

UGANDA / JUDGMENT

Kabenge v The Attorney General & 5 Others (Constitutional Petition 53 of 2012) [2024] UGCC 18 (22 May 2024)

[2024] UGCC 18

COURT

Constitutional Court of Uganda

BEFORE

Egonda-Ntende, JCC, Bamugemereire, JCC,
Mulyagonja, JCC, Monica K. Mugenyi, JCC, Eva K.
Luswata, JA/JCC

CASE / FILE NUMBER

Constitutional Petition 53 of 2012

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THE REPUBLIC OF UGAIDA

THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA

(Coram: Egonda-Ntende, Bamugemereire, Mulyagonja, Mugenyi & Luswata, JJCC)

CONSTITUTIONAL PETITION NO.53 OF 2012

SIMON TENDO KABENGE PETITIONER

VERSUS

- THE ATTORNEY GENERAL 1
- UGANDA LAW SOCIETY 2
- ANDREW KASIRYE 3
- PETER MULIRA 4
- PROF. G. W, KANYEIHAMBA 5
- ALI SSEKATAWA RESPONDENTS 6

Constitutional Petition No. 53 of 201 2

I

JUDGMENT OF MONICA K. MUGENYI. JCC

A. Introduction

- 1. This Petition was lodged by Mr. Simon Tendo Kabenge ('the Petitioner'), challenging his denigration by the Uganda Law Society ('the Second Respondent') and Messrs. Andrew Kasirye, Peter Mulira, G. W. Kanyeihamba and Ali Ssekatawa ('the Third, fourth, Fifth and Sixth Respondents' respectively), as well as the Respondents' disparaging attacks on judicial officers for its supposed inconsistency with numerous constitutional provisions. The Petition is supported by an affidavit deposed by the Petitioner.
- 2. The background to the impugned actions of the said Respondents is that the Petitioner was granted a temporary injunction in an application in respect of which the Third Respondent was opposite Counsel. Thereafter, the said respondent is alleged to have teamed up with the Second to Sixth Respondents and launched a rabid campaign against the interim order granted, the trial judge and the Petitioner. The said Respondents purportedly sought to direct the courts on how to adjudicate disputes against the Executive and other government agencies using methods similar to such as had been employed by the Fourth Respondent to push for the removal of Justice Richard Okumu Wengi from judicial office. They criticized the decisions of numerous judicial officers, branding them corrupt and unfit for the higher bench.
- 3. This attack on members of the Bench culminated in the convening of an Extra Ordinary Meeting (EGM) of the Second Respondent on 23'd November 2012 to specifically discuss the impeachment of judges using a Commission of Inquiry. It was at that meeting that the Petitioner was attacked by the cited respondents, hence his recourse to the filing of this Petition to contest the constitutionality of the totality of the respondents' actions. With regard to the First Respondent, it is proposed that members of the police force were used to persecute him.
- 4. The Petition is opposed by the office of the Attorney General ('the First Respondent'), which denies either participating in the impugned attack on members of the Bench or being vicariously responsible for any such attacks. The First Respondent additionally contends that the Petition neither invokes this Court's

interpretative jurisdiction nor presents a cause of action. In response to the alleged police persecution, it is proposed that this is a matter of constitutional enforcement not interpretation that ought to be interrogated by the High Court.

- 5. The Second Respondent denies having convened the cited EGM and similarly contends that the Petition does not raise any matter for constitutional interpretation. The absence of a question for constitutional interpretation is echoed by the Third, Fifth and Sixth Respondents. The Sixth Respondent additionally contends that the Petition is actuated by spite against him for standing up to the Petitioner's fictitious claims against his employer, the Uganda Revenue Authority. Meanwhile, the Fourth Respondent contends that it is his

constitutional duty as a Ugandan citizen to call out corruption whenever he encounters it, and that is in accordance with his constitutional right to freedom of speech, expression, thought and association. In his view, therefore, the Petition is misconceived and an abuse of court process.

- 6. At the hearing, the Petitioner was represented by Ms. Clare Nakabubi holding brief for Mr. James Akampumuza; while Mr. Richard Adrole and Ms. Clare Kukunda represented the First Respondent and Messrs. Martin Asingwire, Paul Rutisya and Ernest Kalibbala represented the Second, Third and Fourth Respondents respectively. No representation was registered for the Fifth and Sixth Respondents.

B. Issues for Determination

- 7. The Petition was argued on the basis of the following issues
- Whether the threats of using forums, procedures and organs outside the Constitution to condemn and plot to set up a Commission of Inquiry to try Justices of the Supreme Court, Court of Appeal and High Court is inconsistent with and/or in contravention of Articles 128(1)(2)(3)(4)(7), 126(1)(2)(a)(b)(c)(d)(e), 144(2)(3)(4)(7), 45, 44(c), 43(1)(2)(c), 28(1), 20(2), 3(2)(4)(a)(b) and 2(1)(2) of the Constitution?
- II. Whether the act of making unwarranted omnibus and singular attacks on the Chief Justice, Justices of Judicature chastising them as 'Run Away', 'incompetent', 'Selling Justice' and 'Corrupt' in retribution for decisions and orders they made in exercise of their judicial duties is inconsistent with and/or in contravention of Articles 144(2)(3)(4)(7), 128(1)(2)(3)(4), 126(1)(2)(a)(b)(c)(d)(e), 50(1), 20(1)(2), 21(1)(2)(3), 28(1), 43(1) & 2(c), 44(c), as (3)(2)(a)(b)(5), 2(1)(2) of the Constitution?
- III. Whether the act of victimizing the Petitioner and other members of the 1st Respondent dubbing them 'Quack Doctors' and 'frauds' for having petitioned Court and opposed unprofessional attacks and condemnation of judges outside the Constitution is inconsistent with and/or in contravention of Articles 29(1)(d)(e), 50(1), 45, 44(c), 43(1)(2)(c), 28(1), 20(1)(2), 3(2)(a)(b)(5) and 2(1)(2) of the constitution?
- IV. Whether the act of directing Courts on how to conduct litigation in disputes involving government against the Executive and other government agencies did not interfere with the independence of the Judiciary and is inconsistent with and/or in contravention of Articles 128(1)(2)(3)(4) and (7), 126(1)(2)(a)(b)(c)(d)(e), 134, 132(1)(2)(3) and (4), 144(2)(3)(a)(7), 20(1)(2), 21(1)(2)(3), 28(1), 43(1) & 2(a) & (c), 44(c), +5 (3)(2)(1)(a)(5), 129(1) of the Constitution?
- V. Whether the act of prejudicially undermining on-going court orders and proceedings to subject the Petitioner to an orchestrated criminal process is inconsistent with and/or in contravention of Articles 128(1)(2)(3)(4) and (7), 126(1)(2)(a)(b)(c)(d)(e), 50(1), 20(1)(2), 21(1)(2)(3), 28(1), 43(1) & (2)(c), 44(c) and 45 of the Constitution?

- VI. Whether the act of failing to protect the integrity of judicial process and judicial officers from oppressive treatment is inconsistent with and/or in contravention of Articles 20, 21(1X2)(3), 26, 28(1), 42, 43(1) & 2(c), 44(c), 126(2)1a1, 128,257(3) & (5) of the Constitution of Uganda?
- VII. Whether the act of the 2nd Respondent refusing to convene an EGM the Petitioner and other 87 members requisitioned to discuss attacks on the judiciary only to hastily convene a subsequent one requisitioned by lesser persons is inconsistent with and/or in contravention of Articles 20(1)(2), 21(1X2X3), 29(1)(d) of the Constitution?
- VIII. Whether the 1st and 2nd Respondents' failure to protect the Petitioner from the Respondents' attacks on him for his having petitioned court and secured a Court Order is inconsistent with and/or in contravention of Articles 20, 21(1)(2X3), 28(1) & (7), 29(1XdXe), 40(2), 42, 43(1) (2)(c), aa(c), 45, 50(1)(2), 28(1), 257(3) & (5) of the Constitution of Uganda?
- IX. Whether the act of persecuting the Petitioner on account of civil matters arising from a contract under which he had petitioned Court and secured orders, pronouncements on the validity of Court decisions is inconsistent with and/or in contravention of Articles 2(1) (21,20(1\2),21(1)(2X3), 24, 28(1)(7), 42, 43(1X2)(aXb)(c), 44(c), 45, 120(3XaX4Xa) & (5), 128 of the Constitution?
- X. What remedies are available to the Petitioner,
- 8. However, the Respondents restricted their legal arguments to the singular question as to whether the Petition raises any question for constitutional interpretation.

C. Parties' Submissions

- 9. On the question of the Court's jurisdiction, the First Respondent contends that the Petition presents allegations that can be exhaustively adjudicated by the High Court in exercise of its unlimited original jurisdiction as stipulated under Article 139 of the Constitution. Reference is made to *Mbabali Jude v Edward Kiwaouta Sekandi*, Constitutional Petition No. 28 of 2012, where *Ismail Seruwo v Kampala City Council & Another*. Constitutional Appeal No. 2 of 1998 was cited for clarity on when the jurisdiction of this Court is properly invoked. In *Ismail Seruwo v Kampala City Council & Another* (supra), citing with approval *Attorney General v Mai. Gen. David Tin vefuza*. Constitutional Appeal No. 1 of 1997, it was observed (per Kanyehamba, JSC) that the Constitutional Court had no original jurisdiction merely to enforce rights and freedoms enshrined in the Constitution in isolation to interpreting the Constitution and resolving any dispute as to the meaning of its provisions.'

- 't0. It is thus argued that the Petitioner's misgiving with the use of police to persecute him, for which he considers the First Respondent vicariously liable, does not fall within the Court's jurisdiction but, rather, ought to be interrogated by the High Court with a view to the enforcement of the Petitioner's rights under Article 50 of the Constitution. For that position, reference is made to *Muqova Kyawa Gaster v Attornev General*, Consti tutional Petition No. 9 of 2008
- '1 1. The foregoing position is echoed by the Third Respondent, who contends that the remedies sought in this Petition ought to have been pursued under Article 50 of the Constitution as they present no question for constitutional interpretation. Reference in that regard is made to *Ismail Seruqo v Kamoala Citv Council & Another* (supra) where a petition that properly invokes the jurisdiction of the Constitutional Court was clarified thus (Wambuzi, CJ):

The petition must show on the face of it that interpretation of a provision of the Constitution is required. It is not enough to alleged merely that a constitutional provision has been violated. The applicant must go further to show prima facie the violation alleged and its effect before a question could be referred to the Constitutional Court.

- 12. The Third Respondent argues that there is nothing unconstitutional about an advocate or member of the public commenting on the conduct of a judicial officer; neither did the duly convened EGM of the Uganda Law Society of 23'd November 2012 amount to a constitutional violation. The idea thatthe meeting was convened to attack and malign judicial officers is alleged to have been a misconception on the Petitioner's part.
- 13. In the same vein, the Fourth Respondent contends that the Petition discloses no cause of action before this Court. He cites the case of *Engineer Edward Turvomuruoendo & Others v Attornev General & Others*. Constitutional Petition No. 25 of 2009 where it was observed that the respondents and the court in a petition of this nature'are entitled to know precisely the issues raised under Article 137 that require constitutional interpretation (rather than) a narrative of facts which do not point to issues requiring constitutional interpretation.'
- 14.|t is argued that the Petition before us similarly entails a long and overly exaggerated narrative of facts without highlighting the aspects of the Fourth Respondent's actions that necessitate constitutional interpretation. Furthermore, it is argued that the Fourth Petitioner simply expressed his views about the judiciary as he is well entitled to in exercise of his constitutional right to freedom of expression, thought and association as espoused in Article 29(1Xa), (b) and (e) of the Constitution. Against that background, it argued that the petition is a vexatious abuse of court process.
- 15. The Sixth Respondent similarly cites *Ismail Seruqo v Kampala CiW Council & Another* (supra) and *Attornev General v Mai. Gen. David Tinvefuza* (supra) to argue that the Petition discloses no question for constitutional interpretation and therefore is improperly before this Court. He similarly argues that the Petition discloses no cause of action against him but is an abuse of court process insofar as it simply seeks to vex and/ or annoy him. The Sixth

Respondent particularly points out that he was never party to the email communication in which the other Respondents are alleged to have attacked members of the Judiciary.

- 16. Conversely, it is the Petitioner's contention that the Petition does raise questions for interpretation in respect of Articles 26(1) and (2) and 237(1) and (3)(a) of the Constitution. He argues that he was vilified for pursuing his constitutional rights in court, the background to which court process is the unwarranted attacks on members of the Bench. In his view, those attacks can be broadly resolved through constitutional interpretation. The Petition further faults the Respondents for disobeying court orders and 'persecuting' him for seeking relief for his clients. The First and Second Respondents are particularly faulted for not protecting the judiciary from these attacks, while the Second Respondent is additionally faulted for failing to defend the Petitioner as provided under section 16 of the Uganda Law Society Act, Cap. 276.
- 17. The Petitioner claims that the Respondents' actions and omissions contravened Articles 29(1)(d)(e), 50(1), 45, 44(c), 43(1)(2)(c), 28(1), 20(1)(2), 3(2)(4)(a) and 2(1)(2) of the Constitution. He cites *Baku Raphael & Another v Attorney General*, Constitutional Appeal No. 2 of 2003 where it was observed that a petition before this Court sufficiently discloses a cause of action where 'it describes the act or omission complained of and shows the provision of the Constitution with which the act or omission is alleged to be inconsistent or which is alleged to have been contravened by the act or omission and pray for a declaration to that effect.'
- 18. No submissions were forthcoming from the Second and Fifth Respondents. The petition shall therefore be determined on the basis of the submissions before the Court.

D. Determination

- 19. This Court's jurisdiction in constitutional cases is fairly well settled. It is delineated in Article 137(1) and (3) of the Constitution, which for ease of reference is reproduced below.
- (1) Any question as to the interpretation of this Constitution shall be determined by the Court of Appeal sitting as the constitutional court.
- (2)
- (3) A person who alleges that
 - (a) An Act of Parliament or any other law or anything in or done under the authority of any law; or
 - (b) Any act or omission by any person or authority,

is inconsistent with or in contravention of a provision of this Constitution, may petition the constitutional court for a declaration to that effect, and for redress where appropriate.

20. Article 137(1) has been severally construed to restrict the Constitutional Court's jurisdiction *ratione materiae* or subject-matter jurisdiction solely to the interpretation of the Constitution. In *Attorney General v Major General David Tinvefuza*, Constitutional Appeal No. 1 of 1997, the Supreme Court was quite categorical on the delimitations of the Constitutional Court's interpretative jurisdiction under Article 137 of the Constitution, clarifying it as follows (per Wambuzi, CJ):

> In my view jurisdiction is limited under Article 137(1) of the Constitution to interpretation of the Constitution. Put in a different way no other jurisdiction apart from interpretation of the Constitution is given. In these circumstances I would hold that unless the question before the Constitutional Court depends for its determination on the interpretation or construction of a provision of the Constitution, the Constitutional Court has no jurisdiction.

21. The emphasis on this Court's exclusive interpretative jurisdiction is further espoused in the latter case of *Ismail Seruqo v Kamoala City Council & Another* (supra), where a distinction was drawn between a constitutional violation that requires constitutional interpretation for its determination, and a similar violation the remedy for which lies not in constitutional interpretation but the enforcement of the infringed rights as envisaged under Article 50 of the Constitution. It was observed (per Wambuzi, CJ):

> For the constitutional Court to have jurisdiction the petition must show, on the face of it, that interpretation of a provision of the Constitution is required. It is not enough to allege merely that a Constitutional provision has been violated. If therefore any rights have been violated as claimed, these are enforceable under Article 50 of the Constitution by another competent Court.

22. The dichotomy between the nature of redress sought under Articles 50(1) and 137 (4) of the Constitution was clarified in the same case as follows (per Mulenga, JSC): Such application for redress can be made to the Constitutional Court, only in the context of a petition under Article 137 brought principally for the interpretation of the Constitution. It is the provisions in clauses (3) and (4) of Article 137 that empower the Constitutional Court, when adjudicating on a petition for interpretation of the Constitution, to grant redress where appropriate. Clause (3) provides, in effect, that when a person petitions for a declaration on interpretation of the Constitution, he may also petition for redress where appropriate. It follows that a person who seeks to enforce a right or freedom guaranteed under the Constitution, by claiming redress for its infringement, but whose claim does not call for an interpretation of the Constitution, has to apply to any other Court. (My emphasis)

23. As was subsequently observed by this Court in *Stephen Asiimwe & Others v Attorney General*, Constitutional Petition No. 15 of 2016 (unreported), it would appear that the judicial process delineated in Article 50(1) pertains to the enforcement or application of the Constitution by the ordinary civil courts, while the redress that might arise under Article 137(4) is purely incidental to the constitutional interpretation mandate of the Constitutional Court. The Court then held:

> The Constitutional Court's jurisdiction is properly invoked where the gravamen of a matter before it is the interpretation of specified constitutional provisions to determine the constitutionality of an impugned Act or actions undertaken thereunder, or the acts or omissions of any person or authority. Pursuant to such an interpretation, the Court may under Article 137(4) grant declarations sought by a petitioner and such other redress as it deems fit. It follows, therefore, that the fact that a petitioner seeks such remedies from the Constitutional Court would not in itself derogate a matter to the confines of Article 50(1) of the Constitution, particularly where the reliefs sought flow directly from the declarations sought. If there is indeed an apparent contradiction between the Act, action or omission complained of and a provision of the Constitution, the Court's interpretative mandate would be properly invoked,

24. For ease of reference, both constitutional provisions are reproduced below.

Article 50(1)

Any person who claims that a fundamental or other right or freedom guaranteed under this Constitution has been infringed or threatened, is entitled to apply to a competent court for redress which may include compensation.

Article 137(4)

Where upon determination of a petition under clause (3) of this article the constitutional court considers that there is need for redress in addition to the declaration sought, the constitutional court may -

- (a) Grant an order of redress, or
- (b) Refer the matter to the High Court to investigate and determine the appropriate redress.
- 25. In the matter before the Court presently, I understand the mainstay of the Petitioner's case to entail a challenge to the Third, Fourth, Fifth and Sixth Respondents' attacks on judicial officers, as well as the Petitioner himself for his perceived sympathy for the Bench. The First and Second Respondents are faulted for their perceived acquiescence of the other Respondents' impugned conduct, particularly their failure to either protect the Judiciary or the Petitioner. Without establishing a nexus between the alleged misconduct of the Respondents and the invoked constitutional provisions, the Petitioner invokes a myriad of constitutional provisions that in his legal arguments are narrowed down to Articles 29(1)(d) (e), 50(1), 45, 44(a), 43(2)(c), 28(1), 20(1)(2), 3(2)(4)(a) and 2(1)(2) of the Constitution.
- 26. Considering the precedents cited above, it seems to me that this Court's interpretative jurisdiction in this matter hinges on the question as to whether the parties' contestation on the impugned conduct (the attacks on the Bench and the Petitioner and the absence of protection therefrom) wholly depends for its resolution on the interpretation of the invoked constitutional provisions. As was quite aptly observed in *Attorney General v Major General David Tinvefuza* (supra), a constitutional breach would not ipso facto invoke this Court's

jurisdiction unless there was a discernible question inherent therein the resolution of which is entirely dependent on constitutional interpretation. Stated differently, 'a person who seeks to enforce a right or freedom guaranteed under the Constitution, by claiming redress for its infringement, but whose claim does not call for an interpretation of the Constitution, has to apply to any other Court.' See @/ Serugo v Kampala City Council & Another (supra)

27. In this case, the Petitioner literally complains about supposedly professional misconduct by senior members of the Bar against some members of the Bench. His attempt to protect the sanctity of the judiciary from these attacks would appear to attract similar disdain from the members of the Bar. He also alleges persecution by members of the police force, and seeks redress for all these actions, as well as the failure of the First and Second Respondents to forestall the cited Respondents' actions. A related scenario arose in Joyce Nakachwa v Attorney General (2002) EA 495 and was addressed by this Court as follows

> The petitioner complains of unlawful arrest and imprisonment or detention. Once it is established that any or all the respondents are responsible for this, it is not necessary to 'interpret' whether the acts contravene the Constitution. The Constitution is very clear. It does not require ^a constitutional interpretation to determine whether a person's constitutional rights have been violated for example, if it is established that the person was arrested without cause and detained for more than 24 hours without being taken to court. It is a matter of drawing an inference which can be done by any competent court. In that case an application for redress would be better entertained under article 50 of the Constitution. (my emphasis)

- 28. Similarly, therefore, it is for the Petitioner to establish that the Respondents did in fact trample on his right to practice his profession and protect the institutional integrity of the judiciary, whereupon he would be entitled to redress under Article 50(1) from the competent court and/ or disciplinary body.
- 29. The right to practice one's profession is unequivocally and succinctly delineated in Article 40(2) of the Constitution as follows:

Every person in Uganda has the right to practise his or her profession and to carry on any lawful occupation, trade or business.

- 30. That provision is crystal clear and self-explanatory. Therefore, the enforcement of the Petitioner's right to practice his profession does not require constitutional interpretation so as to ensue under Article 137(4) of the Constitution. Rather, it is enforceable under applicable statutory laws.
- 31. Given the facts of this case, where the Petitioner faults the Third to Sixth Respondents for frustrating his right to practice his profession either in defence of

the judiciary or otherwise, the applicable statutory laws would include the Advocates Act, Cap. 267 that lays out an elaborate framework within which advocates pursue their right to practice their profession, and includes the disciplinary mechanism for professional misconduct. The Uganda Law Society Act, on the other hand, delineates the processes that govern the Second Respondent. Indeed, the Petitioner invokes section 16 of the Uganda Law Society Act for his protection by that entity. Meanwhile, the First Respondent's vicarious liability for the Petitioner's persecution by members of the police force would similarly ensue under the ordinary civil courts.

32. Consequently, insofar as the Petitioner seeks to enforce rights that do not call for constitutional interpretation, his remedy lies under Article 50(1) of the Constitution before the ordinary courts of law rather than this constitutional court. See *Ismail Serugo v Kampala City Council & Another* (supra) I am satisfied, therefore, that the petition does not invoke the jurisdiction of this Court and would resolve the point of law raised by the Respondents in the affirmative.

DISPOSITION

33. Having so held, I find no reason to entertain the issues as framed. In the result, ^I would dismiss this petition with no order as to costs.

Dated and delivered at Kampala this x,,c day of ,,,',2024,

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rMonica K. Mugenyi Justice of the Constitutional Court

. This judgment was signed before this judge ceased to hold that office

THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA

(Coram: Egonda-Ntende, Bamugemereire, Mulyagonja, Mugenyi & Luswata, JJCC)

CONSTITUTIONAL PETITION NO. 53 OF 2012

SIMON TENDO KABENGGE

VERSUS

JUDGMENT OF IRENE MULYAGONJA, JCC

I have had the benefit of reading in draft the judgment of my sister, Monica K. Mugenyi, JCC. I agree with the reasoning and the conclusion that this petition should be dismissed with no order as to costs.

Dated at Kampala this λ day of May 2024.

IxoneI

Irene Mulyagonja JUSTICE OF THE CONSTITUTIONAL COURT

**THE REPUBLIC OF UGANDA IN THE CONSTITUTIONAL COURT OF UGANDA AT
KAMPALA CONSTITUTIONAL PETITION NO. 53 OF 2012**

CORAM:

{ Egonda-Ntende, Bamugemereire, Mulyagonja, Mugenyi, Luswata, JJCC }

BETWEEN

SIMON TENDO KABENGGE.....

VERSUS

- 1. THE ATTORNEY GENERAL
- 2. UGANDA LAW SOCIETY
- 3. ANDREW KASIRYE
- 4. PETER MULIRA
- 5. PROF. G. W. KANYEIHAMBA
- 6. ALI SSEKATAWA.....

JUDGMENT OF HON. LADY JUSTICE CATHERINE BAMUGEMEREIRE

I had the opportunity to read, in draft, the opinion of my learned sister Monica K Mugenyi, JCC. I agree with her reasoning, conclusions and declarations. In the result, I would agree that this petition does not raise a controversy requiring the interpretation of the Constitution. I would dismiss this petition with no order as to costs.

22nd may 2024

Catherine Bamugemereire Justice of the Constitutional Court

THE REPUBLIC OF UGANDA

IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA

Coram: Egonda-Ntende, Catheine Bamug e me reire, Irene Mulg ag onj a, Monica K. Mugengi & Eua K. Lusutata, JJCC

SIMON TENDO KABENGE :::::::::::::::::::::::::::::: PETITIONER

- ## JUDGMENT OF EVA LUSWATA JCC

I agree with her and have nothing useful to add.

THE REPUBLIC OF UGANDA

fCoram : Egonda- N tende, Bamuge mere ire, Mtt lyagonj a, Mugenl,i and Lusw ata, JJCC.)

BETWEEN

Simon Tendo Kabeng Petitioner

| The Attorney General | Respondent No. I | |-----|-----| | Uganda Law Soci |
Respondent No.2 | | Andrew Kasirve | Respondent No.3 | | Prof. G. W. Kanyeihamba | Respondent
No. 4 | | Ali Ssekatawa | Respondent No.5 |

JUDGMENT OF FREDRI K EGONDA-NTENDE

- I have had the opportunity of reading in draft the judgment of my sister, Mugenyi, JCC. I agree with it and have nothing useful to add.
- I, As Bamugemereire, Mulyagonja, and Luswata, JJCC, agree, this petition is dismissed with no order as to costs.

Signed, dated, and delivered this 1st day of November 2024

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ck Ego a -Ntende Justic of the Constitutional Cou rt

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Prepared on 14 October 2026 · Esheria