LEGAL TRANSPLANT FROM ENGLISH TO SINGAPOREAN LAW: LOST IN TRANSLATION OR A WORKING MISUNDERSTANDING?

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ABOUT THE SPEAKER
Professor Mindy Chen-Wishart moved with her family from Taiwan to New Zealand at the age of 10. She is a Fellow of Merton College and Reader at Oxford University, where she has taught since 1992 and was the Director for Undergraduate Studies. She is also Professor of Law at NUS. Previously she was Senior Lecturer at Otago University and Rhodes Research Fellow at St Hilda’s College, Oxford. She has held Visiting Professorships at Hong Kong University, and at Auckland, Otago and Canterbury Universities. She has also been an Adjunct Professor of Ohio and Georgia Universities. She delivered the 2009 Hochelaga lectures Hong Kong University.

ABSTRACT
Very little is original in law; borrowing is the main way that law changes. But views about its effectiveness run the gamut from those who believe such transplants to be easy thanks to the offices of the legal priesthood and those who deny its possibility due to cultural divergences. The seminar presents a case study of the transplant of undue influence law and the reasons for the theoretical convergence between English and Singaporean law but stark practical divergence in the outcome of cases. To what extent do the deep assumptions held by 'West' (eg equality, individualism) and 'East' (eg hierarchy, collectivism) explain the difference? An analogous phenomenon is presented by the transplant of 'good faith' into English contract law.

REGISTRATION
If you wish to attend this seminar, please email to clemail@nus.edu.sg. There is no registration fee for this seminar but seats are limited. Registration commences at 1.45pm. For enquiries, please contact Khai at Tel: 6516 3102. Directions to the law school may be found at http://law.nus.edu.sg/faculty/Location.htm.