

THESIS ABSTRACT

Militarization continues to get entrenched in the diverse societal spheres across the State of Uganda. To shifting degrees, this military ethos is permeating in what is conventionally known as civilian spaces thus extending military overreach. In its wake, is disruption, distortion, re-alignment and re-organization of power relations, authority, influence and accountability at all levels of society. Whereas, this phenomenon has been debated world over and indeed in Uganda, albeit in a disjointed manner, drawing on a variety of disciplines, scholarly inquiry into and theorization of the historical dimensions of militarization and the place of the law in this entire process has remained peripheral. This thesis, adopting a ‘cautious’ inter-disciplinary approach revisits the militarization discourse in the lens of the law in Uganda. The thesis focuses on two fundamental aspects-tracing and identifying the manifestations of and extent of militarization in Uganda, and unpacking how the law has been facilitative of this process going back into the pre-colonial era to contemporary post-1995 Uganda (2023). To achieve this, the thesis, employs three inter-related theoretical frameworks of analysis namely: legal instrumentalization, lawfare and securitization, to probe into how the contemporary policy and legal framework has been harnessed to enable the militarization of the Ugandan State.

The thesis finds and commences a discourse that counters the contemporary scholarly fixation at generalization of militarization in Uganda. Through a comprehensive historical examination of select manifestations of militarization, the thesis theorizes and develops a four typological classification of militarization and attendant indicators that can be a working framework to analyze militarization trends and patterns observable in a particular society. These four classifications are: -structural, non-structural, replicative, and transitional militarization observable across the different spectrums of the Ugandan State.

Additionally, in relation to the law, the thesis finds that there has been and remains a very fundamental enabling relationship between the law and militarization, all through the evolution of Ugandan State to date. Thus, there are levels of militarization, in terms of extent of spread, and embeddedness that would have been impossible if it weren’t for the tacit, implied and express support of the Constitution and the attendant laws. Consequently, the thesis finds that the law can be harnessed to breed, grow, consolidate, sustain and legitimize militarization when it is actively ‘repurposed’ ‘mis/interpreted’ and ‘reshaped’ for that agenda. The thesis classifies such laws into

six categories: expressly-militarization-supportive laws, militarization-legitimization and consolidating laws, unchecked executive power legal regimes, state of emergency legal regimes, unchecked UPDF tour of duty laws, rules and regulations and lastly implicitly militarization supportive-loose-legal provisions. Ultimately, the thesis concludes that what obtains in contemporary Uganda is Constitutionalized militarization, mitigation of which can begin with the reform of the law.