

THE TRIAL OF CIVILIANS IN UGANDA'S MILITARY COURTS: INTERROGATING THE REASONS AND CONSTITUTIONALITY

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ABSTRACT

This article interrogates the major reasons advanced to justify the trial of civilians by Uganda's military courts. It also examines the constitutionality of the jurisdiction given to these courts over civilian persons. The reasons given to justify the trial of civilians in military courts range from the corrupt civilian justice system and its sluggishness to dispose of cases to the need to protect civilian judicial officers against dangerous criminals and the need to guarantee national security in an over-militarized state. Sound as they may appear, these reasons are not compelling enough to justify the trial of civilians by Uganda's military courts. The jurisdiction given to these courts over civilians is also not only constitutionally questionable but is inconsistent with international human rights law. The power given to military courts over civilians encroaches on the jurisdiction of civil courts and undermines their authority.