

Title : Legal scholars should write more on S'pore law: Chief Justice

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SINGAPORE: Legal scholars in Singapore should write more articles on local law if they wish to influence the development of Singapore's law and legal system.

Chief Justice Chan Sek Keong made this point at the 50th anniversary dinner of the National University of Singapore's Law Faculty on Saturday.

Chief Justice Chan said that for some time now, Singapore's Supreme Court judges have adopted academic writings in their judgements, especially on difficult points of law.

Yet he noted that law academics here tend to write articles on foreign law.

For instance, a study showed that in its first 21 years up to 1979, the NUS Law Faculty's Law Journal published more articles on foreign rather than local law.

In the next 20 years up to 1999, the trend was reversed.

But from the year 2000 to today, Chief Justice Chan said, the trend reversed yet again to show a bias for foreign legal developments.

He pointed out that this study does not cover the writings of local academics published in overseas journals.

Chief Justice Chan said: "There is a current tension between the need to write on Singapore law for local consumption and the need to write for international recognition."

Yet he said academics must write on and about Singapore law because the NUS Law Faculty is a national law school with a mission to produce law graduates for national needs.

He added: "I wish to offer three comments on problems of universality against locality facing our Law Faculty. The first is that if they wish to influence the judiciary in the development of our law and legal system, they must generate the arguments and the ideas for us. This means they must write critically on Singapore law."

Secondly, he agrees with a faculty member that the NUS school has the potential to match the pinnacles of western legal scholarship.

And there's no reason why this confidence cannot be used to write on Singapore law.

Thirdly, it is necessary for the Law Faculty to strike a proper balance between personal and national interests.

Chief Justice Chan noted that the NUS Law School is now entering a more competitive phase of development since losing its monopoly in legal education with the setting up of a law school at the Singapore Management University.

But although NUS now has to compete for the best law students, he is confident it can benefit from its 50-year head start.

The NUS Law Faculty has produced 5,841 law graduates since it was set up.

It has contributed to almost 80 per cent of the lawyers in the Singapore legal service and 92 per cent of the judges on the Bench. - CNA/ir