

Rural Women's Legal Empowerment through Digital Technology

Robert Okello



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Rural Women's Legal Empowerment through Digital Technology:

A case study in Northern Uganda

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Table of contents

	List of Acronyms	7
	Acknowledgements	9
	Relevance to Development Studies	10
1	Background to the Study	13
1.1	Introduction	13
1.2	Nature of the Research Problem	15
1.3	Positionality	17
1.4	Where I Am Speaking From: Justification and Relevance	19
1.5	Research objectives and question	20
1.6	Outline of Chapters	20
2	Methodology and Methods	23
2.1	Introduction	23
2.2	Research Design	23
2.3	Dealing with COVID-19	24
2.4	Methods of Data Collection	25
2.5	Selection of Respondents	26
2.6	Method of Data Analysis	27
2.7	Reliability and Validity of Research	28
2.8	Conclusion	29
3	Conceptualising Legal Empowerment and Access to Justice	31
3.1	Introduction	31
3.2	Legal Empowerment	31
3.3	Access to Justice	33
3.4	Legal Empowerment and Access to Justice Nexus	35
3.5	Conclusion	36
4	The Emergence of Digital Technology: A Panacea to the Legal Disempowerment of Rural Women in Uganda	37
4.1	Introduction	37
4.2	Ability to Understand, Exercise Rights, and Obtain Just Outcomes	38
4.3	Knowledge and Rural Women's Legal Empowerment	39
4.4	Violators of Women Rights: An End to Impunity	41
4.5	Conclusion	43

5	Challenges to Accessing Justice through Digital Technology	45
5.1	Introduction	45
5.2	Factors against Successful Usage of Digital Technology to Access Justice	45
5.3	The Futility of Digital Technology in a Corrupt Judicial System	51
5.4	Conclusion	53
6	Conclusion and Recommendations	55
6.1	Introduction	55
6.2	Summary of the Findings	55
6.3	Recommendations	56
	References	59
	Appendices	65

List of Acronyms

A2J	Access to Justice
CLEP	Commission on Legal Empowerment of the Poor
D4D	Digital for Development
FGD	Focus Group Discussion
GSM	Global Systems for Mobile Communications
HiiL	The Hague Institute for Innovation of Law
ICT	Information and Communication Technology
INGO	International Non-Governmental Organisation
ISS	Institute of Social Studies
IVR	Interactive Voice Response
JLOS	Justice Law and Order Sector
LE	Legal Empowerment
LEWUTI	Legal Empowerment of Women Using Technology and Innovation
NGO	Non-Governmental Organisations
UNDP	United Nations Development Programme

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Abstract

Arguably, the Covid-19 pandemic has presented new opportunities for digital transformation within the justice sectors in African countries and beyond. The LEWUTI project (Legal Empowerment of Women Using Technology and Innovation) predates the pandemic, and is run by BarefootLaw, a Ugandan socio-legal NGO. As the 2020 UNDP report highlights, during the pandemic many courts were adapted to digital technologies. Online justice was supposed to respond more rapidly to challenges in this unprecedented situation, creating new opportunities to reach more beneficiaries and scale-up justice processes. However, it is not clear that women benefit equally from the digitisation of justice systems. The pandemic highlighted some of the risks of relying on digital means to achieve women's legal empowerment, especially for rural women. Against this background, this study examines the opportunities and challenges entailed in the digital transformation of access to justice as a means of legal empowerment for rural women in Northern Uganda. Data for the study was collected in the rural Gulu area, through focus groups discussions with selected women. The data was then analysed through the lens of Legal Empowerment (LE) and Access to Justice frameworks, to make sense of the information generated. The findings suggest that digital technology can play a significant role in addressing the unmet legal needs of rural women in Uganda. Many women have reported being able to use digital interfaces to access legal help, evaluate their problems, and decide whether the problems have legal solutions. These technologies have also helped women to prepare evidence and to make sense of laws and legal documentation. Obstacles remain, however. These include a lack of legal knowledge and awareness, poverty, a lack of access to mobile phones, illiteracy, a lack of telecommunication infrastructure, power inequalities, and the attitudes of some lawyers. These factors continue to hinder some rural women's use of digital technology to access justice. Some women also emphasised that introducing digital technologies to secure women's legal empowerment may be putting the cart before the horse, so long as the corruption of Uganda's legal and court system remains pervasive.

Relevance to Development Studies

This research contributes to contemporary debates on how digital technologies can contribute to legal empowerment in the development field. Focusing on impacts of digital transformation in Uganda's justice sector,

the case study is the Legal Empowerment of Women Using Technology and Innovation project (LEWUTI), run by BarefootLaw in Northern Uganda. The research engaged in dialogic focus group discussions with rural women users of such digital solutions, thus revealing rural women's mixed experiences in rural Gulu. Some obstacles to digital transformation within the justice sector were identified, and a number of recommendations are made in order to improve the delivery of gender-equitable, people-centred justice. The study aims to inform stakeholders in the justice sector, including local NGOs, legal entrepreneurs, and international organisations using digital means to contribute to achieving SDG Goal 16: "Extending Justice for all". Insights arising from discussions with rural Ugandan women can also help inform development experts and designers of digital tools so that they work in a more multidisciplinary way, and focus on rural women's needs when promoting digital access to justice as a means to legal empowerment.

1 Background to the Study

1.1 Introduction

The transformation of the justice sector to e-justice or digital justice, through information and communication technologies (ICT), is supposed to result in improved efficiency, effectiveness, accountability, integrity, and reliability, and to encourage participation and citizen engagement in the legal system (United Nations, 2018 cited in Jneid et al., 2019). The United Nations has emphasised that technologies must be used innovatively to fulfil the far-reaching potential of the transformative 2030 agenda of the Sustainable Development Goals (SDGs) (UN 2018: iii). This research topic contributes to debates on the inclusive use of digital technology in the advancement of Goal 16 of the SDGs to provide access to justice for all.

Over the years, the digital transformation of key sectors in Africa's economy has gained traction. This has been attributed to increasing mobile phone usage and internet penetrations among the continent's various populations. A key example is the mobile money industry, which has been touted as a revolutionary tool that has expanded digital access to financial services in low-resource environments in Africa. According to GSM association (2018), over two thirds of global mobile money transactions are driven by users in sub-Saharan Africa (SSA) with a total value exceeding US \$27 billion. Notable successes include the use of M-PESA (Kenya's mobile money platform), and telecommunication giants such as MTN, Orange, and Airtel Mobile, among others, operate mobile money service across Africa making it possible for households with mobile money accounts to transfer money in an easy and affordable manner between family, friends, and businesses in remote locations.

Technology is having a similar and significant impact in the practice of law. It has the potential to improve access to courts and legal services (Susskind, 2019). For instance, digital tools can increase attorneys' ability to serve clients more unswervingly, notwithstanding the clients or the lawyers' location, by harnessing the various digital platforms available for lawyers to communicate with their clients (Brescia, 2018; Smith, 2018; Kane, 2020). Indeed, "through voice-over-internet and video chat capabilities, the internet offers lawyers who have based anywhere in the world the opportunity to

provide direct advice and assistance to pro se litigants, even without having a physical presence in a client's community or meeting with them face-to-face" (Brescia, 2018: 60). While the developed world is not new to the digital transformation of accessing justice, the developing countries are just waking up to the reality of the digital transformation of the judicial sector and access to legal assistance (Dublin, 2018; Hamzah, 2018; Lawson et al., 2019).

In recent years, different non-governmental organisations (NGOs) and government agencies have started to consider alternative ways to facilitate access to legal aids and justice for the poor in rural and urban areas. Some enterprises and NGOs have come up with different online projects deploying digital tools, such as apps, to bring legal access to the poor in rural communities (Smith, 2018; Kane, 2020). One of the projects to gain traction is Epoq Legal in South Africa, which provides low-cost online legal documents to SMEs in partnership with a UK-based legal IT company (Hamzah, 2018). Baobab is another South African innovation that involves lawyers creating interesting, video-based tutorials to empower people to resolve many of their legal worries (Smith, 2018). In the Benin Republic, "HeLawyer", a mobile app specialising in legal advice, offers citizens legal advice and information 24hrs a day. Meanwhile, Wakili Mkononi is a social enterprise in Kenya that offers legal aid and networking services on a digital platform, and Nigeria's Lawpadi is an online platform where people can get pro-bono legal assistance and free legal advice (Smith, 2018).

In Uganda, Justice Bot connects users with a legal expert via the Messenger chat on Facebook (Kane, 2020), while Tunga Innovations Ltd is an app that informs users about their employment rights, for example, regarding annual or maternity leave, overtime rates, and notice periods before resigning or a contract being terminated (Smith, 2018). In addition, there is Legal Empowerment of Women Using Technology and Innovation (LEWUTI), a project implemented by BarefootLaw in conjunction with Avocats Sans Frontieres (ASF) from 2017 to 2021 in Northern Uganda. LEWUTI's primary focus is using digital means to equip women, especially the vulnerable and underserved, with legal knowledge and skills so that they can uphold their rights and protect themselves and properties (Barefootlaw, 2021). The project aims to increase women's access to justice through digital solutions for legal empowerment. It intends to mobilise digital solutions to overcome barriers of geography, courts' coverage, knowledge, and cost (ibid.)

Additionally, the Covid-19 pandemic has presented opportunities for digital transformation within the justice sectors in Africa countries (Whitaker-Nel, 2020). It has also highlighted some of the risks of relying on digital means to achieve legal empowerment. In 2020, the UNDP reported that most courts that were adapted to digital technologies and open justice responded more rapidly to the challenges posed by the Covid-19 pandemic, turning a difficult situation into a set of new opportunities to reach more beneficiaries and to scale-up justice processes (UNDP 2020). It is against the background of the above discussion that this study intends to examine the opportunities and challenges of digital transformation with respect to access to justice and the legal empowerment of rural women in Northern Uganda.

1.2 Nature of the Research Problem

The HiiL “Justice Needs in Uganda” report (2016) estimates that currently over 90 per cent of Ugandans cannot resolve their justice needs. The most prevailing justice problems relate to land disputes, family, crime, domestic violence, and property ownerships. Several factors inhibit the majority of people from resolving these justice problems. Firstly, the justice system is complex and costly to navigate. In addition, there is a very limited number of legal professionals available to handle the legal needs of all Ugandans (HiiL 2016). Hence there has been an overwhelming increase in the number of unresolved disputes reported, a significant absence of justice, and growing gender inequalities with respect to accessing the legal system. Moreover, HiiL reports a worrying trend of mob justice being used to resolve conflicts, often resulting in innocent people being condemned and perpetrators going unpunished (ibid: 5). There is a growing enthusiasm within the development field about the far-reaching potential of digital transformation in improving service delivery and promoting the well-being of disadvantaged communities. Accordingly, recent trends in global development financing reveal that several investment funds have been created in developed countries to support social innovations in Africa aimed at resolving societal problems. Notable examples include the wehubit funds, a programme of the Belgian Development Cooperation organisation (Enable), that supports digital solution innovations (Enable 2021), and the HiiL Justice accelerator fund, created to provide seed funding to socio-legal start-ups using innovative means to promote access to justice (HiiL 2019). We have also seen the launch of the D4D hub by the EU member states, which is seen as a shift in their development cooperation to a digital-centric development cooperation (D4D Hub 2020). Consequently, we have seen so many digital innovations emerge in developing countries.

These include using creative methods within the justice sector to close gaps in access to justice.

Much as these innovations to extend legal services to communities have been highlighted, digital legal innovators are focused solely on development and deployment, and on increasing their reach in user communities, rather than on understanding the consequential impact of these technologies on access to justice and whether the beneficiaries are becoming legally (dis)empowered. This is coupled with pressure from donors, who interpret the impact of successful innovations as high user engagements and huge online followings, and rely on the potential scalability of these innovations in different locations. No one seems to question concretely the number of justice needs that are being resolved or how many cases before the courts have been adjudicated to the satisfaction of the litigants as a result of these modern technologies. This phenomenon relates to the argument made by scholar Ivan Illich (1982: 59) in *Deschooling Society*, his interpretation of the transfer of modern technologies to poor countries. In it, Illich intimates that some of these technologies could work to further the interest of the privileged (in this case, donors) and that they foster a sense of “false public utility”. In other words, it is hard to determine whether these technological deployments are directly improving the lives of the communities they serve. To inform this argument, Table 1, below, represents BarefootLaw’s online engagement with users, who are seeking legal guidance, information, and support with respect to various legal challenges they might have.

Table 1.1
BarefootLaw’s reach: Number of beneficiaries as of 2021

Digital platforms	Beneficiaries reach
Facebook users	192,512
Direct reach (phone calls, walk-ins, SMS)	89,000
Indirect beneficiaries (followers of online contents)	560,000
Monthly reach	450,000

Source: wehubit.be

BarefootLaw, like many socio-legal start-ups, was set up to provide tech-enabled legal support. Much as these data show that online engagements are drawing communities closer to the law through tailor-made legal information

and content provided by lawyers, it is hard to determine whether they are achieving positive final outcomes to users' legal challenges in the justice pathways. As this research will show, beyond the digital technologies and the legal advice they provide, complexities and obstacles exist within the various judicial systems that limit people's access to justice.

This research delves deeper into the question of whether legal innovators in Uganda are (re)producing digital tools that are extending markets for tech giants in the West or developing local legal solutions that resolve local legal challenges of women in an easy and efficient way. Accordingly, it questions the idea that access to legal innovation tools providing legal information, training, and sensitisation of women with respect to the law, directly amounts to access to justice and legal empowerment for women, as many of these legal innovations claim. It does so by providing a deep comparative analysis of the understanding of legal empowerment and access to justice at the intersection of digital technologies, largely informed by feedback from the women interacting with these platforms.

1.3 Positionality

The research draws on my experiences of working on socio-legal innovations in Uganda's justice sector for over four years. I worked for a fast-growing socio-legal innovation start-up called BarefootLaw Uganda, before joining the ISS MA programme. BarefootLaw is an NGO leveraging digital technologies to provide free legal information and support for people who cannot afford to pay for their legal needs (BarefootLaw 2021). The research largely developed from a personal encounter with the Ugandan legal system; specifically, witnessing my mother's struggles to resolve a dispute about family land with relatives who believed she was not entitled to inherit my late father's property, because she is a woman. My mother benefitted from BarefootLaw Uganda's support, which equipped her with legal digital platforms provided through LEWUTI outreach in Gulu.

Many women in Northern Uganda experience daily justice problems due to structural and cultural barriers, not least that accessing justice institutions is complex and expensive for low-income earners. BarefootLaw was set up precisely to assist women like my Mum, whose access to justice is hindered by high legal fees, long and strenuous court cases, and low trust in legal institutions and distant courts. My role at BarefootLaw included organising legal training and sensitisation for communities in the project implementation areas. Specifically, I worked under the Legal Empowerment of Women Using

Innovation and Technology and Innovation project (LEWUTI), which mobilises digital tools to equip rural women with access to the law, so that they can use legal means to protect themselves and their property. During my time at the NGO, we had the opportunity to train over 7000 women in Northern Uganda regarding their rights and how to access legal support through innovative platforms, such as Law Voice, which utilises an interactive voice-responsive system. Another example is Law Text, which facilitates the exchange of legal documents. Law online involves asking a lawyer online and using interfaces (websites and social medias) to share information. Law Radio broadcasts legal education on local radio frequencies. These systems are all designed to re-enforce fairer access to legal information and to facilitate access to justice and legal empowerment, especially for ‘vulnerable’ rural women. However, I found it challenging to determine whether the tools I was involved in deploying in the legal field actually do provide better access to justice and legal empowerment for women.

This compelled me to confront the barriers faced by women such as my mother, who are direct beneficiaries of the project but still struggle to resolve their justice needs, despite the deployment of digital tools by socio-legal start-ups, such as BarefootLaw, which extend free legal information and assistance. Importantly, this research aims to move the conversation beyond digital legal transformation by centring disadvantaged women’s ability to access legal institutions through other means, and by understanding their ways of resolving legal disputes and how they reach outcomes. This research also refutes the labelling of beneficiaries of these digital tools as “vulnerable women”, a term often used by socio-legal start-ups who report the stories and pain of their beneficiaries when seeking external funding from foreign donors (Tuck & Yang, 2018: 26).

Likewise, this research seeks to foster dialogue between the women who utilise the digital tools and social-legal innovators in order to open up learning opportunities for digital developers and to avoid what Illich (1982) defined as reproducing “executive truth”, where technology increases the power of the privileged in society but does not improve the life of its users (Illich 1982: 62). In this case, the rural women fighting to resolve their justice needs become stories for legal start-ups in their quest for funding. This research calls on the tech enthusiast within the justice sector to shift from the present digital justice development trend comprised of the industrial bureaucracy of knowledge by focussing more towards post-industrial conviviality where the intensions are focussed on peoples access to justice rather than promoting digital tools (Illich 1982:64). Legal innovators must seek to learn

from communities by identifying their problems, generating solutions, and developing technologies that can be used and that match expectations.

1.4 Where I Am Speaking From: Justification and Relevance

This research contributes to contemporary debates around the role of digital technologies in promoting access to justice and the legal empowerment of women. It focuses on the experience of vulnerable rural women in Northern Uganda who are legally (dis)empowered through the deployment of digital innovations by social legal innovators. I side with Illich's argument that legal innovators should learn conviviality to "build technologies that create institutions which serves personal, creative and autonomous interactions and the emergence of values which cannot only be substantially controlled by technocrat" (Illich 1984: 2). This will facilitate the development of people-centred designs that will improve the ability of communities to interact with these legal technologies to resolve their own legal needs. The research will open dialogue between women in rural areas in Northern Uganda who have encountered these digital innovations when seeking legal support and the social-legal innovators who deploy such digital tools. Using the relationship between legal empowerment and access to justice as an analytical framework, it will unravel the interpretation of what amounts to access to justice and legal empowerment at the intersection of digital transformation in order to unearth the underlying role that digital technology actually plays. The research will examine the challenges that women face when using these digital platforms. It will, moreover, identify the obstacles to digital transformation within the Ugandan justice sector.

This research appeals to digital innovators to be open to learning conviviality as they interact with the beneficiaries of the digital tools they build, and to create more people-centred designs that can be used by communities. This is because digital innovators run the risk of developing platforms that do not achieve the intended goals (access to justice and legal empowerment) and that may lead to what Illich (1982) has termed "false public utilities" (Illich 1982: 60). The research will inform recommendations to the digital innovators deploying such digital tools, as well as the Ugandan government, which adopted digital courts during the recent lockdown. The study is also intended to inform other stakeholders: government judicial systems; local NGOs; INGOs; legal entrepreneurs; the D4D Hub recently created by the EU to harness digital innovations in Africa; and all socio-legal funders of innovations using digital means to contribute towards achieving SDG goal 16: access to justice for all.

1.5 Research objectives and question

The purpose of the study is to examine how digital technology interconnects with women's access to justice and legal empowerment in rural Northern Uganda. The general objectives for the study are:

- to explore the potential of digital technology in promoting the legal empowerment of rural women;
- to assess the factors hindering access to digital technologies as a mechanism for legal empowerment of rural women in Uganda;
- to explore other options adopted in the experience of rural women using digital technologies to access legal justice in Uganda.

In unravelling the dynamics of digital technologies within the justice sector, this book will try to answer the following questions:

Main question

How do digital technologies interconnect with the legal empowerment of Ugandan rural women with respect to their access to justice?

Sub-questions

- In what ways does digital technology empower rural women in Northern Uganda to access the legal system?
- What factors hinder digital transformation of the justice sector in Uganda?
- What are the needs of Ugandan rural woman concerning digital technologies for their legal empowerment?

1.6 Outline of Chapters

This study is divided into five main chapters. Chapter One focuses on the background of the study, research objectives, problems, and questions, as well as a justification for the study. The focus of the second chapter is the methodology and method of data collection, as well as the ethics and challenges encountered during the data collection. Chapter Three discusses the conceptual framework through the lens of analysing the importance and relevance of the various concepts of this study. This chapter details the theoretical background in which the data analysis in Chapters Four and Five of the study is founded. The nucleus of Chapter Four is the presentation and analysis of data collected from the field in order to address the research

question, which seeks to understand the different ways digital technology empowers women's access to the legal system in Northern Uganda. In Chapter Five, the focus of discussion is the analysis of those factors that hinder the digital transformation of the justice sector in Uganda and the needs of Ugandan rural woman concerning digital technologies for legal empowerment. The last chapter provides a summary of and conclusion to the study as well as recommendations.

2 Methodology and Methods

2.1 Introduction

The methodology is an important component of any research and researchers must consider various factors prior to taking decisions on the methodological approach that is suitable for their research (O’Leary, 2010: 92). Firstly, the approach to be adopted must be doable and practicable; and secondly, the researcher must consider if they have the requisite expertise and experience for the methods of data collection they have opted for. This study’s methodological design was deeply rooted in O’Leary’s (2010) five questions that a researcher must answer before taking a decision on methodological approach.

As suggested by O’Leary (2010:98), the researcher must first answer the questions When? What? Where? Who? and How? In the case of this research, these questions were considered by identifying the type of data required to address the research questions of this study, where the data can be acquired, who can provide the data, how the data can be collected, and when the data collection process should take place. Having a clear methodological design is a principal factor in research credibility (O’Leary, 2010:98). Therefore, the primary objective of this chapter is to discuss, in detail, the methodological approach and the process of data collection.

For the purpose of clarity, this chapter is divided into seven parts. The first part of the chapter discusses the research design, which was deep-rooted in the qualitative research method paradigm. The second part of the chapter focuses on how the COVID-19 obstacle to data collection was addressed, and the third part focuses on the data collection tools and justification for the chosen approach. The fourth part focuses on the process of respondent selection. In the fifth part of the chapter, the method adopted for data analysis is discussed, and the sixth part discusses the reliability and validity of the research, which is embedded in the ethics of the study. Finally, the last part summarises the whole chapter.

2.2 Research Design

During the research design process, the researcher’s priority should be how to acquire the needed data. This can be achieved in different ways. The

researcher can opt for an ethnographic, experimental, discursive, or any other approach to obtain the required data. As posited by Creswell (2013:11), different forms of studies require diverse but specific methods. For instance, the quantitative approach is more suitable for studies that seek to recognise the most appropriate predictors of outcomes or various factors that shape an outcome. A qualitative study, by contrast, is more suitable for studies that aim to comprehend an occurrence or concepts, especially when there is a dearth of research on the particular subject area.

Consequently, this research is based on a qualitative design to address the research questions and the problem in the context of an inductive approach, a “non-statistical method of inquiry that elicits information in the field of study” (Neuman, 2000: no page). While a qualitative approach involves a rigorous process, it is more open to less structural methods that give room for flexibility in exploring the various variables that are important in shaping the understanding of the research problem. It is in this regard that O’Leary pointed out that qualitative research seeks to “gain an intimate understanding of the people, place, culture, and situations through rich engagement and even immersion in the reality being studied” (O’Leary, 2014:130). Although the qualitative approach has been criticised with respect to the possibility of researcher biases, as well as the inability to generalise findings because individual perspectives and views of the subject of research interest differ (Denzin, 1994: 10).

However, a qualitative approach puts emphasis on detailed descriptions and narratives, reflecting the cognitive and affective disposition of the local people of interest. In the case of this study, in addition to the qualitative primary data that is collected through interviews, existing secondary data from different public sources. These include but are not limited to IGO, NGOs, and Uganda government reports and databases on the subject matter. Peerreviewed journals as well as media reports would also be consulted. The collection of data for this study was conducted in Gulu, a rural area in Northern Uganda, through semi-structured interviews of selected participants.

2.3 Dealing with COVID-19

Due to COVID-19 restrictions and the emergence of the more deadly Delta variant of the virus in Uganda, I opted out of travelling back to Uganda and decided to collect the requisite primary data with the help of research assistants who were resident in the country. The research assistants were employed to assist in conducting the interviews with selected respondents,

which helped to gather the data needed to answer the research questions and to address the study objectives. Recruiting a research assistant is not a straightforward venture, however, and there are issues that one must take into consideration and, as a result, which make the recruitment process a rigorous one.

Firstly, the research assistants to be recruited are expected not only to be conversant with the basic principles of the data collection process, but must also display competence in the research methodology adopted for the study. Considering the fact that I am absent from the field, and following Stevano & Deane, (2017:1), the role of the research assistants has a significant and unswerving effect on both the quality of data to be collected and the study as a whole. Moreover, Bujra (2006) posited that a researcher who is considering hiring a Research assistant must prioritise the knowledge and capability of the Research Assistant a key factor before in the recruitment. This is because an experienced research assistant knows how to apply emotional intelligence that does not impede the process of data collection (Bujra, 2006). I therefore decided to hire two young researchers with a statistics background, who have recently concluded their studies and have previously conducted data collection work.

After overcoming the hurdle of recruiting research assistants, a conference call through Zoom was arranged between myself and the assistants to plan the data collection process. We went through the guiding interview questions, the criteria for respondent selection, as well as the method for reporting, among other things, important details connected to the data collection process. After collection, the data was transcribed into English.

2.4 Methods of Data Collection

The method adopted for collecting data for this study is Focus Group Discussion (FGD). The decision was made to use FGD because it is a feasible approach in terms of addressing the research questions. This line of thought is consistent with O'Leary's (2010) suggestion that, when choosing a research method, a researcher must be confident that the chosen method is within the researcher's ability, is feasible, and, most importantly, is capable of answering the research questions. Although FGD can be time-consuming and expensive, the method was considered appropriate because it allows the researcher to accommodate unforeseen circumstances by adjusting the design, asking follow-up questions based on participant responses, or by clarifying questions that were misunderstood or misinterpreted by the respondents and which, in

most cases, are not available in quantitative questionnaires survey (Creswell, 2013). Therefore, FGD questions were designed to capture the experiences, perspective, and reality of the women in the rural areas in Gulu who are using digital technologies. The designed questions help keep the participants focused on the research and not distracted with non-relevant responses to the research questions. The data collection process lasted for two weeks and three FGDs were conducted for the study.

2.5 Selection of Respondents

The selection of respondents to be interviewed was done through the purposive sampling technique. The sampling technique is deemed appropriate for data collection for research with specific objectives and that requires specific responses to be addressed (O’Leary 2010: 170). It is a non-probability sample that is deeply embedded in specific criteria (Guarte and Barrios, 2006; Tongco, 2007) and a “deliberate choice of a participant due to the qualities the participant possesses” (Etikan et al., 2016:2). The data collection was conducted in villages where the LEWUTI project is active in Gulu. A total of 30 women were selected from the villages using criteria such as age, marital status, and educational background. Three Focus Group Discussions (FGD) were organised with ten participants each.

The first group (FGD1) comprises women who have undergone BarefootLaw training on how to use digital tools to access justice, and who have used this training to access justice using digital platforms. The discussion in this group helped to generate data that enhanced the understanding of how digital technology helps to realise/enable the legal empowerment of rural women in Uganda. All the ten women who participated in FGD1 acknowledge that since they have been introduced to and received Legal Empowerment of Women Using Technology and Innovation (LEWUTI) training by BarefootLaw, many of their legal issues and concerns have been resolved using digital solutions. The FGD2 comprised women who have undergone training organised by BarefootLaw on how to use digital tools to access justice but who have not yet used the training to access justice using the digital platforms. The third group, FGD3, comprised women who are aware of the opportunity to make use of digital tools and platforms to access justice but who have not yet done so.

None of the women who participated in the FGD is younger than 21 years old and with respect to the marital status criteria, seven women are single, 14 are married, while nine are either divorced or widowed. Educational background

was also a factor and 15 of the women have some level of formal education, with the highest level being senior secondary school attendance. The rest have no formal education. The reason for these criteria is because the experiences of women to vulnerability and oppression are not homogenous (Young 2011). The experiences of married women differ to those of a young single woman, even though they are all oppressed by the patriarchal system (Moyo, 2004). A widow's experiences are worse than those of married and single women in traditional societies such as Uganda (Adefemi, 2015; Wamara et al., 2021). Since several studies (Marambio, 2020; Golub, 2020, Dhar, 2020) have documented the importance of education and literacy of individuals in the realisation of legal empowerment, I considered using educational level as a criterion for selecting the respondents. This would allow us to have a clear understanding of the underlining factors that have shaped the respondent's perspective and decision to make use of the LEWUTI project.

2.6 Method of Data Analysis

A Thematic Analytical (TA) approach was adopted when analysing the data collected through interviews to address the research questions. Based on arguments by Braun and Clarke (2006) and Terry et al. (2017), TA is valuable for the analysis of qualitative data because it tries to identify patterns for research in themes that originate from the collected data. Moreover, it is a flexible approach, mostly with respect to deductive and exploratory research, where the researchers possess a limited idea of the patterns they are trying to find or discover (Braun & Clarke, 2006: 78). The motivation behind the choice of TA as a method of data analysis for this study was that TA has no explicit preconditions or prerequisites concerning the sample size of a study. Rather, what is critical to TA is the nature of data collection and, most importantly, the research question (Terry et al., 2017). Consequently, it was possible to deduce important and fascinating themes by critically reviewing and scrutinising the data collected from semi-structured qualitative interviews with the selected respondents. Some of the themes derived from the analysis were poverty, digital divide, fear of a violent backlash, lack of education, and culture and religion, just to mention but a few. After identifying the common themes from the respondent's responses, the identified themes were arranged along according to the sub-research questions. These themes were then subjected to analysis through the lens of legal empowerment and access to justice.

2.7 Reliability and Validity of Research

Although the idea of reliability and validity is often used in testing or evaluating quantitative research, it is relevant to all kinds of research that includes qualitative study (Brink, 1993: 35). According to Patton (2001), a researcher conducting qualitative research should consider reliability and validity as they are two important factors in both the analysis of outcomes and the quality of the study. Patton maintained that, “quantitative research only needs valid and reliable instruments to be reliable and valid, but in qualitative research, the researcher is the instrument” (Patton, 2001:14). This suggests that it is incumbent on the researcher conducting qualitative research to persuade their audience why the findings of the research deserved attention (Lincoln & Guba, 1985: 290).

However, a study by Lincoln and Guba (1985:300) shows that, instead of fixating on reliability and validity in research, notions that are primarily related to quality in quantitative study, a researcher conducting a qualitative study should focus on concepts such as dependability, neutrality, and credibility. Indeed, a researcher should prioritise achieving dependability, neutrality, and credibility by strictly following the qualitative research ethical guidelines and dealing with researcher biases. In social research, ethics can be understood as “the moral deliberation, choice, and accountability on the part of researchers throughout the research process” (Pardee et al., 2018:681). This implies that the primary goal of the researcher should be integrity and responsibility. A researcher has a moral obligation to ensure that they are neutral in the presentation of the findings and that they do not present a one-sided story. The researcher must not be judgemental and must be honest during the transcribing of raw data collected for the study (O’Leary, 2014: 47). The researcher has a duty to capture reality, the truths, and to prevent any intentional bias or errors. In carrying out the research, I was guided by the ethical obligation to avoid and do no harm (Orb et al. 2001: 93). Ethics were prioritised throughout the data collection process (before, during, and after the data collection) for this study. The first step was to ensure that the research assistants working with me secured the consent of the respondents. This was achieved verbally or formally from those who had achieved a level of education. Since some of the responses of the respondents might result in a backlash or expose them to danger, because some of them might have used the LEWUTI project covertly to gain justice against their abusers, the respondents were given the choice to remain anonymous. They were also given the assurance that they were under no obligation to answer questions

that made them uncomfortable and that they could disengage from the interview process at any time.

2.8 Conclusion

In this chapter, the importance of methodology has been established, and the process that was used to collect the necessary data for the study has been detailed. The research design was predicated on a qualitative descriptive approach. While it is not flawless, it is nevertheless considered the most suitable approach given the research objectives. Data were collected through semi-structured interviews of 30 respondents from three villages in the Gulu area who have active and ongoing contact with the LEWUTI project.

3

Conceptualising Legal Empowerment and Access to Justice

3.1 Introduction

This chapter discusses the theoretical approaches that are adopted to analyse the research questions presented. It analyses legal empowerment and access to justice and, consequently, the relationship between legal empowerment and justice as an analytical framework. The discussion in this chapter unravels the interpretation of what amounts to access to justice and legal empowerment at the intersection of digital transformation in order to unearth the underlying role that digital technology plays in the lives of rural women in Uganda fighting for their rights. The discussion in this chapter is divided into four main sections with the first section focused on a comprehensive analysis of the concept of legal empowerment. The second section discusses the debate surrounding access to justice and its relevance to the research questions; the third section focuses on the nexus between legal empowerment and access to justice. The analysis shows that there can never be legal empowerment without access to justice. Therefore, digital technology that provides access to legal representation, courts, and legal knowledge, among other things, is a crucial ingredient in terms of rural women in Uganda achieving access to justice.

3.2 Legal Empowerment

This study adopts the concept of Legal Empowerment (LE) to help make sense of the data collected. This is because LE offers a different perceptive approach regarding access to justice (De Langen et al., 2009). Legal empowerment is a process in which vulnerable citizens in a society use the state's legal tools as a mechanism of social transformation, to advance their political, economic, and social conditions (Domingo & O'Neil, 2014:4). Legal empowerment is deeply entrenched in the priorities and agency of those socially excluded in society (De Langen & Barendrecht, 2009; Golub, 2013;). In other words, legal empowerment priority interest is the advancement of the welfare and well-being of the through legal apparatus (Boone, 2019). However, most proponents of digital legal transformation link legal empowerment to being able to use available legal information and gain access to consultation when resolving their legal challenges within the justice institution. They argue that

technology has the capability to increase access to legal institutions, equip people with the tools to resolve their justice needs, and reduces the costs related to hiring lawyers and specialist providers.

As Cotula (2007) accentuated in *Legal Empowerment for Local Resource Control*, despite the existence of various legal tools that can secure the rights of local individuals and groups in a legal system, it is not a given that they are in the position to use or benefits from such legal tools. This argument resonates with rural women in Northern Uganda seeking legal assistance and who have the option of using digital tools to address recurrent violations of their fundamental human rights. The concept is relevant to this study because it is explicitly linked with a human-rights-based approach to development, social transformation, and social accountability, which helps people understand and make use of the law (Miller, 2017; United Nations, 2009; Uvin, 2007).

It suffices to say that legal empowerment can be described as marginalised people using legal instruments provided by the justice system to improve their social situation (Goodwin & Maru, 2017). Summarised in this definition are three significant themes: (i) that agency is crucial in making use of legal instruments; (ii) identifying the marginalised as the priority for legal empowerment; (iii) the improvement of the social, economic, and political situation of the downtrodden (Goodwin & Maru, 2017). Legal empowerment, according to the Commission on Legal Empowerment of the Poor (CLEP), can be defined as “a process of systemic change through which the poor and excluded become able to use the law, the legal system, and legal services to protect and advance their rights and interests as citizens and economic actors” (CLEP & UNDP 2008: 3).

The pathway for women in rural Uganda to achieve their denied rights is through legal empowerment, because legal empowerment is an essential strategy for sustainable development (Golub, 2010). In recent decades, the ways that citizens interrelate with state authorities have been evolving, with the social order in numerous societies continuing to experience explicit changes that emphasise the rights and obligations of citizens (Domingo & O’Neil, 2014). These have wide-ranging effects on citizens’ entitlements and responsibilities and the state’s obligation to the people. The changes can impact citizens’ realisation of legal empowerment. These include the transformation of power relationships supportive of the marginalised, policy transformation with respect to the allocation of service delivery and resources with explicit reference to the poor, and the availability of tools and

mechanisms to seek redress against the violation of fundamental human rights (Domingo & O'Neil, 2014:5).

3.3 Access to Justice

Access to Justice (A2J) is a concept that is relevant to the analysis of the data collected during the focus group discussions with rural women in Uganda. The concept highlights the meaning of A2J to rural women in Uganda and the steps taken to address violations of their fundamental human rights. The concept of Access to Justice (A2J) first emerged in the 1970s from the work of the Italian jurist Mauro Cappelletti on “access to justice in modern societies”. According to Cappelletti, A2J’s primary focus is on the purpose of the legal system through which individuals can resolve their disputes or justify their rights. Cappelletti maintained that there are two main issues attached to A2J: “the system must be equally accessible to all, and it must lead to results that are individually and socially just” (Cappelletti & Garth, 1977:182). When citizens, particularly those belonging to marginalised groups, dread the system and cannot access it because they have no lawyers, lack the required knowledge or information about their rights, and the justice system is financially unattainable, there can never be access to justice. A2J encompasses several components, including “standardizing legal protection, legal awareness, legal aid and counsel, adjudication, enforcement, and civil society oversight” (USAID, 2004:8). The ability of individuals to achieve A2J offers rural women in Uganda a more engaging alternative to violence when approaching the different kinds of disputes in their communities.

Be that as it may, the concept of A2J goes beyond the idea of improving and ensuring individuals’ access to courts or legal representation. While the concept cannot be easily defined, A2J can be described as the capability of individuals to pursue and acquire a remedy to injustices and grievances through formal or informal institutions saddled with the responsibility of addressing grievances and justice. In order to maximise A2J, there is a need to combine both formal or state justice and informal or non-state apparatuses built on firm compliance with human rights standards. This will probably entail synchronising informal practices with international human rights law (Scheye, 2009). “Traditional adjudication mechanisms (e.g. a Council of Chiefs) can be recognised by formal law, or they may operate extra-legally. It is important to emphasise at the outset that traditional justice systems should only be recognised and supported when they are consistent with the rule of law and respect for the human rights of all groups in society” (UNDP, 2004:14). It is important because about 80 per cent of disputes and grievances

in many countries, particularly in the Global South, are addressed through the non-state justice system (Kyed et al., 2011:2). Non-state justice systems are structures that “have some form of non-state authority in providing safety, security, and accessible justice to the population and include traditional, customary, religious, and informal mechanisms” (USAID, 2019:1).

Nevertheless, the idea of promoting non-state justice systems as a panacea to access to justice has come under heavy criticism from various scholars on the ground, who believe that informal justice systems are inherently and irremediably inconsistent with women’s rights and that they oppose fundamental human rights standards (Nyamu-Musembi, 2003; Golub, 2003; Schärf et al., 2011). Therefore, while it may not be the only form of adjudication of disputes involving women, a formal system is the primary form of adjudication. As a result, informal systems must be engaged with the primary aim being transformation to conform with international standards, even though the positive features of familiarity, accessibility, and effectiveness are retained (Chopra & Isser, 2011:24).

However, for four decades, since Cappelletti posited that effective access to justice is the most paramount basic requirement that guarantees legal rights access (Cappelletti & Garth, 1977:182), there has been an ongoing debate on how the “effectiveness” of access to justice should be defined? According to Albiston & Sandefur (2013), the effectiveness of legal representation goes beyond the outcome of cases adjudicated by the legal system. Albiston and Sandefur argued that evaluating effectiveness is not an easy task because several unquantifiable costs are attached to a legal proceeding. “These costs include lost access to properties, food support, or medical care before an eventual case outcome is reached, even if that outcome is positive. How do these losses affect claimants, their families, and their children?” (Albiston & Sandefur, 2013:11). The stress of the legal proceedings might lead to mental health issues for many people, who cannot withstand a long period of litigation even when they have lawyers working pro bono.

Other scholars have argued that the effectiveness of access to justice is subject to the user of the system’s interpretation of access to justice. For Chopra and Isser (2011), “access to justice in legally plural environments needs to be understood from the perspective of the user. Rather than examine distinct systems, formal and informal” (Chopra & Isser, 2011:24). The implication is that access to justice for rural women in Uganda means different things, allowing them to have a different opinion about the effectiveness of access to justice platforms available to them. As Farrow (2014) has highlighted, for

some people, access to justice might be access to courts and lawyers, while others might consider access to justice as having access to information and knowledge about one's rights. Others still might see it as being able to exercise these rights and obtaining a just outcome. Therefore, one can conclude that to successfully access justice is subject to the level of understanding of the problem and your rights, and the ability to make an informed decision about the best way to resolve the problem and, subsequently, arriving at a just resolution.

3.4 Legal Empowerment and Access to Justice Nexus

The inauguration of the United Nations Commission on Legal Empowerment of the Poor brought to the fore discourse concerning the fundamental human rights of marginalised groups in society and the inclusion of poverty eradication in the realm of law. The 2008 commission report, "Making the Law Work for Everyone", explicitly highlighted the four main pillars or actions that need to be taken for the poor to be legally empowered and function effectively in the legal sphere. These four pillars are mainly access to justice and the rule of law, property rights, labour rights, and business rights (UN, 2008:5–6). The report shows that achieving access to justice and the rule of law sets the premise and foundation for all other rights to be realised or achieved. The implication of this is that it is impossible to achieve legal empowerment when, "de jure or de facto, poor people are denied access to a well-functioning justice system" (UN, 2008:5). Guaranteeing equitable access to justice, though vital to advancement, is difficult to accomplish. Even if the legal system is technically fair and inclusive, equal access to justice can only be attained with specific commitments from public and state institutions (UN, 2008:5).

However, the reality is that legal empowerment is context-specific, and people need to understand and be aware of the context-specific histories that underpin the dominant systems that they wish to transform with the mechanism of legal empowerment (Cotula, 2007). It is essential to evaluate the process of legal empowerment because various societal factors can hinder or inhibit the legal empowerment of individuals or groups, which have a considerable impact on society (Goodwin & Maru, 2017). As suggested by Chopra and Isser, "most discriminatory elements are not engrained in a specific justice system, but in asymmetric power relations in society, including those between men and women" (Chopra & Isser, 2011:33). This implies that recourse to the legal process is not entirely disconnected from society's social and political elements (Gloppen, 2008). Hence, to be

effective, the usage of legal tools must be cognisant of the broader social and political milieu. The implementation of legal empowerment can lead to four different proactive and practical changes for both individuals and society. These are changes in social accountability policy, expansion and affirmation of legal rights, personal empowerment, and the entrenchment of social justice (Domingo & O'Neil, 2014). Legal empowerment helps us to understand how rural women in Uganda can access justice, because the inkling of legal empowerment goes beyond legal tools in the legal system. It is much more about the implementation of the law and its accessibility. Legal empowerment is explicit in its target and advances access to justice (De Langen & Barendrecht, 2009).

3.5 Conclusion

The discussion in this chapter established that the primary objective of legal empowerment is to build the capacity of the most vulnerable and marginalised groups or individuals in society to leverage existing legal tools to fight for their rights. However, leveraging the laws is impossible if they are in no position to access justice, which entails standardising legal protection, legal awareness, legal support and guidance, adjudication, enforcement, and civil society oversight.

4

The Emergence of Digital Technology: A Panacea to the Legal Disempowerment of Rural Women in Uganda

4.1 Introduction

This chapter discusses the findings on the potentials of digital technology to promote the legal empowerment of rural women and the factors hindering the use of digital technologies by rural women in Uganda seeking access to justice. Three Focus Group Discussions (FGD) were organised with ten participants each. The first group comprises women who have undergone BarefootLaw training on how to use digital tools to access justice and who have used this training to access justice using digital platforms. The discussion in this group generated data that enhanced our understanding of how digital technology helps to achieve/enable the legal empowerment of rural women in Uganda. All ten women who participated in the FGD acknowledged that since they were introduced to and had received training about the Legal Empowerment of Women Using Technology and Innovation (LEWUTI) by BarefootLaw, many of their legal issues and concerns had been resolved through digital solutions.

The discussion in this chapter is divided into four sections. The first section highlights what empowerment means for most women who have lost faith in accessing justice in the legal system of Uganda. The section reveals that, for rural women, access to justice means knowing their rights, exercising such rights, and being satisfied with the outcomes. The second section focuses on how rural women feel legally empowered after receiving fair legal knowledge and details of procedures that help them understand which of their concerns can be addressed legally. With the confidence that they can exercise their rights through proper documentation when filling their cases in the courts, they can seek redress for cases that were initially judged against them due to lack of proper documentation. The third chapter shows that when women are legally empowered, it checks abuses of women's rights. Since the emergence of digital technology, there is evidence that those planning to violate women's rights because of a village's remoteness, or because they think that nobody

will come to the women's aid, have started to rethink such strategies. The last section of the chapter is the conclusion, which summarises all the arguments of the chapter.

4.2 Ability to Understand, Exercise Rights, and Obtain Just Outcomes

Access to justice means different things to different people. It can be referred to as access to lawyers and courts. It also means understanding your legal rights, exercising these rights, and obtaining a just outcome (Farrow, 2014). Therefore, one can conclude that accessing justice successfully is subject to understanding the problem and your rights, making an informed decision on the best way to resolve the problem, and arriving at a just resolution. From the findings of this study, the emergence of digital technology offered women in rural areas in Uganda the opportunity to access lawyers, understand their legal rights, exercise such rights, and obtain a just outcome. Some of the participants shared the experiences that make them feel empowered as a woman. Achan Christine, one of the participants of FGD1, said that before she was introduced to using the phone and SMS to report injustices, she always felt depressed, because she felt powerless since nobody was there to hear her stories. She enunciated further that:

Terrible things have happened to me in the past; now, I am happy that I can get help to solve many of my problems. For example, I got a man who almost killed my daughter when he attempted to rape her on the farm convicted and jailed. I would not have gotten justice if it was before because there would be no one to contact for legal advice since we live at the end of the village. I called the toll-free number, and a lawyer spoke to me, and later they helped look for an organisation that helped me pursue the case (Achan Christine, FGD1, September 2021).

During FGD1, it was discovered that many of the women have been able to fight for their rights with respect to inheritance, defilement, child maintenance, assault and domestic violence, divorce, and sexual violence, among other violations that are prevalent in the rural areas, hidden away from the eyes of the law. Another woman who is a divorcee supported Achan Christine's position on how digital technology has brought access to justice closer to many vulnerable rural women, even though there is still a long way to go. Hellen, a mother of three children, explained how she was saved from domestic violence that almost took her life and that of her children. She said that the emergence of digital tools that allow her to seek legal advice from

lawyers far away from her remote village helped increase her access to justice, and she now feels legally empowered. According to her:

I have been suffering domestic violence for eight years until a friend told me that I can seek help from the corner of my bedroom with my mobile phone without my abuser noticing. I was introduced to the LEWUTI project, and a number was sent to me. I received an SMS which was followed by a call to listen to my case. I was given legal advice and steps to take, and I can tell you that I free myself from domestic violence. I have also used the same method to recover the land that was taken from me by my stepbrothers (Anyayo Hellen, FGD1, September 2021).

All the women who participated in FGD1 were happy that more cases were attended to by reaching out to a lawyer through the free SMS platform and the toll-free number. Digital technology has increasingly been employed to disseminate general legal information (Beqiraj & McNamara, 2014). The existing system falls far short of providing access to the knowledge, resources, and services that allow people to deal effectively with civil and family legal matters (Farrow, 2014:6). From the analysis of the information gathered from FGD1, it is clear that the emergence of digital technology equips women, in particular those that are vulnerable and underserved, with requisite legal knowledge and awareness that can be used to protect themselves from violations of their human rights. Women who have access to digital technologies are better able to resolve their legal needs because they can access lawyers easily in the comfort of their homes to seek legal advice and guidance, and, where necessary, lawyers can refer them to other partners (Bafana, 2019).

4.3 Knowledge and Rural Women's Legal Empowerment

According to Deininger et al. (2008), legal knowledge is crucial for individuals achieving fundamental human rights. Unfortunately, many rural women lack this knowledge and, consequently, are ill-informed regarding their rights. Several studies (e.g. Nessa, 2012; Abrar-ul-Haq et al., 2017; Banerjee et al., 2020) have revealed that women who possess fair legal knowledge on issues that affect them or their community feel more empowered as they are able to make informed decisions about what to do at the right time and what not to do. This is the case for Aparo Nighty, a 26-year-old participant in FGD1, who is uneducated, but through the digital technology platform, has been able to receive information about her rights, which she never understood existed in the first place. She was denied her right to an inheritance, as per the Uganda

constitution, as her male siblings had told her that she had no right to inherit from their late parents because she is a woman. According to her statement:

Without information that I got from the lawyers through SMS, the land that I am using to farm today would not be there. I believe now that information is power. Linking you to the people to support you is also power. Being able to send an SMS for free and the SMS being responded to is also empowerment. (Aparo Nighty, FGD1, September 2021).

Other participants shared their experiences of how using digital technology has saved them from unnecessary costs and helped them to make the right decisions concerning specific issues. For them, the ability to secure relevant legal knowledge on positions that they initially thought were out of their reach or to confirm that they were on the right path means a lot to them. Ajok Joice, a 45-year-old woman, was able to get help from BarefootLaw through their toll-free number. In this way, she reported that a neighbour's cows were trespassing on her land. She was advised to reach out to the local council leader to help resolve the matter, which she did and, consequently, her issue has been resolved. According to Ajok, before she was introduced to digital means of accessing justice, she would have reported the case to the police, and they would have collected money from her with no guarantee that the issue would be resolved:

The SMS and call options to seek for legal solution helped me a lot. The stress of going to the police station and later found out that you are wrong on the issue you are complaining about, or when you are right, some of the actions you have already taken have spoilt your case and come with a cost. But this option of having access to legal information and advice at no cost and stress makes me feel confident in myself. This is because I am now aware that before I take any action on any, I need to consult to be sure that I am on the right path. (Ajok Joice, 45 years old, FGD1, September 2021).

As Boone (2019) suggested, the priority interest of legal empowerment is the employment of legal apparatus to improve the well-being and welfare of marginalised groups. The women who participated in FGD1 expressed how the digital technology has legally empowered them to access justice, which had previously been so elusive. Jennifer, a single mother of two children, corroborated Ajok Joice's position on how digital technology has helped her make informed decisions to get justice with respect to several violations that ordinarily would have gone unaddressed. She explains that the legal advice she received via SMS and calls from BarefootLaw helped her gather the

necessary and required documents to file a number of court cases, some of which she has won, others of which are ongoing. She explained that many women lost cases of violation and abuse because they lack knowledge of the legal procedures and the documents needed to fight their cases effectively. She gave a further example:

There was this land case that I already lost seven years ago on the ground of what they called technicality even though I am sure I should have won the case. The access to legal free legal advice through digital means helped greatly. I was advised to try and make video recordings of some events as evidence, get some documents and the lawyers that were talking to me on the phone helped me to refile the case which I won last year. (Alloy Jennifer, 45 years old, FGD1, September 2021)

As documented by previous studies (Namubiru-Mwaura, 2014; Lastarria-Cornhiel et al., 2014), many women lose court cases because of a lack of adequate information about what type of documents are needed to file at the court. Consequently, many of them tend to lose on a technicality, which, in turn, makes them lose interest in pursuing the case further. This implies that “legal awareness is the foundation for fighting injustice. The poor and other disadvantaged people cannot seek remedies for injustice when they do not know what their rights and entitlements are under the law” (UNDP, 2004:10). Studies have shown that digital technology has the potential to help many rural women and other vulnerable groups to overcome barriers of geography, courts’ coverage, knowledge and costs that come with seeking redress in court (Bafana, 2019; Farrow, 2014; Beqiraj & McNamara, 2014). Women seeking justice in rural Uganda are burdened by inadequate government resources, their remote location, traditional patriarchal values, and economic impoverishment, which plague their navigation of the criminal justice system (Holmes, 2015; 23).

4.4 Violators of Women Rights: An End to Impunity

One of the reasons that women in rural areas continue to suffer abuse and violation of their human rights is because those that violate their rights knows that the women have nobody to turn to or nowhere to go to and make a formal report to seek justice (Polavarapu, 2020; Lawson et al., 2020). The women in FGD1 were unanimous in their opinion that the emergence of digital technology to access lawyers and human rights NGOs working against gender-based violence has become a hindrance for many known perpetrators. Oyella Margret, 42, is a widow who started using the digital

platform last year. While she said that getting justice is not compulsory and that legal problems should be solved in courts, the fact that you can now use digital technology to go to court or get a lawyer and file your case with ease sends a serious signal to anybody that is planning to take advantage of you:

What gave many people the effrontery to abuse you is that they know that you don't have the means or resources of reporting the case, or you don't even know that what they are doing to you is against the law. Therefore, the emergence of digital technology is a severe blow to people that loves to cheat and abuse others. For instance, a woman connived with her husband to cheat me by refusing to pay me for the work I did for them on the farm as a labourer. When I said I am reporting you to the authority by taking out my phone; they quickly agreed to pay me what they owe me. (Oyella Margret, FGD1, September 2021).

In a rural community, several reasons make many women invisible to the formal legal system, especially those in more remote villages who would need to pay for transportation as they cannot access the police station on foot (Polavarapu, 2020; Lawson et al., 2020; Naupa, 2017). For example, Evelyn, a participant in FGD1 who was accused of witchcraft was kicked out of the house and had to go and live with a family friend in another village far from her home. She was stigmatised and victimised until she used the digital platform to seek legal assistance. She was exiled from her village for more than four years, because she did not know what to do or where to go until BarefootLaw referred her to Action Aid, who helped her get representation for the gender-based violence she was experiencing. Evelyn, the only secondary school certificate holder in FGD1, said that had it not been for the help she got through the SMS platform and toll-free call centre, she would still be living away from her village and would be landless. She believes that the emergence of digital platforms to access justice not only empower women legally, but they also send a message to violators and abusers of women rights that they cannot continue to act with impunity or believe that their actions are hidden from the eyes of the law. According to her:

I think the emergence of digital technology to access justice goes beyond legal empowerment of women; it also changes the attitude of serial abusers to think twice that they can get into trouble that will only cost a free SMS. Many violators of women rights behave the way they do because they are certain you don't have the resources to travel long-distance or lack knowledge to seek justice. Now, they are aware that women can access legal

help under their nose without them noticing, and the consequences would just hit them like a hurricane. (Atim Evelyn, FGD1, September 2021).

The arguments made by all of the above respondents resonate with the position of Cotlua (2007), i.e. just because there are laws or legal tools that vulnerable groups can explore to ensure that their rights are protected in a particular legal system, there is no guarantee that they are able to make use of such legal tools to secure their rights. This is because most women in rural Uganda do not have adequate incomes to fund legal assistance. Therefore, many of their legal needs goes unmet. However, as the findings of this study show, digital transformation can make a difference; it even has a role to play in reducing corruption. Digital technologies save time and may reduce procedural technicalities and other delays, and they make the justice sector much more accessible to those who use them. Many of the participants had received legal advice that saved them from abuse, something they did not have access to before the emergence of digital technology as a platform for accessing justice.

4.5 Conclusion

In this chapter, it has been established that digital technology can play a significant role in addressing the unmet legal needs of rural women in Uganda. Women were able to use digital interfaces to access legal help, evaluate their problems, and decide whether the problems have legal recourse. Moreover, it helped them in the preparation of evidence and legal documentation. Such technologies allows women to choose which elements of their legal journey can be self-managed and which need to be addressed by a legal professional. They also help to reduce or eradicate the costs and financial barriers that have typically hindered many rural women and forced them to give up on any chance of getting justice when their rights are violated. Besides, the idea that women can now access justice through digital means has put potential abusers and violators on alert, making them realise that they may not get away with violating women they perceive as vulnerable.

5

Challenges to Accessing Justice through Digital Technology

5.1 Introduction

In the last chapter, we have seen that the emergence of digital technology can legally empower rural women. However, some challenges can hinder the proactive outcome of technology empowering rural women. In this chapter, these challenges are examined by looking at the experiences of those women who participated in FGD2 and FGD3. The FGD2 group comprises women who have undergone training organised by BarefootLaw on how to use digital tools to access justice, but who have not yet used the training to access justice using the digital platforms. While the responses from this group's participants revealed the different challenges that hinder their use of digital technology to access justice, FGD3 comprised women who are aware of the opportunity to make use of digital tools and platforms to access justice but who have not done so. During the focus group meeting, they discussed why they chose not to consider digital technology. This revealed that many women in rural areas still believe that it is more appropriate to access justice via traditional routes. The chapter is organised into three main sections. The first section focuses on the discussion of said challenges. The second section details why some women have decided not to consider digital technology, even though many of them have the means to use technology to access justice. The last section is the conclusion of the chapter.

5.2 Factors against Successful Usage of Digital Technology to Access Justice

5.2.1 Illiteracy and Inadequate Capacity to Use Digital Platforms

One of the significant problems that emerged as an impediment to using digital technology to access justice in rural Uganda is the lack of knowledge about how to use these digital tools to navigate the platforms where individuals can seek help and legal advice. The findings of the FGD2 group discussions revealed that, although all the women who participated in the discussion had phones, the vast majority of them struggled to use the platform to seek justice. For example, Layet Lilly, a 53-year-old widow, said

that many people using digital tools to seek legal help are dependent on their children or family members, who know how to use mobile phones to help navigate the platform. She said she would have loved to use the platform to resolve some of her problems, but she does not know how to use the phone, and all of her children live in the city:

I struggle to use the phone and the platform; this is a big problem for me because I do not have anybody to help me with it. Although I attended the training at BarefootLaw three years ago, I can tell you that I have forgotten everything they taught us that day. (Layet Lilly, FGD2, September 2021).

Another participant from the FGD2 named Anena Joan supported Layet Lilly's position on inadequate knowledge and the inability to use the digital tools and the platforms set up to assist people who need legal help. She explained how she struggled to use the phone to send an SMS because she was not educated, and she did not want anybody to help her send the SMS because she did not want anybody to know about the issue she was dealing with:

I have serious concerns that I don't want to share with people in the village because the abuse is very personal to me, so the idea of asking somebody to help with the SMS or phone call is not an option for me. Yes, I have the phone, but I do not know how to operate it, so I just accepted my fate my abuser go scot-free. (Anena Joan, FGD2, September 2021).

Several studies (Marambio, 2020; Golub, 2020; Dhar, 2020) have documented the importance of the education and literacy of individuals in achieving legal empowerment. Many of the FGD2 participants who did not use the SMS platform attributed this to illiteracy and the lack of refresher training on how to navigate the platform. This is similar to the findings of a study conducted in rural India, which shows that many women do not and cannot see themselves as expert users of a technological device like a mobile phone (Sultana et al., 2018). Another challenge identified during the discussion with participants of FGD2 is the communication and language barrier. It was discovered that once you call the toll-free line, it does not necessarily go directly to a lawyer who speaks your language. You may have to wait and be referred to another lawyer who speaks the same language, who will call you back at a later time. In some cases, they simply do not call back. This has resulted in many women seeking legal help ditching the idea of using technology to gain access to justice. Atiku Jackeline, a married woman with two children, shared her experiences of having to call the helpline more than seven times,

but the response she kept getting was in English, a language that she does not understand fluently:

The first time I used the phone to call the toll-free number, the person that spoke to me answers in the English language, and I told her to please speak in the local language, she promised she would get another person to call me back. I waited for two days, but nothing happened. I called again, and again, and again until the seventh time, then I gave up. (Jackeline, FGD2, September 2021)

The experiences of the FGD2 participants echo Brescia's (2018) argument that technology alone is not sufficient to close the rural justice gap, not least because those in rural areas tend to be poor or low-income earners (Brescia, 2018:60). He maintained that if people seeking justice "[do] not understand how to use a digital delivery system without further assistance, it is not an effective system" (2018:61). This argument implies that language barriers remain a grave concern for women attempting to access digital technology via the internet or mobile phones, which, in theory allow rural women to share their problems and should enhance their chances of solving problems (Joseph & Andrew, 2007).

5.2.2 Poor Infrastructure

Poor infrastructure remains a major problem for people residing in rural areas. Many of the women in FGD2 complained about spending weeks or months without a network service, which prevented them from making a call or receiving calls from friends in the city. One of the participants described how the lack of working network services had been a significant problem:

When I had a problem that I wanted to use the SMS platform, I asked my son to help me compose the message, but the message refused to go because there was no network. We even walked to the next village to see if we would see network service, but there was nothing. Sadly, I could not get the legal advice that I needed at that particular time because there was no way to communicate even when I have the tools. (Anonymous participant, FGD2, September 2021).

Another woman said that:

Network service in this village is like a goldfish, very rare, and you will the way people will start running into their house to take their phone any time

the network service is available. When you go out and come back that there is a network today for some hours, it will pain you that you missed the opportunity to call your loved ones staying in the city. The network in the area is so bad that having a phone almost becomes useless. (Lalam Sunday, FGD2, September)

Women in rural areas with poor IT infrastructures consequently lack IT skills, and have limited experience in operating these tools, and limited exposure to the internet and ICT. Yet, these are the target beneficiaries of various digital technology interventions in Uganda. The ITU's 2019 report on "Measuring Digital Development", based on a study conducted between 2013 and 2019, estimates that 19 per cent of the world's offline population lives in low developing countries. This is compounded by the fact that the internet user penetration stands at 36 per cent for women in Africa, compared to 64 per cent for men (ITU, 2019). In other words, the gender digital divide remains huge. However, it is important to look beyond the physical availability of computers and the internet and instead assess people's ability to make use of technologies to engage in meaningful social practice (Warschauer, 2003). Apart from fluctuating phone networks and internet services, the problem of electricity and solar access makes charging phones a big challenge. Many of the women in our study said that there are times when there is a working network in the village, but their phone battery is already dead:

Some of us have turned our phones to torchlight to see in the darkness because we rarely have electricity in this village. So, when you need the phone to make a call or send an SMS to ask for legal help, your phone is already dead. In some cases, you will be speaking to a lawyer on the phone, and the battery of your phone is dead in a minute. (Ajok Margret, FGD2, September).

Many of the digital technology innovations aimed at helping vulnerable people access legal aid and assistance rely on electronic platforms accessible via the internet (Sepulveda Carmona, 2012). This implies that the success of digital technology as a tool to access legal aid and justice is highly dependent on the availability of and access to technology in areas (Beqiraj & McNamara, 2014). Unfortunately, in many African countries' rural areas, the communication network and internet services are unreliable. Indeed, in

some rural areas, there are no network services, making the use of digital technology very difficult.

5.2.3 Access to Digital Tools such as Phones, etc.

While most FGD2 participants have mobile phones, some complained about having difficulties replacing lost phones or repairing damaged phones. Many women in rural areas are poor, and buying a phone can be a significant challenge. Moreover, an unstable network service can render the phone almost useless, and there is no motivation to spend extra to buy or repair a stolen or damaged phone:

We are very poor here, the phone that I was using before was given to me by my daughter when she came visiting three years ago when it got spoilt; I do not have any money to buy a new one. So, I gave up. (Aber Proscovia, FGD2, September).

In addition, the married women among the focus group participants shared their experiences of not having total control over their mobile phones. Akello Nancy shared her experiences of her husband constantly monitoring her phone. Indeed, this almost cost her her marriage when she sent an SMS seeking legal assistance with a case of land conflict, which her husband had already warned her not to pursue:

I do not know about those among us that are not married, but I can say that most of us that are married do not have total control over our phones. For example, my husband monitors my phone, he knows how to check the SMS and call history on the phone, so I can do nothing without him knowing. There was a time I sent SMS as regard a land conflict case when he was not around; when he came back, he checked the phone and asked me to leave the house because I disobeyed him. (Akello, FGD2, September)

Studies have shown that, apart from the fact that rural women's access to digital technology is often limited and/or controlled by their husbands

(Sultana et al., 2018), often personal decisions on matters that affect them are taken on their behalf, by men.

5.2.4 Attitude of Lawyers, Confidentiality, and Lack of Support Mechanism

Legal empowerment interventions include providing legal aid and community paralegals, as well as capacity building and awareness-raising for both citizens and providers (UN, 2011). “When building digital systems, lawyers need to combine their expertise with empathy. They need to understand how the layperson will see the problem and find a way to bridge the expert/ non-expert divide through mechanisms that are accessible to the non-professional” (Brescia, 2018:61). Some of the participants said that they stopped using the platforms because they have not been able to find lawyers who can explain their case to them in simple terms. Anek Grace, a married woman who attempted to use the digital platform to seek help for a case involving her daughter being assaulted by their neighbour, shared her experience of the attitude of some lawyers, which puts some women off using SMS or phone calls to access justice:

Some of these lawyers do not know how to keep secrets, and you run the risk of getting into trouble if one continues to make use of the SMS service. For instance, one of my friends who run a beer parlour joint told me that a lawyer came with his friends to her bar to drink, and they started talking about my case. They do not know that she knows me, and I have kept my issue secret from a friend. (Auma Jennifer, FGD2, September).

As discussed earlier, in Chapter two of this study, in order for marginalised groups to leverage existing legal instruments through digital technology, they must have the capacity to make use of the law to address the social injustices perpetuated against them. However, marginalised groups, such as rural women, cannot be empowered legally without mandatory resources to make legal claims (Domingo & O’Neil, 2014a:8). Consequently, they count on the support mechanisms offered by paralegals, pro-bono lawyers, activists, and NGOs, among others, who provide their services to assist the poor (Domingo & O’Neil, 2014a:8). This means that the behaviours and attitudes of the lawyers and paralegals play a significant role in rural women’s chances of accessing justice. Another participant of the focus group supported the argument that dealing with invisible lawyers is a risk that many rural women are unwilling to take:

These people are human beings, and they are prone to make mistakes. The fact that you do not know the person you are talking to makes it complicated. Who are you going hold responsible if the advice given to you are the wrong ones or they mistakenly expose your issue to people that can hurt you? (Susan Onena, FGD2, September 2021).

Many countries in the developing world lack competent lawyers, especially in rural areas (Maru, 2010b). This explains why some of the participants of FGD2 did not make use of the digital technology available to them to seek legal assistance. It became clear from the discussion that some of the lawyers that they were put in touch with via the platform had demanded money or exposed their secrets. Mrs Lapote narrated how a renowned lawyer in Gulu city told her point-blank that he had studied law to make money, emphasising that money comes first for him. Brescia (2018) suggests that it is impossible to fully replace lawyers with technology as it currently stands. However, technology-driven tools can provide information and guidance in situations where no support from a lawyer is available and they can augment the work of lawyers through automation and platforms, thus reducing costs and increasing accessibility (Brescia, 2018).

5.3 The Futility of Digital Technology in a Corrupt Judicial System

The discussion with women in FGD3 revealed the complexities involved in the justice system in Uganda beyond any technology platform they may have access to. Many of the women expressed concerns about corruption in the legal and justice system in Uganda. They were of the opinion that there is no need to use technology to access lawyers and information about rights when, ultimately, they would still need to appear in a court that they were certain would not favour them. Therefore, many women opted for the traditional dispute resolution mechanisms, for example, reporting to the *rwot kweri*¹ to adjudicate their cases, which give them some hope of getting justice. Atuku Jackline, who is a widow, said that women's experiences of the national court system need to be fixed before introducing any technology to accessing courts. According to her statement:

What is the purpose of technology to access the court when the system is designed to favour the rich? Do you think a woman that need her land to farm can wait for five to seven years to pursue a court case? She would rather go through the *rwot kweri* to see if she can get something out of the

¹ *Rwot Kweri* means "chief of the hoe"; it is a form of local leadership in rural Uganda.

land even if she cannot get everything, at least she gets something. (Atuku Jackline, FGD3, September 2021).

While the existence of some laws and constitutional provisions encourages groups or individuals in Uganda to seek legal redress, access to concrete resolution is quickly tainted by the everyday prevailing barriers to justice. Firstly, the time that it takes for a case to reach the hearing stage, let alone actually reaching a verdict, means that the judicial system remains unaffordable for many poor people (Mpamizo, 2019: 47):

“Notably, marginalized groups often have good reason to distrust dispute resolution or redress mechanisms which are often not ‘user-friendly’ and require complicated legal and bureaucratic procedures, or which are likely to reaffirm the practices and social norms (for instance of discrimination) that are the object of contestation (Domingo & O’Neil, 2014a:19).

During the discussion with the women that participated in FGD3, it was discovered that corruption in the justice referral pathways have made many women consider following the traditional justice process, even though they do not usually get the desired outcome. Many women who participated in the discussion considered the solution they get from the traditional justice process as better than nothing. Abalo Concy, who is the oldest among the FGD3 participants, said that it is a waste of time and hopeless to think that accessing technology through phone calls and SMS would help resolve legal matters. She maintained that:

Legal matters are not a one-day thing, there are other factors that limits access to justice besides the legal information and guidance and barriers beyond the digital tools. These problems have to be dealt with concurrently. Things like corruption, among others. Although, the *rwot kweri* is not perfect and sometime perpetuate injustice against women, I can tell you that the chance of getting favourable solution from *rwot kweri* is very high than taking your matter to court. (Abalo Concy, FGD3, September 2021).

Lanyero Eunice, who is a mother of four children, also expressed her opinion that the poor are the most vulnerable to unfair justice rulings because they lack financial capacity. Most importantly, lawyers and other legal practitioners want money and they delay and frustrate processes so that they can keep feeding on the case. She maintained that technology would not deal with corrupt officials taking bribes to sway the case in favour of the rich:

Please tell me how me having phone and access to free lawyers would fix a situation where the rich may unknowingly buy your land and after realising that what they have done is wrong, they bribe the court system to rule in their favour. No digital technology would fix that, so the system needs to be fixed first. (Abalo Concy, FGD3, September 2021).

What can be deduced from the experiences of women in the FGD3 is that legal empowerment is a process that enables citizens to actively make use of existing laws in the state to claim their rights (Roseveare, 2013). However, the fact that courts cases in Uganda takes many years before an outcome can be reached influences many Ugandans to lose interest in the judicial system. The long period that it takes before a case can be heard and concluded in the courts leads to case backlogs and, as a result, many Ugandans view the judicial system as frustrating and distasteful (Mpamizo, 2019: 47).

5.4 Conclusion

This chapter has demonstrated the challenges that rural women are facing when using digital platforms to access justice in a bid to achieve legal empowerment. Obstacles such as a lack legal knowledge and awareness, poverty, lack of access to mobile phones, illiteracy, lack of telecommunication infrastructure, and other amenities such as power, as well as the attitude of lawyers, are serious hindrances to many rural women using digital technology to access justice. However, there are women who believe that the introduction of digital technology to facilitate access to justice is putting the cart before the horse whilst corruption remains pervasive in Uganda's legal or court system. Many women in rural areas still turn to traditional justice arrangements, regardless of how flawed they may be, when it comes to seeking redress. For example, many believe that the *rwot kweri* is the only system they have any chance of getting justice in and this does not require digital technology.

6

Conclusion and Recommendations

6.1 Introduction

This study set out to examine how digital technology interconnects with women's access to justice and legal empowerment in rural Northern Uganda. Most importantly, it explores the potential of digital technology in promoting the legal empowerment of rural women and it assesses the factors hindering access to digital technologies as a mechanism for legal empowerment of rural women in Uganda. Three sub-questions were posed to answer the main research question: 1) In what ways does digital technology legally empower rural women in Northern Uganda? 2) What factors hinder the digital transformation of the justice sector in Uganda? 3) What are the needs of Ugandan rural woman concerning digital technologies for legal empowerment? Data were collected from the rural Gulu area in Northern Uganda, through three focus groups discussions with selected women. The data was analysed through the lens of Legal Empowerment (LE) and Access to Justice (A2J). This chapter provides a summary of the findings and proposes recommendations for state and non-state actors who are promoting digital technology for rural women in Uganda to access justice and thus become legally empowered.

6.2 Summary of the Findings

The findings relating to the first research question show that digital technology can play a significant role in addressing the unmet legal needs of rural women in Uganda. Women were able to use digital interfaces to access legal help, evaluate their problems, and decide whether the problems have legal recourse. It also helped them in the preparation of evidence and legal documentation. This allows women to choose which elements of their legal journey can be self-managed and which need to be addressed by a legal professional. Technology can also help to reduce or eradicate the costs and financial barriers that have hindered many rural women from getting justice when their rights are violated. Moreover, the idea that women can now access justice through digital means has put potential abusers and violators on alert that they may face consequences for violating women they perceive as vulnerable.

The findings relating to research question two show that obstacles such as a lack of legal knowledge and awareness, poverty, lack of access to mobile phones, illiteracy, lack of telecommunication infrastructure, and other amenities such as power, as well as the attitude of lawyers, are major hindrances to many rural women using digital technology to access justice. The findings reveal the experiences of rural women using the digital technologies and unearth the role that digital technology plays in the legal empowerment of rural women in their efforts to resolve their legal challenges.

The findings relating to research question three show that there are far deeper challenges related to technological access to digital technologies. Access to courts and lawyers is an essential component to access to justice, however, the complexities involved in the justice system in Uganda goes beyond the digital platforms that women have access to. For instance, corruption in the judicial system, lawyers demanding money or collaborating with the rich result in court cases being prolonged and, in turn, women giving up on their cases and losing faith in the formal court system. This situation is compounded by the cost of legal fees and transportation to the court located in Gulu centre. The experiences of women, as demonstrated above, reveal how different underlying factors hinder the beneficiaries of digital technology interventions (women) and their ability to access and resolve their legal challenges using digital tools. These women believe that the introduction of digital technology to access justice is putting the cart before the horse whilst corruption remains pervasive in the Ugandan legal and court system. Therefore, many of them opt for traditional justice arrangements, regardless of the flaws associated with non-state justice system when it comes to women's right in Uganda. Many women still believe that the *rwot kweri* is the only system they have a slight chance of getting justice in and it does not require accessing digital technology. The findings show how these factors should be addressed by digital innovators in collaboration with national justice institutions, such as the judiciary and legislators, who make key decisions towards building strong justice institutions. They must make access to justice affordable to everyone, build more courts in rural areas, and rebuild trust in the institutions of justice so that people hold them in high regard.

6.3 Recommendations

While promoting digital solutions for legal empowerment of women to enhance access to justice within rural communities, socio-legal start-ups, NGOs, INGOs, and the judicial systems must first work to address the social and technical barriers that hinder access to these technologies. This

means not only teaching women how to use phones, to send SMS messages, or to access different technological platforms, but also sensitising entire communities, demystifying misconceptions that hinder women's access to digital technology such as phones.

It is also essential to strengthen the referral pathways with other legal institutions in order to deliver a holistic package for rural women seeking to resolve their legal needs. Digital transformation has brought the law closer to communities, however, the JLOS institutions such as the police and judiciary are still slow to deliver timely justice and are frequently inaccessible. Legal innovators must work collaboratively with national legal institutions to connect the justice pathways and deliver an evidence-based impact. For instance, there must be a focus on conflict resolution and dispute prevention. Technology platforms can be used to create a safe space for negotiations and arbitrations between conflicting parties.

Several women highlighted concerns regarding the language barrier while accessing digital platforms. Socio-legal start-ups should establish separate direct lines for different languages so that women can access services via a platform in a language of their choice. This will enhance communication for rural women who may not be well versed in English and encourage use of these digital tools.

The research has shown that the formal justice mechanism currently does not adequately meet people's justice needs. A number of rural women still rely on grassroots (informal justice) systems to resolve their justice needs despite their clear limitations. Digital technologies can be used to supplement existing local justice structures by equipping trusted persons in villages, such as local leaders and *Rwot Kweri* (local chiefs) with digital technologies. They can then act as nodes or agents for digital legal consultations and help guide decision-making informed by human rights values. Furthermore, women who lack access to these technologies can gain access through such intermediaries at the village level. It is imperative, however, that all practices are aligned with human-rights-based principles.

Women remain frustrated by the formal justice system due to the complexities and costs. However, technologies also come with limitations. There is a need for socio-legal innovators to clearly define problems that require solutions in the justice pathways and to assess how digital technologies can be used to fill the gaps/complement the existing justice infrastructure. Focus should be directed towards making digital tools work efficiently in resolving legal

needs, for instance, by improving response times and providing easy-to-read legal information. This can be done by setting short response time frames and conducting monthly compliance audits. In addition, targets should be set for digital platforms and call centres to ensure that calls are answered immediately during working hours. Automatic responses to calls beyond working hours should also be set up, directing clients to call during the working day. This would minimise frustrations regarding delayed responses or unanswered calls.

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Appendices

Appendix 1: Consent Letter for the Research

Consent Letter Robert Okello, MA Candidate

Dear Respondent,

REF: Consent letter

I am a student pursuing Master's in Development Studies, majoring in Human Rights, Gender and Conflict: Social Justice Perspectives, at the International Institute of Social Studies, Erasmus University, The Hague, The Netherlands. I would like to ask for your collaboration in the study I'm conducting for my research required for the partial fulfilment of the MA program.

The United Nations (2018) has emphasised the need to adopt technologies usage to leverage the far-reaching potential of the transformative 2030 agenda of sustainable development goals. The emergence of digital innovations in the justice sector has promised to revolutionise the legal industry in Uganda, by advancing creative methods that are supposed to propel access to justice, close gender gaps by advancing legal empowerment. This research contributes to the contemporary discourse on the advancement of disruptive digital technology on the justice sector. It is focusing on "The impact of digital transformation on the Justice sector in Africa" using case study on the Legal empowerment of Women Using Technology and Innovation (LEWUTI) project implemented by BarefootLaw in Northern Uganda

I have identified you as a beneficiary, participant or stakeholder during the implementation of the Lewuti project. Therefore, I would like to collect some feedback in relation to the impact and the operationalisation of this project. The overall study will involve answering a short interview survey with my research assistants Rubangapewany Joel and David Lukwiya through face-to-face interviews, focus group discussions in conformity with local regulations on COVID-19 or otherwise virtual calls on phones, zoom, skype etc.

The short questionnaire takes 30-40 minutes to complete, and will be completed in person by my Research Assistants at a time and location convenient for you. I'm unable to travel in person to Uganda because of the evolving Covid-situation, which is why I hope you will be willing to provide responses to the questions in the interview document. When meeting with my Research Assistances, she/he will take notes in hard copy anonymously, so that you can speak freely. The questionnaire focuses on your experiences and opinions on using these digital platforms to resolve your legal needs.

I would like to stress that your participation in this research is voluntary, and that all efforts will be taken to protect your identity. All the answers I receive from you will be treated with utmost confidentiality. Although there is no monetary reward for participation, I would like to sincerely thank you in advance for your valuable assistance, and hope that the resulting study will help further.

Kindly sign below to affirm that you understand the study's primary aim and that you agree to take part, whilst retaining the right to withdraw without prejudice at any time, should you so wish. Thank you so much for your participation.

Respondent Signature: _____

Date: _____

Add your e-mail and/or WhatsApp here (in case you want to discuss this further).

Appendix 2 Interview Questions for Beneficiaries and other stakeholders.

Section A: Interview survey for Beneficiaries (WOMEN)

Chosen Name -----

Unstructured questions

Ask about experiences with LEWUTI and legal issues they faced
Ask them to talk about these issues and how they experienced them.
In the conversation, use prompts to follow up on points they may not elaborate on
e.g., education, land, work, marriage, children, income, inheritance etc.

BENEFICIARIES/ WOMEN

Structure questions.

1. What is your level of education?
 Not studied Primary Level.
 Tertiary/Secondary Level University

2. Have you experience any legal issue in the past 2 months?
 Yes. No If Yes-----Continue to Question a)
What was your legal issue related to?
 Land Rights Contract and Agreements
 Family conflict. Domestic Violence

Any other.....

3. Do you trust the available justice process when seeking legal remedies?
 Yes No If No. Why?.....

4. Where do you go to resolve your legal issues?

- Courts of Law
- Local leaders
- Traditional Leaders
- Clan leaders Other mechanism.....

5. Have you attended one of the LEWUTI training?

- Yes No If Yes..... Continue to a)

a. Do you have a phone or have any gadget that connects to internet?

- Yes No If No. Go to question 6

b. Do you use the available digital platforms provided to consult a lawyer for free to access legal support?

- Yes No If Yes. Ask question b (i)

b(i) How do you rate the efficiency and use of the platforms available

- Very easy Easy v Moderate Somewhat Hard
- Hard Difficult

b(ii) In what ways has the digital platform help you resolve your legal issues.

a)

b)

a) Have your legal issues been resolved since you started using the available free digital platforms?

Yes. No

If Yes. How?.....

b) Do you trust the online legal consultation with a lawyer?

Yes. No

If No. Why?.....

1. What are the challenges you face when using these digital tools to access legal support?
 - a)
 - b)
 - c)
 - d)

Questions for Other stakeholders (Magistrates, local leaders and Innovators).

2. Has the immergence of digital technologies in the Justice sector made your work easier in facilitating access to justice?

Yes No

If Yes. How?.....
3. Do you think women who have access to digital technologies are better place to resolve their legal issues?
4. Do you think digital technologies are improving legal empowerment of women?

Yes. No

If Yes. How?.....
5. Do you think women who seek legal support through digital platforms reach an outcome/resolve their legal needs?

Yes. No

If Yes. How?.....
6. What do you think is the main factor hindering digital transformation in the Justice sector?
 - a)
 - b)
7. What is your opinion about digital transformation in the justice sector?

.....

Thank you for your feedback

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Estimates indicate that over 5 billion people in the world have unmet justice needs. Formal justice systems often appear too complex to navigate and are expensive. Particularly in remote areas in low-income countries, there are not enough legal advisors. Digital transformation is presented as a solution to reduce the justice gap. However, it is not clear that rural women benefit equally from the digitisation of justice systems.



This book zooms in on rural women's legal empowerment through digital technology in Northern Uganda. It is based on research done by Robert Okello for his master's thesis, for which he won the Africa Thesis Award 2022. It offers nuance to assumptions made by some Western donors about how digital technologies can easily 'empower' the marginalised communities. Drawing from the experiences of rural women, it questions the faith in technology itself, while emphasising the need for a people-centered approach to justice innovations.

Robert Okello has a Master's degree in Development Studies from the International Institute of Social Studies of Erasmus University Rotterdam. He works as the Europe lead for Barefootlaw, a non-profit organisation based in Uganda that provides free legal support to disadvantaged Ugandans, using both technology and traditional methods like community outreach. His work focuses on strengthening Africa-Europe digital cooperation to nurture locally driven innovations. He previously worked for ECDPM, supporting policy research towards building Africa-Europe cooperation.