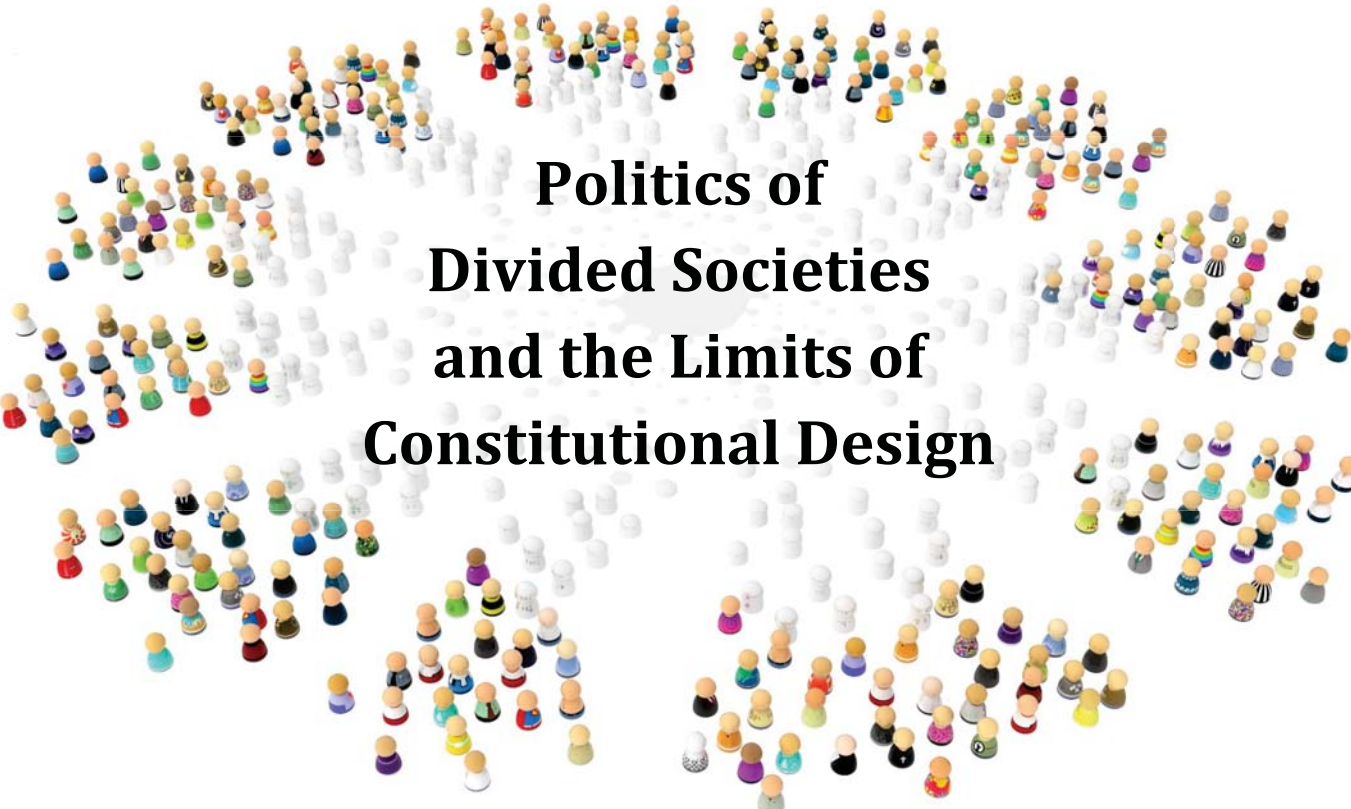Roundtable Discussion on

Politics of Divided Societies and the Limits of Constitutional Design

Friday, 23 February 2018, 9.30am to 4.30pm

Lee Sheridan Conference Room, Eu Tong Sen Building
Faculty of Law, National University of Singapore

SYNOPSIS

Divided societies have always posed a challenge to constitutional design. In creating a constitutional order, constitutional drafters not only have to create a viable political order, they also have to ensure inter-group cooperation among groups that may not always desire peaceful coexistence, or more specifically, equal coexistence. Constitutional divisions of power will therefore need to take into account how best to create inter-group power-sharing and accommodate differing group interests. Many constitutional proposals that have been adopted around the world, whether falling within centripetal, consociational, and group representation types, have not achieved their desired purpose of ensuring lasting inter-group cooperation. Problems include what Donald Horowitz identifies as degradation of electoral arrangements and immobilism. Indeed, recent studies of constitutional practice in divided societies increasingly question whether pragmatism, delay, and/or obfuscation may sometimes be better strategies in creating constitutional order in divided societies. This Roundtable engages with these questions by critically evaluating power-sharing arrangements in several diverse, and often divided, societies in Asia (specifically India, Indonesia, Malaysia, Myanmar, Singapore, and Sri Lanka). Together with expert commentators, participants at the Roundtable will interrogate various limitations on constitutional design options, identify gaps in constitutional design theories, and propose future trajectories for constitutional design in such societies.

SPEAKERS AND COMMENTATORS: Jaclyn L. Neo (Convenor / National University of Singapore); Donald L. Horowitz (Duke University); Mario Gomez (International Centre for Ethnic Studies); Kevin YL Tan (National University of Singapore); Eugene KB Tan (Singapore Management University); Rehan Abeyratne (The Chinese University of Hong Kong); Dian A.H. Shah (National University of Singapore); and Nyi Nyi Kyaw (National University of Singapore).

REGISTRATION

There is no fee for this workshop, but seats are limited. Light refreshment and lunch are provided.

Register at https://goo.gl/mC36Ad or scan the QR code

Closing Date: **20 February 2018, Tuesday**

For enquiries, contact Ms Alexandria Chan at cals@nus.edu.sg or 65167499.

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Politics of Divided Societies and the Limits of Constitutional Design

23 February 2018, Friday, 9.30am – 4.30pm

Lee Sheridan Conference Room, Eu Tong Seng Building, Faculty of Law, NUS (Bukit Timah Campus)

PROGRAMME OUTLINE

0900	*Registration & Coffee*
0930 – 0935	**Welcome Address**
	Dan W. Puchniak, DIRECTOR, CENTRE FOR ASIAN LEGAL STUDIES, NATIONAL UNIVERSITY OF SINGAPORE
0935 – 0940	**Welcome and Introduction**
	Jaclyn L. Neo, CONVENOR, NATIONAL UNIVERSITY OF SINGAPORE
0940 – 1000	*Constitutional Design and Ethnic Politics: Some Preliminary Thoughts*
	Donald L. Horowitz, DUKE UNIVERSITY
1000 – 1200	*The Politics of Religion and Decentralization in Malaysia and Indonesia*
	Dian A. H. Shah, NATIONAL UNIVERSITY OF SINGAPORE
	Sri Lanka's Long Walk: Compromise and Accommodation through Incremental Constitutional Change?
	Mario Gomez, INTERNATIONAL CENTRE FOR ETHNIC STUDIES
	Moderator: **Arif A. Jamal**, NATIONAL UNIVERSITY OF SINGAPORE
1200 – 1300	*Lunch*
1300 – 1530	*Hindu Nationalism and Caste-Based Politics: Is India a Deeply Divided Society?*
	Rehan Abeyratne, THE CHINESE UNIVERSITY HONG KONG
	From 'Union' to 'Federal Democratic Union' in Myanmar: An Emerging Case of Constitutional Centrifugalism
	Nyi Nyi Kyaw, NATIONAL UNIVERSITY OF SINGAPORE
	Ethnic Representation without Ethnic Politics? Contrasting Singapore's Group Representation Constituency and Reserved Election Schemes
	Jaclyn L. Neo, NATIONAL UNIVERSITY OF SINGAPORE
	Moderator: **Eugene KB Tan**, SINGAPORE MANAGEMENT UNIVERSITY
1530 – 1630	**Concluding Reflections and Closing Remarks**
	Donald L. Horowitz, DUKE UNIVERSITY
	Kevin YL Tan, NATIONAL UNIVERSITY OF SINGAPORE
	Eugene KB Tan, SINGAPORE MANAGEMENT UNIVERSITY
	Jaclyn L. Neo, NATIONAL UNIVERSITY OF SINGAPORE
1630	*End of Roundtable*