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**Reg. Number:** 2017/HD03/19241U

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**Title:** A Critique of Constitutional Making and Amendment in Uganda with Reference to the 1967 and 1995 Constitutions.

**Abstract:** The study set out to critique constitutional making and amendment in Uganda with specific reference to the 1967 and 1995 constitutions. Using Locke's Social Contract theory, Rawls' Theory of Justice and Wiredu's Consensual Democratic Theory, a critical assessment of the mentioned constitutional making and amendment was done. This assessment unravelled that whereas Uganda has made four constitutions, that is: the 1962, the 1966, the 1967 and the 1995, the processes of constitutional making as well as amendment of, specifically the 1967 and 1995 constitutions have raised controversy. The question is: How ought constitutional making and amendment look like? In view of the above question, four specific objectives were pursued: i) an examination of constitutional developments in Uganda, ii) exploration of the ideals of constitutional making and amendment, iii) assessment of whether the 1967 and 1995 constitutions measure up to the ideals of constitutional making and amendment and iv) a discussion of how constitutional making and amendment of the 1967 and 1995 constitutions ought to have been done. Using the qualitative design, primary data which included constitutions, Hansards, judicial review and constitutional reports on the one hand, and secondary data that included journal articles and published books on the other hand was appropriated. Additionally, in-depth interviews of nine participants (former and current Members of Parliament (MPs), experts and opinion leaders) were conducted to achieve the above-mentioned objectives. The study identified constitutional democracy and legislative ethics as ideals upon which good constitutional making and amendment ought to be premised. Observably, the study established that both the 1967 and 1995 constitutional making and amendment do not reflect ideals of constitutional democracy and legislative ethics. This is attributed to *inter alia* lack of commitment to make laws in public interest and inadequate ethics infrastructure to review constitutional reforms. The study therefore recommends inculcation of new constitutional culture based on constitutional democracy and legislative ethics. This can be done through conscientisation of MPs and the general public, and specific ethics body to assess moral concerns related to constitutional making and amendment in the country.

**Date:** 20th April 2022

**Time:** 9.00am

**Venue:** Smart Room

**Opponent:** Professor Peter John Opio

**Supervisors:** 1. Prof. Archangel Rukooko Byaruhanga  
2. Dr. Paul Matthias Shimiya