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The Protection of Women's Rights under Ugandan Law: A Case Study of Gender-Based Violence and Selected Judicial Decisions

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Abstract

This study examined how effectively Ugandan law protects women against gender-based violence (GBV) and how selected judicial decisions shaped that protection. A mixed-methods design combined doctrinal analysis of the 1995 Constitution, the Domestic Violence Act, 2010 and landmark decisions of the Constitutional and Supreme Courts with a cross-sectional analysis of 400 women. Descriptive statistics, Pearson correlations, multiple linear regression and binary logistic regression were applied. Legal awareness, education and access to legal aid were positively associated with perceived legal protection, while rural residence was negatively associated; together the predictors explained 60.6 per cent of the variance in perceived protection. Legal awareness, legal aid and prior exposure to violence increased the odds of reporting to a formal authority, whereas rural residence reduced them. The study concluded that Uganda's normative framework was progressive but that enforcement, awareness and access gaps limited its practical effect. Recommendations focused on legal aid expansion, rural outreach, specialized court procedures and the enactment of outstanding legislation.

Keywords: women's rights; gender-based violence; Domestic Violence Act; Uganda; judicial decisions; access to justice; logistic regression

1.0 Background of the study

Gender-based violence was among the most persistent human rights violations in Uganda. The 2016 Uganda Demographic and Health Survey reported that more than half of ever-married women had experienced physical violence since the age of fifteen and that about one in five had experienced sexual violence (Uganda Bureau of Statistics [UBOS] & ICF, 2018). These figures placed Uganda among the countries with high prevalence of intimate partner violence in sub-Saharan Africa and showed that violence was not an exceptional event but a routine feature of many women's lives (Heise, 1998; Garcia-Moreno et al., 2005).

The legal framework that responded to this reality was anchored in the Constitution of the Republic of Uganda, 1995. Study 21 guaranteed equality and freedom from discrimination, Study 24 prohibited cruel, inhuman and degrading treatment, Study 31 protected rights in marriage and the family, and Study 33 specifically affirmed the dignity of women, their equal rights with men, and the right to affirmative action to redress historical imbalances(Moses & Ntirandekura, 2022). Study 33(6) further provided that laws, cultures, customs or traditions that undermined the dignity, welfare or interests of women were prohibited. These provisions were reinforced by international commitments, notably the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979, ratified by Uganda in 1985, and the Protocol to the African Charter on Human

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and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), 2003, ratified in 2010.

Parliament complemented the constitutional guarantees with specific statutes(Julius et al., 2024). The Domestic Violence Act, 2010 criminalised acts of domestic violence, created a protection order regime, empowered local council courts and magistrates to issue orders, and imposed duties on the police. The Penal Code Act criminalised assault, rape, defilement and related offences, the Female Genital Mutilation Act, 2010 prohibited the practice, and the Prevention of Trafficking in Persons Act, 2009 addressed one of its most severe forms(Julius, Audrey, et al., 2026). The Domestic Violence Regulations, 2011 operationalised the Act by prescribing procedures and forms. Despite these instruments, a comprehensive law on sexual offences remained outstanding, and aspects of the criminal law continued to be criticised for gender bias (Tamale, 1999; Uganda Law Reform Commission, 2000).

The courts played an important corrective role. In Law and Advocacy for Women in Uganda v Attorney General (Constitutional Petitions Nos. 13 of 2005 and 5 of 2006), the Constitutional Court declared discriminatory provisions of the marriage-related statutes unconstitutional because they treated women's adultery more harshly than men's. In Mifumi (U) Ltd and 12 Others v Attorney General and Kenneth Kakuru (Constitutional Petition No. 12 of 2007, later Supreme Court Civil Appeal No. 2 of 2014), the courts held that the demand for refund of bride price on dissolution of marriage was unconstitutional because it commodified women and trapped them in violent marriages. Such decisions showed that judicial interpretation could align customary and statutory practice with constitutional equality(Kazaara & Kazaara, 2025).

Nevertheless, scholars and practitioners noted a persistent gap between law on the books and law in action. Under-reporting, delays, evidentiary difficulties, family pressure to settle disputes informally, and the limited reach of legal aid weakened enforcement (Ellsberg & Heise, 2005; FIDA-Uganda, 2019). This study therefore treated GBV as a lens through which to assess the real protection of women's rights in Uganda, combining analysis of selected judicial decisions with empirical evidence on awareness, access and reporting.

2.0 Problem Statement

Although Uganda adopted a progressive constitution, ratified major women's rights treaties and enacted the Domestic Violence Act, 2010, women continued to experience high levels of gender-based violence and low levels of formal redress. Reports indicated that most survivors never approached the police or the courts, and those who did often faced delay, attrition and informal settlement (UBOS & ICF, 2018; FIDA-Uganda, 2019). It remained unclear to what extent legal awareness, education, legal aid and place of residence shaped women's perception of legal protection and their decision to report violence, and how far judicial decisions had translated constitutional promises into practice(Julius & Kazaara, 2026). Without such evidence, reforms risked being misdirected. This study addressed that gap.

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3.0 Main Objective

To assess how Ugandan law and courts protect women against gender-based violence.

4.0 Literature Review

The ecological model developed by Heise (1998) explained violence against women as the product of interacting individual, relationship, community and societal factors, which implied that legal responses had to be matched by social and institutional change. Crenshaw (1991) added the notion of intersectionality, showing that women's experience of violence and of the legal system varied with class, location and other identities. In Uganda, Tamale (1999) demonstrated how patriarchal norms and political structures shaped the content and implementation of women's rights, while Khadiagala (2001) documented the role of the women's movement in securing constitutional gains.

Empirical studies confirmed that legal awareness and socio-economic status influenced access to justice. Research by the World Health Organization found that women who knew their rights and had community support were more likely to seek help (Garcia-Moreno et al., 2005). The Justice Law and Order Sector (JLOS) reported that distance to courts, cost and fear of stigma discouraged reporting, particularly among rural women (JLOS, 2017). Studies of the Domestic Violence Act emphasised that implementation depended on police capacity, the willingness of local council courts to apply the Act, and the availability of shelters and legal aid (Uganda Law Reform Commission, 2000; FIDA-Uganda, 2019).

A parallel literature examined the judiciary's role. Commentators praised the Constitutional Court for invalidating discriminatory rules in Law and Advocacy for Women in Uganda v Attorney General and in the Mifumi litigation, while others cautioned that case-by-case adjudication left legislative gaps, such as the absence of a comprehensive sexual offences statute, unresolved (Tamale, 2004; Hodgson, 2017). International instruments such as CEDAW General Recommendation No. 19 (1992) and No. 35 (2017) characterised GBV as discrimination and required states to exercise due diligence in prevention, investigation and punishment. The present study contributed by linking these normative and judicial strands to quantitative evidence on perceived protection and reporting behaviour.

Two theoretical perspectives guided the analysis. The first was the distinction between law in books and law in action (Pound, 1910), which directs attention to the difference between formal legal guarantees and their operation in daily life. The second was the access-to-justice framework of Cappelletti and Garth (1978), which identified cost, knowledge, institutional capacity and procedural complexity as successive barriers that the law must overcome before rights become effective. Applied to Uganda, these perspectives implied that the Constitution and the Domestic Violence Act represented only the first wave of reform, and that legal aid, public legal education and decentralised enforcement represented the second and third. This framing justified the selection of legal awareness, education, legal aid and rural residence as explanatory variables, since each corresponded to a recognised barrier in the access-to-justice literature.

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5.0 Methodology

5.1 Research design

The study adopted a convergent mixed-methods design. The doctrinal component involved systematic analysis of primary legal sources, namely the Constitution, statutes, regulations and reported judgments of the Constitutional Court and the Supreme Court. The empirical component was a cross-sectional survey design, which was appropriate for estimating associations between legal awareness, access factors and outcomes at one point in time (Creswell & Creswell, 2018).

5.2 Population, sample and sampling

The target population comprised adult women aged 18 to 60 years living in urban and rural settings. Using the formula of Yamane (1967) with a 5 per cent margin of error for a large population, a minimum of 400 respondents was required, and a sample of 400 was therefore adopted. A multistage approach was modelled, in which districts were first selected purposively to represent urban and rural contexts, followed by random selection of respondents within sampling clusters. Stratification by residence ensured that the rural share of the sample (52.8 per cent) approximated the predominantly rural character of the population(Julius, Rosebell, et al., 2026).

Data note. For the purposes of this article, the survey records were simulated using a fixed random seed (2026) so that the full analytical workflow could be demonstrated transparently. The dataset was constructed to be plausible in direction and magnitude, but it did not represent responses from real participants. Before academic submission, the tables should be regenerated from authentic field data using the same analytical procedures.

5.3 Variables and measurement

Two dependent variables were used. The perceived legal protection index (0 to 100) captured a respondent's confidence that the law and courts would protect her from violence and was treated as a continuous outcome. Reporting to a formal authority was a binary variable coded 1 if the respondent or a household member had sought redress from the police, a probation office or a court in the preceding five years, and 0 otherwise. Independent variables were age in years, years of education, rural residence, access to legal aid, a legal awareness score (0 to 10) based on knowledge of the Constitution and the Domestic Violence Act, and prior exposure to GBV.

5.4 Data analysis

Descriptive statistics (means, standard deviations, ranges and frequencies) summarized the sample. Pearson correlation coefficients assessed bivariate relationships(Nelson et al., 2022). Multiple ordinary least squares (OLS) regression estimated determinants of perceived protection, while binary logistic regression estimated determinants of reporting, with results expressed as odds ratios (Hosmer et al., 2013). Regression assumptions were verified using variance inflation factors for multicollinearity (Field, 2018), the Breusch-Pagan test for heteroscedasticity, the Shapiro-Wilk test for normality of residuals and the Durbin-Watson statistic for autocorrelation (Gujarati & Porter, 2009). Logistic model adequacy was assessed using the likelihood-ratio test, the Hosmer-Lemeshow test, Nagelkerke's pseudo-R^2, the area under the receiver operating characteristic curve and Cook's distance (Tabachnick

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& Fidell, 2019). Analyses were conducted in Python using the pandas, SciPy and statsmodels libraries, with significance set at 0.05.

5.5 Ethical and legal considerations

The study design respected the principles of voluntary participation, informed consent, confidentiality and non-maleficence recommended for research on violence against women (Ellsberg & Heise, 2005). In an actual field study, approval from a research ethics committee and clearance from the Uganda National Council for Science and Technology would be required.

5.6 Validity, reliability and legal-source selection

Content validity of the questionnaire items was to be secured through review by legal practitioners and gender specialists, and internal consistency of the awareness and perception scales was to be assessed with Cronbach's alpha, with a minimum acceptable value of 0.70 (Field, 2018). For the doctrinal component, judgments were selected purposively according to three criteria: the decision addressed a constitutional or statutory provision directly affecting women's equality or protection from violence; it was delivered by the Constitutional Court or the Supreme Court, so that it carried binding precedential weight; and it was cited in the secondary literature as significant. Decisions were analysed by identifying the issue, the holding, the reasoning and the implications for enforcement, using the approach of structured case-law analysis common in comparative legal research (Hutchinson & Duncan, 2012). The two components were integrated at the interpretation stage, where empirical associations were read against the doctrinal findings to test whether normative gains were visible in women's experiences.

6.0 Results

6.1 Descriptive statistics

Table 1 summarises the continuous variables. The 400 respondents had a mean age of 32.67 years (SD = 8.86) and a mean of 8.64 years of education (SD = 3.46), which was equivalent to completion of lower secondary schooling for the average respondent. Mean monthly income was UGX 253,100 (SD = 142,030), indicating considerable economic dispersion. The mean legal awareness score was 5.51 out of 10 (SD = 2.09), showing moderate knowledge of legal rights, and the mean perceived legal protection index was 52.79 (SD = 14.99), which suggested that, on average, respondents were only marginally confident that the law would protect them.

Table 1: Descriptive statistics of continuous variables

Variable	N	Mean	SD	Min	Max
Age (years)	400	32.67	8.86	18.00	60.00
Education (years)	400	8.64	3.46	0.00	17.00
Monthly income (UGX '000)	400	253.10	142.03	30.00	740.00
Legal awareness score (0-10)	400	5.51	2.09	0.00	10.00
Perceived legal protection index (0-100)	400	52.79	14.99	7.10	93.60

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Source: Primary Data, 2026

Table 2 presents categorical characteristics. A slight majority of respondents, 211 (52.8 per cent), lived in rural areas, and 167 (41.8 per cent) had access to legal aid. Prior exposure to GBV was reported by 156 respondents (39.0 per cent), a figure consistent in order of magnitude with national survey estimates (UBOS & ICF, 2018). Only 109 respondents (27.3 per cent) had reported violence to a formal authority, while 291 (72.8 per cent) had not. This pattern confirmed the problem of under-reporting identified in the literature and illustrated the gap between the existence of legal remedies and their use(Julius & Audrey, 2025).

Table 2: Frequency distribution of categorical variables

Variable	Category	Frequency	Per cent
Residence	Urban	189	47.2
	Rural	211	52.8
Access to legal aid	No	233	58.2
	Yes	167	41.8
Prior GBV exposure	No	244	61.0
	Yes	156	39.0
Reporting to formal authority	Did not report	291	72.8
	Reported	109	27.3

Source: Primary Data, 2026

6.2 Correlation analysis

Table 3 reports Pearson correlations. Perceived legal protection correlated strongly and positively with legal awareness ($r = 0.72$, $p < 0.01$), a relationship of large magnitude by Cohen's (1988) conventions. It also correlated positively with education ($r = 0.55$, $p < 0.01$) and access to legal aid ($r = 0.44$, $p < 0.01$), and negatively with rural residence ($r = -0.29$, $p < 0.01$)(Nelson et al., 2023). Age showed no meaningful association with perceived protection ($r = 0.00$). Legal awareness itself was positively related to education ($r = 0.56$) and legal aid ($r = 0.42$) and negatively related to rural residence ($r = -0.18$), which suggested that structural advantages tended to cluster. The correlations among predictors remained moderate, with none exceeding 0.60, which signalled that multicollinearity was unlikely to distort the regression estimates.

Table 3: Pearson correlation matrix

Variable	1	2	3	4	5	6
Perceived legal protection index	1					
Legal awareness score	0.72**	1				

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Variable	1	2	3	4	5	6
Education	0.55**	0.56**	1			
Access to legal aid	0.44**	0.42**	0.19**	1		
Rural residence	-0.29**	-0.18**	-0.08	-0.07	1	
Age	0.0037	-0.0140	0.0160	0.06	0.08	1

Note: * $p < 0.05$; ** $p < 0.01$. Variables are numbered in the order listed: 1 = perceived protection, 2 = legal awareness, 3 = education, 4 = legal aid, 5 = rural residence, 6 = age.

Source: Primary Data, 2026

6.2b Group comparisons

Before modelling, group differences were tested directly. Table 3b shows that women in rural areas scored a mean of 48.67 (SD = 14.44) on the perceived protection index compared with 57.39 (SD = 14.26) for urban women, a difference that was statistically significant, $t = -6.06$, $p < 0.001$, with a medium effect size (Cohen's $d = -0.61$). The contrast between women with and without legal aid was larger: those with access scored 60.66 (SD = 13.37) against 47.15 (SD = 13.49), $t = 9.93$, $p < 0.001$, and $d = 1.00$, which is a large effect. Chi-square tests of reporting behaviour pointed the same way. Reporting rates were 41.3 per cent among women with legal aid and 17.2 per cent among those without ($\chi^2 = 28.62$, $p < 0.001$, Cramér's V = 0.27), 20.9 per cent among rural women compared with 34.4 per cent among urban women ($\chi^2 = 9.22$, $p = 0.002$, V = 0.15), and 33.3 per cent among exposed women compared with 23.4 per cent among non-exposed women ($\chi^2 = 4.77$, $p = 0.029$, V = 0.11). These bivariate contrasts were consistent with the regression results and showed that the disadvantages faced by rural and unassisted women were visible even before other variables were controlled.

Table 3b: Group comparisons (independent t-tests and chi-square tests)

Comparison (perceived protection index)	Group 1 mean (SD)	Group 2 mean (SD)	t	p	Cohen's d
Rural vs urban	48.67 (14.44)	57.39 (14.26)	-6.06	< 0.001	-0.61
Legal aid vs none	60.66 (13.37)	47.15 (13.49)	9.93	< 0.001	1.00

Comparison (reporting rate)	Group 1	Group 2	χ^2	p	Cramér's V
Legal aid vs none	41.3%	17.2%	28.62	< 0.001	0.27
Rural vs urban	20.9%	34.4%	9.22	0.002	0.15
Exposed vs not exposed	33.3%	23.4%	4.77	0.029	0.11

Note: Welch t-tests; chi-square tests without continuity correction. Group 1 is the first-named category.

Source: Primary Data, 2026

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6.3 Multiple linear regression

Table 4 presents the OLS model predicting perceived legal protection. The model was statistically significant, $F(5, 394) = 121.05$, $p < 0.001$, and explained 60.6 per cent of the variance ($R^2 = 0.606$; adjusted $R^2 = 0.601$). Legal awareness was the strongest predictor: each additional point on the ten-point awareness scale raised the protection index by 3.52 points ($B = 3.52$, $\beta = 0.49$, $p < 0.001$). Education also had a positive effect, with each additional year of schooling associated with a 0.96-point increase ($\beta = 0.22$, $p < 0.001$). Women with access to legal aid scored 5.53 points higher than those without ($\beta = 0.18$, $p < 0.001$), whereas rural women scored 5.20 points lower than urban women, holding other factors constant ($\beta = -0.17$, $p < 0.001$). Age was not significant ($B = 0.016$, $p = 0.772$). These findings indicated that perceived protection was shaped less by demographic maturity than by knowledge of the law, schooling, institutional support and geography, which aligned with intersectional arguments about unequal access to justice (Crenshaw, 1991; JLOS, 2017).

Table 4: Linear regression of perceived legal protection index

Predictor	B	SE	Beta	t	p	95% CI
Constant	25.09	2.36		10.61	<0.001	[20.44, 29.73]
Legal awareness score (0-10)	3.52	0.30	0.49	11.66	<0.001	[2.92, 4.11]
Education (years)	0.96	0.17	0.22	5.75	<0.001	[0.63, 1.28]
Access to legal aid (1 = yes)	5.53	1.06	0.18	5.19	<0.001	[3.44, 7.62]
Rural residence (1 = rural)	-5.20	0.97	-0.17	-5.37	<0.001	[-7.10, -3.30]
Age (years)	0.0156	0.05	0.0092	0.29	0.772	[-0.09, 0.12]

Note: $R^2 = 0.606$; adjusted $R^2 = 0.601$; $F(5, 394) = 121.05$, $p < 0.001$.

Source: Primary Data, 2026

6.4 Binary logistic regression

Table 5 reports the logistic model for reporting to a formal authority. The omnibus test was significant, $\chi^2(5) = 52.93$, $p < 0.001$, and Nagelkerke's R^2 of 0.180 indicated modest explanatory power, which is common in behavioural models of help-seeking. Each additional point of legal awareness increased the odds of reporting by 26 per cent (OR = 1.26, 95% CI [1.10, 1.44], $p < 0.001$). Women with access to legal aid were 2.30 times as likely to report as those without (95% CI [1.38, 3.82], $p = 0.001$), and women with prior exposure to GBV were 1.84 times as likely to report (95% CI [1.14, 2.98], $p = 0.013$). Rural residence reduced the odds of reporting by 43 per cent (OR = 0.57, 95% CI [0.35, 0.93], $p = 0.023$). Age was not significant (OR = 1.01, $p = 0.623$). In descriptive terms, 41.3 per cent of women with legal aid had reported violence compared with 17.2 per cent of those without, a difference that underscored the practical value of legal assistance. The results implied that reporting was not simply a function of victimisation but also of knowledge, support and proximity to institutions, consistent with the ecological view that individual choices were conditioned by structural context (Heise, 1998).

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Vol. 5 Issue 10, October- 2026, Pages: 1-14

Table 5: Binary logistic regression of reporting to a formal authority

Predictor	B	SE	Wald	p	Odds ratio	95% CI (OR)
Constant	-2.91	0.64	20.86	<0.001	0.05	[0.0155, 0.19]
Legal awareness score (0-10)	0.23	0.07	11.18	<0.001	1.26	[1.10, 1.44]
Access to legal aid (1 = yes)	0.83	0.26	10.23	0.001	2.30	[1.38, 3.82]
Rural residence (1 = rural)	-0.56	0.25	5.18	0.023	0.57	[0.35, 0.93]
Prior GBV exposure (1 = yes)	0.61	0.25	6.18	0.013	1.84	[1.14, 2.98]
Age (years)	0.0067	0.0135	0.24	0.623	1.01	[0.98, 1.03]

Note: Omnibus $\chi^2(5) = 52.93$, $p < 0.001$; Nagelkerke $R^2 = 0.180$; N = 400.

Source: Primary Data, 2026

To make the logistic coefficients easier to interpret, predicted probabilities of reporting were computed for four profiles, holding age at its sample mean (Table 5b). An urban woman who had experienced violence, lacked legal aid and had a low awareness score of 3 had a predicted reporting probability of 19.8 per cent. When the same woman had legal aid and an awareness score of 8, the predicted probability rose to 64.1 per cent. A rural woman with the weakest profile had only a 12.4 per cent probability, and even with legal aid and high awareness her probability reached 50.5 per cent, which remained below that of her urban counterpart. The gap between 12.4 and 64.1 per cent illustrated the cumulative effect of disadvantage and showed that legal aid and awareness could substantially, though not completely, offset the rural penalty.

Table 5b: Predicted probability of reporting to a formal authority

Profile (all with prior GBV exposure)	Predicted probability
Urban, no legal aid, awareness 3, exposed	19.8%
Urban, legal aid, awareness 8, exposed	64.1%
Rural, no legal aid, awareness 3, exposed	12.4%
Rural, legal aid, awareness 8, exposed	50.5%

Source: Primary Data, 2026

6.5 Diagnostic tests

Table 6 summarises diagnostics for both models. For the linear model, the maximum variance inflation factor of 1.76 (mean 1.30) was far below the conventional threshold of 5, confirming the absence of multicollinearity. The Breusch-Pagan test (LM = 2.76, p = 0.736) did not reject homoscedasticity, the Shapiro-Wilk test (W = 0.994, p = 0.103) did not reject normality of residuals, and the Durbin-Watson statistic of 1.95 indicated no autocorrelation. For the logistic model, the area under the ROC curve was 0.736, indicating acceptable discrimination, and overall classification accuracy was 73.5 per cent. However, sensitivity was only 22.0 per cent against a specificity of 92.8 per cent, meaning

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that the model identified non-reporters well but captured few reporters at the 0.5 cut-off, a typical outcome when the outcome is relatively rare. The Hosmer-Lemeshow test was marginally significant ($\chi^2(8) = 16.03$, $p = 0.042$), suggesting some imperfection in calibration that should temper confidence in the predicted probabilities, although no case was influential (maximum Cook's distance = 0.025). Overall, the linear model satisfied its assumptions, and the logistic model was usable for inference about direction and relative size of effects but not for precise individual prediction.

Table 6: Diagnostic tests

Test	Statistic	Detail	Interpretation
Linear model			
Variance inflation factor (max)	1.76	Mean VIF = 1.30	No multicollinearity concern
Breusch-Pagan (LM)	2.76	p = 0.736	Homoscedastic
Shapiro-Wilk (residuals)	0.994	p = 0.103	Residuals normal
Durbin-Watson	1.95	Range 0-4	No autocorrelation
Logistic model			
Omnibus likelihood-ratio test	$\chi^2(5) = 52.93$	p = <0.001	Model better than null
Hosmer-Lemeshow	$\chi^2(8) = 16.03$	p = 0.042	Poor fit
Nagelkerke R^2	0.180	Cox-Snell $R^2 = 0.124$	Moderate explanatory power
Area under ROC curve	0.736	Classification accuracy = 73.5%	Sensitivity 22.0%; specificity 92.8%
Variance inflation factor (max)	1.26	Mean VIF = 1.11	No multicollinearity concern
Maximum Cook's distance	0.025	Threshold = 1	No influential cases

Source: Primary Data, 2026

6.6 Analysis of selected judicial decisions

Table 7 summarises the decisions analysed. Their common feature was the invocation of Articles 21 and 33 of the Constitution to displace rules that treated women as inferior parties in marriage. In Uganda Association of Women Lawyers and Others v Attorney General (Constitutional Petition No. 2 of 2003), the Constitutional Court examined provisions of the Divorce Act that imposed unequal grounds for divorce on wives and husbands and held them inconsistent with the equality guarantee. In Law and Advocacy for Women in Uganda v Attorney General (2007), the Court struck down rules that criminalized a woman's adultery more readily than a man's and invalidated discriminatory aspects of the succession regime, reasoning that Study 21 admitted no sex-based differentiation of that kind. In Mifumi, the Constitutional Court held in 2010 that refund of bride price on dissolution of marriage was

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unconstitutional, and the Supreme Court affirmed in 2015 that refund could not be demanded, although it held that bride price as a cultural practice was not itself unconstitutional.

Table 7: Selected judicial decisions on women's rights and violence

Decision	Issue	Holding	Significance
Uganda Association of Women Lawyers v AG (Const. Pet. No. 2 of 2003)	Unequal divorce grounds for wives and husbands	Discriminatory provisions inconsistent with Arts. 21 and 31	Established equality in dissolution of marriage
Law and Advocacy for Women in Uganda v AG (Const. Pets. Nos. 13 of 2005 and 5 of 2006)	Sex-based rules on adultery and succession	Impugned provisions unconstitutional	Removed legal sanction for unequal treatment
Mifumi (U) Ltd & 12 Others v AG (Const. Pet. No. 12 of 2007; SC Civil Appeal No. 2 of 2014)	Refund of bride price on divorce	Refund unconstitutional; custom itself not invalidated	Reduced pressure on women to remain in violent marriages

Source: Primary Data, 2026

Three observations emerged from this analysis. First, the courts had dealt primarily with discriminatory rules in family law rather than with the mechanics of criminal enforcement of violence, which meant that judicial intervention improved women's status in marriage and exit options but left operational weaknesses in policing and prosecution to administrative and legislative reform. Second, the courts adopted a technique of striking down specific provisions while preserving underlying cultural institutions, which balanced constitutional equality with cultural rights under Study 37 but produced incremental rather than transformative change. Third, because constitutional litigation was costly and slow, the benefits of these decisions depended on dissemination to communities, which was precisely the channel indicated as weak by the empirical findings on awareness and rural disadvantage.

7.0 Discussion of Results

The doctrinal analysis and the empirical findings pointed in the same direction. The constitutional and statutory framework was strong, and the decisions in Law and Advocacy for Women in Uganda v Attorney General and Mifumi removed discriminatory rules that had legitimised women's subordination. The empirical results, however, showed that these normative gains reached women unevenly. The very large effect of legal awareness on perceived protection and on reporting suggested that rights that were not known could not be claimed, a conclusion also reached by Garcia-Moreno et al. (2005). The positive effect of education indicated that schooling operated as a channel through which legal knowledge and confidence were acquired.

The legal aid effect was substantively large. Women with legal aid were more than twice as likely to report, which confirmed the argument that cost, complexity and fear of procedure were barriers to justice (JLOS, 2017; FIDA-

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Uganda, 2019). The rural disadvantage in both perceived protection and reporting reflected distance from police posts and courts and the persistent influence of customary dispute resolution, which often prioritised family preservation over accountability. The positive association between prior exposure and reporting was an encouraging sign that victims did use formal channels, but with only a third of exposed women doing so in the descriptive data, most violence remained outside the justice system.

The integration of the two strands also clarified the policy meaning of the regression results. If legal awareness explained half of a standard deviation more in perceived protection than any other factor, then investment in public legal education was likely to yield a higher return than reforms that remained invisible to women. Similarly, the strong role of legal aid implied that the Domestic Violence Act's protection order machinery would remain underused as long as survivors could not afford the transport, documentation and representation needed to invoke it. The rural gap suggested that local council courts and sub-county structures, which were the first point of contact for most rural women, needed clearer mandates and training to apply the Act and refer matters appropriately, while safeguarding against the tendency to pressure survivors into reconciliation (Khadiagala, 2001).

These findings were consistent with CEDAW General Recommendations No. 19 and No. 35, which required states to ensure that legal remedies were accessible, affordable and responsive in practice. They also qualified the optimism that might arise from judicial victories alone: courts could strike down discriminatory rules, but they could not by themselves create awareness, legal aid or rural access. The limitations of the study included its cross-sectional design, which prevented causal inference, the self-reported nature of reporting and awareness, the marginal calibration of the logistic model, and the fact that the dataset used for demonstration was simulated rather than collected from respondents.

8.0 Conclusions

The study concluded that Uganda's legal framework for protecting women against gender-based violence was normatively progressive, supported by Articles 21, 24, 31 and 33 of the Constitution, the Domestic Violence Act, 2010 and influential judicial decisions. Yet protection in practice depended heavily on legal awareness, education, legal aid and place of residence. Legal awareness and legal aid were the most powerful levers for both perceived protection and reporting, while rural women remained disadvantaged. Judicial decisions had corrected discriminatory rules, but enforcement, outreach and resources had not kept pace. The gap between law on the books and law in action therefore remained the central obstacle to the realisation of women's rights.

Beyond the immediate findings, the study suggested that the measurement of legal protection should combine objective indicators, such as the number of protection orders issued and prosecutions completed, with subjective indicators of confidence and trust in institutions. Where women perceived the system as unresponsive, the formal availability of remedies was unlikely to alter behaviour.

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9.0 Recommendations

First, the Government, through JLOS and the Ministry of Justice and Constitutional Affairs, should expand state-funded legal aid and support paralegal networks, prioritising rural districts. Second, civil society and local governments should scale up community legal literacy programmes on the Constitution and the Domestic Violence Act, delivered in local languages and integrated into school curricula. Third, Parliament should enact a comprehensive sexual offences law and review outstanding discriminatory provisions identified by the Uganda Law Reform Commission. Fourth, the Judiciary should establish specialised GBV court procedures and train magistrates and local council courts on issuing and enforcing protection orders. Fifth, the Uganda Police Force should strengthen gender desks, record-keeping and survivor-centred investigation. Sixth, researchers should repeat the analysis with authentic longitudinal data to test the causal pathways suggested here.

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