



Gender Hierarchies and Their Legal Implications in Sub-Saharan Africa: A Discourse on Uganda's Jurisprudence

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Abstract

{ "background": "Sub-Saharan Africa faces significant gender disparities in legal frameworks, particularly within criminal procedure systems. Uganda's jurisprudence on these issues is a notable case study for understanding how gender hierarchies are embedded and challenged.", "purposeandobjectives": "This theoretical framework article aims to explore the intersection of gender dimensions with legal processes in Uganda's criminal justice system, specifically focusing on the application of customary laws versus statutory provisions. The objectives include identifying key areas where gender impacts are most pronounced and proposing potential reforms that could mitigate these disparities.", "methodology": "The study employs a critical discourse analysis approach to examine Ugandan legal texts, judicial decisions, and societal norms related to criminal proceedings involving gender-based offenses. This method allows for an in-depth examination of how gender is represented and addressed within the formal legal system.", "keyinsights": "A key insight from this analysis is that customary laws disproportionately favour male perpetrators over female victims, often leading to underreporting and underprosecution of gender-based crimes. Additionally, there is a significant disparity in sentencing outcomes where women receive harsher penalties than men for similar offenses.", "conclusion": "The findings underscore the need for comprehensive legal reforms aimed at aligning customary laws with international human rights standards, particularly those concerning gender equality and non-discrimination. Such reforms would require not only legislative changes but also public education campaigns to shift societal attitudes towards justice and equity.", "recommendations": "Specific recommendations include amending existing legislation to incorporate provisions that explicitly recognise the intersectionality of gender with other forms of discrimination such as ethnicity, socioeconomic status, or age. Public awareness programmes should be implemented to challenge prevailing stereotypes and biases within communities.", "keywords": "Gender Hierarchies, Sub-Saharan Africa, Uganda Criminal Procedure, Legal Reform", "contribution_statement": "This study contributes by providing a comprehensive theoretical framework that elucidates the complex interplay between customary laws and statutory provisions in shaping gendered legal outcomes. By identifying specific areas of disparity, this work offers actionable insights for policy

Keywords: *Sub-Saharan, Africa, CulturalStudies, Intersectionality, LegalGenderDynamics, PostcolonialLaw, Criminology*

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