guide	67
Annex II Map of Uganda.....	70

Chapter 1

Introduction

Since the discovery of large amounts of commercial recoverable oil in Uganda in 2006, human rights issues in the oil rich region of the country, the Albertine region, notably increased. The rapid changes in the oil industry are having serious effect on local communities, as they receive no or little compensation for their land (Williams, 2012; Katuzeyo, 2013), lack information about future plans and suffer from violent actions (Katuzeyo, 2013; Bahemuka, 2013). Contrary to this the Ugandan government promised Ugandans they would benefit from the oil discoveries¹. However, today (2014) any promise to scale up infrastructure or agriculture in the region is still an illusion. The Ugandan government manages the oil sector in a 'curious and suspicious way' (Kavuma, 2009), e.g. President Yoweri Museveni personalized the oil exploration activities (Mugerwa, 2011). Reasonably, more attention needs to be put on the protection of human rights of these vulnerable communities. Human rights defenders play a crucial role in this.

Human rights defenders (hereafter named 'defenders') are "organizations, groups or individuals which/who work for the promotion and protection of human rights" (Human Rights Centre Uganda, 2012a, p. 1). In the case of the Ugandan oil, specifically independent journalists and NGO-researchers have an important role to play in the protection and promotion of these rights. They publish reports on human rights violations in the oil sector and therewith they promote human rights. These reports are among others about the state's lapses to protect their people, with the result that the state perceives defenders as an 'opponent' (A. Izama, journalist, May 2013). During their work, defenders face serious challenges, e.g. they get arrested, excluded from the oil region, were presented by the state in bad light, et cetera. According to Eguren (2005) a certain level of risk is an inherent part of a defender's work as they work in a hostile environment (one where human rights are violated on large scale). Along with the discovery of oil and the increase in human rights violations in the Albertine region there is increasing concern over the risk human rights defenders perceive during their work. Within the little research there is, researchers have not treated the relationship between risk and power in much detail. For instance the study of Flynn, Slovic and Mertz (1994) conducted a quantitative research on perceived risk and concluded that power does effect the risk perception of an individual; but the research lacks a detailed explanation on how power effects risk perception.

¹ President Yoweri Museveni his speech on Uganda's 47th celebration of Independence from colonial rule: '*...the country's prospects for domestic revenue and self-reliance in financing public investments and programs are much brighter today than any other time in the past. Therefore, our country's over-reliance on donor aid, which often comes with unrealistic and unreasonable conditions, will soon be over. [...] the government has decided to scale up investment in infrastructure and agriculture in addition to continuing with efforts to further improve business policy environment.*' – (Museveni, 2009)

The major objective of this study was to investigate the influence state power has on the defender's risk perception. This goal will be attempted to realize by answering the following research question:

“How does state power influence the risk perception of human rights defenders working on oil issues in Uganda?”

This thesis follows a case-study design, with in-depth analysis of the relationship between state power and risk perception. The research group consists of independent journalists and NGO-researchers (both defenders) who have a specific focus on the oil issue in Uganda. Most of the data for my thesis come from in-country fieldwork that I completed in 2013. I conducted nineteen interviews with independent journalists (seven), NGO-researchers (eight) and human rights defender trainers (three). Additionally, I observed two relevant meetings of defenders speaking about their risk notions and experiences during their work.

For the purpose of this study, I developed an analytical framework to research the complex relationship between power and risk. State power and risk perception are both multi-interpretable, complex and multi-dimensional concepts, e.g. risk is shaped and structured within the mind of the defender and power can be both explicitly exercised by the state (e.g. the use of armed forces) or implicitly (e.g. a situation whereby a defender imposes power on him or herself). With the framework, I was able to study this complex relationship. Through this thesis, the term (state) power will refer to the state's potential ability to impose their will on the defenders regardless what this ability is based on (Zimmerling, 2006). Therein power is linked to the feeling of risk in a way that people with low power are more subject to both social and material threats (Anderson, John and Keltner, 2005).

1.1. Significance of the study

First, this study provides an important opportunity to advance the understanding of state power. Little is known about the role power has on the risk perception of an individual. Previous studies on risk perception (see: Flynn, Slovic & Mertz, 1994) reported that power plays a role on the interpretation of risk, but it is not yet clear how the impact on power of risk perception takes form. Additionally, existing literature on the role of state power (see: Moore, 2000; Garner & Regan, 1996) tends to focus on explicit forms of state power (e.g. the use of armed forces) and has focuses on the state's motives to exercise power. The issue of implicit role of power has been a controversial subject within the field of power, e.g. Foucault (1982) rejects notions of implicit power and state that power only exists when it is put into action. Thereby little studies have dealt with the *implicit* role of state power, e.g. whereby the defender imposes power on him or herself without the state explicitly

exercising power. This study provides an exciting opportunity to advance our knowledge of the (implicit) role of state power.

Second, within the little research there is, researchers have not treated defender's risk *perception* in much detail. Existing studies in the field of the risk of human rights defenders (see: Eguren, 2005) evaluated the role of *actual* risk (the reality), but do not study the defender's *perceived* risk (the beliefs), while perceived risk plays an important role in the influence state power has. For instance, a defenders may not face any consequences for publishing a report on oil (actual risk), but he feels fear that he might get arrested when he publishes the report (perceived risk). This example shows the importance of risk perception. This study makes a major contribution to research on risk by demonstrating the role of *perceived* risk.

Third, this thesis provides a conceptual analytical framework to study the state power- risk perception relationship. The framework is based on the existing literature in risk- and power studies. It is an amalgamation from power studies from Cynthia Hardy (1996), Michael Mann (1984), and risk dimensions from studies from Jacoby and Kaplan (1972). Based on their operationalizations of the complex concepts *power* and *risk*, I developed a tool to analyze the power-risk relationship, which also could be useful within many other research fields where this relationship is studied.

1.2. Societal relevance

Human rights are a universal and a fundamental property of individuals. Human rights defenders play a crucial role in the promotion and protection of human rights and fundamental freedoms of peoples and individuals, as human rights 'should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights' (OHCHR, fact sheet no. 29, p. 40). By demonstrating the challenges human rights defenders encounter during their work, the findings in this study could contribute to an improvement of training programs of human rights defenders and thereby contribute to a more effective way of protecting and promoting human rights.

Second, this project was conceived at the time I worked for the Human Rights Centre Uganda, in Kampala. During my time as a researcher, I witnessed the difficulty for human rights defenders to discuss obstacles and security issues among each other. I was told that 'people here [Uganda] do not take security issues as an issue to be discussed'. While it is not the goal of this thesis to expose the reasons behind this, this study might contribute in the next step to an open debate about the role of state power on the work of a defender and the difficulties they encounter.

1.3. Structure

The overall structure of the thesis takes the form of seven chapters, including this introductory chapter. Chapter Two begins by laying out the theoretical dimensions of the research, and looks at the concepts of state power and risk perception; the end of this chapter provides the analytical framework to study risk perception in relation to state power. The third chapter is concerned with the methodology used for this study. The fourth section presents the casus of human rights defenders against its historical background. Chapter Five and Six presents the findings of the research, focusing on the core argument of this thesis, systematically reviewed, and the mediating factors. The final chapter, the conclusion, gives a brief summary and ties up the various theoretical and empirical strands. Finally, this section provides recommendations for practice, limitations of the study and identifies areas for further research.

Chapter 2

Theoretical framework

In this chapter two concepts are central: state power and risk perception. Both concepts are multi-interpretable, complex, and multi-dimensional. First, risk is studied. Risk is structured and shaped in the mind of the defender. Thereby, it is possible that defender X interprets a situation as risky, while defender Y interprets the exact same situation as non-risky. Second, the concept of state power is researched, both its explicit and implicit role in studied. To get grip on these complex terms, this chapter starts with discussing existing literature on both concepts; therein examples are linked to the case of this thesis. In the end of the chapter an analytical framework is presented as means to analyze the relationship between state power and risk perception of defenders.

2.1. Risk: economic versus social perspective

The term *risk* emerges in the 16th century and was highly theorized during the 20th century by economists like Frank Knight and John Keynes. They maintain an economic approach of understanding risk whereby risk is interpreted as a 'measurable uncertainty' (Petersen, 2011). By doing so the vague and complex concept of risk becomes more concrete and practicable. By then, the academic literature on risk centers on the mathematical aspect and the general idea that risk can

be classified, quantified, and to some extent could be predicted (Petersen, 2011). Risk is interpreted to be something manageable and something which can be eliminated through rational behavior. During the 1980s and 1990s, Petersen explains, the security debate appears to be settled in the division between theoretical traditionalists and wideners. Petersen (p. 700/1): “The debate focused on the number and quality of the issues possibly constituting a security threat at a time where concerns about environment degradation, the effects of globalizations, drug trafficking and so on, found their way to the top of the political agenda”. With that, the security-debate obtains a more international, wide character.

The economic and quantifiable interpretation also influences today’s agencies. One example is the influential non-governmental organization focusing on human rights defenders, Protection International (PI). Co-director of PI and researcher Enrique Eguren defines risk in his paper (2005) as “the calculation: *threats* multiplied by *vulnerability* divided by *capacity* [(threats x vulnerability)/capacity]” (p.3). Eguren defines (p. 3) *threats* as “the possibilities that someone will harm somebody else”; *vulnerability* as “the degree to which defenders are susceptible to loss, damage, suffering and death, in the event of the attack”; and *capacities* as “the strengths and resources available for a group or individual to achieve a reasonable degree of security”. While Eguren’s calculative definition might find ground within the economical theory, I believe it is too abstract. Individuals vary in their interpretation of risk as they are influenced by various social factors. Therefore, I plea for a more social approach in studying the relationship between state power and risk.

Social scientists (see: (Krimsky & Golding, 1992; Pidgeon, Hood, D, Turner, & Gibson, 1992; Weber, 2001; Wynne, 1992) reject the focus of objectivity and quantification of risk and do not believe in ‘real risk’ or ‘objective risk’ (Slovic P. , 2001; Slovic & Weber, Perception of Risk Posed by Extreme Events, 2002; Kaperson, et al., 1988). For many social scientist risk is ‘inherently subjective’ and should be seen as a means invented by human beings to help them understand and handle the dangers in life (Slovic & Weber, Perception of Risk Posed by Extreme Events, 2002). For example, the nuclear engineer who has to estimate the probabilistic risk for a nuclear accident. The decision-making process of the engineer is both ‘subjective’ and ‘assumption-laden’ as his judgment depends on input. Every stage of the decision-making process, from the structuring phase where the nuclear engineer defines the problem until the actual decision, is influenced by judgment (see: Slovic, 2001). In the next section I outline that according to social scientist as Mary Douglas these inputs, different factors that influence the situation, makes risk incalculable or unpredictable.

Cultural influence on risk

In 1978, social scientist Mary Douglas introduces the idea that the risk perception of an individual

is influenced by culture, as one's social norms and values influence the person's perception and behavior towards risk. Cultures differ in norms and values and therefore risk is interpreted and handled differently per culture. Each individual, group or actor uses risks as a neutral decision-making instrument (Slovic & Weber, Perception of Risk Posed by Extreme Events, 2002). Hsee and Weber (1999) provide an example which shows the influence cultural differences have on the risk perception. In their study, they show that Chinese employers are significantly more risk-seeking compared to Western employers. The reason for choosing a 'riskier option above a less risky option' is that some respondents have a more positive attitude towards risk, and have a different subjective impression of relative risks options (Bontempo, Bottom & Weber, 1997). This example shows scientific proof for differences in risk perception per culture.

What is the function of risk? Besides that risk is used as a neutral decision-making instrument (Slovic & Weber, 2002), Douglas (1978) explains that "risk works as a moral classification in the modern society that ensures and creates orders and cultural identity" (p. 699). Therein, culture aims to understand how we select something as irreversible risk (Douglas, 1996; Douglas & Wildavsky, 1982). Individuals within the same culture create a 'shared meaning of risk'. However, individuals possibly deviate from the shared meaning, since the individual can only rationally interpret risk to a certain extent (Simon, Egidi, Viale, & Marris, 2008). The idea is that there is a discrepancy between being perfectly rational (economic approach) and the rationality of human behavior (social approach). The rationality of human behavior is characterized by 'bounded rationality', as explained by Simon et al. (1992): "The point is not that people are consciously and deliberately irrational, although they sometimes are, but that neither their knowledge nor their powers of calculation allow them to achieve the high level of optimal adaptation of means to ends that is posited in economics" (p. 3). Additionally, Douglas explains that bounded rationality is "a cultural phenomenon based on differing experiences of social organization between the various institutions and constituencies that compose a complex industrial society" (Rayner & Cantor, 2006, p. 4). In other words, social and institutional structures shape the perception of risk, which again determines the local political choices and creation of identities (Douglas & Wildavsky, 1982). This makes that there are shared meanings of risk within the same culture, but it still depends on the individuals' capacity to interpret and handle the situation.

The next section paragraph provides an operationalization of risk perception, so that the term can be used in the analysis of this case.

2.2. Operationalization of risk perception

In the scientific literature a large variety of definitions of risk are used (see: Rosa, 1998, p. 28; Aven and Renn, 2009, p. 2; Slovic, 2001, p. 19). There is no universal definition of this concept; however Hilgartner (1992) identifies three common elements in the definitions of risk given in literature (Boholm and Corvellec, 2011). Risk is:

- I. an *object*, which is deemed to pose;
- II. a putative *harm*²; and
- III. a *linkage* aligning some form of causation between the *object* and *harm*

An attempt to define risk is an attempt to define the *nature* of risk. This almost impossible task is omitted in this study, as the focus is more on the practitioners' view of risk (the defender's risk perception). In other words, the focus is not on 'absolute risk', which is something unreal for the practitioner/defender (Cardona, Hurtado, & Chardon, 2003), but on 'perceived risk'. Through this thesis I define risk, based on the characteristics identified by Hilgartner (1992), as "a social phenomenon whereby the defender interprets the linkage aligning some form of causation between the post objective and putative harm in his own cultural working environment." The context (culture, political situations, et cetera) influences the level of perceived risk an individual is willing to take, so-called "acceptable risk" (Fischhoff, 1981; Shrader-Frechette, 1991; Boudier, 1991). Chapter Four sketches the context of the defender, for now it is important to operationalize perceived risk.

Operationalization of perceived risk

To operationalize perceived risk, it is important to know what sorts of risk an individual can be concerned of. Jacoby and Kaplan (1972), who study mainly consumer behavior, identified 5 indicators of risk, namely: financial-, performance-, physical-, psychological-, and social risk. Each indicator implies the uncertainty to the degree of expected loss after an action. This thesis adopts the five indicators of Jacoby and Kaplan to analyze the risk perception of the defenders, but make them applicable to the case of human rights defenders. The next section operationalizes each indicator; first by outlining the original term as described by Jacoby and Kaplan (1972) and second by making the term useable for this study.

Financial risk

Jacoby and Kaplan interpret financial risk as the chance that the individual loses money after purchasing a product (Is the product worth the money?). Where Jacoby and Kaplan focus on the

² Harm should not solely be interpreted in a material sense, e.g. a gun or thunder lightning, but could also be a cultural, physical, or social artifact like a nationalist ideology.

monetary value of the product, within the case of defenders perceived financial risk is about the financial situation of the defenders (What is the likelihood the situation results in monetary costs?). To provide an example, a defender might feel he will be fired and lose his income (perceived financial risk) when he publishes a report about oil and human rights violations, because the government is able to put pressure on the journalists or the management of the media house to fire the defender over a story. This exertion of state power is described later. The fear of financial risk possibly hampers the effective promotion and protection of human rights.

Performance risk

Jacoby and Kaplan interpret *performance* risk in line with brand loyalty, e.g. consumer X is loyal to the brand *Apple* because he thinks *Apple*-products are good qualitatively products. In this situation consumer X has relatively low feeling of risk when buying a product from *Apple*, since X trusts the brand. In other words, performance risk relates to the functioning of the product. In the context of defenders, performance risk relates to the functioning of the defender (What is the likelihood that a defender can protect and promote the rights of people in a professional way?). Professionalism is the keyword in this; a defender with a good reputation, meaning that he works on a reliable way, is respected and gets easier access to resources (A. Izama, journalist, May 2013). The opposite is also true; a defender with poor performances probably has a poor reputation and has difficulties to get access to resources. In the end, this hampers a professional and effective manner of promoting human rights.

Physical risk

Physical risk is defined by Jacoby and Kaplan as the risk that the purchased product can injure the consumer's physical wellbeing. This aspect of risk is often left out in risk studies, possibly because little products have a high level of physical risk. In the case of defenders, physical risk is a serious and important aspect. Defenders work in hostile environments (Eguren, 2005). Uganda is a country prone to violence, which makes the physical dimension of risk accurate. Throughout this thesis, physical risk is defined as the likelihood that a defender has the feeling that the situation (or actions) will physically harm him (What is the chance you enter an unsafe situation?). Examples are defenders get beaten-up or arrested.

Psychological risk

Psychological risk relates, according to Jacoby and Kaplan, to the extent the product is consistent with the consumer sense of self-identity (Is the brand/product a reflection of my identity?). In the context of defenders physical risk goes one step further and focuses on the mental state of the defender (What is the influence of the actions on your state of mind?). A defender might feel stress,

fear, helplessness or overtiredness as a result of his or her work. Threats from the state might cause psychological negative outcomes.

Social risk

Jacoby and Kaplan define social risk as the degree to which the decision of buying a product influences the opinion of others about the buyer (Perry & Hamm, 1969). A consumer might feel embarrassed in his social environment over buying a certain product (Kotler & Keller, 2006). In the case of defenders, I interpret social risk as how the (working) partners, friends or family are negatively influenced by the defenders situation. (What is the likelihood the relationship with the social environment deteriorates?). A disturbed social relationship with partners, friends or family might hamper the effective promotion and protection of human rights.

Now that I have discussed the five dimensions of risk given by Jacoby and Kaplan (1972) and made them applicable to the case of human rights defenders, an overview of the operationalization of perceived risk is provided in Table One.

In the next paragraph an operationalization of (state) power is provided. The paragraph starts with a broad explanation of the concept of power. Next, I review Michael Mann's two dimensions of power, which relate to state power and the four dimensions of power as identified by Cynthia Hardy (1994). Hardy's dimensions do not specifically focus on state power; however, as I did with Jacoby and Kaplan's dimensions, I make them useable for the case of defenders.

Perceived risk dimensions	Operational definition
Financial risk	What is the likelihood the situation results in monetary costs?
Performance risk	What is the likelihood that a defender can protect and promote the rights of people in a professional way?
Physical risk	What is the chance you enter an unsafe situation?
Psychological risk	What is the influence of the actions on your state of mind?
Social risk	What is the likelihood the relationship with the social environment deteriorates?

Table One Operationalization of risk, based on the five dimensions of risk from Jacoby and Kaplan (1972)

2.3. Operationalization of power

This paragraph reviews the concept of state power. The state is defined by Kukathas (2008) as 'a form of political association, whereby an association is a collectivity of persons joined for the purpose for carrying out some action actions' (p. 2). Kukathas further explains that it is a political community with an own independent structure of political authority which has the capacity for actions or agency. Weber's definition of the state is in line with Kukathas as Weber (1948) defines the state as 'the human community that claims the monopoly of the legitimate use of physical force with a given

territory' (p. 78). This 'human community' is for example the government. 'The state will have a government, because the collectivity has some structure of authority through which one course of actions or another can be determined', Kukathas (2008, p. 3) explains. He further defines the government as 'a person or group of persons who rule or govern a state' (p. 3). In other words, the government can be a component of the state, but is now however, the same (there are states with no government or with multiple governments). In this thesis, state power is defined as the ability and capacity of the political association, the government, to regulate and control the situation within the territory of the state. This study analyzes the influence state power has on the human rights defender and, therein, reviews power as a multi-dimensional and multi-interpretable concept (Hardy, 1969). According to Michel Foucault (1981) power is everywhere, diffused and embodied in discourse, knowledge and regimes of truth. This assumption appoints to the multi-dimensional character of power, which will be outlined in this paragraph. Within this paragraph I adopt Hardy's operationalization of power, which also implies power is multi-dimensional as it can be both ex- and implicit. By doing this, I assume power gets its meaning through interpretation. Therewith, this paragraph outlines the multi-interpretable characteristic of power.

State power

Additionally to the definition of Weber, Michael Mann (1984) provides a detailed outline of the elements of state power. Mann (p. 187/8) states that state power consists of "a differentiated set of institutions and personnel embodying centrality in the sense that political relations radiate outwards from a centre to cover a territorially-demarcated area, over which it exercises a monopoly of authoritative binding rule-making, backed up by a monopoly of means of physical violence." Therein, what Mann calls the 'centralized institutions' is the state elite, which relies on representatives (for example Uganda's resident district commissioners (RDC) who act on behalf of state elite. These representatives implement politics, attempt to control and regulate civil society and social relationships (Soifer, 2008). In other words, they are the executors of the politics from the state elite.

Next, Mann identifies two types of state power: despotic - and infrastructural state power. First, despotic³ power is related to the Marxist tradition of scholarship about the autonomy of the state (Soifer, 2008). According to Lucas (1998) despotic power is present in the case of Uganda. He explains that the military regime in Uganda, led by President Yoweri Museveni since 1984, is characterized by a frequently high degree despotic power due to their use of coercion and freedom from constitution restraints. Second, according to Mann (p. 188) infrastructural power is "the capacity of the state to actually penetrate civil society and to implement logistically political decisions through the realm" (p. 188). Infrastructural power refers to a set of institutions implemented to exercise

³ Despotism: a single person or a small group controls the nation state.

control over a territory or social group; a resource to exercise control. This dimension is also present in the case of Uganda, e.g. when the Ugandan state implemented the Press and Journalist Act in 1995 and the Electronic Media Act in 1996, which gave the state the power (and control) to extend or withdraw the operating licenses of media houses annually (Freedom House, 2011).

The presence of both a high infrastructural co-ordination and despotic power in Uganda suggests that Uganda can be labeled as authoritarian state. Mann explains that authoritarian states combine both dimensions of power “to be insulated from challenges originating in the civil society, and, at the same time, to exercise widespread control over its citizens’ activities” (p. 92). With that in mind, defenders (who bring into light the state’s lapses regarding human rights violations) possibly are put under pressure by the state.

Exercising power

In the previous paragraph, it was outlined that the Ugandan state has the characteristics to exercise despotic- and infrastructural power and, thus, are willing to exert coercion and freedom from constitution restrains and able to use infrastructural resources to control civil society. Additionally, Mann provides examples of specific state activities of exercising power, e.g. the implementation of rules and laws, the use of military defense and the maintenance of communication infrastructures, whereby the state controls everything from marketing, rivers, to roads and message systems. By doing so, Mann makes a major contribution to research on state power by demonstrating the state’s abilities to use explicit forms of power. Mann’s examples can be labeled as *behavioral* (whereas power is conceived to be intentional and active), whereby the role of explicit state power is appointed. Next, as I explain in the introduction of this paragraph, the implicit characteristic of power has to be determined.

I agree with Lukes (1974) who states that power should be studied in the broader sense, whereby the focus is not solely on the visible aspects of power (explicit), but also on the aspects of power which are less accessible to observation (implicit). Therefore, I adopted the more specific and concrete dimensions of power from Cynthia Hardy (1994): resource-, process-, symbolic- and system power. The first three dimension of power (resource-, process- and symbolic power) overlap with Mann’s despotic- and infrastructural power and their explicit characteristic. Additionally, Hardy describes a fourth dimension of power, system power, which is a rather implicit form of power whereby power is deeply embedded in the system.

Hardy’s dimensions of power

The implementation of legislation, the use of armed forces and the control over communication infrastructures, as described by Mann, are all explicit forms of state power. Mann power distinction lacks a power dimension that focuses on the implicit role of power. For this reason, I use Cynthia

Hardy's operationalization of power which includes both explicit- and implicit power dimensions. Mann's power distinction is used in making the first three dimensions of Hardy forms of power (resource-, process- and symbolic power) applicable to the defenders case. Next, the fourth dimension of power (system power) is added to the operationalization of state power. By doing so, the operationalization of power from Hardy, originally used to study the organization environment, provides a more complete picture than when only Mann's dimensions were used.

Resource power

Resource power relates to Mann's despotic power, whereby one actor attempts to control an individual or group based on a range of available resources (Kolkowska & Dhillon, 2011). Mann used the example of the state using of the military force to achieve this goal. Herein, the military force is the resource to exercise power. Hardy states that the actor who owns the resource, or has the legitimacy to use the resource, has the power to control 'the other'. Since the state has the legitimacy to use the military force it has the ability to control 'the other', the defender. A second example is the use of regulation. The government can (mis)use laws and regulations whereby they can exert pressure to society or organizations. The Act is the resource which gives the state power.

Process power

Hardy's process power refers to the access and participation of an actor in the decision-making process. Having access to the decision-making process means having the ability to influence the political agenda and "establish procedures to ensure decisions are made without actually exercising direct decision-making power" (Philips, 1998, p. 44). Hardy's process power shows overlap with Mann's infrastructural power, whereby the state penetrates civil society by implement logistically political decisions. Through process power the state sets up 'the rules of the game', e.g. they decide that defenders have to ask permission before entering the oil region (without defining this in legislation). Therewith this dimension of power is more implicit than for example resource power, where the state makes use of explicit form of power like Acts. To be clear whereby resource power focuses on the Acts (visible in the country's law), process power focuses on the rules (not visible in the country's law).

Symbolic power

Symbolic power is exercising by manipulation of rituals, language, norms, values and stories (Horton, 2000). This dimension shows little overlap with Mann's infrastructural power, whereby the state maintains the communication infrastructures and controls for example the message system. However, Hardy's symbolic power does not particularly focus on the communication means as such, but rather on the content of communication. The state might have their own newspaper (the means)

to manipulate the public opinion by the use of certain language, e.g. repeatedly name defenders ‘vulturers’, or through stories, e.g. spreading the word that defenders work for foreign interests.

System power

The last dimension of Hardy’s distinction is system power. System power lies in the acceptance of the (sub)culture, the role, and the structure (Berghout et al., 2005; Horton, 2000). It is the most implicit power dimension, whereby a defender might impose a certain behavior to oneself as a consequence of system power. A defender might fear to get physically harmed, as a consequence of publishing a report on the president, oil and human rights issues, and decides to not publish anything about the president. Hereby, the person in question avoids using information that possibly offends the president, which can be labeled as self-censorship. Hereby, the state does not exercise power (no action has been exercised) while the individual changes his behavior out of fear from state power.

After operationalizing the concept of state power for the case of human rights defenders, Table Two provides an overview of it. Within the last paragraph of Chapter Two both operationalizations are combined into one matrix. This theoretical framework will be used as analytical tool for the gathered data, which will be described in Chapter Three.

<u>Perceived power dimensions</u>	<u>Operational definition</u>
Resource power	Which resources are available for the state to control the defender?
Process power	Which procedures are established by the state to ensure decisions are made without actually exercising direct decision-making power?
Symbolic power	How is the reputation of defenders manipulated through language, norms, values and stories?
System risk	Which norms/values/actions are so deeply-embedded within the system that they are accepted by defenders, or lead to self-imposed actions of power?

Table Two Operationalization of power, based on the dimensions of (state) power from Mann (1984) and Hardy (1996)

2.4. Analytical framework

In the last paragraph of this chapter, the analytical framework is presented. After operationalizing the core concepts of this study risk and power, they are combined into an integral matrix that will be used to analyze the gathered data.

The left side of the framework shows the five dimensions of risk (financial, performance, physical, psychological, social) and the upper side outlines the four dimensions of power (resource, process, symbolic, system). During the analysis I use this scheme to search for situations which fit

into the compartments of the matrix. The compartments that link the dimensions represent possible situations, scenarios, whereby state power influenced the risk perception of a defender. For instance when a defender expresses during an interview that he feels his reputation is at stake because the president used insulting words during a national speech to describe journalists, this *scenario* fits in the matrix between performance risk (reputation at stake) and symbolic power (using insulting language during a national speech). At the end of the analysis, the matrix gives a clear overview of the risk perceptions of defenders and the role state power has on it.

Within the matrix below, I described some possible scenarios to give the reader an idea how the matrix looks like after an analysis. Next, Chapter Three is concerned with the methodology used for this study.

Risk dimensions / Power dimensions	Financial risk	Performance risk	Physical risk	Psychological risk	Social risk
6.1. Resource power	Power: The state's ability to provide and withdraw licenses to the NGOs and media houses on a yearly basis. Risk: The chance that the defender's NGO or media house loses its license and the defender loses his job and income.	Power: The state's ability (monetary, legally) to take a journalist to court when they feel a journalists wrongly puts them in discredit. Risk: The chance that the defender loses his reliability as a journalists/researcher when being accused of reporting incorrectly.	Power: The state's ability to set in armed forces like the police or army to prevent journalists or researcher to do research in the oil region. Risk: The chance of being arrested or beaten up by armed forced when trying to enter the oil region.	Power: The state's ability to intercept any postal, telephone, email and text message. Risk: The chance the defender feels stress and/or fear since the government is able to read his email or text or hears him on the telephone.	Power: The state's ability to provide and withdraw licenses to the NGOs and media houses on a yearly basis. Risk: The chance the defender loses his job and cannot financially take care of his family.
6.2. Process power	Power: The state's ability to exclude public from information about the oil industry. Risk: The chance that the defender has to make expensive expenses, e.g. travelling to the oilfields, to gather relevant information.	Power: The state's ability to exclude public from information about the oil industry. Risk: The chance a defenders professional reputation is put at stake when he has to take illegal actions, e.g. bribing a minister, to gather information.	Power: The state's ability to approve or reject NGOs to organize a public meeting on the issue of oil. Risk: The chance that a defender gets arrested, because he organized a meeting <i>without</i> approval of the state.	Power: The state's ability to ignore any NGO-report or recommendation on the decision-making on the issue of oil. Risk: The chance a defender feels all effort he puts into his work is useless and meaningless.	Power: The state's ability to issue a rule which prohibits CSO's and communities to hold meetings in the Albertine Region. Risk: The chance that defenders and communities cannot publicly and freely discuss oil issues with each other.
6.3. Symbolic power	Power: The state's ability to publicize manipulative stories about NGOs in the state-owned newspaper 'New Vision'. Risk: The chance the defender's organization needs to invest in extra security for the office, e.g. guards or fences, because of the possibility inhabitants will harm them.	Power: The President's ability to use insulting words during national speeches to describe journalists. Risk: The chance the defender's public reputation is at stake.	Power: The state's ability to mobilize civilians against journalists, through speeches. ("Since the word of the president is still sacred for many civilians"). Risk: The chance a defender is beaten up by a civilian on the street.	Power: The state's ability to influence the public opinion in such a way that civilians believe that the defenders works for Western interests. Risk: The chance a defender does not get any appreciation for his work from fellow-Ugandans and gets a negative self-reflection.	Power: The state's ability to present certain defenders as state-opponents. Risk: The chance the defender's family and friends reject him, because he is an opponent of the state.
6.4. System power	Power: The norm to pay the RDC money (corruption) to get access to the oil region. Risk: The chance a defender avoids visiting the oil region out of fear to pay bribery money.	Power: The idea that the state's sees journalists as opposition and is not willing to cooperate with them. Risk: The chance a defender avoids asking authorities to answer questions, because 'they never cooperate'.	Power: The state's norm to use violence to beat down state's opposition. Risk: the chance a defender avoids publishing a sensitive report out of fear to get arrested.	Power: The state's habit to arrests researchers in the oil region Risk: Researcher avoiding certain villages to do research, because it causes them too much stress and fear.	Power: The state's habit to disturb public meetings when they feel it puts them into a bad light. Risk: The chance a defender decides to stop organizes public meetings out of fear to get a poor relationship with his partners.

Matrix One Analytical tool to study state power in relationship to human rights defenders risk perception. The compartments are filled with possible scenarios for analysis.

Chapter 3

Research Methodology

In this chapter I outline the research methodology used to study the influence of state power on the defender's risk perception. Due the explorative nature of this research, this study will maintain a qualitative approach and is designed as a case study. A case study is typically connected with qualitative research and is appropriate when a particular case (Ugandan defender focusing on oil) is studied in detail and approached from various perspectives (Vennix, 2006). Yin (1989) defines a case study as "an empirical inquiry that investigates a contemporary phenomenon within its real-life context, when the boundaries between phenomenon and context are not clearly evident and in which multiple sources of evidence are used" (p. 23). The case consists of human rights defenders, independent journalists and NGO-researchers, with specific interests on oil and human rights in Uganda.

3.1. Fieldwork

Research was conducted over approximately three months in Uganda during April 2013 and June 2013. During my internship at the Human Rights Centre Uganda, my supervisor Jacqueline Kasome, Head of Programmes at the Centre, used her network to identify and select the first respondents. I used the method of snowball sampling to find the other interviewees. Snowball sampling, or chain referral sampling, is a widely used method in qualitative sociological research (Biernacki & Waldorf, 1981). The idea is that the study sample is made through referrals among people who are willing to share information or contacts of others who possess some characteristics that are of research interest. Biernacki and Waldorf state that the method is well-suited when the research focuses on a sensitive issue, possibly concerning a relatively private matter, and whereby knowledge of others is necessary to locate people. Since my study focuses on the influence of state power, snowball sampling is considered to be a useful method.

The organizations East and Horn of Africa Human Rights Defenders project (EHAHRD) and African Centre for Media Excellence (ACME) provided me with contacts lists. Next, I selected interviewees based on two criteria: I) they were independent journalists or NGO-researcher, and II) their work had to focus on the issue of oil and human rights. Next, I decided to interview some defender trainers to get a third perspective on the challenges human rights defenders face as a result of state power. The idea is that human rights defender trainers are aware of the challenges

defenders face, as they work and train them. It has to be noted that for practical reasons, I decided to focus on defenders located in Kampala and who travel to the Albertine region for their work. I did not travel up-country by myself, but the interviewees did for their work travel up-country.

In total, 18 people were interviewed: 6 journalists, 9 NGO-workers, 3 security professionals. Interviewed independent journalists worked for: The Independent (magazine), The Monitor (newspaper), The Observer (Newspaper), NTV Uganda (Television) and Human Rights Network for Journalists (Freelancers). Interviewed NGO-researchers worked for: Action Aid (with the website Oilinuganda.org), Africa Institute for Energy Governance (AFIEGO), National Association of Professional Environmentalists (NAPE), Advocates Coalition for Development and Environment (ACODE), and International Alert. Last, I interviewed three security professionals/trainers from: Defender: Defender Protection Initiative (DPI), African Center for Media Excellence (ACME), Protection International (PI), Action Aid Security Plan Initiator.

Additionally, I visited two seminars on human rights defenders security and oil. The first was a four days congress in Speke Hotel in May 2014 and the second workshop was held at Hotel African during the NGO-fair 2013. Both meetings had a specific focus on the oil-issue in relation to the security of defenders.

Interviews

The interviews were semi-structured. Since I attempted to uncover the influence of state power on the risk perception of defenders this was considered to be the best option to structure the interviews. As Trocchia and Berkowitz (1999) state is this method useable in situations whereby little is known about the phenomena and that are difficult to convey with quantitative methods. Risk perception of defenders can be labeled as such a phenomenon. Since the interviews were semi-structured the interviewee can exercise some control over the interviewed person (Baarda, 2010), but still enables interviewer to vary their order to suit the special characteristic of each interviewee (Armstrong, 2009). In my opinion this is the best way to gather the most relevant information and to reveal stories that otherwise, e.g. with a structured-interview, might be withheld, because the interviewer lacked possibilities to share stories that were 'off-topic', but still relevant. I created one interview guide (see Annex I) to interview the defenders. The interviews with the defender trainers were open and questions were among other based on their presentations during the meetings I attended.

In short, the interviews were structured as follows: the interviews started with some personal information of the participants, e.g. personal background, education and job description. Afterwards I asked participants to share their ideas about working on the issue of oil (in general) and what their perception of risk was, when you are a human rights defender. The rest of the interview was

structured as follows. First I districted the working process of defenders in three phases: I) gathering information, II) owning the information, and III) publicizing the information. This distinction is chosen because it is applicable to both the defender-researchers and the defender-journalists when they write a piece. Defenders gather information for their research, often by going into the field. Second, they return to Kampala, store their information and start the process of writing. Third, information is published in a report. This structure was only used during the interviews and not in the presentation of the results. The interviews with the security trainers had a specific focus on the security professional's ideas of defender's risk and can be considered to be more general; how are (or should) defenders in Uganda be trained? What types of risk have the highest priority? What do defenders tell security professionals about risk? Which problems are mostly outspoken, and which not?

Interviews lasted between the forty-five and ninety minutes and, with approval of the participants, were recorded with a recording device.

3.2. Data analysis

Data was analyzed interdisciplinary. Interviews were held, literature was studied and meetings were attended. Data is analyzed from an integral perspective: historical, political, sociological and psychological dimensions were included and used during the interpretation of the data. The next chapter shows the interpretation of literature and interviews about the context of the defender. I attempted to sketch the historical background of the oil-case and the actors involved, so that data was interpreted in the specific context of defenders in Uganda. According to Lawrence (1984) this approach sharpens the vision on the present, not per se the past. Lawrence defines this method as "an understanding of the subject in light of its earliest phases and subsequent evolution" (p. 307). She adds that when the historical perspective is overlooked in social research, the research might make misleading conclusions. Through this review, it is possible to understand certain behavior, decisions, and motives from a historical point of view.

The process of data-analysis was characterized by a discourse-historical approach, which is an inductive method in a specific, detailed case study. Ruth Wodak (2000) explains that *context*, which is included in the discourse-historical approach, is "probably the most misused term in linguistics" and we "need theories about the specific context we investigate in our research" (p. 5). According to Wodak, the discourse-historical approach "attempts to integrate much available knowledge about the historical source and the background of the social and political fields in which discursive events are embedded." (p. 6). For this reason, the next chapter attempts to outline the historical background of oil in Uganda and the actors involved.

For the analysis I used the software program named MAXQDA, which is a 'professional software for qualitative and mixed methods data analysis' (Maxqda.com). All 18 transcripts were implemented and divided in three groups: I) independent journalists, II) NGO-researchers and III) security professionals/security. Afterwards it was divided into four parts – personal information and the three phases of gathering information, store the information and publish the information. All transcripts were coded according to the code-table based on the operationalization of the concepts from Chapter Two. I used the following power- and risk dimensions:

- Power dimensions
 - Resource power
 - Process power
 - Symbolic power
 - System power
- Risk dimensions
 - Financial risk
 - Performance risk
 - Physical risk
 - Psychological risk
 - Social risk

In this chapter, I outlined the research methodology, which maintains a qualitative approach and is designed as a case study. I study the research group of independent journalists and NGO-researchers who report about oil in Uganda. Therein, I analyzed the data from an integral perspective, which requires a sketch of the historical background of the context the research groups works in. Therefore, the next chapter presents the casus of human rights defenders against its historical background.

Chapter 4

Historical background

In Chapter Four, I review the historical background of the oil issue in Uganda and its actors. As discussed in Chapter Three, this approach sharpens the vision on the present, not per se the past (Lawrence, 1984). I start with a brief overview of the Republic of Uganda and the presence of crude oil in the country. Afterwards the four main stakeholders of the oil situation are outlined: I)

state/government, II) oil companies, III) local communities, and IV) human rights defenders. The thesis focuses on the relationship between the state and the defenders, however to give the reader a complete picture of the defender's context, I shortly review the oil companies and communities involved.

4.1. Uganda and oil

I start this chapter with outlining the geographical facts and a brief history of oil in Uganda. Uganda is a landlocked country in the East and Horn of Africa and has a population of 34.1 million (2012- midyear), wherefrom 14.7 percent belongs to the urban population (Uganda Bureau of Statistics, 2012) and 1.72 million live in the capital Kampala. Uganda borders South Sudan, Kenya, Rwanda, Tanzania, and the Democratic Republic of Congo.

The hunt for oil started in the early 1920s when the British geologist Edward James Wayland documented up to fifty-two oil and gas seeps in the Albertine region (Bainomugish, Kivengyere & Tusasirwe, 2006), a region which is about 5000 kilometers long and around 45 kilometers wide (Oil in Uganda, 2012). This oil rich area is almost equally divided between Western Uganda and the Eastern part of the Democratic Republic of Congo. The Ugandan part of the region consists of nine districts: Hoima, Masindi, Buliisa, Fort Portal, Kasese, Budnjibujo, Kanungu, Nebbi, and Amuru. Especially Hoima and Buliisa play a large role in today's oil issue, since both areas house large amount of crude oil (see Annex II).

After drilling started in 1938 the search for oil was shut down because of World War II and its aftermath. Between the 1950s and 1960s only a few shallow wells were drilled and the rest of the activities were shut down until the 1980s. When Uganda gained independence in 1964, the country is characterized by its political turmoil. It lost interest in oil. In the early 1980s, oil exploration became more serious again when aeromagnetic surveys showed the potential for oil. In 2006, almost three decades later, President Yoweri Museveni officially announced that large discoveries of oil reserves in the Albertine region 'soon' will be extracted (Majercowicz, 2011).

The exact amount of crude oil in the Ugandan ground remains unclear. The non-governmental organization Action Aid estimates that there are 2.5 billion barrels of crude oil in the Albertine region (2012), while the Ugandan Ministry of Energy and Mineral Development states that there are 3.5 billion barrels (RoU, 2013a). It is unlikely that all of it will be extracted (Action Aid, 2012). The expected amount of oil barrels that actually can be commercially extracted lies between the 1.2 and 1.7 billion barrels (RoU, 2013b; Tullow Oil plc, 2013a). If Uganda successfully manages the situation, this means that it could be ought to supply domestic needs for at least 20 years, while selling a significant surplus overseas (Oil in Uganda, 2012).

4.2. Historical background of the oil actors – from the late 19th century

Different parties play a role in the discovery all, with all their own interests. In this paragraph the four main players in the oil issue will be discussed from a historical perspective. I start with the state of Uganda, the government. Next, the situation of the oil companies is sketched, followed by a brief overview of the local communities who live in the Albertine region. Last, the situation of human rights defenders from both the independent journalists and the NGO-researchers is outlined.

Stakeholder: The state of Uganda

Uganda's leaders

Uganda is colonized during the late nineteenth century by Britain and gains independence on the 9th of October 1962. Following independence the country becomes an amalgam of multiple ethnic groups, cultures, languages, and religions (Barungi, 2003). After the colonial government, Barungi explains, and a period of political turbulence starts. The diversity in tribes and ethnicities and their hostility towards each other is a major challenge in the country. According to Glentworth and Hancock (1972) Uganda is uniquely ill-favored in this respect. The tribes are not small enough to let one bigger tribe dominate as an alliance (like in Tanzania), neither are they large enough to provide an uneasy balance of power (like in Kenya). The largest and richest Kingdom is the Buganda Kingdom (Baganda); however they are not sufficiently powerful to dominate the others. As a result various combinations of tribes and ethnic groups are formed with the object of stopping the Baganda. Uganda is politically unstable. After the first elections in 1962, Milton Obote becomes Prime Minister. He rules under the guise of “the winner-takes-all philosophy” (Glentworth & Hancock, 1972), whereby the function of the government mainly remains beneficial for the leaders themselves. Obote is prepared to join every force or to make every deal, even with potential enemies, in stay in power. Buganda (the largest and richest kingdom, is Obote's biggest threat and he requests his army – led by Idi Amin – to burn down the palace of Buganda, Kabaka's Lubiri Palace. This is the defeat of the Buganda and Obote is fully in the position to dictate his terms.

Five years later Uganda becomes a republic with a strong centralized government. The unitary state is born. Obote's time as president is characterized by corruption, detention without trial, activities of secret police, economic mismanagement, and divisive and sectional policies (Glentworth & Hancock, 1972), with the consequence that the military coup in 1973, led by Idi Amin, is welcomed with joy. From then, Uganda is under the rule of Idi Amin, a period which becomes one of the cruelest times in Ugandan history. Eight years under rule of Amin are characterized by tyranny; many Ugandan and foreign ethnicities flee the country and around half a million people are murdered and tortured. Uganda becomes a broken-backed state, whereby the political situation is “unstable,

insecure and unpredictable in the extreme, owing partly to ethnic rivalries and jealousies and partly to regional disparities and conflicts” (Gertzel, 1980, p. 472).

After Idi Amin flees the country, Uganda’s public life becomes known for its opportunism, self-interest, and gross disregard for the common good (Ouma, 1991). The new leader is Yusuf Kironde Lule, but he is ousted less than a year afterwards as a result of extreme terror and fights. The elections up following are characterized by corruption and intimidation and Obote takes back the power in 1980.

Yoweri Museveni gains popularity in 1981 when he expresses his dissatisfaction with Obote’s ‘bad governance’ and starts a civil war, also known as the bush war (Carbone, 2005). Museveni becomes known as the mysterious bush man who led the guerrilla war and is seen as a youthful, uncorrupted, intellectual man who speaks – contrary to Obote – the language of the people (Pike, 2004). In 1986, Yoweri Museveni’s National Resistance Army/Movement (NRA/NRM) arrives in Kampala and takes over Obote’s power. From that time Museveni is the new President of Uganda and is responsible for a shift – which happens almost overnight – from chaos to stability.

Museveni ensures security of persons and properties, removes fear from the relationships between soldiers and citizens and is responsible for the economy that starts to recover. In 2014, almost three decades later, Museveni is still Uganda’s president.

Political system

The governmental system in Uganda is based on a presidential system, whereby the president is both the head of the state and the head of the government. It is a vertical system, whereby the executive power is centralized. Until 2004, the government is a non-party system, meaning that political parties are allowed to exist next to the NRM, but during the elections they are not allowed to campaign in elections (Freedom House, 2011). In 2005, the ban on multi-party politics is cancelled and, after 19 years, other political parties are allowed to compete in elections. Despite the 2005-referendum Museveni wins the elections in 2006, which are characterized by a lot of controversy over fraud. Museveni’s main opponent during the elections is Kizza Besigye. He is intimidated, arrested and gets detention. Eventually, he is charged during the election period for rape and treason.

Uganda’s local governmental system is complex. Uganda has four administrative regions and over the 100 districts (the exact amount of districts remains unclear, since there is a lot of discussion about the creation of district in the recent years). Each district is divided into various counties and municipalities. The head elected officials in the districts are the chairpersons of the local councils. Then there is the city council, the administrative units in the rural areas (county, parish, village) and

the urban area administrative units (parish or ward, village). The Local Government Act of 1997⁴ delegated power to the lower level in the government hierarchy, but the largest part of the decision-making power is still assigned to the central government.

Stakeholder: oil companies

Since the discovery of large amounts of commercial recoverable oil in Uganda in 2006, oil international companies gained interests in Uganda. The oil rich area, the Albertine region, consists of nine oil blocks, wherefrom five are currently licensed by oil companies. There are three large oil companies present in the area⁵: Tullow oil (an Irish company found in 1985), Total SA (a French company found in 1924), and China National Offshore Oil Corporation (Cnooc; a Chinese state-owned company found in 1982). In 2006, the first blocks are jointly licensed by the oil players Heritage Oil and Tullow. However, Heritage Oil goes for a quick profit and sold in 2010 their share to Tullow. Since the Irish company does not have the capacity to take responsibility for the entire oil exploration and extraction, they bring in two partners: Total SA and Gnooc. Since then, the blocks are equally divided among the three companies and all share costs and benefits made from crude oil in Uganda.

Since the very beginning of oil companies in Uganda, there is much turmoil around the contracts between the oil companies and the government (Kavuma, 2009). The contracts (known as Production Sharing Agreements) are not shared publicly, which creates the image that oil is managed with 'curiosity and suspicion' (Kavuma, 2009). After one of the PSA's leaks out in public the British organization PLATFORM⁶ is able to make an analysis of the contracts between the oil giants and the Ugandan government. Their conclusion: the PSAs protect the oil-companies from price- and risk and guarantees them high profits. The contacts protect corporate profits from any change in the law, the risk is not with the private investors as it should be, but lies with the state.⁷

The relationship between the Ugandan state and the oil companies can be labeled as difficult. Both actors want to make money from the situation. However, where Tullow's only goal is to make money – the CEO of Tullow states that making money is the reason they are in business (Heave,

⁴ The Local Government Act "...gives effect to the devolution of functions, powers, and services to all levels of Local Government to enhance good governance and democratic participation in and control of decision-making by the people. Powers assigned to the local governments include powers of making local policy and regulation of the delivery of services; formulation of development plans based on locally determined priorities; receive, raise, manage and allocate revenues through approval and executing of own budget..." (RoU, website, 2013) (Uganda, 2013).

⁵ Smaller oil companies like Halliburton, Schlumberger, Baker Huger, and Weatherford are hired to provide drilling, seismic surveying, transport et cetera.

⁶ PLATFORM looks closely at corporation, trying to get to know their texture, their life story, to see the possibilities of change. They focus mainly at giants BP and Shell, but are also into other oil-cases. They hope to provide a model for others studying other sector of oil industry, other corporations, elsewhere in the world. <http://www.carbonweb.org/index.asp>

⁷ Page 11 of the PLATFORM report stated: "Effectively the people of Uganda carry the risks on behalf of the foreign oil companies. Citizens will not have the benefit or protection of international human rights or environment protection."

2012) –, the Ugandan state also is responsible for the well-being of the Ugandans. Additionally, the Ugandan state strives to build their own refinery with a daily capacity of 60 thousand barrels per day (RoU, 2013c), so that they will be self-sufficient regarding to oil. They plan to start the construction of the refinery in 2015 and start production in 2017 (Ojambo & Bakhsh, 2013). The government does not have the finances or the capacity to build the refinery themselves and requests the oil companies for a private partnership, whereby the refinery project will be owned by the selected firm and the government of Uganda in a 60:40 partnership (RoU, 2013c). This strokes with the oil companies interests, since it costs them money and time to help the government with this project, in which they don't see any potential. The General Manager of Tullow Uganda Jimmy Mugerwa calls 'not viable' (Red Pepper, 2013): 'building a refinery presents huge financial and infrastructural challenges, which the country could not achieve.'

Stakeholder: communities

The discovery of crude oil and the arrival of the oil companies changed the lives of many communities. The rapid changes in the oil industry are having serious effect on local communities as they receive no or little compensation for their land (Williams, 2012; Katuzeyo, 2013), lack any information about future plans and suffer from violent actions (Katuzeyo, 2013; Bahemuka, 2013). Especially the rural communities in Bunyoro and Buliisa are victims over the scorched-earth policy of external military for over the last hundred years. Communities from the rural areas already have a history of large scale human suffering and again face human rights challenges with regard to the discovery of oil (A. Izama, May, 2013). In literature, there is little research on violated human rights regarding this issue, therefore in this paragraph I provide examples extracted from the interviews with defenders focusing on human rights and oil.

The first example is from Charles Bwogi, journalist at NTV Uganda. At the time Bwogi did research on oil issues in the Albertine region, he notifies that many communities face difficulties with compensation for their land. In Buliisa, the oil rich land is owned by communities (contrary to the public oil rich land in Hoima). According to Article 2(3) of the International Covenant on Civil and Political Rights parties need to provide "an effective remedy" for persons whose rights have been violated, which includes "adequate compensation for any property (Wickeri & Kalhan, 2010). According to Bwogi, this right is often violated as "the picture from the ground is that communities to not see their deals get paid" (C. Bwogi, May, 2013). A second example, described by Dickens Kamugisha, sketches the same issue. Kamugisha saw communities revolt against Tullow if they would not remove their machinery from the communities' land. Kamugisha (May, 2013): "We explained the community about the Constitution and that they were entitled to full compensation. In practice they did not receive any compensation so they revolt." Despite that there are not many reports on human

rights violations regarding to the oil situation in Uganda, this does not mean the violations are not there. The fact that defenders gave many examples of human rights violations in the oil region means more attention needs to be put on the protection of human rights of these vulnerable communities. Human rights defenders play a crucial role in this.

Stakeholder: human rights defenders

The job of a defender is an important one in line with promoting and protecting human rights. They attempt to give voice to the unheard communities. As described in the introduction of this study, defenders can be defined as “individuals, groups, and organizations that work for the promotion and protection of human rights” (Human Rights Centre Uganda, 2012a, p. 1). Their role is to advocate and monitor the situation around human rights. As Holterman and Blazevic (2012) stated, defenders try “to influence both the regulatory frameworks governing the extractive sector as well as the public discourse which itself further influences policy-making, while raising the alarms when actors diverge from their responsibilities or when abuses go unaddressed” (p. 1).

Since defenders draw attention to human rights violations they sometimes become visible targets susceptible to reprisals. It can be stated that there is a certain level of risk is embedded in their work (Eguren, 2005). This study focuses on two specific types of defenders: independent journalists and NGO-researchers. The next sections shortly review the history of each research group.

Independent journalists

The relationship between the independent media and the government in Uganda always has been complex. In the beginning of Museveni’s political career, he introduces private newspapers that support him as ‘the new leader’. Carbone (2005) explains that this “is not only the result of Museveni’s achievements, but also of his acknowledged natural charm in handling journalists during long and open press conferences” (p. 5/6). The positive news coverage contributed to strengthening his powerful place as head of Uganda.

During the early 1990s, the independent media takes up office. According to Izama (May, 2013) plays the Ugandan independent media an important role in society, since they are the one who critically reviews actions of the state (the watchdogs of the state). The political opposition is loosely organized, Izama explains during the interview, with the consequence that there is no organized voice for political opposition in public sphere. Independent media fills in this role, and therefore is seen as ‘state opponent’. Their goal is to cover three areas. One, the accountability of the government, which involves governmental policies and expansion. Two, political freedoms. Three, human rights (violations). Especially with reporting on the last issue, human rights violations, the relationship between the state and independent journalists becomes worse. Izama states “when you talk about human rights, you talk about the restraint that the state has in place. Those restraints

involve often the use of force against perceived enemies. Therein, political freedom is associated and related.”

During the 1990s, one of the first independent media outlets in Uganda was the Daily Monitor. Since political parties were not functioning properly, the Daily Monitor responded on this by becoming a sort of manifesto for the political opposition (Izama, May, 2013). Despite that the political system changed into a multiple-party system in 2005, the relationship between media and the state is still complex, e.g. the issue of oil is one of the most controversial topics discussed through the media that hampers an good relationship between the state and the independent media. Izama explains that the issue of oil has become sensitive since the government feels pressure to make their promises true. “They know that the political opposition seeks to benefit from its own areas. The big political issue that oil broaches is corruption. The entire reputation of the government is affected by corruption, whereby journalists are even more at risk” (Izama, May, 2013). Independent journalists are one of the most targeted and most affected groups of defenders in Uganda as their right to freedom of expression is continually violated (HRCUG, 2012b). In 1995, the Constitution of the Republic of Uganda is implemented, which includes the right to freedom of opinion and expression (RoU, 1995)⁸. Many occasions show a violation of this defender’s right. For example the Ugandan elections of 2010/2011, whereby journalists faced the rock-bottom in history of press freedom. This period is characterized by an increase in attacks on journalists (HRCUG, 2012b) as Museveni “launched an unprecedented crackdown on opposition movements and independent media after the elections” (Reporters Without Borders, RSF.org., 2012). In 2011, Uganda drops 43 places on the Press Freedom Index (2011)⁹. The HRCU (2012b) reported that from October 2011 to July 2012 over sixty journalists were attacked and summoned for questioning.

NGO-researchers

The second type of defenders this thesis focuses on is NGO-researchers. Thorough this thesis, NGO-researchers (hereafter named ‘researchers’) are defined as people who defend and protect the human rights of the rural communities by publishing research reports and train communities about their human rights. Researchers carry out this goal through three main activities. First, they do research in the Albertine region on the consequences oil has for the communities. Second, the researchers provide training for the communities to make them aware of their human rights and create meeting to start debate and create awareness. Third, they provide information and create awareness by organizing public meetings in the oil region.

⁸ The Constitution of the Republic of Uganda (1995): ‘21.1/2. All persons are equal before and under the law [...] and shall not be discriminated against on the ground of sex, race, color, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability.’

⁹ A list from the organization Reporters Without Borders on the freedom of information in a country. In 2011 Uganda drops to the 143th place.

In their research, the NGO Revenue Watch concludes that the increasing public awareness in the rural communities increases tensions between the government and the civil society (Kutegeka & Busingye, 2009). One example of this is when the minister of Energy and Mineral Development Engineer Hilary Onok made accusations against NGOs in Uganda that they should not mislead the public about the ongoing oil exploration. Next, public meetings were stopped by the army and NGOs, e.g. AFIEGO, stopped organizing meetings. However, there is more. From the interviews with researcher it appears defenders feel that among others they have limited access to government information, they face threats of de-registration. It can be concluded that the relationship between NGOs focusing on the oil sector and the government, in particular the ministry of Energy of Mineral Development Engineer, is fraught with difficulties. Since the oil sector is relatively new and there are many challenges to running an NGO, the amount of NGOs and defenders with a specific focus on oil in Uganda is very limited. There are only five NGOs with a special interest for oil and human rights, namely Advocates Coalition for Development and Environment (ACODE), International Alert, Action Aid, Africa Institute for Energy Governance (AFIEGO) and the National Association of Professional Environmentalists (NAPE). The next quote from Chief Executive Officer of one of the most influential NGOs in this sector, AFIEGO, Dickens Kamugisha describes the current situation of the few NGOs which focus on oil and their relationship with the government:

“In 2007/08/09 we were almost the only organization which reorganizes activities on oil and the government was actually threatening us by saying that we were sabotaging. [...] The state looks at NGOs as opposition and they bring cases of terrorism. They come in the morning and tell us that AFIEGO is involved in terrorism and that is why the president is urging the parliament to enact a law against terrorists. If they arrest you for offenses of terrorism or sabotage, you could be in prison for six months without bail. So, they can come up with policies that can completely disable you.” – Dickens Kamugisha, AFIEGO (Researcher)

It can be stated, based on this quote, that besides independent journalists also researchers have a complex and difficult relationship with the state. The quote also assumes that the state has influence on the defenders risk perception (e.g. ‘they arrest you...’). The next chapters dives

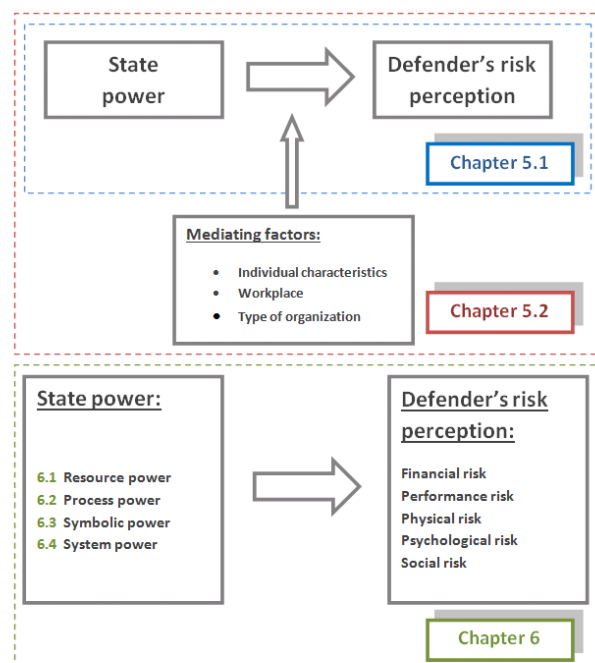


Figure One: Visualization of Result Chapter Five and Six

more into this relationship between state power and risk perception. To conclude, this chapter provided a brief overview of the actors involved in the Ugandan issue of oil. As stated before, the historical background of the oil issue sharpens the vision on the present (during the analyses), not per se the past (Lawrence, 1984). Behaviors, thoughts, views, motives and interpretations are easier to understand from a historical point of view.

The next two chapters, Chapter Five and Chapter Six, outline the results from the data analysis. First, in Chapter Five I focus on the core argument of this thesis that state power has to be taken into account when risk of a human rights defender is assessed (see Figure One; 5.1.). I illustrate this by showing the strong link between state power and the defender's physical risk perception. Second, in Chapter Five I show that this core argument mediates under three intervening factors, the defender's individual characteristics, workplace and type of organization (see Figure One; 5.2.).

Then, Chapter Six systematically reviews how the different types of state power (resource-, process-, symbolic-, system power) effect the different dimensions of defender's risk perception (financial-, performance-, physical-, psychological-, social risk) (see Figure Two). Therein, I provide a more detailed picture of the core thesis that state power influences the risk perception of human rights defenders.

Chapter 5

Results – part I

In this chapter, I describe the first results from the data-analysis. The first section focuses on the core argument of the thesis that state power has to be taken into account when risk of a human rights defender is assessed. Thereby, I exemplify the strong link between state power and the defender's physical risk perception. Second, I explain three intervening factors, which play a mediating role on the relationship between state power and risk interpretation: the defender's individual characteristics, workplace and type of organization

5.1. Core argument

The results of this study indicate that when assessing defender's risk, state power has to be taken into account. The greater part of those who were interviewed indicated that state power has a

significant influence on their state of mind and feeling of risk. To recall, state power is the state's ability to impose its own will on the defender in a social relationship through to use available resources (resource power - Kolkowska & Dhillon, 2011), to establish or invoke procedures that ensure particular decisions (process power - Philips, 1998), through manipulation of rituals, language, norms, values or stories (symbolic power - Horton, 2000), or the state's role which is deeply embedded in the defender's system, regardless on what this ability is based on (system power Zimmerling, 2006). Thorough this thesis, risk is interpreted to be the defender's risk belief (not the defender's actual risk)¹⁰.

Strong evidence that state power influenced the defender's feeling of risk was found when interviewees spoke about physical harm. Defenders felt pressure from the state as the state was in the position to use armed forces, e.g. the police or the army, to hamper them during their work. The theme of the state's resource power (as the ability to use armed forces) recurred throughout the data. This examples, outlined within the next section, of resource power and physical risk perception shows strong evidence that the state's power influences the defenders feeling of risk.

Resource power → Physical risk

The defenders idea of risk was strongly influenced by the idea that risk during the work of a defender was caused by the state. Interviewees were asked what or who was most threatening to them and they exclusively answered: the state. A common view amongst interviews is that the state is the big force behind the defender's threats. I attempted one of the meetings in Speke Hotel with the theme 'defender's risk' provided by a security trainer at DPI named Yona Wanjala (May, 2014). During this meeting Wanjala describes a sort of action plan for defenders to ascertain the actor behind their threats and/or fears. Wanjala said:

*"As a defender you ask yourself who are the people behind all these intimidations. **QUESTION: Is it the government?** Exactly, they are the bigger force. Then, the next step, is asking yourself if you have the capacity to handle the person behind the threats, et cetera"* – Yona Wanjala, DPI (Defender Trainer)

The overall conclusion during the meeting from Wanjala is that the defenders should be aware of dealing with the state, since the state can easily intimidate them. The question Wanjala asks is how the state intimidates defender. This is where the state's *resource power*¹¹ comes in. At first, defenders felt the police and army is the one that is most threatening to them, as they are specifically physically harmed (arrested) by these forces. Up following, Wanjala explains them that it

¹⁰ Whereas *actual risk* refers to 'the reality', *perceived risk* refers to 'beliefs'. For example, it is possible that the actual risk (reality) to get arrested decreases, while at the same time the defender becomes more scared to get arrested (perceived risk). There is frequently a discrepancy between *actual* and *perceived* risk.

¹¹ To recall: Resource power is the state's ability, the power or capacity to do or act, to influence and control its own will on the defender through resources like armed forces, the law or other institutionalized way.

is not the policeman who is the wrongdoer and defenders should consider the bigger force behind the threats: the state. Continuing he assumes it is the state that pulls the ropes and gives order to the armed forces; the armed forces are the means (resources) for the state to intimidate the defenders. The state has the legitimacy to control armed forces as this power is assigned to the government. As described in Chapter Two, resource power is one of the most explicit forms of state power; logically, this is the power first observed by defenders.

In order to interpret the consequences of the state's ability to use resources, defenders initially considered their physical risk. Further analysis shows that the most explicit form of state power (resource power) is strongly linked to the defender's feeling to get physically harmed (physical risk). Consequently, risk in general is interpreted to be something physical, more than it is a psychological, financial, performance or social issue. This came up for example during a discussion with Angelo Izama (May, 2013) when I asked him about journalists their challenges. Izama said:

"If you are a journalist you cannot practice your profession. You are the subject of physical threats. Upcountry it is actually worse, because there they [the state] assault journalists. Those cases are not investigated by the police" – Angelo Izama, political analyst (Journalist)

This quote points out the translation of risk into physical risk. Izama interprets the word 'challenges' as 'physical threats' and assumes that journalists are subject of physical threats from the state. He had the option to recall any other type of defender's risk, when I asked him about risk in general, but he specifically discussed physical risk. Second, Izama puts emphasis on a geographical aspect; namely journalists up-country face bigger challenges than journalists in Kampala. This issue will be handled later when I discuss the intervening factors. For now, it is most relevant that Izama's quote underpins the statements that I) initially, defender's interpret risk to be something physical (it is parent in their risk perception), and II) risk is inherent in the work of a journalists. A second example that indicates this was provided by researcher Frank Muramuzi.

Muramuzi is researcher with NAPE for more than a decade. During his time as a defender he faced many physical threats, varying from arrests to prison. As a result, during the interview (May, 2013) Muramuzi almost explicitly speaks about the physical aspects of risk. For example, when I ask him to tell me about any future risks, he answered:

"We get scared. But we are used to it. I was arrested, taken into prison for weeks and went to court [...] They [the state] have not yet start physical harming [beatings] against us. But I think that is just a matter of time" – Frank Muramuzi, NAPE (Researcher)

Like Angelo Izama, Muramuzi has to option to mention any type of risk (financial-, performance-, social risk), but decides to speaks about physical risk. This is representative for many interviews,

which shows defenders have a large focus on physical harm/risk. Whether or not it is true that the state plans to physically harm him (actual risk), Muramuzi's expectations ('it is just a matter of time') show an increased feeling of physical risk, which indicates risk (as a result of state power) plays a large role in his life.

Final, a quote from defender trainer Nora Rihnma indicates that not solely the defenders themselves have a specific focus on physical risk, but also defender trainers give high priority to this type of risk. Rihnma provides security training for human rights defenders in Uganda for an organization named HRD Protection. During the interview (June, 2013) Rihnma explains that the training she provides focuses on one single issue: physical threats. She states that there is a lack of focus on other dimensions of risk, like psychological risk. The next quote is an answer on the question where the training of HRD Protection focuses on and if the psychological aspects are also considered in the training.

"We realize that we don't have enough skills to deal with the psychological aspect of this. It is not something we do in a continuous way. We focus on the physical threats." Nora Rihnma, HRD Protection (Defender Trainer)

Where previous quotes show that the defenders themselves perceive risk to be something physical, this quote adds that their partners, like trainers, also interpret defender's risk to be something physical. What exactly the reason is behind this fact is, whether it could be a lack of money, experience or interest, lies beyond the scope of this research. Most striking is that both the defenders as their environment have a specific focus and interest on the defender's physical risk as a result of the state most explicit form of power: resource power.

Where does this leave us? The previous examples underpin that the highest perceived risk is coming from physical harm. Defenders have the notion this risk is mainly coming from the state (and its resources). Despite the clear examples of the armed forces and its influence on the defender's risk perception, it must be noted that it shows only a very small part of the story. Other types of state power (process-, symbolic-, system power) potentially have serious consequences to the risk perception of defenders. Chapter Six provides a more detailed picture and systematically reviews the relationship between state power and its influence on the defenders risk perception. Before coming to this, the next paragraph shows that the core argument (state power → defender's risk perception) mediates under the three intervening factors: the defender's individual characteristics, workplace and type of organization.

5.2. Intervening factors

The previous paragraph shows that from the data it appears that state power has a strong influence on the defenders feeling of risk. This became clear by the quotes that indicate a strong link between the state's resource power and the defenders feeling of physical risk. Therein, the bigger picture is that when you talk about the perceived (believed) risk of defenders you have to talk about state power. Before we systematically review how the different types of state power (resource-, process-, symbolic-, system power) affect the different types of defender's risk (financial-, performance, physical, psychological-, social risk), discussing the mediating factors gives more nuance to the core argument. Despite that individuals within the same culture create a 'shared meaning of risk' (Douglas, 1996; Douglas & Wildavsky, 1982), individuals possibly deviate from this shared meaning as a result of differences in individual characteristics and the context they operate in (workplace, type of organization). This paragraph describes three mediating factors extracted from the data-analysis: individual characteristics, workplace and type of organization.

Individual characteristics

The effect of state power on the risk perception of defenders is mediated by a defender's individual characteristics as for example the defender's years of experience, job motives or gender. All these characteristics influence the causal relationship between state power and the risk perception of the defender. It must be noted that it is hard to be precise here, since there are so many different individual characteristics that possibly play a role. Despite of this the goal of this section is to bring show that the causal relationship should be interpreted carefully. The intervening factors indicate that individuals possibly differ in their interpretation and that various individual characteristics could play a role in this. The next quotes from three defenders exemplify this statement.

The first example is from Petronilla Ouma, a junior defender working for International Alert (NGO). During the interview Ouma repeatedly expresses that she finds herself guilty to some level of self-censorship¹² by avoiding the use of (sensitive) information that possibly offends powerful people. Ouma explains that she attempts to avoid possible sanctions or punishments ('without being specifically told or ordered to do so officially by an external censor' (Simons and Strovsky, 2006, p.191)). She said:

¹² According to Simons and Strovsky (2006) self-censorship can be understood as a political phenomenon, with cultural origins and can be traced back through the history of the country, as it "are reflections of the morality of a country elaborated historically over a longer period of time" (p. 190). In this research Simons and Strovsky definition of censorship is used: "censorship is taken to mean an external person or agency removing offensive or sensitive material (considered to be unsuitable by the censor) from the mass media" (p. 191).

“I ask myself if it [publishing sensitive information] is really safe for me. It is something which is in my head. Whenever I hear from threats [by the state] that are even appointed to members of parliament, than what about us? [...] At times there is that fear of self-censorship. Something it can be so delegate that you would not like to say it out loud. I was writing a report which I thought was really sensitive at that time. I publicized the stories on a later date, when the situation was much better. I think that is better than reporting when it is still hot. When many journalists have report on it, I find it safer.” – Petronilla Ouma, International Alert (Researcher)

In this quote Ouma describes her managing fear. Thereby, she adapts a strategy of self-censorship to manage her fear for state actions. Individual characteristics of Ouma are: she is a woman, she lacks experience, and her motive for being a defender is ‘to have a job’. While Ouma decides to change her behavior out of fear, others did not to change their behavior in equal situations. Frank Muramuzi (NAPE) and Dickens Kamugisha (AFIEGO) are both examples of this. They describe their way of dealing with fear and pressure from state power.

Frank Muramuzi said:

“When they arrested us in 2011, the government realized they were not making a breakthrough. We continued our work. The threat of saying that we are not allowed in the region, or they would arrest us, became less.” – Frank Muramuzi, NAPE (Researcher)

Dickens Kamugisha said:

“We opened the doors for others! Especially AFEIGO and NAPE. As an NGO you must create confidence, social integration, so that they believe you are working with them [the state, oil companies and the communities] and not only drive your own interest. Actually donors are the ones letting us down; they give you money to keep you here in office every day, as they want reports. But when NGOs create consciousness the government will find out that you cannot push around NGOs. That is our security” – Dickens Kamugisha, AFIEGO (Researcher)

Both quotes imply that Muramuzi and Kamugisha found their way in dealing with the state (and declining their feeling of risk). They continued their work. Individual characteristics of Muramuzi and Kamugisha are: they are both male, they are experienced, their motive for being a defender is ‘to help their people’. While all three defenders operated in the same working environment, their interpretation of risk differed. It is possible, as is indicated by the example described above, that individuals characteristics of the defender do play some role in the interpretation of risk. The individual characteristics which are notable in the previous examples are:

- 1) Years of experience¹³: Muramuzi and Kamugisha were one of the first defenders working on the issue of oil as they started already around 2007/8. Nowadays, they are the more experienced defenders e.g. in communicating with the state for year and social integration. Contrary to this, Ouma recently started working as a defender working on oil. She hardly had any contact with the state and does not know yet the so-called 'rules of the game'. It is reasonable that 'years of experience' play a role in this, since inexperienced, young defenders still have to learn how to manage their potential risk and still have to build up a good relationship with the state.
- 2) Muscularity: Ouma felt expressed a higher level of fear contrary to Kamugisha and Muramuzi. Ouma is a woman, whereas Kamugisha and Muramuzi are both men. It is possible that characteristics of femininity and masculinity play a role in this, e.g. as Dillon, Wolf and Katz (2012) assume in their research, more masculine-sex-types individuals have lower fear than less masculine-sex-typed individuals.
- 3) Motives: Ouma became a defender as she was 'looking for work', while Kamugisha and Muramuzi became a defender to 'help their people'. The motives to become a defender differ between the interviewees. It is likely that the individual's motives play a role in the interpretation of risk; whereby defenders who got the job to 'stand up for their people' are less fearless and accept a higher level of risk than defenders who got the job 'because they needed work'.

To conclude, the examples indicate that the individual characteristics of the defender possibly play a role in the risk interpretation of defenders. However, it is not the goal of this thesis to expose the relationship between these individual characteristic and the causal relationship in detail. For now, it is important know that the core argument of this thesis should be interpreted carefully. It is important to keep in mind that the influence of state power on interpretation of risk occurs against the backlight of intermediating factors like the individual characteristics of the defender. In the next section, I describe the intervening factor of the workplace. From the analysis it appeared that the 'workplace' of the defender mediates the influence of state power on the risk perception of the defender.

Workplace

The second mediating factor that has impact on the defender's risk perception is the geographical aspect: the defender's workplace. The workplace can be defined as the geographical location (up-country or in the city) where the defenders does his or her research. Most NGOs and independent

¹³ 'Years of experience' can be defined as 'the knowledge or skills acquired by a period of practical experience of something, especially that gained in a particular profession' (Oxford Dictionary, 2014).

journalists operate from Kampala, the capital of Uganda, which is considered to be the safest workplace for defenders. The risk perception of defenders who mainly operate from Kampala is lower than the risk perception of defenders who frequently go up-country. This indicates that the workplace of defenders possibly influences the impact the defender's risk interpretation.

The overall response to the question which place was most challenging to work from, Buliisa district was considered to be the least safe place. It is one of the nine districts in the Albertine region and is an oil-rich district. Contrary to for example Hoima district, the oilfields in Buliisa are not on public land, but mainly on private land. Due to this, the communities are involved in complex land issues with the state. The state rather keeps human rights defenders away from Buliisa as they attempt to manage the human rights issues themselves; otherwise it might damage the state's reputation when defenders report about the land issues. The next three quotes come from defenders who all interpreted Buliisa as a 'dangerous' workplace for defenders:

"Buliisa is a different place [than Hoima¹⁴]. In Buliisa journalists are arrested or deported back to Kampala. If the defenders are here in Kampala, there is no problem." – Dickens Kamugisha, AFIEGO (Researcher)

"We failed to get information from the community in Buliisa, but in Hoima district it was okay. We talked to the people and authorities without problems. Buliisa is the epicenter of the oil issue." – Edward Sekika, the Observer (Journalist)

"My staff wanted to go to Buliisa, but they could not reach it. They were told that they did not have a letter from the permanent secretary. My staff told the authorities that they cannot be stopped from going to the community or the oil area. Finally, they got arrested and taken back to Kampala." – Frank Muramuzi, NAPE (Researcher)

The quotes are characteristic for the general notion that working from Kampala is safer than working in Buliisa district. In other words, the geographical aspect of the workplace influenced the defender's risk perception caused by state power, whereby the workplace up-country gave a higher feeling of risk than working from the city. Defenders share the idea that the state puts more pressure on defenders when they do research in the oil region (e.g. in Buliisa) than when they operate from Kampala. The given quotes provide state actions that underpin this assumption, e.g. defenders who attempted to work in Buliisa got deported back to Kampala. Such actions, or stories, gave defenders a high feeling of risk, which shows that 'the workplace' possibly influences the risk perception of a defenders caused by state power.

Type of organization

The last section on intervening factors indicates that it matters whether the defender works in a collective enterprise, like an NGO-researcher in a non-governmental organization, or works in an

¹⁴ Hoima is an oil-rich district in Western Uganda. The oil fields are mainly on public land, which makes that there are fewer violations of human rights regarding to the oil issue.

individualistic enterprise, like a journalist in an independent media house. The data shows that there are differences between journalists' perceptions of risk and researchers' perceptions of risk. Defenders who worked in an individualistic enterprise, like journalists, interpreted risk to be something individualistic, whereas defenders working in a collective enterprise, like NGO-researchers, interpreted risk to present on a collective level (a team issue).

Contrary to defenders who worked in a team (and every individual from the team is responsible for the reports on oil), journalist worked as individuals and were solely responsible for their reports. This situation made them vulnerable for state threats. As a result, journalists who wrote sensitive pieces regarding the oil issue received personal threats. Media houses could fire them as a result from state pressure. Whereas none of the NGO-researchers got fired over a report, 3 interviewed journalists received pressure or/and got fired over a story. Geoffrey Ssebaggala is one of them.

Ssebaggala was a radio-journalist and published documentaries on human rights violations regarding the oil issues in the Albertine Region. After the government found out about his work, Ssebaggala received threats from the state and the radio station that hired him was put under pressure to fire Ssebaggala. Ssebaggala received no back-up support and eventually got fired. During the interview with him, he speaks about risk on an individual level and uses words as 'I' and 'me' when considering risk.

"My work on oil is risky because the issue of oil is highly protected to the extent that certain individuals in the government would not want to see media personalities or journalists poking their nose in this business. [...] After I did some reports on human rights violations up-country, the radio station had the choice to fire me or to lose their license. They fired me." – Geoffrey Ssebaggala, HRNJ-U (Journalist)

This quote from Ssebaggala is representative for journalists in the way that they use words as 'me' and 'I' during their anecdotes. NGO-researchers interpret risk to be a collective issue as they use words to describe risk during their work, e.g. 'we' and 'us'. An example comes from John Kahima, who said:

*"We know that it is going to be serious risks when production starts. **QUESTION: Do you plan or prepare yourself for an increase in risk?** As an organization we have not had any discussion planned on that, but I think it would be something we should think about."* – John Kahima, International Alert (Researcher)

Despite that I ask Kahima about his personal risk, he answers the question with the team and organization in mind. Clearly, Kahima interprets risk as something which is shared within the organization. A NGO-researcher as Kahima has support and does not have to manage all risk by himself. Consequently, he manages and interprets risk different than a defender who works at an

individual-based enterprise. In other words, it is possible that the type of organization influences the defender's interpretation of risk caused by state power.

To sum up, in this chapter I demonstrate that state power has to be taken into account when the risk perception of human rights defenders is assessed. I illustrate this by showing the strong link between state (resource) power and the defender's physical risk. To put nuance to this causal relationship, I explain that all this is influenced by intervening factors (the defender's individual characteristics, the defender's workplace and the type of organization). In the next chapter, Chapter Six, I systematically review the causal relationship of state power and defender's risk perception by looking at the different types of state power and their effect on the various dimensions of risk perception. Chapter Six provides a more detailed picture to underpin the core thesis that state power influences the risk perception of human rights defenders.

Chapter 6

Results – part II

In the Chapter Five, I exemplify why state power needs to be taken into account when assessing a defender's perception of risk. Therein, the data indicates that state power has a significant influence on the defender's perception of risk by exemplifying the relationship between state (resource) power and physical risk. I also state that this specific example shows only a part of the story and that there are other types state power (process-, symbolic-, system power) which potentially have serious consequences on the defender's risk perception. This chapter systematically describes how each type state power influences the defender's risk perception, by providing examples of the each power dimension on power. In doing so, I chose to describe the clearest examples, keeping in mind that I wanted to discuss each one of the dimensions of risk. Since I did analyze every dimension of risk in line with every dimension of power, a complete overview can be found in table at the end of Chapter Six. This table gives a detailed picture to underpin the core thesis that state power has to be taken into account when assessing defender's risk.

To structure the many, complex connections between the dimensions, this chapter has been divided into four parts; each part is structured along the one of the state power dimensions (resource-, process-, symbolic- and system power). Then, each paragraph starts with a table which

shows examples of the relationship between the power-dimension and the defender's risk perception. The clearest examples are highlighted and illustrated in the text. In the first paragraph, I exemplify the influence of state resource power on financial risk; in the second paragraph, I describe the influence the state's process power has on performance and physical risk; in the third paragraph, the link between symbolic power and the defender's psychological, physical and social risk is outlined; and lastly the influence of system power on the defender's performance risk is exemplified. By doing so the clearest examples show the link between state power and perceived risk.

6.1. Resource power

Risk dimension / Power dimension	Financial risk	Performance risk	Physical risk	Psychological risk	Social risk
<u>Resource power</u>	The state is in charge of the yearly operating license renewal for media houses (resource power). This increases the defender's feeling to lose their job when they step on the toes of someone powerful (financial risk).	The state's ability to (mis)use court to charge defenders (resource power) possibly damages the defender's reputation when s/he loses in court (performance risk).	The state's ability to use armed forces against the defender (resource power) increases the fear of being arrested (physical risk).	The state's ability to practice the 'Regulation of Interception Bill' which gives the state broad powers to allow for interception of communications (resource power) gives defenders the feeling they cannot speak freely, e.g. on the phone (physiological risk).	The state's ability to arrest the defenders partners during meetings (resource power) increases the defenders chance to get socially isolated (social risk).

In this paragraph I discuss why state power has to be taken into account when assessing a defender's risk perception by showing the relationship between the state's *resource* power and the defenders *financial* risk perception. To recall, resource power relates to an actor's attempt to control an individual or group based on a range of available resources (Kolkowska & Dhillon, 2011). The actor who owns the resource, or has the legitimacy to use the resource, has the power to control 'the other'.

In Chapter Five I already demonstrated the strong link between the state's power and the defender's risk perception, by showing the clear link between state resource power and the defender's *physical* risk perception. Other examples are not left out entirely, as they are visible in the table at the beginning of the paragraph. The example provided below focuses on one specific action of the state's resource power, namely the power to provide and exert yearly operating licenses to NGOs and media houses.

Financial risk

In this section, I exemplify how the state's resource power influences the defender's perception of financial risk. The defender's financial risk can be described as the chance the defender loses his or her income as a consequence of the state's coercive force, e.g. the defender gets punished (by being fired) over a sensitive piece he or she published. It occurred that the media house requested by the state to fire a certain journalist over a report; when the management of the media house refuses, they run the risk to lose their yearly operating license.

Two specific Acts in Uganda give the state resource power to renew or withdraw the yearly operating licenses. First, the Press and Journalist Act passed in 1995 and adjusted in 2000. This Act established a statutory Media council that is responsible for licensing journalists (and media houses). Journalists/Media houses need to renew their licenses annually in order to operate without fear of criminal charges. Also broadcast media are subject to regulation by the Electronic Media Act, passed in 1996 and adjusted in 2000, where members must renew their license annually (Freedom House, 2011). Both acts are means (resources) of the state to influence the media house's/journalists' behavior. From the data, it appears that when the state disagrees with a certain report of an independent journalist, the management of the media house received requests (threats) to fire the journalist or to lose their operating license.

In Chapter Five, I already mentioned the example of Ssebagala who gets fired over a sensitive documentary. Such situations create a certain level of fear with journalists that they could lose their job (and income) over a story. An example of a journalist who is familiar with such threats from the state is Charles Bwogi, journalist and manager at NTV Uganda. Charles Bwogi explains that NTV Uganda sometimes receives threats regarding license renewal; as a consequence of stories that are considered to be too sensitive by the state. During the interview Bwogi speaks about this 'political game' whereby the state attempts to influence (censor) stories; and attempts to decide what can and cannot be published by the media house. He said:

*"The government sometimes turns around and puts pressure on the management of NTV Uganda. They say to get rid of the people who reported this and this. **QUESTION: How do they put pressure on the management?** The government plays the game with operating licenses. They threaten us by telling to not renew our operating license, if we ... do not fire this person."* – Charles Bwogi, NTV Uganda (Journalist)

This quote indicates that the government misuses its legitimacy to provide and withdraw licenses – resource power. The fact that Bwogi says that 'the government sometimes turns around' implies that equal threats happened more than once. A common view amongst interviewees was that the state was able to get them fired over a sensitive story. The situation of Geoffrey Ssebagala resulted in a

change of behavior, whereby he decided to stop writing about the President or his family. Ssebaggala stated:

“A journalist can censor himself on the ground of... if there is a media house, where a journalist easily can be fired. There are high profiled officials in this country you really fear. For instance, I fear publicizing everything that has to do with Museveni, because he is everything in Uganda. He is everything and he can do everything.” – Geoffrey Ssebaggala, HRNJ-U (Journalist)

This quote shows strong evidence on the direct link between the state’s resource and the defenders financial risk; Ssebaggala explicitly expresses that his fear is a consequence of the state’s ability to get him fired. The complexity of such threats is that the state has the legitimacy to renew and withdraw licenses (it is recorded in the Press and Journalist Act and the Electronic Media Act), and thus can use it to (indirectly) threaten journalists.

According to Angelo Izama, journalist and political analyst, the government prefers using more indirect threats to control the media, than use more physical threats, like arrests. This latter has a higher potential to damage the state reputation, whether the first is rather indirect and less visible to the outside world. Izama explains:

*“The state rather chooses less physical methods, since they fear to damage their reputation. They developed quite an array of methods. **QUESTION: Can you give examples?** Well, they try to get you out of your job. This is even more common up country where journalists work in small radio stations and where they do not have the commercial... There businesses are not strong enough to withstand the pressures from government. So, journalists are kicked out.”* – Angelo Izama, political analyst (Journalist)

Izama’s quote indicates that the state’s resource power has an effect on the defender’s financial risk perception. With that resource power not solely has an effect on the defenders physical risk perception (as is shown in Chapter Five), but also on other aspects of risk. This underpins the core argument of this thesis that state power (in general) has to be taken into account when assessing the defenders risk perception.

As noted in Chapter Two (Paragraph Four) the dimensions of power might show overlap. In this case I interpreted the use of the Act as ‘exerting resource power’ (whereby the Act is a state’s resource); however, it also could be interpreted as a form of Mann’s infrastructural power or Hardy’s process power whereby the state logistically implements a way to control the process of decision-making. This shows the power dimensions, under which resource, power vary in their explicitness, whereby the used of armed forces is more visible and explicit than the use of the power to renew licenses. Most important for now is that this paragraph shows that the state’s political game to use its resources has a strong influence on the financial risk perception.

The next paragraph reviews this argument by presenting examples to show the relationship between the state's process power on the defender's risk perception.

6.2. Process power

Risk dimension / Power dimension	Financial risk	Performance risk	Physical risk	Psychological risk	Social risk
Process power	The state's willingness to put a price on public documents (process power) makes that defenders have to pay for information, without knowing the relevance of it on beforehand (financial risk).	The state refusing to provide answers to questions of defenders (process power) hampers the process of publicizing stories for over months (performance risk).	Entering the oil region, without informing the authorities (process power) increases the defender's feeling of risk to get arrested (physical risk).	The state exerts coercive behavior when defenders organize a meeting in the village (process power) causes stress and fear among defenders (psychological risk).	Not allowing defenders to enter the oil region (process power) blocks defenders to communicate with the communities (social risk).

In this paragraph I discuss why state power has to be taken into account when reviewing the defenders risk perception on basis of the relationship between *process power* on the five dimensions of risk (financial, performance, physical, psychological, social). To recall, process power is the second dimension of Hardy's (1996) framework and refers to the state's logistically implementing rules to control the process of decision-making. This gives the state the ability to control the oil process in a centralized manner by undertaking actions without institutionalized negotiation with civil society groups or anyone else (Mann, 1984). In this paragraph, I outline two examples whereby the state's process power influences the risk perception of the defenders. First, I illustrate how authorities refuse to provide answers to the defender's questions (process power), which hampers and delays an effective promotion and protection of human rights (performance risk). Second, I describe how the state dictates defenders to inform them when they plan to do research in the oil region (process power) and how it influences their physical risk perception (physical risk).

Performance risk

In this section, I show how the state's process power influences the defender's perception of the performance risk. Performance risk can be defined as the likelihood a defender cannot protect and promote the rights of people in a professional way, e.g. when the defender is unable to work on a reliable (and is not corrupt, subjective, et cetera). What is interesting from the data is that authorities attempt to put journalists in a position wherein it is difficult for them to write an objective story, as they refuse to provide any form of information. Authorities ask money to review public documents or

refuse to answer any question on their perspective. As a result, journalists have to choose to publish the story incompletely (without information from governmental side) or find a way to get this information. By consequently refusing to cooperate and ask money for information the state implemented a rule whereby the defender is aware that information is not received easily. By doing so the state hampers the process of effectively promote and protect human rights.

Defenders who publish reports with one-sided perspectives, and without any reaction from governmental side, do not create goodwill with the state and possibly are reviewed to be unprofessional. Eventually this hampers the defender's reputation. An example of a defender in such a situation is Isaac Imake, journalist at the Monitor.

During the interview journalist Isaac Imake expresses his dilemma regarding this issue; on the one hand he feels pressure from the Monitor management to publicize stories in a certain period of time; on the other hand, a lack of interest from the authorities to verify his information makes his story look incomplete. He said:

"They [the state and oil companies] delay stories intentionally. When they think you work on a story which is not in their favor, they can take a month without responding to you. But the bosses want the voices of the ED or the oil managers, so you must wait. [...] My story on oil from over the weekend has been in the system for over a month. We were not running it because the DEP had refused to answer the main question of the story. We mailed, called and later they send it to me. It took them a month to answer." – Isaac Imake, the Monitor (Journalist)

Imake's quote shows that the state uses its ability to delay journalists stories or let journalists publicize stories without their side of the story. In this way the state undertakes action which excludes the defender from the oil process, on purpose. Assuming that the rights of people are best protected when the defender works on a professional, reliable way, the defenders sees his performance risk (the likelihood a defender cannot protect and promote the rights of people in a professional way) increase as a consequence of the state action.

A journalist who did choose to publicize stories without including the governmental perspective is Joe Wacha. Wacha went to the oil region to 'get answers', but encountered opposition. He decides to go back to Kampala and write the story solely from his own perspective. Interviews with colleagues of Wache reject his approach. One of the interviewees labels Wacha's action as 'unjournalistic', another journalist calls journalists from Radio Network Uganda (the organization Wacha works for nowadays) often 'not professional'. The general notion is that approaches like these possibly damages the reputation of defenders (performance risk). The next quote is from Angelo Izama, freelance journalists and political analysist, who is heavy weighted in Ugandan journalism. Izama is

displeased with the fact that journalists like Wacha run stories with limited resources. According to Izama it damages the journalists general reputation to be impartial.

“In Uganda journalists can go with a story with one or two sources, but in a situation like this [referring to a situation where often no or false information is provided by authorities] you might have to go with five or six resources to do a story. [...] Policing sources is poorly done by journalists. I can tell you this because I have been part of the Monitor management conversations. The Monitor publishes pretty much everything, which is a weak link.” – Angelo Izama, political analyst (Journalist)

Izama’s quote implies frustration that also ‘newspapers like the Monitor publicize everything’ and rejects such behavior as it increases a defender’s performance risk; the risk the reputation of journalists in general is damaged and therewith human rights are not promoted effectively⁰

Both quotes show that as a consequence of the state’s attempts to exclude journalists from the issue of oil (performance power), journalist see their performance risk increase. The state implements rules whereby a journalist already on beforehand expects that the state is unwilling to cooperate. Since the journalists depends on some support of the government, journalists are often in the dilemma to run a story with or without a governmental perspective included. The next section shows the influence of the state’s process power on the defenders physical risk perception.

Physical risk

In Chapter Five, I address the link between state power and physical risk with the example of resource power. In this section I describe the relationship between process power and physical risk to underpin the core argument of this thesis. To recall, physical risk is the likelihood that a defender enters a situation wherein s/he has the idea s/he possibly will get physically harmed, e.g. beaten-up or arrested. In this section I show how the state’s willingness and ability to use process power influences the perception of the defender’s physical risk.

From the interviews it appears that the defender’s feeling of physical risk increases in case they did not inform authorities about their plans to visit the Albertine region. The state implemented the rule (it was not included within the Ugandan law) that researchers and journalists need to report to the authorities their plans to visit the oil region. Defenders who refused to ask permission to the authorities, saw their physical risk perception (the fear to get physically harmed) increase. Peter Magelah, a researcher at the ACODE and an expert in law, explains that such actions are illicitly and can be labeled as ‘a misuse of power’. According to Magelah this request by the state is not an official law, but it is a practice. He states:

“It is not an official law that you need a permit to visit the area, though it is a practice. It is a requirement. [...] When you go for example to Buliisa, which is a very rural district, the RDC [resident district commissioner] orders are like law.” – Peter Magelah, ACODE (Researcher)

The fact that it is a practice denotes that it is a form of process power; the state implemented a rule to control the situation. The state decides whether the defender gets access to the process or not (process power). Interviewees had many stories from defenders who refused to ask permission or did not inform authorities before visiting the oil region, and eventually were arrested (physical risk). One of them is Frank Muramuzi, chief executive officer and researcher with NAPE. He describes the consequences of his staff disobeying the RDC and said:

“My staff wanted to go to the baseline to start their research, but they could not reach Buliisa. The authorities asked for the letter from the secretary. My staff told them that it is not necessary because it is not in Ugandan law to do so. They asked why they stopped them from going to the community or to the oil area. Eventually they got arrested and were taken to the police station. Another research group from our organization got arrested in Hoima and was put in prison.” – Frank Muramuzi, NAPE (Researcher)

Examples as described by Muramuzi made other defenders avoid such risk increasing situations. As a consequence defenders did find ways to avoid this risk, e.g. by asking the state for permission (seven interviewees admit during the interviews that they inform the authorities when they plan to visit the oil region, so that unnecessary risks can be avoided). Other only visit the oil region with help of organized state trips, whereby the defender pays for a trip organized by the state; thereby the state decides what to see, who to speak with and what to visit. Such actions are examples all examples of process power.

To sum up, this paragraph shows evidence that the state’s process power influences the defenders risk perception; therewith it contributes to the overall picture that state power has to be taken into account when assessing defender’s risk. The third paragraph of this chapter reviews this argument by presenting examples of the state’s symbolic and its influence on the defenders risk perception.

6.3. Symbolic power

Risk dimension / Power dimension	Financial risk	Performance risk	Physical risk	Psychological risk	Social risk
<u>Symbolic power</u>	The state makes defenders appear in court based on the Anti-Terrorist Law (symbolic power) which costs the defender money and time (financial risk).	Defenders receive phone calls with threats to stop working (symbolic power) which causes self-censorship among defenders and an ineffective promotion of human rights (performance risk).	Defenders receive threatening phone calls when they write about authorities (symbolic power) and decide to stop working for a period of time to not get attacked (physical risk).	Propaganda from the government which demonizes defenders, create a situation whereby Ugandans believe journalists are the state opponents (symbolic power). Promoting human rights felt almost impossible (psychological risk).	The state tells communities up-country that NGOs works for its own interest (symbolic power), which creates a situation whereby the communities were suspicious about the NGOs.

In this paragraph, the third dimension of state power, symbolic power, is reviewed in relationship with the five dimensions of risk perception. On the basis of examples that show that defenders risk perception is influenced by symbolic power, I underpin the core argument of this thesis that state power has to be taken into account when the risk perception of defenders is discussed. To recall, symbolic power is the state's ability to manipulate the content of communication, by manipulating rituals, language, norms, values and stories (Horton, 2000). This paragraph shows evidence that shows the influence of symbolic power on the defender's physical risk perception, psychological risk perception and social risk perception.

First, the section starts with interviewees who exemplify situations wherein defenders receive direct threats (which is an action of symbolic power) at times they work on their research and are writing articles. Defenders did fear to get physically harmed (physical risk) and changed their behavior, e.g. some defenders decided to become 'invisible' for a few weeks. Furthermore, I describe in the second section how the state uses channels of communication, e.g. the media, as a manner to disturb the relationship between the communities and the defenders (symbolic power), whereby some defenders have the feeling they cannot help the communities anymore (psychological risk) and the relationship with the communities is disturbed (social risk).

Physical risk

This section depicts how symbolic power influences the defender's idea of physical risk or the likelihood that the defender gets physically harmed. Examples in this paragraph underpin that the defender's perception of physical risk is influenced by the state's ability to exercise symbolic power.

Through the interviews it became clear that defenders do not have clear evidence that the actor behind the intimidating phone calls is, but strongly believe it happened by order of authorities; simply because threats were received at times they were working on reports on human rights, oil and authorities. Examples of threats through the phone were most mentioned by defenders. Five defenders – Dickens Kamugisha (NGO-researcher), Frank Muramuzi (NGO-researcher), Geoffrey Ssebagala (journalist), Isaac Imake (journalist), Charles Bwogi (journalist) – did receive threatening phone calls. The common view was that defenders felt unsafe and feared to get physically harmed.

One interviewee received multiple threatening phone calls while working on one story. Isaac Imake, journalist at the Monitor, did work on an oil story and went to Hoima for research. Afterwards his research, he returns to Kampala and he receives different threatening phone calls, both at work and at home. The next quote sketches one of the threats Imake received and the consequences it had. Imake said:

“I was working on a political story about some guy of the government. After I returned from Hoima I used to get calls, even at office, and they threatened me: ‘Go home early’, ‘Stop using buses’. At that time I stopped using the bus, because of the phone calls. Then you are at home and somebody calls you anonymous and says ‘Are you Isaac? You are getting close to the sun and it will burn. I advise you to stop the story, because it is bigger than you.’ [...] During those weeks your social life goes down, you don’t socialize much with friends. You go home early. You don’t allow visitors at your home. You remain alone. There is that fear, you take a week off.” – Isaac Imake, the Monitor (Journalist)

Despite that Imake is not sure who the actor behind the threats is, the threats indicate that a higher power is involved (‘It is bigger than you.’). From this quote, two types of threats can be deducted. First, a metaphorical threat that influences Imake’s physical risk perception (‘*you are getting close to the sun and it will burn*’). Second, the threat influences Imake’s performance risk (‘*I advise you to stop the story, because it is bigger than you*’). In this section I focus on the first effect, physical risk perception. Imake’s perception of his personal physical risk is manipulated through language (a phone call). The concept of manipulation is key in this; whether the threat will be realized or not is not up for discussion now. What is important is the perception. The defender fear to get physically harms and therefore changes his behavior (he decides to take a week off). By doing so, Imake attempts to decrease the physical risk. This example shows evidence that the state exerting symbolic power has a negative influence on the defenders physical risk perception.

In the next section I present how symbolic power influences the defender’s perception of social risk.

Psychological risk and social risk

In this paragraph I write about two dimensions of defender’s risk, as they were closely related in

situations whereby the state exerts symbolic power. Throughout this research, the term psychological risk refers to the influence of the actions on the defender's state of mind, in terms of stress, unhappiness, et cetera. Next, social risk is defined as the chance the defender's feels the situation negatively influences the relationship with his social environment. Defenders share the idea that it is challenging to gain trust from the (reserved) communities, before they can become a partner. The communities see many 'strangers' coming to their land regarding the oil issue and are skeptical about people's intentions. Gaining trust is a very important task of the defender in this, as this is easily damaged. From interviewees with defenders who were one of the first to visit the oil region between 2006 and 2010, it appears that the state uses strategies to hamper defenders to build up partnerships. This section specifically focuses on state actions driven by symbolic power and the consequences it has for the defenders state of mind (psychological risk) and the option to become partners (social risk).

AFIEGO and NAPE are the first NGOs in Uganda to visit to the oil region to work on issues of human rights and oil, respectively in 2006 and 2009. The three interviewees with defenders from these organizations exemplify how the state exerts symbolic power to influence the public opinion about NGOs and therewith hampers any form of partnership. The most distinct example in line with this is from Dickens Kamugisha, chief executive officer at AFIEGO. He describes the time wherein there were not many actors and AFIEGO did not yet have partnerships with the community's reputation. At that time it was easier for the state to manipulate the public opinion about AFIEGO's goals and interests. When authorities had their chance, they used the media to manipulate the public's opinion about AFIEGO's interests. Kamugisha describes:

"In 2009 we were almost the only organization that was active in the oil sector. We helped with petitions which were presented to the kingdom. Immediately after the petitions the ministers went to the oil refineries and invited people from the radio and said: 'AFIEGO is mobilizing other NGOs and they don't want you people to benefit from oil. This refinery is yours, but AFIEGO has its own interest. They create a situation where people were suspicious about AFIEGO. Also people feared they might get arrested while working with us and said 'Please Dickens, we cannot work with you. They want to arrest us.' [...] I like helping communities but I cannot even organize meetings.'" – Dickens Kamugisha, AFIEGO (Researcher)

A radio speech wherein AFIEGO is put into a bad light ('working for own interests') by the state is a clear example of the state exerting symbolic power. In reality, AFIEGO exists to promote and protect human rights of the communities, rather than they work for other interests. A radio speech spreading another 'truth' is a form of manipulation whereby communities feared to get arrested and rather avoided to partner with AFIEGO. The last sentence of the quote shows Kamugisha's helplessness as he cannot support communities, as a result of the state exert of symbolic power. In

other words, since people are suspicious about AFIEGO and fear to cooperate with them (social risk), Kamugisha feels a certain feeling of uselessness (psychological risk).

This example shows how the defender's psychological- and social risk perception is influenced by the state actions of symbolic power. It is clear evidence that underpins the core argument of this thesis that state power has to be taken into account when assessing the defender's risk perception.

To conclude, this paragraph focuses on the state's ability and willingness to use symbolic power. It presents that social power can be exerted in different forms, e.g. by threatening the defenders with words or by manipulating the public opinion about defenders. Both examples of symbolic power have a negative effect on the defender's perception of risk. It appears that direct threats have a significant effect on the defenders feeling to get physically harmed (the defender took a break from his work to decrease his physical risk). Next, the manipulation of the communities' opinion about NGOs hampers organizations and defenders to partner with the communities (social risk), which makes them feel useless (physical risk).

6.4. System power

Risk dimension / Power dimension	Financial risk	Performance risk	Physical risk	Psychological risk	Social risk
<u>System power</u>	Defenders impose themselves power through self-censorship (system power) out of fear to get fired (financial risk).	Defenders impose themselves power through self-censorship (system power) and are aware of the consequences it has for the effective promotion of human rights (performance risk).	Defenders impose themselves power through self-censorship (system power) whereby they attempt to decrease their chance to get physically harmed (physical risk).	Up-country the Resident District Commissioner's orders are like law (system power), which made that defenders (unwillingly) obey their rules (psychological risk).	It is embedded in the system of Ugandans that journalists are the opposition of the state (system power), causing that scientists rather avoid working with journalists (social risk).

This last paragraph is about the most implicit dimension of state power, system power. The five examples in the table, derived from the interviews, underpin the core argument that state power has to be taken into account when assessing defender's risk. To recall, system power is the state's power that lies within the acceptance of the culture, role, and structure (Berghout et al., 2005; Horton, 2000). In this paragraph I present evidence that power plays an implicit role, whereby power exists without the state explicitly exerting it, but, as a result that the power is deeply embedded in the system, is imposed by the defender him or herself.

I focus on the situation whereby defenders impose themselves power through the action of self-censorship. By doing so defenders have the feeling their physical risk decreases, but at the same time are aware of the consequences it has for their performances as a defender.

Psychical risk and performance risk

In this paragraph, I write about two dimensions of defender's risk that are both affected by the system power. Therein, physical risk is the defender's feeling to get physically harmed and performance risk the likelihood a defender cannot protect and promote the rights of people in a professional way. Core values of being a defender are that one is impartial, reliable and objective during his job (performance). Only then a defender can protect and promote human rights effectively. Situations wherein aiming these values comes in danger indicate there is certain level of performance risk. This section exemplifies the causal relationship between system power and physical – and performance risk to underpin the bigger picture that state power has a significant influence on the defender's risk perception.

The data shows that some defenders, mainly independent journalists, adopt a strategy of self-censorship to decrease their physical risk. As a result, they take for granted the consequences it has for the promotion and protection of human rights (performance risk). Before outlining the evidence, the term *censorship* has to be demarcated and defined; as censorship can mean different things for different groups (Simons & Strovsky, 2006). Thorough this research, I apply Simons and Strovsky's (2006) definition of self-censorship, who state that "censorship is taken to mean an external person or agency removing offensive or sensitive material (considered to be unsuitable by the censor) from the mass media" (p. 191). In other words, through self-censorship the person in question avoids using information that possibly offends or annoys someone. During the interviews, two interviewees openly tell they avoid certain topics or persons in their reports to avoid trouble. One of them labels it as a form of self-censorship.

One of the two interviewees is journalists Geoffrey Ssebagala, who faces many difficulties because of the story he wrote. Ssebagala has been kidnapped, threatened and eventually flees out of the country. As a consequence of these violent occurrences Ssebagala has become self-restricting and imposes himself power. By doing so he hopes to avoid to get physically harmed again. He said:

*"Sometimes I back off on some issues. With some information I feel like maybe it is something you can take, but some information I have to leave for what it is. **QUESTION: Is that a form of self-censorship?** Yes. [...] There are high profiled officials in this country you really fear. For instance, I fear publicizing everything to do with Museveni, because he is everything in Uganda. He is everything and can do everything. When you do write about oil you have to be very careful, because Museveni and his first family are related."* – Geoffrey Ssebagala, HRNJ-U (Journalist)

By deciding not to publish anything that has to do with Museveni out of fear, he imposes himself power. The fear of Museveni is so deeply embedded in the system, that it is not necessary for the President to exert power explicitly. At the moment of Ssebaggala's decision, the state is not exerting any action of power, which means that power lies within the system. By saying that 'when you do write about oil you have very careful' Ssebaggala indicates that he considered writing about oil and human rights, but eventually made the choice not to do so ('I leave information for what it is'). In other words, Ssebaggala puts the highest priority to physical risk, and accepts an increasing perception of performance risk. Since writing about the government (which 'has to do with Museveni') is avoided, the effective promotion and protection is in danger (performance risk).

The second interviewee who admits that she imposes power on herself by dictating self-censorship is Petronilla Ouma, researcher at International Alert. She states:

*"At times there is that fear of self-censorship. Some things can be so delicate that you would not like to say it out loud. **QUESTION: Did you have had such experiences yourself?** Yes, at times I feel I do. When I was writing a report last year and the president was not happy with CSOs, there were issues in this bill raised by CSOs that they were not taken into consideration. The bill just passed. [...] For me personally I felt that the story at that time was sensitive. But now it is something which is read by most people. I feel like... actually such stories you can report on a later date, when the circumstances are much better, than reporting when it is still hot. [...] I find it safer after some time."* – Petronilla Ouma, International Alert (Researcher)

The fact that Ouma 'assumes' something will happen to her shows she has a high perception of physical risk. Without the state actually exercising power, Ouma imposes power on herself. The difference with Ssebaggala is that he is physically harmed in the past as a consequence of his work and Ouma is not. Ssebaggala also takes into account the performance risk (and accepts an increase), while Ouma does not consider an increased performance risk. This shows again that the highest perceived risk is coming from physical harm.

This paragraph has shown that the state has, without explicitly exerting power, influence on the defender's risk perception. Defenders imposed power on themselves by deciding not to write about certain topics or postpone the publish date of it. Through actions of self-censorship defenders choose to decrease their perceived physical risk, and accepted an increase of the performance risk. These examples are evidence to show that state power has to be taken into account when assessing the defenders risk. The next paragraph provides an overview of all examples within a matrix.

6.5. Power-risk matrix

The previous four sections provide examples that show evidence that state power influences the defenders risk perception, and therefore has to be taken into account when assessing a defender's risk. To sum up, the next matrix shows all the different examples that I found in the analysis. In total, I outlined seven of the twenty examples in detail to prove the complex causal relationship between state power and the risk perception of a defender (keeping in mind that I wanted to discuss each one of the risk dimensions). The remainder can be found in the table on the next page where I summarize all the examples from Chapter Six. All examples contribute to the core argument of this thesis. Each examples tells a small part of the story, but they clearly demonstrates that (and how) state power does play a role in the shaping the defenders risk perception.

Risk dimensions / Power dimensions	Financial risk	Performance risk	Physical risk	Psychological risk	Social risk
6.1. <u>Resource power</u>	The state is in charge of the yearly operating license renewal for media houses (resource power). This increases the defender's feeling to lose their job when they step on the toes of someone powerful (financial risk).	The state's ability to (mis)use court to charge defenders (resource power) possibly damages the defender's reputation when s/he loses in court (performance risk).	The state's ability to use armed forces against the defender (resource power) increases the fear of being arrested (physical risk).	The state's ability to practice the 'Regulation of Interception Bill' which gives the state broad powers to allow for interception of communications (resource power) gives defenders the feeling they cannot speak freely, e.g. on the phone (physiological risk).	The state's ability to arrest the defender's partners during meetings (resource power) increases the defenders chance to get socially isolated (social risk).
6.2. <u>Process power</u>	The state's willingness to put a price on public documents (process power) makes that defenders have to pay for information, without knowing the relevance of it on beforehand (financial risk).	The state refusing to provide answers to questions of defenders (process power) hampers the process of publicizing stories for over months (performance risk).	Entering the oil region, without informing the authorities (process power) increases the defender's feeling of risk to get arrested (physical risk).	The state exerts coercive behavior when defenders organize a meeting in the village (process power) causes stress and fear among defenders (psychological risk).	Not allowing defenders to enter the oil region (process power) blocks defenders to communicate with the communities (social risk).
6.3. <u>Symbolic power</u>	The state makes defenders appear in court based on the Anti-Terrorist Law (symbolic power) which costs the defender money and time (financial risk).	Defenders receive phone calls with threats to stop working (symbolic power) which causes self-censorship among defenders and an ineffective promotion of human rights (performance risk).	Defenders receive threatening phone calls when they write about authorities (symbolic power) and decide to stop working for a period of time to not get attacked (physical risk).	Propaganda from the government which demonizes defenders, create a situation whereby Ugandans believe journalists are the state opponents (symbolic power). Promoting human rights felt almost impossible (psychological risk).	The state tells communities up-country that NGOs works for its own interest (symbolic power), which creates a situation whereby the communities were suspicious about the NGOs.
6.4. <u>System power</u>	Defenders impose themselves power through self-censorship (system power) out of fear to get fired (financial risk).	Defenders impose themselves power through self-censorship (system power) and are aware of the consequences it has for the effective promotion of human rights (performance risk).	Defenders impose themselves power through self-censorship (system power) whereby they attempt to decrease their chance to get physically harmed (physical risk).	Up-country the Resident District Commissioner's orders are like law (system power), which made that defenders (unwillingly) obey their rules (psychological risk).	It is embedded in the system of Ugandans that journalists are the opposition of the state (system power), causing that scientists rather avoid working with journalists (social risk).

Matrix Two Analytical tool to study state power in relationship to human rights defenders risk perception. The compartments are filled with examples found in data.

Chapter 7

Conclusion

The present study is designed to determine whether state power has effect on the risk perception of human rights defenders working on the issue of oil in Uganda. After analyzing the data gathered from two groups of Ugandan human rights defenders, independent journalists and NGO-researchers, I argue that state power does have an effect on the defender's risk perception, and therefore always has to be taken into account when assessing a defender's risk. In this concluding chapter, I first summarize the empirical analysis found in Chapter Five and Six and discuss what can be suggested based on these empirical findings. Next, I present how this study makes several noteworthy theoretical contributions to the existing literature and practical contributions. At last, I outline some limitations of the current study and sum up several recommendations for further research work.

7.1. Summary of empirical findings

The analysis presented in the previous chapters of this thesis suggests that when assessing the perceived risk of human rights defenders, state power has to be taken into account. In this thesis, state power is defined as the ability and capacity of the political association, the Ugandan government, to regulate and control the situation within the territory of the state. The data presents evidence that the state's ability to impose their will on the human rights defenders (state power) significantly influences the defender's belief that something could happen to them during their work as a human rights defender (feeling of risk).

My case study of journalists and NGO-researchers (two groups of human rights defenders) also shows that this fear (perceived risk) is exclusively caused by the state, and specifically the state's ability to control an individual or group based on a range of available resources (Kolkowska & Dhillon, 2011). History has shown that the state is willing to use armed forces (army, police) to stop defenders from their work. Because of the direct and explicit character of this form of state power, resource power is the largest contributor of the defender's feeling of risk.

Next, the analysis of the data shows that in accordance of the clear presence of the state's resource power defenders interpret risk mainly to be a 'physical issue' (more than it is a psychological, financial, performance or social issue). The fear to get arrested, put into prison or the fear to be beaten up is predominant in the defender's risk belief. However, this example shows only a small part of the story, as I analyzed three more types of state power which potentially have

serious consequences for the defender's risk perception. These will be outlined below.

Based on the findings from the analysis I argue that there are other types of state power (process power, symbolic power and system power) which influence the defenders feeling of risk. In Chapter Six, I present more evidence that show the link between state power and the defender's risk perception based on four dimensions of power. Among others the influence of the ability to logistically implement rules to control the process of decision-making (process power) had influence on the defenders risk perception. The state refused to cooperate by not giving information or by obey defenders to ask permission to visit the oil region. The state's attempts to determine the 'rules of the game' hampered the process of effective promotion of human rights. Also, the state's attempts to manipulate the image about defenders (symbolic power) had effect on the defender's feeling of risk. Spreading information wherein NGOs are put into a bad light had a negative effect on the social relationship between the defenders and the communities, and eventually on the defenders state of mind (feeling useless). All examples from Chapter Six contribute to the complete picture that the state has to be taken into account when assessing risk of a defender. However, the most striking results have been found when analyzing the dimension of system power.

By taking the role of system power into account I showed, based on the findings in Chapter Six, that the implicit role of power plays an important role in the process of risk interpretation. Three decades of military rule by President Museveni resulted in a situation whereby several norms and values are deeply embedded in the system. Consequently, the power of the state also plays a role in situations whereby power is not explicitly put into action. Defenders imposed power on themselves, e.g. out of fear to get arrested they did not report about the Museveni or his family. Defenders set themselves norms (impose themselves power) by expecting coercive behavior from the state as a consequence of certain behavior.

To sum up, this study showed that state power can be imposed both by the state, e.g. by using the army, through a norm, e.g. by obeying defenders to ask permission, or by themselves, e.g. by impose themselves power.

In line with research from Mary Douglas (1978) I have shown that among Ugandan human rights defenders have a 'shared meaning of risk'; however, some intervening factors attend to create deviation. Therefore, to give more nuance to the core argument, I outlined three factors in Chapter Five that can mediate the effect of state power on the defenders risk perception. The first is the defender's 'individual characteristics', whereby the effect of state power on the risk perception of defenders is mediated for example by the defender's 'years of experience'. Reasonably, young, inexperienced defenders still had to learn how to manage their potential risk and still have to build up a good relationship with the state, whereas experienced defenders already knew how to deal with

such issues. Second, the geographical aspect of the defender's workplace influenced the defender's risk perception caused by state power, whereby the workplace 'up-country' gives a higher feeling of risk than working from the city. Third, the 'type of organization' influenced the defenders risk interpretation. Defenders who worked in an individualistic enterprise, like journalists, interpret risk to be something individualistic, whereas defenders working in a collective enterprise, like NGO-researchers, interpret risk to present on a collective level (a team issue).

7.2. Theoretical contribution

In the previous section, I argue that state power has to be taken into account when considering risk of human rights defenders. From the data it appears that defenders perceive a high feeling of risk, coming from the state whether or not the actual risk is high. In this section, I address the question how this thesis contributes to the existing literature and theory. Therein, the objective is to clarify how the unique characteristics of this research (in the case of Uganda, independent-journalists and NGO-researchers and the issue of oil, Albertine region) contribute to say something about the relationship between state power and risk in a broader sense. By doing this I attempt to give insight in how the theoretical findings can be used in a broader sense.

First, my thesis provides a theoretical framework to understand state power in relation to risk. Based on the existing literature of Cynthia Hardy (1996), Michael Mann (1984) and Jacoby and Kaplan (1972) I developed an analytical tool to analyze state power in relation to defender's risk. In this thesis the framework is adjusted to the Ugandan case, as the dimensions of state power (resource, process, symbolic, system) and the dimensions of defender's risk (financial, psychological, physical, performance, social) are defined and operationalized in line with the case study of defenders working on the issue of oil in Uganda. However, in the broader sense, this framework can be adapted to understand the power-risk relationship in other studies or fields.

Second, the findings enhance our understanding of how state power influences defenders and thereby gives provides an example of the influence the state could have on activists, state opponents and even on the civil society. It opens the debate on how individuals that live in a country which dominated by a regime for years can feel intimidated by the government. Even when the state does not exert power explicitly towards one individual, he or she can feel intimidated and fear in many ways. Whereas Flynn, Slovic and Mertz (1994) already suggested that various factors, under which power, influence the risk perception, I showed *how* power influences the risk perception of an individual. By analyzing this situation, I opened up the debate how 'opponents' of the state interpret and cope with risk in their daily working life.

Third and last, my thesis suggests that state power has to be taken into account when researching

the risk of defenders (or activists). I have shown how the state exerts power without clear actions, e.g. in situations whereby the defenders imposed themselves power by not writing about the president out of fear for physical harm. Existing literature (see: Moore, 2000; Gartner & Regan, 1996) with a focus on state's motives to respond to state opponents (opposition), logically, solely focus on the state's actions (responds) where there is more. In other words, these studies run the risk of focusing on the explicit, visible actions of the state, while my thesis shows the state also influences 'opponents' without clear actions of power. My thesis suggests the role of implicit power, e.g. the power deeply embedded in the system (system power), should be taken into account, since it can play a large role in the power-risk relationship.

7.3. Recommendation for practice

Additional to the theoretical contributions provided in the previous section, I suggest several practical recommendations for practitioners, e.g. defenders or defender trainers, to keep in mind.

First, my thesis shows that both human rights defenders and trainers have a specific focus on physical risk (the fear to get physically harmed). Interviewed trainers explained they solely train defenders on how to protect themselves from physical harm. There was zero attention for any other aspect of risk, e.g. social risk, financial risk, performance risk, or psychological risk. However, the results in Chapter Five and Six present evidence that defenders also have difficulties with other types of fear other than physical harm. Some of these risks might even have a bigger impact on the life of the defender than physical risk. For example, there was no direct threat for NGO-researcher Petronilla Ouma that she would be physically harmed (physical risk), but she did have a lot of stress during their work (psychological risk). She explained that the only training she got was focusing on the physical aspect, but she would have liked to have had training on the psychological side of fear. Based on my findings I suggest that practitioners, both defenders and trainers, extend their focus by also reviewing other types of risk besides physical risk, e.g. psychological risk.

Another important practical implication is that by opening the debates on how the state exerts power on human rights defenders, the results from the analysis make it easier for human rights defenders to share and discuss their experiences among each other. Especially, the power embedded deeply in the system, which is often 'accepted' by defenders is rarely discussed. Risk might be considered to be inherent in the work of a defender (Eguren, 2005), but this does not mean all risk should be accepted or hardly be discussed. By showing the struggles of colleagues this might be the next step towards an open debate of the relationship between state power and the risk of being a human rights defenders.

7.4. Limitations of the study

Although this thesis has successfully demonstrated that state power has to be taken into account when assessing risk of a human rights defender, the findings in this report are subject to several limitations. In this section I outline the most important limitations.

First, the results are based on research based on one single case. Therein, I have focused on two groups of defenders, independent journalists and NGO-researchers, while there are many other defender-groups. Therefore, while the case and the design of this study allows me to say that state power does influence the defenders' risk perception, it must be noted that the findings might not be transferable to all groups of defenders, for example a teacher who instructs their pupils in basic principles of human rights (OHCHR, fact sheet no. 29).

Second, results are based on a rather small sample size, simply because the amount of NGO-researchers and independent journalists in Uganda with a specific interests and focus on the oil issue in the country is small. For this reason caution must be applied when interpreting findings to a broader sense. More research needs to be done to ensure the generalizability of this study to other theoretical fields.

Third, it is unfortunate that the study did not include data received from interviews with defenders living up-country, e.g. working for small radio stations or local media houses. For practical reasons I was not able to visit the oil region, so that I only interviewed defenders who are based in Kampala and went on trips to the oil region. It is possible that defenders from up-country, the oil region itself, experience state power different from defenders from the city.

Fourth, a weakness of this study is the paucity of a detailed explanation of the influence mediating factors has on the state power-risk relationship. I outlined the possible influence of 'individual characteristics', 'workplace', and 'type of organization'. However, it is not the goal of this thesis to expose the influence of these mediating factors in detail; they might have a large influence on the risk interpretation of the defender. Besides, it is possible other mediating factors, not included in this thesis, do play a role in the causal relationship between state power and risk. For now, I described them to give more nuance to the core argument that state power has a significant influence on the defenders risk interpretation.

7.5. Recommendations for further research work

This research has thrown up several questions in need of further investigation. First, it would be interesting to assess the effect of the mentioned (and possibly new) mediating factors on the state power-risk relationship. I suggest that the association of the three mediating factors (individual

characteristics, workplace, type of organization) are investigated in future researches so that the influence of state power on the defenders risk perception can be described in more detail.

Second, future research needs to be done to establish whether or not the influence of state power on the risk perception of defenders is comparable to other cases, e.g. human rights defenders in African countries as Zimbabwe, where Robert Mugabe is president since 1980, but where the oil issue does not play a role. The context is slightly different, which might result in different outcomes on how state power influences the defender's risk perception. In this way it will become clear if the results of this study can be adapted in a broader sense.

Third and last, a greater focus on the implicit bases of power (system power) could produce interesting findings that account for the tacit influence of state power. I have shown that the main focus is on explicit bases of power, e.g. resource power and process power, and suggested that implicit forms of power, e.g. system power, also play a role. Considerably more work will need to be done to determine the exact influence of implicit forms of state power on the defender's risk perception.

To sum up, this study investigated the role of state power – the ability and capacity of the political association, the Ugandan government, to regulate and control the situation within the territory of the state – on human rights defender's risk perception. I did research on two groups of human rights defender with a specific interest in human rights and oil in Uganda: independent journalist and NGO-researcher. It can be concluded that state power always has to be taken into account when assessing the risk of a human rights defender, as it has been shown that state power plays a large role on the risk interpretation. State power both has both an explicit role, as it can be exerted by the state, and an implicit role, when it is imposed by the defender him or herself, on the defenders interpretation of risk. To give more nuance to the core argument I showed that three intervening factors have a mediating effect on the relationship between state power and the individual's risk perception, these are: individual characteristics, workplace and type of organization.

Reference list

- Action Aid. (2012). *How Much Oil and Gas Does Uganda Have, and Where is It?* Retrieved November 28, 2013, from <http://www.oilinuganda.org>: <http://www.oilinuganda.org/facts-faqs/uganda-oil-facts-faqs/how-much-oil-and-gas-does-uganda-have-and-where-is-it.html>
- Anderson, C., John, O., & Keltner, D. (2005). The subjective sense of power: Structure and Antecedents. *Manuscript in Preperation*.
- Armstrong, M. (2009). *Armstrong's handbook of Human Resource Management Practice 11th*. Kogan Page. Ltd.
- Aven, T., & Renn, O. (2009). On risk defined as an event where the outcome is uncertain. *Journal of Risk Research*, 1-12.
- Baarda, D. (2010). *Basisboek kwalitatief onderzoek (2e druk)*. Groningen: Noordhoff.
- Bahemuka, A. B. (2013). The Role of Civil Society in Enhancing Oil Company/Community Relations. *Oil in Uganda and Human Rights* (pp. 1-12). Kampala: International Alert.
- Bainomugish, A., Kivengyere, H. & Tusasirwe, B. (2006) Espacing the oil curse and making poverty history: a reviewed of the oil and gas policy and legal framework for Guanda. *ACODE Policy Research Series*, 1-33.
- Barungi, A. (2003). *Are we really that corrupt? Citizens' perception of corruption in Uganda*. Baltimore: Morgan State University.
- Berghout, E. Nijland, M., and Grand, K. (2005). Seven Ways to get Your Favoured IT Project Accepted – Politics in IT Evaluation. *The Electronic Journal of Information Systems Evaluation*, Volume 8, Issue. 1, pp 31-40
- Biernacki, P., & Waldorf, D. (1981). Snowball Sampling: Problems and Techniques of Chain Referral Sampling. *Sociological Methods Research*, 141-163.
- Boholm, A., & Corvellec, H. (2011). A relational theory of risk. *Journal of Risk Research*, 175-190.
- Bontempo, R., Tottom, W. P., & Weber, E. U. (1997). Cross-Cultural Differences in Risk Perception: Model-Based Approach. *Risk Analysis*, 17(4), 497-488.
- Bouder, F. S. (1991). *the tolerability of risk: a new framework for risk management*. Earthscan from Routledge.
- Carbone, G. (2005). *Populism visits Africa: The case of Yoweri Museveni and No-Party democracy in Uganda*. Milaan: Universiteit van Milaan.
- Cardona, O., Hurtado, J., & Chardon, A. (2003). *Indicators for Disaster Risk Management: the Notion of Disaster Risk*. Colombia: Universidad Nacional de Colombia.
- Dillon, K. M., Wolf, E. Katz, H. (2012). Sex Roles, Gender, and Fear. *The Journal of Psychology: Interdisciplinary and Applied*, 199 (4) 355-359

- Douglas, M. (1978). Cultural Bias. *Royal Anthropological Institute, Occasional paper*, 1.
- Douglas, M. (1996). *Purity and Danger: Concepts of Pollution and Taboo*. London: Sage.
- Douglas, M., & Wildavsky, A. (1982). *Risk and Culture: An Essay on the Selection of Technical and Environmental Danger*. Berkeley, CA: University of California Press.
- Eguren, E. (2005). *Protection Manual for Human Rights Defenders*. Frontline.
- Fischhoff, B. L. (1981). *Acceptable Risk*. London, New York, New Rochelle, Melbourne, Sydney: Cambridge University Press.
- Flynn, J., Slovic, P., & Mertz, C. K. (1994). Gender, Race, and Perception of Environmental Health Risks. *Risk Analysis*, 14(6), 1108-1108.
- Freedom House (2011). License to Censor: The use of media regulation to restrict press freedom. Available at:
- Garner, S., & Regan, M. P. (1996). Threat and Repression: The Non-Linear Relationship between Government and Opposition Violence. *Journal of Peace Research*, 273-287.
- Glentworth, G., & Hancock, I. (1972). Obote and Amin: Change and continuity in modern Uganda Politics. *African Review*, 237-255.
- Gertz, C. (1980). Uganda after Amin: the continuing search for leadership and control. *African Affairs*, 461-489.
- Hardy, C. (1996). Understand Power: Bringing About Strategic Change. *British Journal of Management*, 7, s3-s16.
- Heave, A. (2012). CEO Interview. (<http://www.tulloil.com/index.asp?pageid=11>, Interviewer)
- Hilgartner. (1992). The Social Construction of Risk Objects; Or, How To Pry Open Networks of Risk. *Organizations, uncertainties, and risk*, 39-53.
- Holterman, D., & Blazevic, N. (2012). *Only the Brave Talk About Oil*. Kampala, Uganda: EHARP.
- Horton, K. S. (2000). The Exercise of Power and Information Systems Strategy: The Need For a New Perspective. *Proceedings of the Eight European Conference on Information Systems*, (pp. 676-683). Vienna.
- HRCUG. (2012a). *Human Rights Defenders in Uganda 2012: The Quest for a Better Working Environment*. Kampala, Uganda: HRCUG.
- HRCUG. (2012b). *Human Rights Defenders in Uganda: A Situational Analysis of Their Rights and Challenges 2010-2011*. Kampala: The Human Rights Centre Uganda.
- Hsee, C., & Weber, E. (1999). Cross-National Differences in Risk Preference and Lay Predictions. *Behavioral Decision Making*, 12, 165-179.

- Jacoby, J., & Kaplan, L. B. (1972). The Components of Perceived Risk. In M. Venkatesan, *SV - Proceedings of the Third Annual Conference of the Association for Consumer Research* (pp. 382-292). Chicago: Association for consumer research.
- Kaperson, R. E., Renn, O., Slovic, P., Brown, H. S., Emel, J., Globe, R., et al. (1988). The Social Amplification of Risk: A Conceptual Framework. *Risk Analysis*, 8(2), 177-178.
- Katuzeyo, B. (2013). Role of Security Agencies in the Oil Exploration Work in the Albertine Graben. *Oil in Uganda and Human Rights* (pp. 1-15). Kampala: International Alert.
- Kavuma, R. M. (2009, December 2). *Great expectations in Uganda over oil discovery*. Retrieved from The Guardian: <http://www.theguardian.com/katine/2009/dec/02/oil-benefits-rural-uganda>
- Kolkowska E., Dhillon G. (2011). Organizational power and information security rule compliance, IFIP SEC 2011 conference, Lucerne, 7-9 June 2011.
- Kotler, P. & Keller K. L. (2006). Marketing Management. Pearson.
- Krimsky, S., & Golding, D. (1992). *Social Theories of Risk*. Westport, CT: Preager-Greenwood.
- Kukathas, C. (2008). A Definition of the State. *Presented at a conference on Dominations and Powers: The Nature of the State*, University of Wisconsin, Madison, March 29.
- Kutegeka, S., & Busingye, N. (2009, August 12). *In Uganda, NGOs Make Progress on Oil Issues Despite Government Unease*. Retrieved October 9, 2013, from [revenuewatch.org: http://www.revenuewatch.org/news/uganda-ngos-make-progress-oil-issues-despite-government-unease](http://www.revenuewatch.org/news/uganda-ngos-make-progress-oil-issues-despite-government-unease)
- Lawrence, B. (1984). Historical Perspective : Using the Past to Study the Present. *Academy of Management Review*, 307-312.
- Lucas, J. (1998). The tension between despotic and infrastructural power: the military and the political class in Nigeria: 1985-1993. *Studies in Comparative International development*, 33, 3, p. 90 – 113.
- Majerowicz, A. G. (2011). Oil for Uganda – or Ugandans? Can Cash Transfers Prevent the Resource Curse? *Center for Global Development*, 261, 1-26.
- Mann, M. (1984). The Autonomous Power of the State: Its Origins, Mechanisms and Results. *European Journal of Sociology*, 25(2), 185-213.
- Moore, W. H. (2000). The Repression of Dissent. *Journal of Conflict Resolution*, 44, 107-127.
- Mugerwa, Y. (2011, November 11). First Family 'too close' to oil sector. *The Monitor*.
- Museveni, H. Y. (2009, October 9). Unity: A key factor in protecting Uganda's Destiny and Independence. Kampala, Uganda.
- OHCHR. Fact Sheet 29: Human Rights Defenders: Protecting the Rights to Defend Human Rights.

- Oil in Uganda. (2012). *How much oil (and gas) does Uganda have, and where is it?* Retrieved October 2, 2013, from oilinuganda.org: <http://www.oilinuganda.org/facts-faqs/uganda-oil-facts-faqs/how-much-oil-and-gas-does-uganda-have-and-where-is-it.html>
- Ojambo, F., & Bakhsh, N. (2013, October 8). *Uganda Seeks Investor to Build \$2.5 Billion Oil Refinery*. Retrieved November 28, 2013, from <http://www.bloomberg.com>: <http://www.bloomberg.com/news/2013-10-08/uganda-seeks-investor-to-build-2-5-billion-oil-refinery.html>
- Ouma, S. (1991). Corruption in public policy and its impact on development: The case of Uganda since 1979. *Public Administration and Development*, 473-490.
- Perry, M. & C. B. Hamm (1969). Canonical analysis of relations between socioeconomic risk and personal influence in purchase decisions. *Journal of Marketing Research*, 6, 351-54.
- Petersen, K. L. (2011). Risk Analysis - A Field within Security Studiess? *Europeasn Journal of International Relations*, 693-717.
- Philips, N. (1997). Bringing the organization back in: a comment on conceptualizations of power in upward influence research. *Journal of Organizational Behaviour*, Volume 18, pp. 43 - 47.
- Pidgeon, N., Hood, C., D, J., Turner, B., & Gibson, R. (1992). Risk Perception. In G. R. Study, *Risk: Analysis, Perception, and Management* (pp. 89-134). London: The Royal Society.
- Pike, W. (2004, October 8). Director of the New Vision Newspaper. (Carbone, Interviewer) Kampala, Uganda.
- Rayner, S. & Cantor R. (2006). How Fair is Safe Enough? The Cultural Approach to Societal Technology Choice. *Risk Analysis*, 7(1), p. 3-9.
- Red Pepper. (2013). Tullow Oil Plays Down Uganda's Oil Refinery Hyperbole. Kampala, Uganda.
- Reporters Without Borders. (2012). <http://en.rsf.org/>. Retrieved 2013 йил 8-October from <http://en.rsf.org/press-freedom-index-2011-2012,1043.html>
- Rosa, E. (1998). Metatheoretical foundations for post-normal risk. *Journal of Risk Research*, 15-44.
- RoU. (1995). *The Constitution of the Republic of Uganda*. Kampala: The Republic of Uganda.
- RoU. (2013a). *Remarks by Hon, Eng. Irene Muloni*. 6th EITI GLOBAL CONFERENCE, Ministry of Energy and Mineral Development, Sydney.
- RoU. (2013b, October 8). *Government of Uganda Seeks Investors for Country's First Oil Refinery*. Retrieved November 28, 2013, from <http://www.petroleum.go.ug>: <http://www.petroleum.go.ug/page.php?k=curnews&id=73>
- RoU. (2013c, November 8). *Request for Qualification (RFQ); Investor/Operator for the Development of an Oil Refinery in Uganda*. Retrieved November 28, 2013, from <http://www.petroleum.go.ug>: <http://www.petroleum.go.ug/page.php?k=qualrequest&id=2>

- Shrader-Frechette, K. S. (1991). *Risk and rationality; philosophical foundation for populist reforms*. Oxford: University of California Press. Ltd.
- Simon, H. (1992). *Economics, Bounded Rationality and the Cognitive Revolution*. (Brookfield, VT: Edward Elgard, 1992).
- Simon, H., Egidi, M., Viale, R., & Marris, R. (2008). *Economics, Bounded Rationality and the Cognitive Revolution*. Northampton: Edward Elgar Publishing.
- Simon, G. & Strovsky, D. (2006). Censorship in Contemporary Russian Journalism in the Age of the War Against Terrorism: A Historical Perspective. *European Journal of Communication*, 21(2), 198-211
- Slovic, P. (2001). The Risk Game. *Decision Research*, 17-24.
- Slovic, P., & Weber, E. U. (2002). Perception of Risk Posed by Extreme Events. *Risk Management Strategies in an Uncertain World* (pp. 1-21). New York: Columbia University and Wissenschaftskolleg zu Berlin.
- Soifer, H. (2008). State Infrastructural Power: Approaches to Conceptualization and Measurement. *Studies in Comparative International Development*, 43(3/4), 231-251.
- Trocchia, P. J., & Berkowitz, D. (1999). Getting Doctorated: a proposed model of marketing doctoral student socialization. *European Journal of Marketing*, 22(7), 746.
- Tullow Oil plc. (2013a, October 1). *Tullow Oil plc*. Retrieved November 28, 2013, from <http://www.tullowoil.com>: <http://www.tullowoil.com/index.asp?pageid=282>
- Uganda Bureau of Statistics. (2012). *Statistical Abstract*. Kampala: Republic of Uganda.
- Vennix, J. (2006). *Theorie en praktijk van empirisch onderzoek*. Nijmegen: Pearson.
- Weber, M (1946). *Essays from Max Weber*, London: Routledge & Kegan Paul.
- Weber, E. U. (2001). Decision and Choice: Risk, empirical studies. In N. J. Smelser, & P. Baltes, *International Encyclopedia of the Social and behavioral Sciences* (pp. 13347-13351). Oxford, UK: Elsevier Science Limited.
- Wodak, R. (2000). Does Sociolinguistics need Social Theory? New Perspective in Critical Discourse Analysis. Received from:
- Wickeri, E. & Kalhan, A. (2010). Land Rights Issues in International Human Rights Law. *Malaysian Journal on Human Rights*, 4(10)
- Williams, H. (2012). *Fresh calls for transparency on Ugandan oil*. Retrieved 02 09, 2014, from <http://www.theguardian.com>: <http://www.theguardian.com/global-development/2012/mar/21/transparency-compensation-uganda-oil-sector>
- Wynne, B. (1992). Risk and Social Learning: Reification to Engagement. In S. Krinsky, & D. Golding, *Social Theories of Risk* (pp. 275-300). Westport, CT: Preager.

Yin, R. K. (1989). *Case study research: design and methods*. London: Sage.

Zimmerling, R. (2006). *Influence and Power; Variation on a Messy Theme*. Springer.

Interviewees

- A. Izama, freelance journalist and political analyst, May 2013.
- B. Tabaire, defender trainer ACME, June 2013.
- C. Bwogi, journalist NTV Uganda, May 2013.
- C. Musiime, researcher Action Aid, May 2013.
- D. Kamugisha, researcher AFIEGO, May 2013.
- E. Sekika, journalist The Observer, June 2013.
- F. Muramuzi, researcher NAPE, May 2013.
- G. Ssebagala, journalist HRNJ-U, July 2013.
- I. Imaka, journalist The Monitor, June 2013.
- J. Okao, researcher ACODE, July 2013.
- J. Rebman Kahima, researcher International Alert, July 2013.
- J. Wacha, journalist Radio Network Uganda, July 2013.
- N. Rihnma, defender trainer PI, May 2013.
- R. Bwengye Yusufu, researcher NAPE, May 2013
- P. Magelah, researcher ACODE, June 2013.
- P. Ojuman, defender trainer Action Aid, May 2013.
- P. Ouma, researcher International Alert, July 2013.
- R. Musoke, journalist The Independent, June 2013.
- Y. Wanjala, defender trainer DPI, June 2013.

Annex I

Interview guide

BACKGROUND INFORMATION

Thanks for participation in this interview. My name is Rik van Hulst, Msc. Business Administration and currently studying Conflict Studies at the Radboud University, the Netherlands. Currently, I am doing an internship with the Human Rights Centre Uganda (HRCU) – a nongovernmental organization that aims at protection and promotion of the rights of human rights defenders (defenders) in Uganda.

My research studies the work and challenges of human rights defenders who report about human rights and oil. From previous research of the Centre it became clear that defenders face various challenges which have not been discovered in length.

The goal of this study is to get more in-depth information in the types of challenges HRDs working on this land issue face. The questions relate to you as a defender and your relation towards these topics. I would like to request you to answer as open and honest as possible and if possible to underpin your answers, with examples or else. The interview will take about 30 till 45 minutes. Before we start I would like to ask if it is okay this interview is taped with a device.

Personal data/Background information

Name:

Gender:

Level of education:

Profession:

Years of experience:

Introduction

- 1) For how long are you working on the issue of oil in Uganda?
- 2) What type of media do you work for and did you have worked for (newspaper, radio, television, social media)?
- 3) How did you end up working on the issue of oil exploitation?
- 4) How do you think your job is related to defending or promotion human rights?

- 5) In general, do you think there is a sufficient amount of reporting on oil exploitation?
- 6) Do you feel oil is a sensitive topic to work on?

Risk in general

Before we start I would want to ask you about your general perception on risk. Could you explain your perception of risk? (When are you at risk?)

I would like to discuss three stages of your profession. The stage of gathering and getting the information; the stage of having and store the information; and the stage of publicizing reports.

Stage 1: Gathering information

- 1) For how long and in which region did you gather the information you need on this topic?
- 2) How did you travel to the Albertine region?/Did you have safe accommodation?
- 3) Did you felt safe in the oil region?
- 4) Are you exposed to any form of danger while working in the field? Which?
- 5) How did the local communities react on your presence?
- 6) Did communities understand your role and your tasks?
- 7) Who or what were the potential threatening (f)actors during your time in the field?
- 8) Did you feel you were socially integrated?
- 9) Did you have an emergency plan in case you encountered any danger?
- 10) Were there challenges (difficulties) in gathering information?
- 11) Did you ever failed to get the right information? Why?
- 12) Do you know where to go to ask advice when you face a threat?

Stage 2: Store the information

- 1) Do you have a safe place to store your information? Where?
- 2) Is your computer protected from viruses and hackers?
- 3) Can you send and receive information safely?
- 4) Do you feel free to share information via the phone?
- 5) Is information ever stolen from you? (what happened, how did you respond, who is the actor behind it)
- 6) Do you ever felt your social life was in danger because of the information you own? (If yes, how did you deal with this?)

Office

- 7) Is your office open to visitors?
- 8) Do you have to deal with unknown people in the workplace?
- 9) How difficult is it for other to enter the office?
- 10) Is it a dangerous neighbourhood?
- 11) Do you feel safe at the office? Also to store your information?
- 12) Are there any hiding places in the building? How accessible are they?
- 13) Are you socially integrated in the local area?

Stage 3: Publish information

- 1) Please explain to me why it is important the information is published.
- 2) Do you think it makes any difference in line with the promotion and protection of human rights?

- 3) Has there been a situation whereby you were not in the position to publish information (because of your own security)?
- 4) Did you ever face challenges after publishing the report?
- 5) Did you ever experienced threats after publishing information?
- 6) What successes do you have made? Was it worth the process (risk)?

All stages

- 1) Which of the three stages feels most challenging to you?
- 2) Do you feel confident about your work? (stress; psychological factors)
- 3) Where you aware, before you became a defender, of the challenges you might face?

In case the defender faced or spoke about any threats received because of his work.

- 1) Who is the main perpetrator of your threats? (state and non-state actors)
- 2) I have a list of modes of attacks, could you please tell me which modes of attacks you experiences and by whom.

Category of Perpetrator	Mode of attack
State-Actors	I faced intimidation and harassment.
	I faced physical assault like beatings.
	I have been Tortured.
	State-actors tried to bribe me.
	I have been interrogated by the police and faced Court appearances.
	My working equipment has been confiscated by state actors.
	My working equipment such as my camera has been deliberately damaged or destroyed.
	I have been unlawful arrested.
	I faced verbal threats from state-actors.
	They have stormed my office looking for materials that they could use against me.
Non-state actors	I have been intimidates and harassed by non-state actors.
	I have been assaulted and beaten by non-state actors
	Non state actors destroyed and/or damaged my working equipment.

Capacities

- 1) Did you ever perceived any training in line of your work? Explain.
- 2) Are you planning or have precautionary measures before going into the field?
- 3) To what degree are security incidents analysed by the organization?

- 4) Do you feel protected and supported by colleagues?
- 5) Does the organization respond appropriately to your security issues?
- 6) Where do you want to be trained on or have meetings on?
- 7) Do you feel protected by legislation?
- 8) Can you gain enough clout to make authorities take note on your claims?
- 9) Are you ever denied legal registration or subjected to longer delays?
- 10) Are there other strategies which you feel protected by?
- 11) Does the organization have any security rules or procedures?

Final Questions and Recommendations

- 1) What do you think should be done to avoid defender's challenges in the future?
- 2) What recommendations would you make that can be adopted to improve the environment in which HRDs operate in Uganda?

Annex II

Map of Uganda

