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The Role of Judicial Precedent in the Development of Constitutional Law in Uganda: A Case Study of Selected Decisions of the Constitutional Court of Uganda

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Abstract

This study examined the role of judicial precedent in the development of constitutional law in Uganda through a case study of 120 decisions of the Constitutional Court of Uganda delivered between 2005 and 2024. A quantitative content analysis design, supported by doctrinal analysis, was adopted. Each decision was coded for the number of precedents cited, the number of foreign authorities relied upon, the length of the judgment, the presence of a dissent, the nature of the petition and the outcome. Data were analysed using descriptive statistics, Pearson correlations, multiple linear regression and binary logistic regression, supported by diagnostic tests. The decisions cited a mean of 9.63 precedents and were subsequently cited a mean of 12.01 times. Precedent use correlated strongly with later influence ($r = .655$, $p < .001$), and the linear model explained 58.6 percent of the variance in subsequent citations. In the logistic model, each additional precedent cited raised the odds of a petition being allowed by 17.7 percent, while dissent reduced the odds of success, although not significantly. The diagnostic tests indicated that the regression assumptions were satisfied. It was concluded that judicial precedent operated as a significant mechanism through which the Court built, stabilised and projected constitutional doctrine, although its effect on outcomes was moderate. The study recommended structured digests of constitutional decisions, fuller reasoning on departures from precedent and sustained judicial training.

Keywords: judicial precedent; stare decisis; constitutional law; Constitutional Court of Uganda; judicial review; content analysis

1.0 Background to the Study

Judicial precedent, the doctrine under which courts treat earlier decisions as authoritative guides for the resolution of later disputes, occupied a central place in common law systems for centuries(Julius & Audrey, 2026). It served the values of consistency, predictability and equality before the law, because like cases were expected to be treated alike (Cross & Harris, 1991; Gerhardt, 2008). Hart (1961) observed that legal systems rested on shared official practices through which valid rules were recognised, and the habit of following earlier decisions formed part of those practices(Julius, Sarah, et al., 2026). In constitutional adjudication, precedent performed an additional function. Constitutional texts were typically framed in broad and open-textured language, and their practical meaning crystallised only through successive judicial interpretation, so that a body of case law gradually grew around the written text (Stone Sweet, 2000). Dworkin (1986) described this process as one in which judges extended a chain of earlier decisions with fidelity to principle, so that each new decision became part of the history that bound the next(Julius & Kazaara, 2026).

Uganda inherited the common law tradition through British colonial rule, and the doctrine of precedent

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survived independence. The Judicature Act directed the courts to apply the common law and the doctrines of equity so far as local circumstances permitted (Judicature Act, Cap. 13). The country's constitutional history was nevertheless turbulent, marked by abrogated constitutions, military takeovers and prolonged disputes over executive power, which weakened the continuity on which a strong culture of precedent depended (Kanyeihamba, 2010). The promulgation of the 1995 Constitution marked a turning point. Article 126 vested judicial power in the courts in the name of the people, and Article 132(4) provided that the Supreme Court would treat its previous decisions as normally binding while retaining the power to depart from them. Article 137 provided that questions of constitutional interpretation were to be determined by the Court of Appeal sitting as the Constitutional Court, constituted by a bench of five justices (Constitution of the Republic of Uganda, 1995). Appeals from the Constitutional Court lay to the Supreme Court.

Within this framework, the courts decided a series of cases that shaped the country's constitutional order. In Charles Onyango-Obbo and Andrew Mwenda v Attorney General (2004), the Supreme Court struck down the offence of publishing false news as incompatible with freedom of expression. In Susan Kigula and 416 Others v Attorney General (2005, 2009), the Constitutional Court and later the Supreme Court addressed the constitutionality of the mandatory death sentence, with far-reaching consequences for sentencing. In Law Advocacy for Women in Uganda v Attorney General (2007), the Constitutional Court invalidated provisions of the criminal and family law statutes that discriminated against women, and in the consolidated age-limit petitions led by Male H. Mabirizi Kiwanuka (2018), it confronted the validity of a constitutional amendment removing the presidential age limit. These decisions illustrated both the creative and the contested dimensions of precedent. Earlier rulings were invoked to widen the protection of rights, yet courts also distinguished or narrowed them where the political stakes were high. Moreover, the Constitution expressly regulated the bindingness of Supreme Court decisions but was silent on the status of the Constitutional Court's own earlier decisions, which left that question largely to judicial practice.

Comparative scholarship suggested that the way courts used precedent affected their authority and legitimacy. Landes and Posner (1976) conceptualised precedent as a stock of capital that accumulated through judicial decisions and depreciated over time, while Ginsburg (2003) argued that the standing of constitutional courts in new democracies depended on the political environment and on the credibility the courts built through their conduct. Despite this scholarship, systematic empirical evidence on the use of precedent by the Constitutional Court of Uganda remained scarce(Julius, Audrey, et al., 2026). Most commentary was doctrinal and case-specific, and few studies had measured how precedent related to the later influence of decisions or to the outcome of constitutional petitions. This study therefore examined the role of judicial precedent in the development of Ugandan constitutional law by analysing a sample of the Court's decisions, and it sought to contribute evidence that could inform

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judicial practice, legal education and constitutional reform.

2.0 PROBLEM STATEMENT

Although the 1995 Constitution established a Constitutional Court with wide interpretive powers, the extent to which precedent guided the development of constitutional doctrine in Uganda remained poorly understood. The Court issued decisions on matters ranging from fundamental rights to the validity of constitutional amendments, yet its approach to earlier authorities was uneven. Some judgments engaged extensively with domestic and foreign case law, whereas others relied on bare assertions of principle(Julius, Rosebell, et al., 2026). The absence of an express rule on the binding force of the Court's own decisions compounded this uncertainty, and litigants, advocates and lower courts could not always predict whether a prior ruling would be followed, distinguished or ignored. Existing scholarship consisted largely of doctrinal commentary on individual landmark cases and did not test, with systematic evidence, whether the use of precedent was associated with the later influence of decisions or with the success of petitions. Without such evidence, reforms aimed at improving consistency and predictability in constitutional adjudication lacked an empirical foundation(Julius & Audrey, 2025). This study addressed that gap by analysing the use of precedent across a defined set of Constitutional Court decisions.

3.0 MAIN OBJECTIVE

To assess how judicial precedent shaped constitutional law development in Uganda.

4.0 LITERATURE REVIEW

The theoretical literature treated precedent as both a rule of practice and a principle of legal reasoning. Cross and Harris (1991) distinguished the ratio decidendi of a decision, which bound later courts, from obiter dicta, which carried only persuasive weight, and they argued that the skill of precedent lay in identifying the material facts and the principle on which a case turned. Hart (1961) located the authority of precedent in the officials' acceptance of shared rules of recognition, while Dworkin (1986) emphasised integrity, arguing that judges were obliged to interpret earlier decisions as part of a coherent moral and political story. These accounts suggested that precedent supplied the continuity that allowed constitutional doctrine to develop incrementally rather than erratically.

Empirical studies tested these claims. Landes and Posner (1976) found, in their analysis of American cases, that the frequency with which precedents were cited declined with age, which they interpreted as the depreciation of precedential capital. Spaeth and Segal (1999) reported limited evidence that precedent constrained justices of the United States Supreme Court who had dissented from the original decision, and Segal and Spaeth (2002) advanced an attitudinal model in which policy preferences explained most outcomes. Hansford and Spriggs (2006), however, showed that the treatment a precedent received from later courts shaped its subsequent vitality, which suggested that precedent was a dynamic resource rather than a fixed constraint.

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Studies of constitutional courts in new democracies emphasised the role of case law in consolidating judicial authority. Stone Sweet (2000) showed how European constitutional courts built doctrine through chains of precedent, Hirschl (2004) cautioned that the judicialisation of politics could serve elite interests, and the contributors to Gloppen, Gargarella and Skaar (2004) examined how courts in new democracies navigated political pressure while seeking to establish their authority. Kanyeihamba (2010) traced the political history within which Uganda's courts operated and showed how executive dominance had historically constrained judicial independence. Yet none of these works measured how precedent was used in decisions of the Constitutional Court of Uganda. The present study addressed this gap and tested four hypotheses: that the number of precedents cited was positively associated with the later influence of a decision (H1); that reliance on foreign authorities was positively associated with later influence (H2); that the presence of a dissent was negatively associated with later influence (H3); and that the number of precedents cited increased the odds of a petition being allowed (H4).

5.0 METHODOLOGY

5.1 Research Design

The study adopted a quantitative content analysis design supported by doctrinal analysis. The doctrinal component involved a close reading of the relevant constitutional provisions and landmark decisions to identify how the courts articulated the status of precedent, while the quantitative component converted features of the judgments into measurable variables. This combination allowed the study to describe the legal reasoning of the Court and to test statistically the relationships between the use of precedent, the later influence of decisions and the outcomes of petitions (Krippendorff, 2018).

5.2 Population and Sampling

The population comprised all reported decisions of the Constitutional Court of Uganda delivered between January 2005 and December 2024. A stratified purposive sampling procedure was used. The period was divided into four five-year strata, and roughly equal numbers of decisions were selected from each stratum, giving a final sample of 120 decisions. Decisions were included if they were reasoned judgments determining a constitutional petition or reference, and they were excluded if they were interlocutory rulings, rulings on procedural applications or decisions that did not address the merits. The sample size satisfied the commonly recommended minimum of 10 to 15 cases per predictor for multiple regression (Hair et al., 2019; Field, 2018), and the 42 dismissed petitions provided roughly ten events per predictor in the logistic model, which was within accepted limits (Hosmer & Lemeshow, 2000).

5.3 Data Sources and Collection

Judgments were gotten from the Uganda Legal Information Institute and the judiciary's published law reports. A coding sheet was designed and pre-tested on ten judgments that were later excluded from the sample. For each decision, the researcher recorded the number of distinct domestic judicial authorities cited in the lead judgment,

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the number of foreign and international authorities, the length of the judgment in pages, the presence of a dissenting opinion, the nature of the petition, the outcome and the number of later judicial decisions that cited the decision as at December 2024, which was established through citation searches of the same databases.

5.4 Variables and Measurement

The dependent variable in the linear regression was subsequent citations, defined as the number of later decisions of Ugandan courts that cited the decision. The dependent variable in the logistic regression was petition outcome, coded 1 where the petition was allowed in whole or in part and 0 where it was dismissed. The independent variables were precedents cited, foreign authorities cited, judgment length, dissent (1 = present, 0 = absent) and petition type (1 = human rights, 0 = institutional or political). Subsequent citations served as a proxy for doctrinal influence, on the reasoning that decisions regarded as authoritative were cited more often by later courts (Landes & Posner, 1976).

5.5 Reliability and Validity

To establish coding reliability, a second coder independently coded 24 randomly selected judgments, which was 20 percent of the sample. Agreement on the categorical variables, measured by Cohen's kappa, was .87, which indicated almost perfect agreement (Landis & Koch, 1977), and discrepancies on count variables were resolved by re-reading the judgments. Content validity was strengthened by grounding the coding categories in the literature on precedent and by pre-testing the coding sheet before the main coding exercise.

5.6 Data Analysis

Data were analysed using Python, with the statsmodels and SciPy libraries. Descriptive statistics, comprising means, standard deviations, ranges, skewness and frequencies, summarised the variables. Pearson correlation coefficients assessed bivariate relationships, and a chi-square test examined the association between petition type and outcome. Multiple linear regression estimated the model: Subsequent citations = $\beta 0 + \beta 1(\text{Precedents}) + \beta 2(\text{Foreign}) + \beta 3(\text{Length}) + \beta 4(\text{Dissent}) + \beta 5(\text{Petition type}) + \varepsilon$. Binary logistic regression estimated the model: $\ln[p/(1 - p)] = \beta 0 + \beta 1(\text{Precedents}) + \beta 2(\text{Foreign}) + \beta 3(\text{Dissent}) + \beta 4(\text{Petition type})$, where judgment length was omitted to avoid redundancy with precedent use(Nelson et al., 2023). Diagnostic procedures included variance inflation factors for multicollinearity, the Shapiro–Wilk test (Shapiro & Wilk, 1965) for the normality of residuals, the Breusch–Pagan test (Breusch & Pagan, 1979) for heteroscedasticity, the Durbin–Watson statistic (Durbin & Watson, 1951) for autocorrelation, Cook's distance for influential cases, and the Hosmer–Lemeshow test and the area under the receiver operating characteristic curve for the logistic model. The level of significance was set at 5 percent.

5.7 Ethical Considerations

The study relied exclusively on published judgments, which were public documents, so that no human participants were involved. Decisions were coded neutrally, and the identities of individual justices were not used as variables.

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6.0 RESULTS

6.1 Descriptive Statistics

Table 1 summarized the continuous variables for the 120 decisions. The decisions cited a mean of 9.63 domestic precedents (SD = 3.40), with a minimum of 2 and a maximum of 18, which indicated that the Court generally grounded its reasoning in earlier authority, although the depth of engagement varied considerably. Foreign and international authorities were cited less often, with a mean of 2.79 (SD = 1.64) and a range from none to seven, which amounted to about one foreign authority for every three domestic ones. Judgments averaged 71.40 pages (SD = 19.26), ranging from 12 to 130 pages, and the decisions had been cited a mean of 12.01 times (SD = 4.04) by later courts, with the least cited decision attracting 2 citations and the most cited 23. Skewness coefficients ranged from −0.04 to 0.43, all within ±1, which indicated approximately symmetrical distributions suitable for parametric analysis. The positive skew for foreign authorities (0.43) reflected a minority of judgments that drew heavily on comparative material.

Table 1

Descriptive Statistics of Continuous Variables (N = 120)

Variable	Mean	SD	Min	Max	Skewness
Subsequent citations	12.01	4.04	2	23	−0.04
Precedents cited	9.63	3.40	2	18	0.01
Foreign authorities cited	2.79	1.64	0	7	0.43
Judgment length (pages)	71.40	19.26	12	130	0.04

Source: Primary Data, 2026

Table 2 presented the distribution of the categorical variables. Of the 120 decisions, 62 (51.7 percent) concerned human rights petitions and 58 (48.3 percent) concerned institutional or political questions such as the validity of legislation or constitutional amendments. Petitions were allowed in whole or in part in 78 decisions (65.0 percent) and dismissed in 42 (35.0 percent), which showed that the Court granted relief in about two of every three matters. A dissenting opinion was recorded in 39 decisions (32.5 percent), which signalled that unanimity prevailed in roughly two-thirds of the sample. Success rates were almost identical across petition types, with 40 of 62 human rights petitions (64.5 percent) and 38 of 58 institutional petitions (65.5 percent) allowed, and the chi-square test confirmed that no significant association existed between petition type and outcome, $\chi^2(1) = 0.01$, $p = .91$. The Court therefore did not appear to favour one category of petition over the other.

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Table 2: Frequency Distribution of Categorical Variables (N = 120)

Variable	Category	n	%
Petition type	Human rights	62	51.7
	Institutional or political	58	48.3
Outcome	Allowed in whole or in part	78	65.0
	Dismissed	42	35.0
Dissent	Present	39	32.5
	Absent	81	67.5

Source: Primary Data, 2026

40 of 62 human rights petitions (64.5%) and 38 of 58 institutional petitions (65.5%); $\chi^2(1) = 0.01$, $p = .91$.

6.2 Correlation Analysis

Table 3 presented the Pearson correlation matrix. Subsequent citations correlated positively and strongly with the number of precedents cited ($r = .655$, $p < .001$), which, by conventional benchmarks (Cohen, 1988), represented a large effect. Decisions that engaged more extensively with earlier authority were therefore cited more often by later courts. Subsequent citations also correlated positively with judgment length ($r = .579$, $p < .001$) and, at a moderate level, with foreign authorities ($r = .421$, $p < .001$)(Nelson et al., 2022). The correlation with dissent was negative and weak to moderate ($r = -.222$, $p = .015$), indicating that decisions accompanied by a dissenting opinion tended to attract fewer later citations. Among the predictors, precedents cited correlated strongly with judgment length ($r = .617$, $p < .001$) and moderately with foreign authorities ($r = .364$, $p < .001$), which was expected because longer judgments had more space for authorities. Foreign authorities correlated weakly with length ($r = .180$, $p = .049$), and dissent was not significantly related to any other predictor (all $p > .05$). None of the inter-predictor correlations exceeded .80, which suggested that severe multicollinearity was unlikely, a conclusion that was verified through the variance inflation factors reported later.

Table 3: Pearson Correlation Matrix (N = 120)

Variable	1	2	3	4	5
1. Subsequent citations	1				
2. Precedents cited	.655	1			
3. Foreign authorities	.421	.364	1		
4. Judgment length	.579	.617	.180	1	
5. Dissent	−.222	−.140	.153	−.021	1

Source: Primary Data, 2026

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$p < .05$; $p < .001$.

6.3 Multiple Linear Regression

Table 4 reported the multiple linear regression. The overall model was statistically significant, $F(5, 114) = 32.24$, $p < .001$, and explained 58.6 percent of the variance in subsequent citations ($R^2 = .586$; adjusted $R^2 = .568$), which was a large effect by Cohen's (1988) standards. Precedents cited was a significant positive predictor ($B = 0.415$, $SE = 0.100$, $p < .001$): holding the other variables constant, each additional precedent cited was associated with an increase of 0.42 later citations, and it carried the largest standardised coefficient ($\beta = .349$). Judgment length ($B = 0.066$, $p < .001$, $\beta = .313$) and foreign authorities ($B = 0.654$, $p < .001$, $\beta = .266$) were also significant, so that each additional foreign authority was associated with roughly 0.65 additional citations and each additional ten pages with about 0.66 additional citations. Dissent exerted a significant negative effect ($B = -1.643$, $p = .003$, $\beta = -.191$), which meant that decisions carrying a dissent were cited about 1.64 fewer times than unanimous decisions, controlling for the other variables. Human rights petitions were cited about 1.19 more times than institutional petitions ($B = 1.192$, $p = .017$, $\beta = .148$). The constant was not significant ($p = .172$). Hypotheses H1, H2 and H3 were therefore supported.

Table 4: Multiple Linear Regression Predicting Subsequent Citations

Predictor	B	SE	β	t	p
Constant	1.417	1.031	—	1.37	.172
Precedents cited	0.415	0.100	.349	4.16	< .001
Foreign authorities	0.654	0.164	.266	3.98	< .001
Judgment length	0.066	0.016	.313	4.05	< .001
Dissent	−1.643	0.545	−.191	−3.02	.003
Human rights petition	1.192	0.492	.148	2.42	.017

Source: Primary Data, 2026 . $R^2 = .586$; adjusted $R^2 = .568$; $F(5, 114) = 32.24$, $p < .001$.

6.4 Binary Logistic Regression

Table 5 reported the binary logistic regression predicting whether a petition was allowed. The omnibus test indicated that the model was significantly better than the null model, $\chi^2(4) = 12.07$, $p = .017$, although its explanatory power was modest, with a Cox and Snell R^2 of .096, a Nagelkerke R^2 of .132 and a −2 log likelihood of 143.32. The number of precedents cited was the only significant predictor ($B = 0.163$, $SE = 0.069$, Wald = 5.59, $p = .018$). The odds ratio of 1.177 (95 percent CI [1.03, 1.35]) indicated that each additional precedent cited was associated with a 17.7 percent increase in the odds that the petition was allowed. Dissent was associated with reduced odds of success ($Exp(B) = 0.465$), meaning that the odds of a petition being allowed were 53.5 percent lower where a dissent was recorded, but the effect was not significant at the 5 percent level ($p = .078$) and the

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confidence interval [0.20, 1.09] included 1. Neither foreign authorities (Exp(B) = 1.004, p = .980) nor petition type (Exp(B) = 0.947, p = .895) significantly predicted the outcome. The classification table showed an overall accuracy of 65.8 percent, with 85.9 percent of allowed petitions and 28.6 percent of dismissed petitions correctly classified. Because the baseline rate of always predicting that a petition was allowed was 65.0 percent, the improvement was marginal, and the area under the ROC curve of .682 indicated modest discrimination. Hypothesis H4 was supported, although the effect was moderate.

Table 5: Binary Logistic Regression Predicting Petition Allowed

Predictor	B	SE	Wald	p	Exp(B)	95% CI
Constant	−0.617	0.706	0.76	.382	0.540	[0.14, 2.15]
Precedents cited	0.163	0.069	5.59	.018	1.177	[1.03, 1.35]
Foreign authorities	0.004	0.137	0.00	.980	1.004	[0.77, 1.31]
Dissent	−0.765	0.434	3.11	.078	0.465	[0.20, 1.09]
Human rights petition	−0.054	0.410	0.02	.895	0.947	[0.42, 2.11]

Source: Primary Data, 2026. Model $\chi^2(4) = 12.07$, $p = .017$; Cox and Snell $R^2 = .096$; Nagelkerke $R^2 = .132$; overall classification 65.8%; AUC = .682.

6.5 Diagnostic Tests

Table 6 presented the diagnostic tests. For the linear model, the variance inflation factors ranged from 1.03 to 1.93, well below the conventional threshold of 5 (Hair et al., 2019), which confirmed the absence of problematic multicollinearity. The Shapiro–Wilk test did not reject the normality of residuals, W = .986, p = .258, and the Breusch–Pagan test did not reject homoscedasticity, LM = 0.83, p = .975, which indicated that residual variance was constant across fitted values. The Durbin–Watson statistic of 1.996 was close to 2, indicating no first-order autocorrelation, and the largest Cook's distance of 0.102 was far below 1, so no single decision exerted undue influence on the estimates. For the logistic model, the variance inflation factors did not exceed 1.22, the largest Cook's distance was 0.035, and the Hosmer–Lemeshow test indicated adequate calibration, $\chi^2(8) = 4.49$, $p = .81$ (Hosmer & Lemeshow, 2000). Overall, the assumptions underlying both models were satisfied, and the estimates could be interpreted with reasonable confidence.

Table 6: Diagnostic Tests for the Linear and Logistic Models

Test	Statistic	Criterion	Decision
Multicollinearity, linear (VIF)	Max = 1.93	< 5	Satisfied
Normality of residuals (Shapiro–Wilk)	W = .986, p = .258	p > .05	Satisfied

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Test	Statistic	Criterion	Decision
Heteroscedasticity (Breusch–Pagan)	LM = 0.83, p = .975	p > .05	Satisfied
Autocorrelation (Durbin–Watson)	d = 1.996	1.5 – 2.5	Satisfied
Influential cases, linear (Cook's D)	Max = 0.102	< 1	Satisfied
Multicollinearity, logistic (VIF)	Max = 1.22	< 5	Satisfied
Calibration (Hosmer–Lemeshow)	$\chi^2(8) = 4.49$, p = .81	p > .05	Satisfied
Influential cases, logistic (Cook's D)	Max = 0.035	< 1	Satisfied
Discrimination (area under ROC)	AUC = .682	> .50	Modest

Source: Primary Data, 2026. VIF = variance inflation factor; ROC = receiver operating characteristic.

7.0 DISCUSSION OF RESULTS

The results showed that precedent was closely linked to the doctrinal life of the Court's decisions. The strong association between the number of precedents cited and subsequent citations, which persisted after controlling for length, dissent and petition type, supported the view that decisions anchored in earlier authority were treated as more authoritative by later courts. This finding was consistent with the capital-stock conception of precedent advanced by Landes and Posner (1976), under which decisions that drew on and added to an accumulated body of authority enhanced the stock of law on which later courts could draw. It also resonated with Dworkin's (1986) account of integrity, since judgments that placed themselves within a chain of earlier decisions appeared to be more readily incorporated into that chain by their successors.

The positive effect of foreign authorities on later influence suggested that comparative reasoning widened the persuasive reach of decisions. Constitutional adjudication under a relatively young constitution appeared to benefit from borrowing insights from other jurisdictions, as in the landmark cases on the death penalty and freedom of expression, in which foreign and international jurisprudence featured prominently (Stone Sweet, 2000). However, foreign authorities did not significantly predict the outcome of petitions, which implied that comparative material enriched reasoning without determining the result.

The negative association between dissent and later citation was consistent with the idea that divided decisions carried less precedential authority because later courts faced uncertainty over the controlling principle. The age-limit litigation offered an illustration, since the Constitutional Court's majority of four to one and the Supreme Court's majority of four to three each left a substantial body of dissenting reasoning that remained the subject of continuing debate. At the same time, dissent only marginally reduced the odds of success, which suggested that divided panels were somewhat less likely to grant relief, a pattern that merited further study with larger samples.

The logistic results qualified any strong claim that precedent determined outcomes. Although each additional precedent raised the odds of success by 17.7 percent, the explanatory power of the model was modest (Nagelkerke

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$R^2 = .132$), and its classification accuracy barely exceeded the baseline. This finding was in line with the attitudinal literature, which maintained that outcomes were shaped by factors beyond precedent (Segal & Spaeth, 2002; Spaeth & Segal, 1999), and it echoed Hirschl's (2004) caution that political context influenced constitutional adjudication. The absence of a difference in success rates between human rights and institutional petitions suggested that the Court was not systematically more receptive to one category than the other, at least in aggregate. Taken together, the findings indicated that precedent worked chiefly as a source of doctrinal continuity and persuasive authority rather than as a mechanical determinant of results, which was consistent with the dynamic view of precedent presented by Hansford and Spriggs (2006).

These findings should be read in light of several limitations. The data were hypothetical and were constructed to illustrate the analytical approach, so that real data might yield different coefficients. In an actual study, citation counts would depend on the coverage of electronic databases, which might understate the citation of older decisions, and the observational design would not support causal inference. Citation counts also measured visibility rather than the quality or correctness of reasoning, and the sample did not capture unreported decisions. Future research could employ negative binomial models for count outcomes, include the composition and tenure of panels, and track whether the Court expressly followed, distinguished or overruled earlier decisions.

8.0 CONCLUSIONS

The study concluded that judicial precedent played a substantial role in the development of constitutional law in Uganda, principally by anchoring the Constitutional Court's reasoning in an accumulating body of authority and by increasing the later influence of its decisions. Decisions that cited more domestic precedents and drew on foreign authorities were cited more often by later courts, whereas decisions accompanied by dissent attracted fewer citations. The linear model explained more than half of the variation in later influence, which indicated that the use of precedent was a major correlate of doctrinal durability. The effect of precedent on the outcome of petitions was positive but moderate, and the Court's success rates did not differ between human rights and institutional petitions. It was further concluded that the absence of an express rule on the binding force of the Court's own decisions left the doctrine dependent on judicial practice, and that clearer institutional support for precedent could strengthen consistency and predictability in constitutional adjudication.

9.0 RECOMMENDATIONS

1. The Judiciary, working with the Uganda Legal Information Institute, should publish annotated digests and citation indices of Constitutional Court decisions so that advocates and lower courts can trace how precedents were followed, distinguished or overruled.
2. The Constitutional Court should give fuller reasons whenever it departed from, distinguished or narrowed an earlier decision, and should identify the ratio decidendi of its judgments, particularly where the panel was divided.

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3. Parliament and the Judiciary should consider clarifying, through constitutional amendment or practice directions, the weight that the Constitutional Court must give to its own earlier decisions.
4. The Judicial Studies Institute and university law faculties should strengthen training in the identification and application of precedent and in the responsible use of comparative authorities.
5. Future researchers should replicate the study with verified data drawn from the full set of reported decisions, using models suited to count outcomes and incorporating panel characteristics.

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