

Constitution-building in transitional contexts

Wednesday, February 25th | 12:30-2:00pm | Falconer Hall, Room 3



Richard Stacey is an Assistant Professor at the Faculty of Law. Prior to joining the Faculty, he served as Director of Research at the Center for Constitutional Transitions at NYU Law. He holds a PhD from NYU's Institute for Law and Society and a law degree from the University of the Witwatersrand in Johannesburg, South Africa. He served as law clerk to Justice Kate O'Regan and Justice Bess Nkabinde at the Constitutional Court of South Africa.

Constitutional transition building forms an interesting lens to think more deeply about the cultural relativism critique of international human rights law. Foreign and NGO assistance to a constitution-building process can be a tricky business, since foreign 'experts' must justify the need for research and technical expertise, without creating a perception of foreign intervention, arrogance, or insensitivity to domestic social, political and cultural realities.

Drawing on his experiences working in constitutional transitions in Kenya, Tunisia, Libya and Egypt, Stacey will recount his experiences of engaging with constitutional drafters on specific questions of constitutional law. His approach was often to present constitutional drafters a range of options from around the world, and allow drafters to draw their own conclusions, on the basis of that information, as to which approach might be most suitable to their own constitutional transition.

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