

 <p>STELLENBOSCH INSTITUTE FOR ADVANCED STUDY STELLENBOSSE INSTITUUT VIR GEVORDERDE NAVORSING</p>	 <p>UNIVERSITEIT VAN PRETORIA UNIVERSITY OF PRETORIA YUNIBESITHI YA PRETORIA</p> <p>Faculty of Law – Institute for International and Comparative Law in Africa (ICLA)</p>
 <p><b>DULLAH OMAR INSTITUTE</b> FOR CONSTITUTIONAL LAW, GOVERNANCE AND HUMAN RIGHTS South African Research Chair in Multilevel Government, Law and Policy</p>	 <p><b>Konrad Adenauer Stiftung</b></p>

## FIFTH STELLENBOSCH ANNUAL SEMINAR ON CONSTITUTIONALISM IN AFRICA (SASCA 2017)

19-22 September 2017

**Stellenbosch Institute for Advanced Study (STIAS)**

**10 Marais St., Stellenbosch, South Africa**

### Draft Programme\*

**18 September 2017**

18.00 – 20.00 Informal dinner at STIAS

**Day 1, 19 September**

Session 1: Introductory session

10.30-11.00	Registration and refreshments	
11.00-11.30	Welcome: Prof Hendrik Geyer (STIAS), Prof Nico Steytler (SARChI, University of Western Cape), Dr Arne Wulff (KAS)	Moderator: Prof Charles Fombad (University of Pretoria)
	Group Photo Session	

Session 2: The challenges of corruption to constitutionalism

11.30-13.00	Chair	Prof Nico Steytler (University of the Western Cape)
		Hon. Pravin Gordhan MP (tbc)
	The crisis of corruption and constitutionalism in Africa	Prof Charles Fombad

13.00 – 14.00 Lunch

Session 3: State Capture, corruption and constitutionalism

14.00-15.30	Moderator	Prof Nico Steytler
	State capture, constitutionalism and democratization in Africa	Prof Adebayo Olukoshi (International, IDEA)
	????????	Prof Mark Swilling (University of Stellenbosch)
	Constitutions: Controlling Politically Exposed Persons (PEPs) or Controlled by PEPs)?	Prof John Hatchard (Buckingham Law School, UK.)

15.30 – 16.00 refreshments

Session 4: Some frameworks for preventing corruption

16.00-17.30	Moderator	Prof Charles Fombad
	'Financial constitutions' to prevent corruption	Prof. Nico Steytler
	Economic transnational justice. Turning a new anti-corruption leaf in Africa?	Prof Xavier Philippe (University of Aix-Marseille, France)
	Chinese Multinational Corporation's Obligations in the Global Anticorruption: Levelling the playing field in Africa	Prof Qingxiu Bu (University of Sussex, UK)
	Discussion	

18.30 – 20.30 Formal welcome dinner at STIAS

**Day 2, 20 September**

Session 5: Electoral Corruption

9.00-10.30	Moderator	Prof. Kwame Frimpong (University of Professional Studies, Accra (UPSA), Ghana)
	Electoral corruption and the adjudication of disputed presidential elections in Africa	Dr O'Brien Kaaba (National Democratic Institute for International Affairs (NDI))
	Corruption in the Kenyan election of August 2016	Dr Conrad Bosire (Katiba Institute, Kenya)
	Discussion	

10.30-11.00 refreshments

Session 6: Country case studies: South Africa – deepening corruption

11.00-12.30	Moderator	Prof. Kwame Frimpong (University of Professional Studies, Accra (UPSA), Ghana)
	Social Grant Payments and Regulatory Responses to Corruption in South Africa	Prof. Jonathan Klaaren (University of the Witwatersrand)

	Combating corruption at the coalface in the courts: Jurisprudential gems mined in Braamfontein	Adv. Paul Hoffman SC (Institute for Accountability in Southern Africa)
	South African constitutionalism and corruption	Prof. Francois Venter (University of North West)
	Discussion	

12.30 – 13.30 Lunch

Session 7: Country case studies continued

13.30-15.00	Moderator	Dr Arne Wulff
	A comparative analysis of corruption and constitutionalism in Muslim MENA states: Algeria, Morocco, and Egypt	Dr Sherif Elgebeily (Centre for the Study of International Peace and Security, UK)
	Constitutional Design and Anti-Corruption Reform in Nigeria: Problems and Prospects	Prof Rotimi Suberu (Bennington College, US)
	Corruption in Ethiopia: A merely technical problem or a major constitutional crisis?	Prof Zemelak Ayele (University of Addis Ababa, Ethiopia)
	Discussion	

15.00 – 15.30 refreshments

Session 8: Country case studies continued

15.30-17.00	Moderator	Prof Andre Thomashausen
	Fighting public sector corruption in Ghana under the shadow of greed and plunder- A case of rhetoric or practice	Prof. Kwame Frimpong (University of Professional Studies, Accra (UPSA), Ghana)
	A pretentious commitment? Constitutional promises and anti-corruption work in Malawi	Prof Mwiza Jo Nkhata (University of Malawi, Malawi)
	Corruption in Zimbabwe: Fighting a losing battle?	Dr. Tinashe Chigwata (University of the Western Cape)
	Discussion	

18:30 Dinner at a restaurant in Stellenbosch (tbc),

### Day 3, 21 September 2017

Session 9: Country case studies continued

9.00-10.30	Moderator	Prof Yonatan Fessha (University of the Western Cape)
	The court of audit and the control of public finances in the Lusophone African countries	Prof. André Thomashausen (University of South Africa)
	Impact of endemic corruption on constitutionalism and peacebuilding in Somalia	Mr. Ibrahim Harun (University of Cape town)

	Botswana's constitutional democracy and its response to corruption	Prof. David Sebudubudu and Dr. Ramadi Dinokopila (University of Botswana)
	Discussion	

10.30 – 11.00 refreshments

Session 10: Anti-corruption measures and actors

11.00-12.30	Moderator	Prof Phoebe Bolton (University of Stellenbosch)
	Using the bill of rights to check the state excesses in the fight against corruption: A review of jurisprudence from Kenya and South Africa	Dr Ken Obura (University of Nairobi, Kenya) (tbc)
	Moving beyond the state: Citizen led anti-corruption mechanisms in sub-Saharan Africa	Prof Sope Williams-Elegbe (University of Stellenbosch)
	Discussions	

12.30 – 13.30 Lunch

13.30 – 17.30 Afternoon excursion

18.00 – 21.30 Dinner at a restaurant in Stellenbosch (tbc),

**Day 4, 22 September**

Session 11: Strategies out of corruption

9.00-11.00	Moderator	Prof Nico Steytler
	Panel: Hon. Derek Hanekom MP (former Minister of Tourism) (tbc) Prof. Mohammad Kuna (Independent National Electoral Commission (INEC), Nigeria); Adv Vusi Pikoli (Western Cape Police Ombudsman) ( tbc) Dr David Lewis (Corruption Watch) tbc Mr. Chinedu Nwagu (TrustAfrica, Nigeria Anti-corruption and Criminal Justice Fund)	
11.30-12.00	Closing session	Prof Charles Fombad
	Planning for 2018 – Prof. Charles Fombad Closing remarks – Dr. Arne Wulff (KAS) Closing remarks - Prof. Johann Groenewald (STIAS). Vote of thanks – Prof Charles Fombad)	

Refreshments & Departure