

RECLAIMING SOVEREIGNTY IN A CONTESTED WORLD

The passage of the Protection of Sovereignty Bill on May 5 by the Parliament of Uganda represents a firm, constitutional and geopolitically necessary assertion of national authority in a world where sovereignty is no longer threatened only by armies, coups or territorial invasion, but also by covert finance, disguised political influence, institutional capture, information warfare and external manipulation of domestic policy choices.

Parliament did not merely pass a contested Bill. It refined, narrowed and constitutionalised a sensitive instrument after public debate, committee scrutiny and executive guidance. That is not legislative recklessness. It is responsible lawmaking.

The threats of court action must therefore be understood with sobriety. Judicial review is a legitimate constitutional avenue, but it is not a veto over Parliament's law-making mandate. Article 79 of the Constitution empowers Parliament to make laws for peace, order, development and good governance. Article 88 recognises Parliament's authority over its own procedure. Article 1 vests sovereignty in the people,

and Parliament exercises that sovereignty through representative lawmaking.

The relevant constitutional question is not whether every critic is satisfied. It is whether Parliament had authority, whether the process was substantially fair and whether the final law remains connected to a legitimate public purpose.

Comparative jurisprudence supports this position. In *Doctors for Life International vs Speaker of the National Assembly*, the Constitutional Court of South Africa held that public participation must be meaningful, but it did not reduce Parliament into a clerical body that merely reproduces public submissions.

In Uganda, *Attorney General vs Tinyefuza* affirmed judicial caution in matters touching political judgment unless a clear constitutional



violation is shown. In *Paul Ssemogerere and others vs Attorney General*, the courts recognised that not every procedural disagreement becomes constitutional invalidity. These precedents matter because they remind us that democracy is not paralysis. Parliament is entitled to listen, weigh competing views and decide.

It is also legally incorrect to present Uganda's action

as exceptional. The US has long operated the Foreign Agents Registration Act, requiring disclosure of foreign linked influence. Australia enacted the Foreign Influence Transparency Scheme Act 2018 to regulate foreign political engagement. Georgia, Russia and several European states have adopted frameworks dealing with foreign influence, funding and political penetration.

In *Animal Defenders International vs United Kingdom*, the European Court of Human Rights accepted that states may impose restrictions to protect democratic integrity from distortion by powerful interests. The principle is clear at international level. A sovereign state may regulate foreign influence where it threatens political independence, policy autonomy and democratic self

determination. The claim that Uganda already has enough laws is only partly true and therefore misleading. Existing laws on non-governmental organisations, money laundering, public order, elections and national security address fragments of the problem. They do not provide a coherent legal doctrine for foreign influence as a systemic threat to policy sovereignty. The Protection of Sovereignty Bill fills that gap. It places scattered concerns under one national framework and recognises that modern interference is often lawful in form but strategic in effect. A serious state cannot wait until influence becomes treason before it acts.

The so-called mixed reaction in the news must also be honestly named. Much of it has been fuelled by attempted misinformation from political opposition

actors inside and outside the country, who have deliberately blurred the difference between the draft and the amended law passed by Parliament.

President Museveni's intervention strengthened rather than weakened the law. By directing focus towards policy sovereignty and away from private money transactions, religious giving and ordinary commercial activity, he helped move the law from excessive breadth towards constitutional precision. That guidance improved proportionality and made the final instrument more defensible. It proved that the executive was not seeking indiscriminate control, but a narrower protection of Uganda's decision-making space from covert foreign capture.

Parliament, therefore, deserves congratulations, not condemnation. The country should not be intimidated by speculative litigation. Sovereignty without legal protection is sentiment. Uganda has chosen to give it institutional form.

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