

Constitutional History for Ugandan Law Students

Course Title: Constitutional History

Course Code: LAW 202

Credit Hours: 3

Prerequisites: Non

Course Level: Undergraduate (Year 1)

Course Duration: One Semester (15 Weeks)

Course Description

This course offers an in-depth exploration of the constitutional history of Uganda, tracing the evolution of its constitutional frameworks from the pre-colonial period to the present day. It examines the influence of colonialism, the struggle for independence, and the subsequent development of Uganda's constitutional order. The course aims to provide students with a comprehensive understanding of the historical context in which Uganda's current constitution was developed, and the ongoing challenges in constitutional governance.

Course Objectives

By the end of this course, students will be able to:

1. Understand the historical developments that have shaped Uganda's constitutional framework.
2. Analyze the impact of colonial rule on Uganda's constitutional evolution.
3. Examine the constitutional milestones in Uganda's history, including independence, military rule, and the return to civilian governance.

4. Critically assess the challenges and successes of Uganda's constitutional history.
5. Develop a nuanced understanding of the role of constitutions in nation-building and governance in Uganda.

Course Benefits

- **Contextual Understanding:** Students will gain insights into the historical context that has shaped Uganda's legal and political systems.
- **Critical Analysis:** The course encourages critical examination of the successes and failures of Uganda's constitutional history, helping students to develop a balanced perspective on current constitutional issues.
- **Foundation for Legal Practice:** Understanding the historical roots of Uganda's constitution is essential for any legal practitioner working within the Ugandan legal system.
- **Enhanced Civic Engagement:** Students will be better equipped to engage in discussions about constitutional reform and governance in Uganda.

Course Outline

Week 1: Introduction to Constitutional History

- Definition and scope of constitutional history
- The importance of studying constitutional history
- Overview of Uganda's constitutional development

Week 2: Pre-Colonial Governance Structures

- Indigenous governance systems in Uganda
- Traditional leadership and legal systems
- Impact of these systems on contemporary constitutional frameworks

Week 3: Colonialism and the Introduction of Constitutional Governance

- The establishment of British colonial rule in Uganda
- The 1902 Uganda Order in Council and its implications
- The impact of colonial administration on indigenous governance

Week 4: The Evolution of Colonial Constitutions

- The Buganda Agreement of 1900
- The 1955 Constitutional Conference and the Lukiiko
- The 1961 and 1962 Independence Constitutions

Week 5: The Independence Constitution (1962)

- Key features of the 1962 Constitution
- The role of the constitution in the transition to independence
- Challenges faced during the early years of independence

Week 6: The 1966 Crisis and the Pigeonhole Constitution

- The constitutional crisis of 1966
- The abolition of kingdoms and the centralization of power
- The implications of the 1967 Pigeonhole Constitution

Week 7: Military Rule and Constitutional Disruption

- The impact of Idi Amin's regime on constitutional governance
- The 1971 coup and the suspension of the constitution
- Legal and human rights abuses under military rule

Week 8: The Return to Civilian Rule and the 1995 Constitution

- The transitional period and the role of the Uganda National Liberation Front (UNLF)
- The Constituent Assembly and the drafting of the 1995 Constitution
- Key features of the 1995 Constitution

Week 9: The 1995 Constitution and Post-Conflict Reconstruction

- The role of the 1995 Constitution in stabilizing Uganda
- Constitutional provisions for human rights, democracy, and good governance
- Challenges in implementing the 1995 Constitution

Week 10: Constitutional Amendments and the Quest for Stability

- Major constitutional amendments (2005, 2017)
- The removal of presidential term limits and age limits
- The debate on constitutional amendments and their impact on democracy

Week 11: The Role of the Judiciary in Constitutional Development

- Landmark judicial decisions in Uganda's constitutional history
- The independence of the judiciary and its role in upholding the constitution
- Challenges facing the judiciary in Uganda

Week 12: Decentralization and Constitutionalism

- The decentralization policy and its constitutional basis
- The role of local governments in constitutional governance
- Challenges of implementing decentralization

Week 13: Comparative Constitutional History

- Comparison of Uganda's constitutional history with other East African countries

- Lessons from other countries' constitutional experiences
- The influence of regional and international norms on Uganda's constitutional development

Week 14: Current Constitutional Challenges in Uganda

- Ongoing debates on constitutional reform
- The role of civil society and the public in constitutional governance
- Future prospects for constitutionalism in Uganda

Week 15: Review and Examination Preparation

- Review of key concepts and historical events
- Discussion of potential examination questions
- Final Q&A and preparation tips

Assessment Methods

- **Class Participation:**
- **Midterm Exam:**
- **Research Paper/Case Study Analysis:**
- **Final Exam:**

Recommended Reading

1. **Uganda's Political and Constitutional Development** by S.R. Karugire
2. **The Constitution of the Republic of Uganda (1995)**
3. **The Politics of Constitutional Change in Uganda** by Mahmood Mamdani
4. **Law, Democracy, and Development: A Legal Guide for Ugandan Citizens** by Law Development Centre, Uganda

5. **Constitutional and Political History of Uganda** by Denis Kiwanuka

Additional Resources

- **Online Databases:** Uganda Legal Information Institute (ULII), African Journals Online (AJOL)
 - **Journals:** East African Law Journal, Uganda Journal of Constitutional Law
 - **Websites:** Parliament of Uganda, Uganda Human Rights Commission
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This course outline is tailored to provide Ugandan law students with a thorough understanding of their nation's constitutional history, essential for both academic success and informed legal practice in Uganda