

THE 23RD GUILD CHIEF JUSTICE HANDOVER MESSAGE

As the Bible teachings of **Psalms 103:1-2** reckon **“Let all that I am praise the LORD; with my whole heart, I will praise the LORD; may I never forget the good things He does for me”**. **Edward Estlin Cummings, an American Philosopher** further emphasizes this in his praise poem **“I thank You God for this amazing”**. Indeed, this is the day the Lord has made and we will all be glad and rejoice in it. Many great Praises go to the Almighty God for the far He has brought us, the 23rd Guild Tribunal under my leadership and the entire 23rd Guild Government. Congratulations on this great milestone.

Jean Jacques Rousseau, a natural law scholar and a social contract proponent once said **“the only way in which society can be best governed is through electro autocracy in which leaders are periodically voted by society”**. Basing on the above, I congratulate the 23rd Guild Government for not only upholding Jean Jacques Rousseau’s established principle but also emulating John Adams, second President of United States method of a peaceful transition of power justifying today’s handover ceremony. On the same note, I now congratulate the 24th Guild Government under the leadership of Her Excellency Racheal Mirembe Sserwadda on the victory attained.

As I relinquish the office of the chief justice today, I wish to convey my sincere appreciation to the appointing authority, the Guild President and all other stakeholders therein for the great opportunity they availed me and my team to serve as the 23rd Student’s Guild Tribunal at Uganda Christian University. As **Henry Ford** once quoted **“Coming together is a beginning, staying together is progress and working together is success”**, I also wish to extend my gratitude to my colleagues and the tribunal staff that have significantly worked with me throughout this tenure to see to it that remarkable and impactful success is left behind in our transit of power. The Learned Justices, the Deputy Chief Justice Ndagire Hellen Juliana, Lady Justice Evelyn Mugisha, Lady Justice Dorothy Akatukunda and Lord Justice Kizza Arnold. Thank you all for the corporation, togetherness and selfless efforts you rendered so as to reach this great milestone with remarkable success as the 23rd Guild Tribunal. To the tribunal staff, the clerks counsel Kansime Moses and counsel Grace Praise Nyangoma. The commissioner of oaths, counsel Ampaire Blair Prince, counsel Lutaaya Godfrey, counsel Angela Basiima Tusiime and counsel Nyakato Julie Bakhita, you are a great contribution to this remarkable success. Your commitment, availability and

reliability above all a conducive, lovely and a cherished environment availed to me and my team can never go unnoticed. Thank you, we shall miss the great family you became to us.

To the incoming 24th Guild Tribunal under the leadership of Chief Justice Babirye Rehema Namuli, it's my utmost pleasure to say congratulations on your appointment to serve at the bench. My two years' service at the bench has taught me that with preparation, commitment, selflessness cultivated with a spirit of team work and with God above, you can excellently without doubt and any finger pointing, steer and fully expedite your mandate as provided for under **Chapter 7 of the Student's Guild Constitution, Amended as 22nd November 2012**. It's also with no doubt that serving at the bench comes with reknown public prominence, public praise, public assumed respect though genuine but sometimes sarcastic. On the otherhand just like John Kennedy once said, **"For of those to whom much is given much is required."** And further the Bible in **Luke 12:48** says, **"For unto whomsoever much is given, of him shall be much required."** As the incoming tribunal and as Justices, the bar is indeed set high for you, much is expected out of you both at an individual level, class work level, family level, students level and the University at large. It's much beyond merely wearing of the robes, putting on the wigs and looking like angels, entering the court amidst audience standing and availing you the utmost respect. It encompasses public pressures and demands, presumed high degree of intelligence and understanding of the law, presumed high degree of integrity and perfection amongst others. But one thing to bear in mind, is you're not and will never be any sort of a superman my judges, just like Vince Lombardi once said, **"There's no such thing as Perfection. But, in striving for perfection, we can achieve excellence.** In other words, don't waste your time striving for perfection; instead strive for excellency. This is exactly what I and my learned Justices did justifying why I am overwhelmed with joy as I hand over the mantle to you. Embrace criticism, be teachable, be polite and above all remain humble and seek God's counsel as it's clearly stipulated in **Proverbs 22:4 "Obey the Lord, be humble, and you will get riches, honour, and a long life.** With the above, you're going to have a smooth laughter to laughter adjudication process in your service at the Guild Tribunal.

As I transit power, it's for all intents and purposes that I bring to your attention of the remarkable success the 23rd Guild Tribunal under my leadership has been to register and perhaps a contribution laid to the foundation built by earlier tribunals and much more contribution expected from the other upcoming Guild Tribunals. The 23rd Guild Tribunal premised on a three-point manifesto that

included, Awareness and Sensation of Tribunal Activities, Expeditious Dispensation of Justice to all and Upholding of the Tribunal Independence has achieved the following in respect to the aforementioned 3 manifesto points that include;

Tribunal Independence. This is a very important facet for the sound exercise of the duty of the tribunal as well stipulated under **Article 67 of the Student's Guild Constitution**. To enhance the effectiveness of this, the Chief Justice in collaboration with heads of other arms of Government, the Guild President and the Speaker of Parliament was able to achieve the long time much needed requirement of a physical address of the Guild Tribunal. Many thanks go to the Guild President for his overwhelming and hands-on support in endeavoring that the Judiciary attains an office. I am happy to report that this office was officially launched by the Guild President and further inform you that the office awaits you for effective use as you exercise your judicial mandate. The above has not only eased the day to day operations of the Guild Tribunal but also strengthened the notions of tribunal independence which are an essential requirement for the effective adjudication process by the tribunal as enshrined under Chapter 7 of the Student's Guild Constitution.

Expeditious Dispensation of Justice. As you aware, this is the sole purpose for which the Guild Tribunal is Constitutionally established pursuant to **Article 64 of the Students Guild Constitution**. To basically expedite justice to all by way of hearing and determining cases between the students and ensuring discipline, order, justice, peace and equity prevail among the students. I am happy to report that to enhance the effectiveness of this sole mandate, the 23rd Guild Tribunal was able to expeditiously hear and pronounce itself on the following cases with judgments availed thereto;

1. KIMARA HARMONY VS AINEBYOONA ARTHUR AND GUILD ELECTORAL COMMISSION MISCELLANEOUS APPLICATION NO.1 OF 2021 (ARISING OUT OF CIVIL SUIT NO.1 OF 2021) Before His Lordship AINEBYONA WILBERFORCE, CJ.
2. KIMARA HARMONY VS AINEBYOONA ARTHUR AND GUILD ELECTORAL COMMISSION MISCELLANEOUS APPLICATION NO.2 OF 2021 (ARISING OUT OF CIVIL SUIT NO.1 OF 2021) Corum, Justice Ainebyona Wilberforce CJ, Lady Justice Ndagire Hellen Juliana DCJ, Lady Justice Evelyn Mugisha, Secretary to Tribunal.

3. TINA AND SOLOMON VS LINNET, CIVIL SUIT NO.3 OF 2021 A HYPOTHETICAL CASE FOR TRIBUNAL MOCK TRIAL Before Justice Ainebyona Wilberforce CJ, Lady Justice Ndagire Hellen Juliana DCJ, Lady Justice Evelyn Mugisha, Secretary to Tribunal.
4. AGUMA EUGENE VS ATTORNEY GENERAL OF UCU GUILD GOVERNMENT, CONSTITUTIONAL PETITION NO.1 OF 2021 Corum, Hon Justice Ainebyona Wilberforce CJ, Hon, Lady Justice Hellen Ndagire Juliana DCJ, Hon. Lady Justice Evelyn Mugisha LJ, Hon. Lady Justice Dorothy Akatunda, Justice Arnold L Kizza LJ.
5. In respect to Alternative Dispute Resolution, I was also able to mediate a number of cases amongst which include in the matter of TURINAWA & OKIA CO ADVOCATES Vs AINEBYOONA ARTHUR, and this mediation was a success. All these can be accessed physically at the Guild tribunal chambers and via our online tribunal LinkedIn page and tribunal website page.

N.B. The expeditious handling of the above cases by the tribunal was not only an end tail duty of the tribunal but as result of the maximum cooperation, hardwork and commitment of the various counsel and the various state attorneys under the leadership and guidance of the UCU Guild Attorney General. It is from this basis that I wish to thank counsel of all parties in the aforementioned cases for the detailed research, exposition, brilliant and clarity of submissions they rendered. As the 23rd Tribunal, we were very much assisted by such. Thank you counsel Turinamukama Bayern Turinawe, counsel Timothy Orima, Counsel Obi Allan, counsel Okia Emmanuel, 23RD Guild Attorney General Maria Nagadya Diana Angel, Simon Nkuranga (state attorney Attorney General's Chambers and Dorothy Natukunda (state attorney, Attorney General's Chambers). We shall forever remain indebted to you and pray for God's blessings upon each one of you as you pursue further litigation.

Still in respect to expeditious dispensation of Justice, the 23rd Guild Tribunal was able to procure through the office of the Prime Minister, a tribunal computer that is basically geared at supporting the day to day activities of the tribunal such as research, typing of judgements amongst others. The end goal of all this is to ensure speedy and fair justice is fully dispensed by the courts as mandated by the Guild Constitution.

Awareness and sensitization of the tribunal activities. The 23rd Guild Tribunal with the guidance of Lord Justice Arnold Kizza was able to create the tribunal linkedIn page which can

accessed at <https://www.linkedin.com/company/uganda-christian-university-guild-tribunal>, the first ever of its kind on which tribunal information, posts, judgements are effectively communicated online. This greatly stands in harmony with the 23rd Guild Government slogan “**Building the Bridge to the New Normal**”. One of our greatest prayer as tribunal has been, on how best we could ensure effectiveness of our mandate notwithstanding the covid-19 pandemic, and this has been greatly answered as we transit power as evident by the availment of linkedIn page with about now 130 followers as earlier mentioned, from which they are able to receive and follow all the tribunal activities effectively without hinderance. In the same vain, a tribunal website link has also been created as can accessed via <https://ucuguildtribunal5.wordpress.com/home/>. The creation of all these sites is to enhance the effective dispensation and better access to justice regardless of the Covid-19 panemedic. Many thanks go to the Lord Justice Kizza Arnold for his great ideas towards developing all these great longtime remarkable achievements.

You can't entirely build a bridge singlehandedly, but you must contribute towards the construction of such bridge (emphasis mine). Likewise, the journey to the betterment of the tribunal is a much longtime desired goal that requires a collection of contribution from each and every tribunal that takes over office. As 23rd Guild Tribunal, I stand with firm assurance that whereas we might not have built the entire bridge, we did contribute magnificently to the construction of the bridge and task now manifests on the incoming tribunal to complete or modify the artistic design to have a beautiful bridge.

For every success, there are often hurdles faced in pursue of such successes. As away of mitigating such hurdles, I recommend the following mechanisms the 24th Guild Tribunal needs to explore;

The incoming 24th Guild Tribunal ought to continuously lobby for a law through the Ministry of Justice and Constitutional Affairs establishing for an independent budget allocation to the Judiciary which is directly controlled by the Chief Justice but monitored by the Clerk to Tribunal who doubles as Permanent Secretary to the Tribunal. This will help mitigate the overly bureaucratic procedures and red tape the tribunal faces when there is an urgent need for resources to facilitate and dispense off its mandate as envisaged in the Guild Constitution.

The 24th Guild Tribunal in conjunction with the Ministry of Justice and Constitutional Affairs with the guidance of Parliament should establish a Constitutional reform committee to revive and revisit the various provisions of the Constitution by way of updating, modifying and adapting

all those that have amended. This will help speed the adjudication process by the courts which in my service as Chief Justice was quite hectic due to the failure by the responsible arms of Government to document down the various amendments carried out in the Guild Constitution. Partly, with this done, I can guarantee you the best at the Tribunal.

Before, I pen off, allow me extend my sincere appreciations to the student's body on whose behalf we exercised judicial power. Thank you dear students, thank you Uganda Christian University for the trust entrusted in us by way of handling your disputes expeditiously. We are forever indebted to you. Allow me also extend my appreciations to my cherished support system that have walked and continue to walk this journey with me My parents, siblings, lecturers (The Dean School of Law Senior Don Dr. David Peter Mutesasira and Ms Miriam Achieng, Associate Dean School of Law), my seniors and great friends above all God. Thank you all, I am forever indebted to you.

Lastly , the incoming 24th Guild Tribunal, your welcome, feel at home and fully expedite your mandate. We are a call away and feel free to disturb us at any time of your convenience. We love you and wish all the best in your tenure. Godspeed and blessings upon you. Thank you and Stay blessed.

AINEBYONA WILBERFORCE RUGABA

23RD Guild Chief Justice.