

AFRICAN CONSTITUTIONS: STATE, SOCIETY AND ECONOMY

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TUESDAY 26TH APRIL 2016, 13:00 – 14:30
ACADEMIC CONFERENCE ROOM, 11/F
CHENG YU TUNG TOWER, CENTENNIAL CAMPUS
THE UNIVERSITY OF HONG KONG



There have been at least two major phases of constitution making since the end of the Second World War. The first followed the victory of the Allied Forces and the end of empires; the second followed the fall of the Berlin Wall and the end of the Cold War. This lecture will compare the essential features of these constitutions: the processes of making them, and the objectives they were intended to achieve. It will examine the critical factors and actors that influenced the making of the constitution, the impact of the process on citizens, and the success in achieving constitutional objectives. The primary emphasis will be on the post-Cold War constitutions and the main themes will be the interplay of state, society and economy in the fates of constitutions.



Yash Ghai has for most of his working life been a law academic and a consultant on constitution making. He was educated at Oxford and Harvard and called to the Bar by the Middle Temple. He was one of the founders of the first Faculty of Law for five central African countries, at Dar es Salaam. Subsequently he taught, in a substantive or visiting capacity, at Yale, Harvard, Wisconsin, Uppsala, London, Warwick and Hong Kong. At Hong Kong he held the first Sir YK Pao Professorship. His research covers a wide range of subjects, from customary law in East Africa, to constitutional law in Hong Kong and South Pacific states. He has a lifelong interest in problems of multi-ethnic societies. He has participated in the making of constitutions in over 20 countries, including Afghanistan, Iraq, Somalia, Fiji, Nepal, Papua New Guinea and his own country, Kenya. He has also been UN Secretary General's Special Representative in Cambodia on human rights. Currently he is a founder and director of an NGO in Kenya, Katiba Institute, to promote the implementation of its 2010 Constitution.

Jill Cottrell was educated at the London School of Economics and Yale University. She has lectured at the Warwick School of Law, the University of Hong Kong, Ahmadu Bello University Nigeria and the University of Ife in Nigeria. She has worked on constitutional projects in Sri Lanka, East Timor, Nepal, Somalia, South Africa and Iraq, and played a key role in the elaboration of the Kenya constitution. Jill Cottrell is the author of numerous articles, conference papers and books related to constitution-making, human rights, sovereignty, and democracy.

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