



# The Institute of Federalism's **Summer University**

**Federalism, Decentralisation and Diversity**

# **2008**

**Twentieth Session**

**18 August to 5 September 2008**

**Fribourg, Switzerland**

# Program

## Federalism, Constitutionalism and Democratic Governance in Multicultural Societies

**First week: 18 - 22 August 2008 (course and workshops)**  
***Federalism: Institutional Designs and Constitutional Processes***  
with Prof. Cheryl Saunders and Prof. Thomas Fleiner

**Second week: 25 - 29 August 2008 (course and workshops)**  
***Federalism in Multicultural and Multinational Polities***  
with Prof. Haiyang Zhang and Prof. Lidija. R. Basta Fleiner

**Third week: 1 - 5 September 2008, case studies, with**  
Dr. Jibrin Ibrahim  
Dr. Nicole Toepperwien  
Dr. Alexander Fischer

The Summer University is organised around three major modules. The first week addresses various institutional aspects of nation-state and supranational forms of federalism. In the second are addressed the major challenges that federalism and decentralisation face in multicultural societies with a theoretical approach. During this week the students are requested to make a presentation of the papers they have prepared and submitted in advance. The third week focuses on some of the major issues discussed in the other two weeks based on 3 different case studies. While in weeks 1 and 2 the work runs through interactive classes and workshops, in the third week the students work in groups with the help of the professors and the results are discussed in plenum.

The major objectives of the Summer University are a) to bring the participants, through the classes, workshops, case studies and individual papers prepared in advance, major challenges that the modern state and multicultural societies face when embracing federalism and decentralisation as strategies of democratisation and conflict-management; b) given the interdisciplinary approach in teaching as well as the interdisciplinary academic background of the participants, to empower them with insights from different disciplines and thus generally enforce their understanding on the issues of federalism, decentralisation and diversity; and c) to heighten the participants' awareness, through the classes and workshops, and through debates they will have among themselves – to a major need for understanding also the arguments of the “other side” and the critical importance of a consensus in multicultural societies.

The members of the faculty are internationally known scholars with expertise in the issues of post-modern challenges to nation-state and democracy, federalism, decentralisation and multiculturalism. The Summer University is organised by the Institute of Federalism and co-financed by the Swiss State Secretariat for Education and Research and the Swiss Agency for Development and Cooperation.

## First week

### **Federalism: Institutional Designs and Constitutional Processes**

*Course and workshops with Prof. Cheryl Saunders and Prof. Thomas Fleiner*

**Content of the course:** This week addresses federal institutions and their major features in accommodating plural societies. What institutional principles have to be respected will be the main underlying question. We will point at the federal idea of "institutionalised self-rule + shared rule", the different governmental and legal systems (common law, continental law) and the specific issue of a constitutional court in a federal system. Thus we will have a look into some of the federal solutions of the 25 existing federal states, including asymmetric concepts and the proposed constitutional treaty of the European Union. After the first week the participants should be able to assess the impact of different federal institutions on a fragmented society. Such an approach performs both a methodological and a topical link to the second and third weeks.

**Method of work:** The professors jointly give a general course in the morning. Workshops are conducted in the afternoon and are additionally moderated by junior faculty.

#### **The Professors:**

- Prof. Cheryl Saunders is a Professor at the Faculty of Law, University of Melbourne, and the Director of the Centre for Comparative Constitutional Studies, Melbourne, Australia.
- Prof. Thomas Fleiner is a Professor at the Faculty of Law of the University of Fribourg, Switzerland and the former Director of the Institute of Federalism.

## Second week

### **Federalism in Multicultural and Multinational Polities**

*Course and workshops with Prof. Haiyang Zhang, and Prof. Lidija R. Basta Fleiner*

**Content of the course:** The second week addresses the major challenges which federalism in general, and federations in particular, face nowadays: What are the possibilities and opportunities that federalism may offer for constructing more democratic societies, on the one side; and, on the other, what are the pre-constitutional conditions necessary to make federalism and federations effectively receptive to the specific demands of culturally heterogeneous and fractured societies (nation and democracy in pluralist societies)? Federalism and different forms of regionalism and decentralisation, including power-sharing, will be related to modern and post-modern nationhood, democracy and constitutionalism in pluralist societies and its conflict-transformation potentials will be analysed. Constitution-making and nation-building as part of conflict transformation after ethnic wars will also be addressed. The course will further focalise on minority rights and emerging new standards in their protection.

**Method of work:** Teaching is done in the form of a general course given by the professors in the morning, and of workshops moderated primarily by junior faculty in the afternoon. The students are encouraged to actively participate in the classes by: a/ **submitting by August 6<sup>th</sup>** a paper with the idea to provide a concrete "fact-finding" context to the issues addressed in the morning (papers should be prepared according to the questionnaire distributed), b/ presenting their papers and taking part in the on-going discussions in the afternoon sessions.

#### **The Professors:**

- Prof. Lidija R. Basta Fleiner is the Director of the International Research and Consulting Centre at the Institute of Federalism, Fribourg, Switzerland
- Prof. Haiyang Zhang, is a Professor at the Department of Ethnology, Central University of Nationalities, Beijing, China

## Third week

### Case studies (to be announced via our website in May or June 2008):

- Dr. Jibrin Ibrahim
- Dr. Nicole Toepperwien
- Dr. Alexander Fischer

**Content of the course:** Given that the major underlying question of the whole course concept can be summarized as that of *how and under what conditions can cultural pluralism (diversity broadly taken) be reconciled with political pluralism in a modern sense (democracy)* and the rule of law this week addresses the issues discussed in the first two weeks by focusing on the above more specific issues through in depth case studies' analysis.

**Method of work:** Within the week an interactive approach is pursued. The students are divided into three groups, each working on one case study. The professors provide background information and frame out major issues for discussions. On the last two days, the groups present the results of their work in plenary sessions.

### The Professors:

- Dr. Jibrin Ibrahim is the Director of the Centre for Democracy & Development (CDD), and Country Director of Global Rights, Nigeria
- Dr. Alexander Fischer is a Lecturer at the School of Oriental and African Studies, University of London, UK
- Dr. Nicole Toepperwien is an independent Consultant on issues of State organization, Bern, Switzerland

## Information and registration

Registration forms and information on the course, conditions of admission, scholarships, accommodation, diplomas, etc., can be downloaded from our website ([www.federalism.ch](http://www.federalism.ch)) or will be sent to you on request by

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# Closing date to register: April 11<sup>th</sup> 2008