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L'Académie Internationale de droit comparé
The International Academy of Comparative Law

Call for Papers for two one-day conferences

The Centre for Asian Legal Studies (CALs) and Asian Law Institute (ASLI) are pleased to issue this Call for papers for:

Day 1: Wednesday, 27 September 2017
Topic: **The State of Comparative Law in Asia**

Day 2: Thursday, 28 September 2017
Topic: **Teaching Comparative Law in Asia**

Both conferences will be held at the Faculty of Law of the National University of Singapore.

Submit a one-page abstract (no more than 500 words) of your proposed paper along with your name, your position, your affiliation and your email address.

Click [HERE](#) to submit your abstract on the online submission form by **30 June 2017**.

[The online form can also be access at URL: <https://goo.gl/llajOP>]

We expect to be able to announce the result of the paper selection in early July. The deadline for full paper submission is Monday, 4 September 2017.

ASLI and CALs may be able to provide colleagues whose papers are accepted with funding for airfare and hotel for the conferences in Singapore. Please indicate in your submission whether you require such funding.

For colleagues who wish to attend the conferences without presenting a paper, registration will be open from late July 2017. A fee will be applicable. To be notified of the opening of registration, please click [HERE](#).

For questions about administrative details and registration, please contact asliconference@nus.edu.sg. For more information about academic matters, please contact Associate Professor Gary F. Bell at garybell@nus.edu.sg

The descriptions of the two conferences follow below.

Day 1: **The State of Comparative Law in Asia**

Comparative law in Asia or about Asia has often been about comparing Europe or the United States with Asia, with very little intra-Asian comparisons. Either through colonisation or in fewer cases through so-called "modernisation", almost all Asian jurisdictions have had to abandon most of their own legal traditions in most civil and commercial matters and receive some Western law as the most important formal component of

their legal system. This process has led to contacts and comparisons between the Asian jurisdictions and their former colonising country or the Western country from which they borrowed most of their laws. In private law, Japan for example had most of its comparative work done with Germany, Singapore with England, etc. In civil law jurisdictions, that comparative law exercise was extremely rarely done in English.

There have also been many instances where civil law Asian jurisdictions have borrowed concepts and institutions from common law jurisdictions, for example from the United States, whether voluntarily or as impositions, for example by the Americans in Japan after WWII or by the IMF as so-called “conditionalities” for rescue packages during the Asian financial crisis in the late 1990s. This has led to academic work comparing Asian civil law jurisdictions mainly with non-Asian common law jurisdictions. In addition, probably because English is now the most widely spoken European language among young educated Asians, many young academics from Asian civil law jurisdictions have pursued their graduate studies in Western common law countries rather than in Western civil law countries. This leads to common law concepts and solutions slowly osmosing into Asian civil laws. This also leads to young Asian colleagues being more interested in comparing their civil law jurisdiction to the Western common law countries where they have studied rather than to Western civil law countries, or to any Asian country for that matter.

Now, however, with the increase of trade and exchanges within Asia and attempts at further economic integration, there is a need for more comparative work to be undertaken between Asian nations and between Asian traditions. Some of this work has started, but much remains to be done. This is the most interesting phenomenon to be studied. First how much of this is happening? And given that not much of this is happening, how could we encourage more intra-Asian comparative law.

There is also a need to compare different legal traditions which are often present within the same Asian country. For example, Indonesia has adat (indigenous laws), Islamic law and civil law in the Dutch/French tradition, yet these three traditions are too often studied separately and are rarely compared. What is the state of “intra-jurisdictional” comparative law in legally pluralistic countries of Asia (India, Indonesia, Malaysia, Singapore etc.)?

This one day conference will look at all three aspects: (1) the state of comparative scholarship between Asian law and European/US law; (2) the state of intra-Asian comparative law; and (3) the state of “intra-jurisdictional” comparisons within legally pluralistic Asian countries.

Day 2: Teaching Comparative Law in Asia

The second day will focus on the teaching of comparative law in Asia. Two kinds of papers could be presented.

The first type would ask what comparative law courses are taught in the law schools of our different jurisdictions and how is comparative law taught. Is there a general course on comparative law, is it compulsory, what does it cover (many legal traditions such as Islamic law and Hindu law or only the other Western tradition – civil law in common law jurisdictions, common law in civil law jurisdictions)? What materials are used (translations in a national or official language or materials in foreign languages)? Are there instances where two different legal traditions are taught to the same students but without adopting a comparative approach (e.g., students taking completely separate courses on Islamic family law and civil law family law). Are there advanced courses offering a comparative approach in a specific field of law (comparative corporate law, comparative constitutional law)? Is your school offering any course on the law of other Asian countries?

The second type of papers would focus at how we should ideally teach comparative law in Asia. Do we need to create casebooks, maybe in English, focusing on Asian law (most comparative law textbooks focus on Western jurisdictions)? How can our law school recruit colleagues who can teach comparative law or teach a given topic comparatively? Should joint or exchange programmes (for student or even professors) be considered? Should our schools grant double degrees in civil and common law or in civil and Islamic law for example?