

Women, Lawfare, and Democratic Silencing in Uganda

Emma Charlene Lubaale

Senior Lecturer in Law, University of Greenwich, London, England and Adjunct Professor at Rhodes University, South Africa

Abstract

This paper offers a public-law account of the misuse of criminal law as a deliberate mechanism for suppressing women's protest, speech, and dissent in Uganda, and shows how these practices erode democratic participation. Drawing on four recent case studies, it demonstrates how criminal process is instrumentalised to deter women from public life: the prosecution of Dr. Stella Nyanzi under the Computer Misuse Act for a Facebook poem, culminating in a 2019 conviction and a 2020 acquittal amid serious concerns about fair-trial rights and freedom of expression; the September 2024 arrest and remand of three young women after a semi-nude anti-corruption protest, charged as common nuisances in a way that policed both their bodies and their political messages; the coordinated gendered disinformation and online hostility targeting journalist-lawyer Agather Atuhaire following high-profile anti-corruption "exhibitions," revealing the interaction between digital smear campaigns and selective policing or charging decisions; and the 30 December 2025 detention of Dr. Sarah Bireete on data-misuse allegations, silencing scrutiny into government apparatus. The contribution to literature is to recast these episodes as a coherent pattern of lawfare in which offence selection, remand and bail practices, procedural delay, and electoral timing function as punitive tools, producing cumulative, gender-specific harms and transforming routine legal processes into a structural constitutional problem at the heart of Uganda's democratic decay.

Keywords: Lawfare; Misuse of criminal law; Women's dissent; Democratic participation; Uganda