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Poverty, gender and reproductive justice. A qualitative study among adolescent girls in Western Uganda

Anna B. Ninsiima[a], Kristien Michielsen[b], Elizabeth Kemigisha[c], Viola N. Nyakato[c], Els Leye[b] and Gily Coene[a]

[a]Research Centre on Gender, Diversity and Intersectionality, Vrije Universiteit Brussel (VUB), Brussels, Belgium; [b]Department of Public Health and Primary Care, Faculty of Medicine and Health Sciences, International Centre for Reproductive Health, Ghent University, Ghent, Belgium; [c]Faculty of Interdisciplinary Studies, Mbarara University of Science and Technology, Mbarara, Uganda

ABSTRACT

Low socio-economic status has been consistently identified as a primary risk factor for sexual and reproductive health violations affecting young women. This study shows how poverty interacts with gender power relations to impact upon adolescent girls' sexual and reproductive lives in Western Uganda. Qualitative research with 147 participants was undertaken. This comprised 59 in-depth interviews and 11 focus group discussions with groups of 12–14 year-old young women, teachers and parents. Data were analysed manually using open and axial coding, and conclusions were generated inductively. Findings reveal that young women are restricted in exercising their sexual and reproductive rights not only by poverty and unequal gender relations, but also by corruption and poor service provision. In contrast to interventions using liberal rights-based approaches, we advocate the use of a 'marketplace of options' since access to sexual and reproductive health services is very limited for poor girls and not evenly distributed. Moreover, while poverty and unequal gender relations render girls vulnerable to sexual coercion and violence, the criminal justice system is often weak, leaving victims powerless. Investment in appropriate resources and inclusive and affordable access to justice is essential to advance young women's sexual and reproductive health.

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Introduction

Risk factors for child protection, and sexual and reproductive health rights violations, particularly those related to young girls are strongly associated with low economic status (Akmatov 2011; Meinck et al. 2015). Violence, whether sexual, economic or physical, has been shown to have a negative effect on children's development, their ability to learn and

CONTACT Anna B. Ninsiima aninsiim@vub.ac.be

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their right to lead healthy and productive lives (Jennings et al. 2017; Peterman et al. 2017). The Convention on the Rights of Children (CRC) ratified by Uganda in 1990, includes the right to enjoy the highest attainable standard of health, the right to be provided for by parents and the state, and the right to education, housing and decent clothing.

Uganda is also a signatory to other international and regional conventions and agreements protecting and promoting children and young people's human rights. These include the African Charter on Human and People's Rights (1981), the African Youth Charter (African Union 2006) and the Charter on the Rights and Welfare of the African Child (Organisation of African Unity 1963). In addition, the Constitution of Uganda 1995 provides for a minimum marriage age of 18 years (article 31) and for the specific protection of children (Article 34) (Uganda, Government of Uganda 1995), while the Children Amendment Act (2016) puts into effect these constitutional provisions. Furthermore, the penal code (Uganda 2007) states that it is an offence to perform a sexual act with a minor (defined as someone under 18); doing so is punishable by a maximum period of life imprisonment. However, the law is silent about sexual acts between adolescents and children aged between 12 and 17.

In instances where an offender is a child under the age of 12 years, the matter is dealt with under Part V of the Children Act. This indicates that a child below the age of 12 cannot be charged with a criminal offence, but a child above this age can be arrested and charged (Government of Uganda (GoU) 2016). While the law allows for a child above 16 to be detained for a maximum of twelve years depending on the offence, this does not include sexual offences if the victim is 12 or older. Other institutions responsible for the protection of children include the National Council for Children as well as the child and family protection unit (largely headed by women) at every district police station (Namanya 2008). Despite the passing of laws to protect children, widespread poverty, gender discrimination (Parikh 2012), corruption of the judicial system and inaccessible health care (Baker 2011) all contribute to the ongoing violation of children's rights in Uganda.

Studies show that economic deprivation is a significant underlying cause of both early sexual debut, and the failure to promote safe sex among girls and women (Madise, Zulu, and Ciera 2007; Sori 2012; Jennings et al. 2017; Kågesten et al. 2018). If parents are unable to adequately provide for needs such as food, clothing or sanitary protection (Nyanzi, Pool, and Kinsman 2001; Bell 2012), girls and young women will feel compelled to enter into sexual relationships to obtain the necessary financial or material reward (Nyanzi, Pool, and Kinsman 2001; Bell 2012; Michielsen et al. 2014). Poverty and lack of economic provision limit girls' autonomy to insist on the use of condoms or exercise the choice to abstain (Davidoff-Gore, Luke, and Wawire 2011; Odimegwu, De Wet, and Banda 2016; Jennings et al. 2017), and leaves them exposed to the risks of HIV, premature marriage, early pregnancy and sexual violence (Madise, Zulu, and Ciera 2007; Meyer et al. 2014).

Poverty not only leads to early sexual debut and marriage, it also constrains access to justice. Taylor et al. (2019) indicate that child marriage (as a formal or informal union) involving at least one person below age 18 year is a violation of human rights. However, access to legal justice or redress is limited by impoverishment. Moreover, in many developing countries, prosecution for sexual violence, even when there are appropriate laws in place, is rare (Amnesty International 2010; Baker 2011). Enforcement systems lack the financial resources to mount investigations and judicial personnel with the legal training and expertise in handling sexual violence cases are few (Baker 2011; Legal Aid Service Providers

Network LAPSNET 2015). Moreover, obtaining medical documentation of rape is a logistical challenge when efficient healthcare systems are non-existent or severely overloaded. Judicial corruption and political influence render the application of the defilement law in Uganda highly selective (Baker 2011) and, as Parikh (2012) has argued, class, gender and age hierarchies shape the way the law is applied, safeguarding rich men while criminalising the poor. In practice then, a rights-based approach to justice and legal redress, is largely ineffective for most Ugandans (Baker 2011).

Rights-based approaches to sexual health are based on the premise that sexuality and sexual expression should be individual choices and a source of sexual fulfilment and pleasure, rather than preventing health risks (Ketting, Friele, and Michielsen 2016). Comprehensive sexuality education aims to empower young people to take control of their own behaviour, make informed decisions about their sexual and reproductive health, and develop the life skills necessary to protect themselves while respecting the rights of others (UNFPA 2014). While ensuring that young people are cognisant of their rights (UNFPA 2014; Haberland 2015), it is equally important to develop their abilities to deal with unequal power relationships, negotiate condom use or choose to abstain.

Both Roodsaz (2018) and Vanwesenbeeck et al. (2018), argue that individual approaches to adolescent sexual and reproductive health are often insensitive to local realities and power relations. They argue that socio-economic norms and cultural dynamics surrounding gender inequalities and poverty serve to constrain individual agency and personal autonomy in ways that limit people's choices. In Uganda, the proportion of the population living below the international extreme poverty line of US $1.90 a day increased from 20 percent in 2013 to 27 percent in 2017 (Uganda Bureau of Statistics, UBOS 2017). In 2017, Uganda's HDI (Human Development Index) value was 0.516, placing the country at 162 out of 189 countries. Moreover, when its value is discounted for inequality, the HDI falls to 0.370, a loss of 28.3 percent due to inequality in the distribution of the HDI dimension indices (UNDP 2018).

The social justice approach developed by Sen (2001) and Nussbaum (2005), maintains that justice relates to what people are actually able to do, and that attention should be paid to the barriers that militate against full justice (Robeyns 2006). Governments, therefore, should be obliged to ensure that the necessary conditions exist for developing basic capabilities (Nussbaum 2005) in all arenas - social, economic, gender, racial and financial.

Drawing on Tamale (2011), who argues that researching human sexuality without a gender analysis is like 'cooking pepper soup without pepper', this article adopts a gender analytical lens to highlight the variant ways that poverty interacts with gender power relations to affect young women's sexual and reproductive choices. Second, we show how poverty constrains reproductive choices, limiting young people's access to justice and rendering the analytical and normative basis of the rights-based approach un-achievable in the Ugandan context.

Methods

This research formed part of a wider project that sought to evaluate the provision of comprehensive sexuality education to young people in the schools of Mbarara district in Western Uganda. Shortly before the study, the population of Mbarara district was

estimated to be 472,629 spread over a total area of 1846 km^2 (UBOS 2014). Forty-seven percent of the population was between the ages of 10–17.

The study used qualitative methods including in-depth interviews (IDIs) and focus group discussions (FGDs). Fieldwork was carried out between May and August 2016 in Mbarara district and involved a total of 147 participants. Stratified purposive sampling was used to select six schools from a list of schools that had been chosen as a sample for the wider project. Three of the six schools were rural, one was in a semi-urban area, and two schools were in Mbarara municipality.

Fifty-nine in-depth interviews (IDIs) were conducted in school with girls (n = 12), boys (n = 12) aged 12–14 and teachers (n = 10). Interviews also took place with parents (n = 10), health workers (n = 6), community development officers (n = 2), police (n = 3) and district officials (n = 4) including one chief administrative officer, two inspectors of schools and one district health officer. Eighty-eight individuals took part in 11 focus group discussions (FGDs) conducted in three rural, one semi-urban and two urban schools. Four FGDs involved school-aged young people aged 12–14 (n = 32), four FGDs involved teachers (n = 32) and three FDGs involved parents (n = 24). The teachers included in the study were senior women and senior men,[1] science teachers and head teachers responsible for delivering sexuality education. The selected parents were chairpersons of boards in the school, members of parent-teacher associations or the parents of the child interviewees.

The rural-urban divide in the sample was purposively designed to account for potential differences in the sexual behaviours of the pupils, levels of knowledge, the involvement of parents and prevailing gender norms. Parents in the rural settings were mainly small-scale farmers while parents in the urban setting were mainly involved in business or formal sector jobs.

For data collection, open ended interview guides were used. The field work was undertaken by the first author together with one female and one male research assistant. The interview guide for young people focused on their knowledge about sexuality, knowledge regarding rights and prevailing gender norms regarding their sexuality. The guide for teachers focused on knowledge and attitudes towards young people's sexuality, prevailing gender norms, sexual behaviour in school, and mechanisms for handling cases of sexual violence. The guide for parents focused on communication with children, attitudes towards young people's needs, and whether or not they approved of sexuality education in schools.

Data analysis

Interviews and FGDs were recorded, transcribed, and those undertaken in the local language were translated to English. Data were read, re-read and then open coded. In open coding, data were examined for differences and similarities in the different transcripts from which concepts were then derived. The concepts were based on words or phrases that were used in open coding, including: 'money for sex'; 'spoilt children'; 'adolescents love money'; 'do not trust police'; 'children live in unhealthy environment'; 'parents arrange marriage for girls'; 'parents love money and forego defilement cases'; and 'money for justice'. From these phrases, concepts such as corruption,

justice for sale, poverty and patriarchy were identified. We then proceeded with axial coding whereby similar codes from different participants were grouped together, new themes created, and categories formed which are reflected in the key sections of this article.

Ethical approval

The study received approval from the Institutional Research Ethics Committee of Mbarara University (reference MUIRC 1/7) and the Uganda National Council of Science and Technology (reference SS 4045). At the beginning of each interview and focus group, written and verbal informed consent of teachers and parents was sought. The informed written assent of young people was obtained from parents and head teachers.

Results

Poverty, gender, and risky sexual behaviour

Poverty was identified by all informants as a major factor behind the motivation of girls to engage in early sex, cross-generational sex with older men and/or with multiple partners. Two girls described the reasons as follows:

> Sometimes girls lack basic items in their homes, so it makes the girl accept money from the boy/men. For example, books, pads, or those that do not pack food for lunch, they accept money from boys/men and the boys want sex in return (Linda, 14 years, rural).

> I can know that a boy is interested in me if he starts giving me money. Like now that we are at school the boy writes a letter to the girl, buys pancakes for them, to convince them to be their girlfriends (Asiimwe, 14 years, rural).

It was reported that girls may have more than one partner in order to get more money; 'Girls can have more than one man because they want to have a lot of money from multiple sources (Ketty, FGD rural). Lack of basic provisions such as food, soap and sanitary protection was the most significant factor encouraging girls to enter into early sexual relationships. Individual girls did not mention whether they were sexually active, but commonly referred to their peers who were sexually active.

Girls indicated that to be safe from coercion, they should not get money from men:

> If you do not want to get spoilt and pregnant, you do not accept gifts from men. Girls accept gifts and keep promising the man but do not fulfil. The time he gets you in a secretive place he can rape you (Linda, 14 years, rural).

Parents and teachers also agreed that money or gifts were a major reason for early sexual debut especially for girls engaging in sex with older boys or men. A senior woman teacher said:

> They [girls] are enticed by money, sweets and pancakes from older people. You know old people know how to easily convince young children. Unlike us old women, the young children are ignorant and are taken advantage of (Alice, senior teacher, urban).

> I think girls prefer big boys because the bigger boys can quickly get money and provide. Girls do not like to be in relationships with age-mates who may not satisfy their economic needs (Tito, head teacher, urban).

Some parents stated that they were unable to provide enough for the children while others perceived their children to be more materialistic as a result of modernisation:

> Girls of today want to be with men/boys, they love money a lot more than we did. [...] We cannot provide everything to the children. When a girl is not provided with what she needs by the parent, she will accept provisions from a boy/man and that results into pregnancies (Hope, parent, semi-urban)

> Parents neglect their children, but the men also induce them into the act through small gifts thereby taking advantage of their ignorance. But I tell my children not to accept gifts. If my child comes home with a soda, I ask where she/he got it from (Grace, parent, urban).

While girls were seen as more likely to be encouraged into sexual activity by the rewards it brought, parents and teachers reported that boys tended to be more influenced by peer pressure. That said, while boys may not easily be encouraged into sexual activities by money, they know that they need money if they are to get a girlfriend. One boy reported that the only way he knew if a girl was interested in a relationship was if she asked him for money:

> You can know that a girl is interested in you if she asks for money or asks to visit your home and things like that (Amanya, 13 years, rural).

Some boys were proud to note that their financial status served as a means to attract girls into sexual activity:

> If you want a girl, even if she is hesitant you give her money or a gift. Once she accepts it, you know you will win her over (Tom, 14 years, rural).

Boys had access to more opportunities to make money than girls because girls' movements were limited. For example, boys could engage in casual labour, such as helping load bananas onto trucks, yet girls perceived themselves to be a physically weaker sex.

> Interviewer: Can't girls do the same casual work and get money?
>
> Girls do not have the energy to carry the *matooke* (bananas) or for casual manual work (Linda, 14 years, rural).

> But how do you leave home? Some of us cannot be allowed to do that by our parents. But the boys can be allowed (Anita, 13 years, rural).

Girls, boys and other informants indicated that when girls were in receipt of money/gifts, their freedom of choice and ability to negotiate was constrained:

> You cannot refuse to have sex with a man when you have received material things from him. You fear that he may speak out and your parents would get to know. He may even kill you (Linda, 14 years, rural).

> Interviewer: Do girls take their own decisions to have sexual relations?
>
> Decision making ... Hmmmm? Some girls may like the relationship. However, most girls may not enjoy the relationship but because she has eaten a man's money and cannot return it, then she is forced to give up and have sex. Normally because of fear... (Asiimwe, 14 years, rural).

Key informants such as teachers, development officers and health workers reported that young women may not be able to make truly independent decisions because they are easily manipulated by adult men/boys:

> Definitely, the mind of an adolescent can be easily manipulated and the capacity of making a proper decision is impaired depending on her maturity. Some are seduced, some are forced, and others make their decisions (Victor, STI clinic worker, urban).

> Those who defile children tell them not to report. That's why men give them mandazi (half cake) and other things (Agnes, community development officer, semi-urban).

Freedom of choice and the ability to make informed decisions were strongly inhibited by fear of violence (rape) and the inability to pay back the material things that girls received. Moreover, some young people were fearful of talking to their parents about sex and sexuality. One young woman said, 'How can I find my mother busy thinking about school fees and I start asking her sexuality stuff? She would beat me' (Pretty, 14 years, urban). Thus, children were unlikely to tell their parents if they were being threatened by men/boys.

Views about parents and early sex/marriage

Some girls are persuaded into child marriage by parents out of fear that they might otherwise bring shame on the family by getting pregnant

> I know parents who waited for the girl to finish primary seven and they told her that they had gotten the man already and she moved in with the man. She was about 16 years (Carol, 13 years, FGD girls, rural).

> Sometimes the girl has been impregnated and instead of going to police which takes too much time and money, the girl is married off (Susan, 14 years, FGD girls, rural).

Other parents might encourage early marriage for economic reasons and the bride price which the man or the man's family pays to the girls' family when she gets married:

> Some parents send their girls to get married so that they can get the bride price from the girls. At times the parents want to get in-laws as a sign of respect (Cynthia 12 years FGD girls, rural).

> There is a case in Bugiri (Eastern Uganda) where a girl goes in menstruation and when she approaches her parents for sanitary towels, they ask her "what don't you have that can attract a man? You go to the truck drivers, sleep with them and go and buy sanitary pads (Peter, district health officer, urban).

A 13-year-old boy said:

> Sometimes the parents of the girl force her to marry a man because of the man's social status, with the aim of making the girl's family rich (Paul, FGD boys, urban).

Parents also claimed that while they acknowledged their responsibility to instil discipline in their children, children spend most of their time in school.

> We used to have free days for these children to learn from home (Saturday and Sunday) and they would be taught many things but now children go to school even on Sundays. Where do you expect us to find them? They are always at school all the year-round doing coaching (Ken, FGD parents, rural).

Moreover, parents claimed that their right to discipline children had been taken away by the government when laws had been introduced against corporal punishment:

> We do not know what to do with children of today. We used to look after children as a community. I could punish a child whether they are mine or not. Now you cannot beat a child. The government will come for you. What do you expect us to do? (Julius, IDI parent, rural)

While urban dwellers with relatively high incomes were able to exert some influence over their children, parents in rural areas reported a sense of powerlessness. They felt that their children had moved 'beyond' them.

> Children no longer listen to parents or adults for advice. The government took away our rights as parents. If you punish your child, you will be imprisoned. Let the government take care (Ada, FGD parents, rural)

Some participants blamed parents for caring less and accepting money, rather than following up cases of defilement through the police and the courts:

> There is parental laxity, where most parents do not care to follow up defilement cases of their children. Instead, they end up just negotiating with the offenders if the young girl got pregnant (Peter, district health official, urban).

> Some parents weigh between getting for example one million shillings which they have never received in their lives and taking someone to prison. They do not benefit from imprisoning someone. This still goes back to poverty. We need economic empowerment (Guma, district education official, urban).

> Sometimes girl's parents plead that they want to withdraw the offence and sort themselves out amicably. But as police, I normally tell them that I cannot handle such [an] arrangement, I forward their case to the station (Okello, police officer-in-charge, rural).

Such accounts reveal why defilement/rape cases are seldom reported or, if they are, why the charges are later dropped.

Constrained access to legal justice

Participants indicated that access to justice in Uganda is reserved for the rich and denied to the poor:

> The police help those who help themselves, sometimes the police loves money (Moses, head teacher, rural).

> In this Uganda of ours; you find that the person has reported their case to police, but they don't get help because the parents are poor, and the police may not help them (Agnes, community development officer, urban).

> … don't even tell me about the corrupt police. My 16-year-old daughter was impregnated by a boy. I took the case to the police. He was only detained for 2 days because he paid money. We are surely discouraged. And sometimes we wonder why we should educate girls (Tim, FGD parents, rural).

> So, everyone now knows that defilement is no longer a crime. For as long as you have money, you can play around with any one's girl. There is another girl here who is pregnant at 14 years and the boy who impregnated her is out of police custody (Ken, FGD parents, rural).

Interviews with the police suggested that officers worked under difficult conditions. When a victim of sexual violence is brought to their attention, they are required to refer them for a medical check-up which must be carried out within 48 hours. Police officers reported that doctors were rarely available to do this and consequently the victim, or the family of the victim, must meet the costs themselves if they wish a case to proceed.

> The examination is done by private or government doctors who charge money. As police, we do not have doctors. Doctors may charge 40,000–50,000 shillings ($13) but quite often the victims do not have it. We use some NGOs, or the officer in charge may talk to the doctor asking them to offer help. Sometimes they help, sometimes they do not (Diana, police family unit, urban).

Police officers reported that when fees for check-ups are requested, they are often perceived as evidence of corruption. Moreover, they stated that they often lacked vehicles and fuel to pick up the victims. An interview with a police officer at Mbarara regional office revealed some of the difficulties.

> Interviewer: I thought you have cars.
>
> Officer: How many did you see out there when you were coming?
>
> Interviewer: I saw one. Do you mean you have one vehicle?
>
> Officer: Even if they are two, they cannot be enough. We have different departments here. So, when you see a traffic vehicle, it is doing its work, not for the family unit. But we end up using other department's cars because otherwise, we would not handle. And even if the cars are available, where is the fuel?
>
> We normally depend on the complainant for fuel or transport, but we end up committing in our personal money to make follow-ups because at times the complainant does not have money. (Peter, police family unit, urban)

Paying for fuel to facilitate a health check-up is unlikely to be practicable for a poor population. Officers reported that they often felt pity for complainants when they are unable to push their genuine cases. A police officer, also at Mbarara Regional Office, reported:

> People are poor. Some people walk long distances coming to report a case here, calling them back for follow-up is a challenge because they do not have transport.
>
> Some complainants give up the cases. There is a lady who couldn't follow up the case, she didn't even go for a medical check-up, and most of them are discouraged by the lengthy processes involved (Diana, police family unit, urban).

While the police were commonly blamed, dysfunctional government institutions may in fact be at fault. An inadequate transport system not only delays the arrival of police at the scene of the crime, but also undermines police investigations. While community members argued that most perpetrators are released by police within a few days, the police officers we interviewed rejected this suggestion.

> We have two types of defilement as you may be aware. There is aggravated defilement for the age of 14 and below, if such a girl is defiled and it is proved, then nobody can release such a suspect. Even when it is 14 and above, such a person may be bailed out in court but not [by] the police. We release such people only when there is a lack of evidence (Diana, police family unit, urban).

> I don't think there are suspects that are released from the police unless the girl is 18 years and already pregnant. Such people are taken to the state attorney so that we are guided, but we cannot acquit a person by ourselves. We take the culprits to court and some of them get bailed out from the court, but the population assumes that it is the police which released them. Majorly, the problem is a lack of evidence from doctors (Peter, police family unit, urban)

Discussion

This article has explored how the intersection between poverty, unequal gender relations and restricted access to the law impacts on the sexual and reproductive choices of young women. It highlights the inadequacy of a rights-based approach alone to addressing such violations in poor economies like Uganda. Our findings indicate that while human rights and gender equality are important for young people's health and wellbeing, socio-economic inequality is a significant obstacle to attaining it.

Similar to Madise, Zulu, and Ciera (2007) and Sori (2012), poverty was found to be a key determinant of early sexual debut and instances of multiple partnerships for young women in this study. Such relationships may be encouraged by poor parents to obtain food and other goods (Stoebenau et al. 2016; Peterman et al. 2017). This gives men the opportunity to pay for sex (Kågesten et al. 2018) or acquire more than one sexual partner, at the cost of constraining girls' and young women's choices and agency. In nearby Kenya, Jennings et al. (2017) have shown that given the choice, girls would likely choose to enter into a relationship with a man because of love, not money. However, in the absence of financial security, they have little or no other options. The obverse is also the case, with men feeling that more money enables them to have more love affairs with women (Jennings et al. 2017). This confirms what Sen (1999) has argued about poverty being a strong predisposing condition for a more generally impoverished life.

In this study, participants signalled the powerful influence of patriarchal strategies using money to gain authority over girls' bodies. In a study of older young women in Uganda, Nyanzi, Pool, and Kinsman (2001) showed how rape was often rationalised by girls themselves as a means of retaliation when material favours had not been returned with a sexual favour. In such circumstances, it was sometimes seen as unnecessary to report the rapist Nyanzi, Pool, and Kinsman (2001). This supports the claim that unequal power and gender relations give shape to adaptive preferences (Nussbaum 2005). Such preferences which are shaped by unjust backgrounds and circumstances, significantly undermine the rhetoric of agency and choice in liberal rights-based approaches (Chrisler 2014).

Our findings also reflect structural weaknesses in the justice system. According to Khadiagala (2001) and others, the workings of the criminal justice system in Uganda are prejudicial to the poor because the system is highly monetised (Khadiagala 2001; Legal Aid Service Providers Network LAPSNET 2015). This finding echoes those in Baker's (2011) study in Northern Uganda where he found that sex offenders were confident that cases would be settled locally. Offenders also believed that if negotiations failed, they could offer bribes (to the police, doctors, prosecutor and magistrate) to

ensure that the case was abandoned. Similar to the findings of Liebling-Kalifani and Baker (2010), our findings indicate that individuals sometimes abandon their cases because of lack of money.

Notwithstanding this, we found that the police and health care services were ill-equipped to meet the needs of victims of sexual violence in Uganda. The police, especially in rural areas, had neither effective nor reliable forms of transport, nor were doctors readily available to offer emergency health services and to provide evidence of rape to victims within the appropriate timescale, meaning that those who had been defiled were unable to meet the requirements of the court. This finding aligns with other research documenting that one police doctor was expected to cover nine districts of Northern Uganda, as well as underfunded and poorly equipped transport services in police posts (Baker 2011).

Poverty, and concomitant lack of access to transport, medical checks and ultimately the legal system, impose a structural limitation on access to justice, rendering whatever rights victims may possess, *de facto* worthless. The ill-equipped justice system, further undermined by corruption, increases fears among the population that the victims and their families will be forced to relinquish their rights and revert to local negotiations. It is hard if not impossible to poverty-affected families to charge a wealthy man, and in such circumstances girls face a double injustice (Parikh 2012). First, parents may forego formal legal procedures if they receive financial compensation (Parikh 2012), and secondly, they may give their daughter away; taking the opportunity to marry their daughter to a wealthy man if he so desires. In both cases, life changing decisions are taken on behalf of young women. Such examples of denied justice and the lack of choice, illustrate the fundamental limits to pursuing desirable, or rejecting undesirable, outcomes (Sen 1999). They comprise what Robert Goodin (cited in Mackenzie 2014) has termed 'pathogenic vulnerabilities' in the form of those morally unacceptable vulnerabilities and dependencies that arise from social injustice of various kinds.

It is important therefore to move beyond individualistic liberal rights-based approaches, and the emphasis upon personal responsibility that serves to mask social injustice (Mackenzie 2014), towards multi-component approaches that address the socio-economic and structural factors which structure individual risks (Svanemyr et al. 2015; Wamoyi et al. 2014; Vanwesenbeeck et al. 2018). If a person's ability to determine her reproductive destiny is directly linked to structural factors, this destiny is not merely a matter of individual choice, but rather the remedies lie in transforming the former (Diallo 2017). Thus, for young women to claim a right to information and to live healthy lives (UNFPA 2014), without identifying the institutions that are responsible for protective social factors, providing appropriate care, minimising risks and preventing exploitation (Mackenzie 2014), rights-based approaches alone may not be effective in enabling sexual and reproductive choices and freedoms.

Limitations

Like all research studies, this one has a number of limitations. Importantly, the study relied on participants' views of what they saw around them, not on what they had experienced themselves. Furthermore, the research took place in schools and therefore did not include girls who were pregnant or adolescent mothers, who in Uganda are

often excluded from education. There were also discrepancies between what young women and young men said in the study. In contrast to the boys who reported giving gifts to girls for sexual favours, only 2 of the 28 girls interviewed acknowledged receiving gifts from boys; most referred to other girls in the same school or village having done so. Given that society expects girls to remain a virgin until marriage, it is arguable that many girls may have had compensated sexual experiences but were uncomfortable speaking openly about them. On the other hand, the sample of young women in this study may also have been untypical in certain respects.

Conclusion

This article reveals how poverty and gender power relations intersect to undermine young women's pursuit of sexual and reproductive justice. Findings show how rights-based approaches and normative frameworks are limited tools to understand injustice or provide for remedies. Helping young people make decisions concerning their own sexuality may change their everyday lives and provide the foundation for a positive approach to personal well-being. However, without parallel investment to economically empower communities, without the provision of basic services such as health and education, and in the absence of inclusive and affordable access to justice, poor girls and women will continue to be denied the opportunity to make decisions about their reproductive destiny. If justice relates to what people are actually able to do and be, then attention must be given to the barriers that societies have erected against full justice, including poverty and gender inequalities. Thus, state authorities have the obligation to provide the necessary conditions for poverty reduction, gender equality, reduced corruption and effective legal system to restore trust and enhance the transparency of government agencies.

Note

1. Senior women and men teachers are normally selected by the school to take on the responsibility of teaching sexuality education to girls and boys respectively.

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Conflicts of interest

The authors declare no conflict of interest.

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