

# 非洲的联邦主义、央地关系、社会裂痕与共同体构建

## Federalism, Devolution, Cleavages and Polity Building in Africa

上课时间：2025年4月7日至4月25日，每周一、三、五下午5-8节。

地点：（初定）松江校区东楼 A302

### 课程主讲人简介

Assefa Fiseha 教授是非洲联邦制和分权领域的知名专家，目前任教于埃塞俄比亚的斯亚贝巴大学联邦与治理研究中心，并担任教授一职。他的学术背景广泛，包括在亚的斯亚贝巴大学获得法学学士学位、在阿姆斯特丹大学获得法学硕士学位以及在荷兰乌得勒支大学完成博士学位。他曾为苏丹、南苏丹、也门和马拉维等国家的宪法制定和政策对话提供专家咨询意见。Assefa 教授的工作对非洲及全球的联邦制和治理研究产生了重要影响，使他成为该领域极具影响力的学者之一。

### Profile

Professor Assefa Fiseha is a renowned expert in the field of federalism and devolution in Africa and currently serves as a professor at the Center for Federalism and Governance Studies at Addis Ababa University, Ethiopia. His extensive academic background includes an LL.B. from Addis Ababa University, an LL.M. from the University of Amsterdam, and a Ph.D. from Utrecht University in the Netherlands. Professor Assefa has provided consulting services for constitutional design and policy dialogues in countries such as Sudan, South Sudan, Yemen, and Malawi. His work has significantly impacted the study of federalism and governance both in Africa and globally, establishing him as a highly influential scholar in this field.

### 基 本 信 息 Basic infor matio n

院系 School	涉外法治研究院 Institute for foreign related rule of law
学科门类 Fields of Study	法学 law
所属一级学科名称 Disciplines	法学 Law
所属二级学科名称 Sub-Disciplines	外国法律史 Foreign Law History
先修课程 Prerequisites	宪法学 Constitution 法理学 Jurisprudence
选课对象 Registration Recommendations	研究生 Graduate students
课时与学分 Lecture Hours & Credits	32 学时；2 学分 32 Lecture Hours; 2 Credits
授课语言 Language taught	英语 English

## 课程目标

本课程将探讨在存在深度社会分裂的多民族国家中，如何利用宪法制度实现国家团结与多样性共存。课程将分析非洲国家如过联邦制与央地关系制度处理社会矛盾的实践，通过典型国家，例如南非、肯尼亚、埃塞俄比亚和尼日利亚的实例，分析联邦制与央地关系制度的理论和实践，研究这些制度是否能够有效缓解民族冲突并推动政治共同体意识构建，使得学生通过本课程的学习对非洲国家的区域国别法治建设问题，提升比较法学和国际化视野。

## Learning Goals

This course will explore how constitutional systems can be used to achieve national unity and coexistence of diversity in multi-ethnic countries with deep social cleavages. The course will analyze how African countries utilize federalism and devolution frameworks to address social conflicts, examining case studies of countries such as South Africa, Kenya, Ethiopia, and Nigeria. Through these examples, the course will delve into the theories and practices of federalism and devolution systems to assess whether these systems can effectively mitigate ethnic conflicts and foster a unified identity of community. By engaging with these topics, students will enhance their understanding of regional and national legal development in African countries, broadening their comparative law skills and international perspectives.

## 课程内容

本课程将分成 8 个模块进行讲授：1. 民族国家模式的特征与局限性：民族国家的基本特征及其在非洲的应用及其局限性。2. 联邦制与央地关系制度的概念与理论：探讨联邦制的起源、联邦与分权之间的关系，及其在多样性管理中的作用。3. 联邦与央地关系制度的机构设计：联邦和分权体系中的关键机构及其功能，包括其在维护多样性和社会稳定中的作用。4. 多民族联邦制与央地关系制度的多样性管理：探讨多民族统一国家的构建及其在维护团结和多样性方面的效果，分析非洲多民族国家的具体案例。5. 宪法审查在联邦制和央地关系制度中的角色：宪法裁决在联邦制和央地关系制度中的重要性，如何通过宪法框架解决社会分裂。6. 联邦制与央地关系制度的冲突管理与社会整合：联邦制和央地关系制度如何处理民族冲突，特别是在多民族社会中的整合与包容。7. 非洲联邦与央地关系制度的案例研究：分析重点非洲国家在管理社会多样性方面的成就和挑战。8. 联邦制、宪法实施与民主的互动：分析联邦制和央地关系制度在多样性和政治构建方面的相互影响，讨论实现长期稳定的因素。

## Content

This course will be delivered in 8 modules: 1. Characteristics and Limitations of the National-state model: Examining the fundamental features of the national-state model, its application in Africa, and its limitations. 2. Concepts and Theories of Federalism and Devolution: Exploring the origins of federalism, the relationship between federalism and devolution, and their roles in managing social diversity. 3. Institutional Design of federal and Devolution Systems: Analyzing key institutions and their functions within federal and devolved systems, including their roles in maintaining diversity and social stability. 4. Diversity Management in Multi-Ethnic Federalism and Devolution System: Investigating the construction of multi-ethnic unified states and their effectiveness in promoting unity and diversity, with case studies of African multi-ethnic states. 5. The Role of Constitutional Review in Federalism and Devolution System: Understanding the importance of constitutional review within federalist and devaluation systems, and how constitutional frameworks address social cleavages. 6. Conflict Management and Social Integration in Federalist and Devolution Systems: Exploring how federal and devolution systems manage ethnic conflicts, especially in terms of integration and inclusion within multi-ethnic societies. 7. Case Studies on Federalism and Devolution System in Africa: Analyzing achievements and challenges in managing social diversity in key African countries. 8. Interaction of Federalism, Constitutional Implementation, and Democracy: Examining the mutual influence of federalism and devolution system on diversity and political construction, and discussing factors for achieving long-term stability.