



# Constitution-Building in Africa Conference

6 September 2013  
 hosted by the Community Law Centre  
 University of the Western Cape

## PROGRAMME

08h30 – 09h00	Registration
09h00 – 09h20 (GH1)	<b>OPENING &amp; WELCOME</b> Opening Remarks (Prof Jaap de Visser, Director: Community Law Centre) Welcome (Prof Brian O’Connell, Vice-Chancellor: University of the Western Cape) Opening Address
09h30 – 10h30	<b>BREAKAWAY SESSION 1</b> (GH 1, GH 3.5, GH 2 & GH3)
10h30 – 11h00	Tea
11h00 – 12h45	<b>BREAKAWAY SESSION 2</b> (GH 1, GH 3.5, GH 2 & GH3)
12h45 – 13h45	Lunch
13h45 – 15h30 (GH1)	<b>PLENARY SESSION: RELEVANCE OF THE SOUTH AFRICAN TRANSITION FOR CONSTITUTION-BUILDING IN AFRICA</b> <ul style="list-style-type: none"> <li>▪ Prof Yash Pal Ghai (former chair of the Constitution of Kenya Review Commission, Director, Katiba Institute, Nairobi)</li> <li>▪ Dr Fholisani Sydney Mufamadi (former Minister of Safety and Security, former Minister of Provincial and Local Government, Director, School of Leadership, Faculty of Management, University of Johannesburg)</li> <li>▪ Mr Mohammed Valli Moosa (former Minister of Constitutional Development, Chairman of Anglo-American Platinum)</li> </ul> (Facilitator: Prof Nico Steytler, South African Research Chair: Multilevel Government, Law and Policy)
15h30 – 16h00	Tea
16h00 – 18h00	<b>BREAKAWAY SESSION 3</b> (GH 1, GH 3.5, GH 2 & GH3)
18h00 – 21h00	<b>DINNER</b> Offered by the Provincial Minister of Social Development, Albert Fritz

South African Research Chair  
**in Multilevel Government,  
 Law and Policy**



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## PROGRAMME BREAKAWAY SESSIONS

	<b>Process of Constitution-Building</b> Chair: Prof Jaap de Visser, Director: Community Law Centre (UWC)	<b>Designing the structure of the state</b> Chair: Dr. Yonatan Fessha, Senior Lecturer, Faculty of Law (UWC)	<b>Limits on State Power</b> Chair: Dr Ebenezer Durojaye, Head of Socio-Economic Rights Project, Community Law Centre (UWC)	<b>Implementing the Constitution</b> Chair: Mr Derek Powell, Head of Multi-Level Government Initiative, Community Law Centre (UWC)
	<b>GH 1 (+TRANSLATION)</b>	<b>GH 3.5</b>	<b>GH2</b>	<b>GH3</b>
<b>9h30 – 10h30</b> <b>BREAKAWAY SESSION 1</b>	The Global Political Agreement: constitution-making process in Zimbabwe: A new People-Driven constitution or a misnomer?  <b>Chido Masunda &amp; Wurayayi Zembe</b>	Implementation of the Constitution of Kenya by county governments: The significance of public participation  <b>Caroline Kago</b>	Legislative - Executive Relations in the Ethiopian Parliamentary System: Towards institutional and Legal Reform  <b>Prof. Assefa Fiseha</b>	Why Constitutions in Africa do not stand the Test of Time: Lessons and perspectives from the 1995 Uganda’s Constitution  <b>Saude Nabukenya</b>
	Games Politicians play: Zimbabwe and the making of a metaphorical constitution  <b>Moses Tofa &amp; Rejoice Makaudze</b>	Adoption of a viable constitutional structure for the Gambia: A need for the 21 <sup>st</sup> century  <b>Gloria Akpore</b>	The Transitional Constitution of the Republic of South Sudan  <b>Paleki Obur</b>	Constitution-making under governments of National Unity: The Zimbabwean case 2009-2013  <b>Tobias Guzura</b>
10h30 – 11h00	Tea			

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	<b>GH 1 (+TRANSLATION)</b>	<b>GH 3.5</b>	<b>GH2</b>	<b>GH3</b>
11h00 – 12h45 <b>BREAKAWAY SESSION 2</b>	The Participation of Women, Youth and Disabled persons in Constitution-making Process: Experiences from Africa  <b>Obonye Jonas</b>	The inevitable: Devolution in Zimbabwe’s Constitution making process  <b>Davison Muchadenyika</b>	Limits on State Power: Examining the Role of Independent Commissions in Kenya  <b>Eric Opiyo &amp; Edward Wabwoto</b>	The Case for Comprehensive Scenario Building as a Means for Pre-testing the Articles of a Proposed Constitution to Ensure Viability Post Promulgation: A Case Study of Kenya  <b>Linda Musumba</b>
	Zambia’s Constitutional processes, leaving women out in the cold?  <b>Tabeth Masengu</b>	Devolution of power in Zimbabwe’s new Constitutional order: Opportunities and potential constraints  <b>Philani Moyo &amp; Cornelias Ncube</b>	The limits of State Power through Constitutional Supremacy: A case of Academic Freedom Struggle in Malawi  <b>Ngcimezile Mweso</b>	The Judiciary - Emerging Vanguard of Kenya's Constitution Implementation Process  <b>Melizza Mugenyi</b>
	The Responsibility of the judge in the development of constitutional governance in Africa  <b>Sofie Baker Djoumessi Kenfack</b>	Constitution-making: A never ending process? An enquiry into the Constant Amendments to the Cameroonian Constitution  <b>Pierrette Essame Mekongo</b>	And they keep saying, ‘My President, My Emperor, and my All’: Exploring the antidote to the perpetual threat on Constitutionalism in Malawi  <b>Enoch Chilemba</b>	The challenge of translating institutional design into lived experience: Lessons from the constitutional reform process of Kenya  <b>Solomon Dersso</b>
12h45 – 13h45	Lunch			
13h45 – 15h30	Plenary Session (Venue GH 1, see main programme)			
15h30 – 16h00	Tea			

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16h00 – 18h00 <b>BREAKAWAY SESSION 3</b>	The requirements for a stable constitution in South Sudan  <b>Etienne Mutabazi</b>	The ‘Best Loser System’: An ingenious electoral system that helped Mauritius in maintaining peace in its multi-racial society or a system that institutionalizes racial division?  <b>Amar Roopanand Mahadew</b>	The rebirth of the Political question doctrine in Uganda: Self- imposed freedom from the Judicial Review  <b>David Brian Dennison</b>	The Military and Constitution- making: The Nigerian Experience  <b>Ikuromo Margaret Oruan</b>
	Constitutionalism and democracy under the constitution of 18 February 2006 in the Democratic Republic of Congo: Between hope and disappointment  <b>Noel Kabeya</b>	Public participation in Constitutional Amendments: A new approach towards constitution-making in Nigeria  <b>Michael Ogwezzy</b>	The place of the judicial review mechanism in a majoritarian democracy under a regime of presidential absolutism in Francophone Africa: The case of Cameroon.  <b>Justin Wanki</b>	Rethinking the Nigerian constitution; the way forward  <b>Ojo Victoria Olayide</b>
	Judge and Crisis. Thoughts on the jurisprudence of the Constitutional courts of Madagascar and Comores  <b>Laurent Sermet</b>	The 1994 South African Constitution and the lost principle of non-citizens voting rights  <b>Wessel le Roux</b>	Inclusion of Justiciable Socio- Economic Rights in Bills of Rights: Lessons for Northern Ireland from South Africa and Zimbabwe  <b>Anne Smith and Khanyisela Moyo</b>	
18h00-21h00 <b>???????????????</b>	<b>DINNER</b> Offered by the Provincial Minister of Social Development, Albert Fritz			

