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### Faculty & University Appointments

- Executive Committee Member, Centre for Legal Theory
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### Publications

#### **ARTICLES**

Swati Jhaveri, "Revisiting Taxonomies and Truisms in Administrative Law in Singapore" [2019] *Singapore Journal of Legal Studies* 351

C Chan, Swati Jhaveri and Lo PY, "I-Connect-Clough Center 2018 Global Review of Constitutional Law: Hong Kong" (2019) 17(4) *Icon-International Journal of Constitutional Law* 1-6

Swati Jhaveri, "Interrogating Dialogic Theories of Judicial Review" (2019) 17(3) *Icon-International Journal of Constitutional Law* 811-835

Swati Jhaveri, "Administrative Law in Singapore: Recent Developments and Looking Ahead" (2019) *The Singapore Law Gazette* 1-9

Swati Jhaveri, "Reconstitutionalizing Politics in the Hong Kong SAR of China" (2018) 13(1) *Asian Journal of Comparative Law* 27-57

Swati Jhaveri, "The Survival of Reasonableness Review: Confirming the Boundaries" (2018) 46(1) *Federal Law Review* 137-160

Swati Jhaveri, "Introduction to special issue" (2018) 2 *Indian Law Review* 1-4

Swati Jhaveri, "Localising Administrative Law in Singapore: Embracing Inter-Branch Equality" (2017) 29 *SaCLJ* 828-855

Swati Jhaveri and Jaclyn Neo, "The Many Facets of Constitutional Dialogue: The Case of Singapore" (2017) 18(1) *Australian Journal of Asian Law* 1-14

Swati Jhaveri, "Advancing Constitutional Justice in Singapore: Enhancing Access and Standing in Judicial Review Cases" (2017) *Singapore Journal of Legal Studies* 53-76

Swati Jhaveri, "The doctrine of substantive legitimate expectations: the significance of Chiu Teng@Kallang Pte Ltd v Singapore Land Authority" (2016) 1 *Public Law : the constitutional and administrative law of the commonwealth* 1-9.

Swati Jhaveri and Anne Scully-Hill, "Executive and legislative reactions to judicial declarations of constitutional invalidity in Hong Kong: Engagement, acceptance or avoidance?" (2015) 13(2) *International Journal of Constitutional Law* 507-529

Swati Jhaveri, "Judicial strategies in recognising new areas for recovery in negligence - lessons learned from wrongful conception cases" (2013) 21 *Tort Law Review* 63-86

Swati Jhaveri, "Transforming "fairness" as a ground of judicial review in Hong Kong" (2013) 11(2) *International Journal of Constitutional Law* 358-381.

Swati Jhaveri, "Constructing a Framework for Assessing Public Authority Liability in Negligence: The Role of Public Law Norms, Private Law Norms and Policy Arguments" (2011)18 *Tort Law Review* 1-15

Swati Jhaveri, "Judicialising Politics: A Role for the Courts in Political Reform in Hong Kong" (2011) *Public Law* 227-235

### **BOOKS**

Swati Jhaveri, M Ramsden, A Scully-Hill, *Hong Kong Administrative Law*, 2nd ed (Hong Kong: Lexis Nexis Butterworths, 2013)

### **BOOKS EDITED**

Swati Jhaveri and Michael Ramsden (eds), *Judicial Review Across the Common Law World: Origins and Adaptations* (Cambridge University Press. Forthcoming)

Swati Jhaveri and Jaclyn Neo (eds), *Constitutional Change in Singapore: Reforming the Elected Presidency* (Routledge, 2019)

CF Forsyth, M Elliott, Swati Jhaveri, M Ramsden, A Scully-Hill (eds), *Effective judicial review a cornerstone of good governance* (Oxford University Press, 2010)

### **CHAPTERS**

Swati Jhaveri, "The Role of Courts in Advancing Constitutional Moments: Constitutionalising the Constitution in Singapore and Hong Kong" in R Albert, M Guruswanmy and N Basnyat eds., *Founding Moments in Constitutionalism* (Hart Publishing, 2020)

Swati Jhaveri, "What's so common about "common law" approaches to judicial review?" in Swati Jhaveri and Michael Ramsden (eds), *Judicial Review Across the Common Law World: Origins and Adaptations* (Cambridge University Press, 2020)

Swati Jhaveri, "The Evolution and Autochtonisation of Administrative Law in Singapore" in Swati Jhaveri and Michael Ramsden (eds), *Judicial Review Across the Common Law World: Origins and Adaptations* (Cambridge University Press, 2020)

Swati Jhaveri, "The Constitutionalisation and Deconstitutionalisation of Indian Administrative Law: A Return to the Common Law" in Swati Jhaveri and Michael Ramsden (eds), *Judicial Review Across the Common Law World: Origins and Adaptations* (Cambridge University Press, 2020)

Swati Jhaveri, "Administrative Law as a Modest Guardian of the Rule of Law" in C Chan and F DeLondras eds., *China's National Security: Endangering HK's Rule of Law* (Hart Publishing, 2020)

Swati Jhaveri, "Reflecting on Constitutional Change in Singapore: The Role of the Executive, Legislature and Judiciary" in Jaclyn Neo and Swati Jhaveri eds., *Constitutional Change in Singapore: Reforming the Elected Presidency* (Routledge, 2019)

Swati Jhaveri and F Ahmed, "Reclaiming Indian Administrative Law" in Devesh Kapur, Madhav Khosla eds., *Regulation in India: Design, Capacity, Performance* (Hart Publishing, 2019) 59-75

Swati Jhaveri, "Sunsetting Suspension Orders in Hong Kong" in Yap Po Jen ed., *Constitutional Remedies in Asia* (Routledge, 2019) 49-63

Swati Jhaveri, "Right to a Fair Hearing in Administrative Law Cases" in Grote R, Lachenmann F, Wolfrum R eds., *Max Planck Encyclopedia of Comparative Constitutional Law* (Oxford University Press, 2017)

Swati Jhaveri, "Contrasting Responses to the 'Coughlan' Moment: Legitimate Expectations in Hong Kong and Singapore" in M Groves and G Weeks eds., *Legitimate Expectations in the Common Law World* (London: Hart Publishing, 2017) 267-292

Swati Jhaveri, Brian Gilchrist, "Credit and Security", in *Chitty on Contracts: Hong Kong Specific Contracts, 5th ed.* (Hong Kong: Sweet and Maxwell Hong Kong, 2016)

Swati Jhaveri, "The Broader Case For Developing The Content of Fundamental Rules of Natural Justice Under Article 9 of the Constitution: A Placeholder for a Proportionality-Type Adjudication?" in Jaclyn L Neo ed., *Constitutional Interpretation in Singapore Theory and Practice* (Singapore: Routledge, 2016) 188-209

Swati Jhaveri, "The Content of Fundamental and Other Constitutional Rights in Hong Kong" in R Gordon and J Mok eds., *Judicial Review in Hong Kong, 2nd ed.* (Hong Kong: LexisNexis Butterworths, 2014) 181-249

## **CONFERENCE PAPERS**

Swati Jhaveri, "Bureaucratic Power and Public Law Theory" (Paper presented at the Conference Honouring Professor Mark Tushnet, Harvard Law School, 27 - 28 Apr 2020)

Swati Jhaveri, "The Executive: Source of Constitutional Resilience or Dissonance?" (Paper presented at the Constitutional Resilience in South Asia, Melbourne Law School, 5-7 Dec 2019)

Swati Jhaveri, "The Executive-Led Planning Regime of Hong Kong" (Paper presented at the Planning Law in Asian Cities, APCEL, NUS Law, 08 Apr 2019)

Swati Jhaveri, "Empathy and the Educator" (Paper presented at the Symposium on Showcasing Excellence in Teaching and Learning, 14 December 2018, University of Hong Kong, Hong Kong)

Swati Jhaveri, "Towards a Theory of Executive Constitutionalism - An Asian Perspective" (Paper presented at the Public Law Discussion Group, 16 October 2018, Faculty of Law, University of Oxford, United Kingdom)

Swati Jhaveri, "Constitutionalism in Asia" (Paper presented at the Roundtable on Topics in Comparative Constitutional Law in Asia, NUS Law (CALs), 30 Aug 2018)

Swati Jhaveri, "Judicial Review of Constitutional Amendments - The Presidency in Court" (Paper presented at the Constitutional Change in Singapore: Reforming the Elected Presidency, Centre for Asian Legal Studies, Faculty of Law, National University of Singapore, 10 Jan 2018)

Swati Jhaveri, "Sunsetting Suspension Orders in Hong Kong" (Paper presented at the Constitutional Remedies in Asia, 14 December 2017, Faculty of Law, University of Hong Kong, Hong Kong)

Swati Jhaveri, "Arbitrariness and Judicial Review in India" (Paper presented at the Indigenising Administrative Law in Common Law Systems, Centre for Asian Legal Studies, Faculty of Law, National University of Singapore, 7 - 8 Dec 2017)

Swati Jhaveri, "What's so Common about Common Law Systems of Administrative Law?" (Paper presented at the Indigenising Administrative Law in Common Law Systems, Centre for Asian Legal Studies, Faculty of Law, National University of Singapore, 7-8 Dec 2017)

Swati Jhaveri, "Administrative Law: A Modest Guardian of the Rule of Law" (Paper presented at the China's National Security: Endangering Hong Kong's Rule of Law? Conference, 4 December 2017, Faculty of Law, University of Hong Kong, Hong Kong)

Swati Jhaveri, "What's so Common about Common Law Administrative Law?" (Paper presented at the Melbourne Institute of Comparative Constitutional Law, 29 November-1 December 2017, Melbourne Law School, Australia)

Swati Jhaveri, "Defining 'Common Law' Administrative Law" (Paper presented at Conference on The State of Comparative Law in Asia, 27-28 September 2017, NUS- Faculty of Law, Singapore)

Swati Jhaveri and Jaclyn Neo, "Submissions to the Constitutional Commission of Singapore on the Reform of the Elected Presidency" (Paper presented at the Hearings of the Constitutional Commission of Singapore, Singapore, 26 Apr 2017, Singapore)

Swati Jhaveri, "Administrative Law in Common Law Systems" (Paper presented at the Delegation from the Central Administrative Appeals Commission in South Korea, Faculty of Law, National University of Singapore, 30 Mar 2017)

Swati Jhaveri, "Proportionality as a Tool for the Adjudication of Constitutional Rights" (Paper presented at the The Structure and Nature of Constitutional Rights, NUS Law, 19 Jan 2017)

Swati Jhaveri, "'Dialogic' Judicial Review: Interrogating the Metaphor" (Paper presented at the Weak Form Review in Comparative Perspective, Faculty of Law University of Hong Kong, 09 Dec 2016)

Swati Jhaveri, "Administrative Constitutionalism" (Paper presented at the New Theories of the State's Authority: Beyond the Separation of Powers, 31 October - 1 November 2016, National University of Singapore, Singapore)

Swati Jhaveri, "Proportionality Analysis in Constitutional and Administrative Law: Recent Developments in the Commonwealth and its implications for Singapore". (Paper presented at the Continuing Legal Education, 5 Jul 2016, NUS Law, Singapore)

Swati Jhaveri, "Advancing Political Reform in Hong Kong: Optimising Litigation Strategies" (Paper presented at the ICON-S Society For Public Law Annual Conference "Borders, Otherness and Public Law", 17-19 June 2016, Berlin, Germany)

Swati Jhaveri, "The Pressure to Innovate in Legal Education?" (Paper presented at the Conference on Teaching and Learning in Law - "Directions in Legal Education", 3- 4 Jun 2016, Faculty of Law, Chinese University of Hong Kong, Hong Kong)

Swati Jhaveri, "Advancing Constitutional Moments: Recognising the Role of National Courts in Transitional Situations" (Invited Paper presented at Symposium on Founding Moments in Constitutionalism, 16 Apr 2016, Yale Law School, New Haven, CT, United States).

Swati Jhaveri, "Educating Tomorrows Global Citizens: Using Comparative Law as an Educational Tool for Constructing Tomorrows Global Citizens" (Paper presented at the Annual Conference of the Asia-Pacific Association for International Education, 29 Feb - 5 Mar 2016, Melbourne, Australia)

Swati Jhaveri, "The Broader Case for Developing the Content of Fundamental Rules of Natural Justice" (Paper presented at the Judging the Constitution: The Theory and Practice of Constitutional Interpretation in Singapore, NUS Law, Singapore, 1 Dec 2015)

Swati Jhaveri, "Constitutional Design and Renewal in Singapore" (Invited paper presented at the Conference on The Legacy of Lee Kuan Yew and the Future of Singapore, 31 Oct 2015, Fitzwilliam College, University of Cambridge, Cambridge, United Kingdom)

Swati Jhaveri, "Standing in an Evolving Public Law Landscape: The Role of Public Law Adjudication in Singapore" (Paper presented at the ICON'S SOCIETY FOR PUBLIC LAW ANNUAL CONFERENCE: Public Law in an Uncertain World, NYU School of Law, NYC, USA, 1 - 3 Jul 2015)

Swati Jhaveri, "Constitutional Significance of Occupy Central in Hong Kong" (Invited paper presented at the Transpacific Conversation on Comparative Constitutional Law, 5-6 Dec 2014, University of Washington, Seattle, United States)

## **REPORTS**

Swati Jhaveri, "Submission to Constitutional Commission of Singapore on Specific Aspects of the Presidency" (Singapore: Constitutional Commission, 2016)

## **OTHER PUBLICATIONS**

Swati Jhaveri, "[The Internal Morality of the Administrative State](#)" (Administrative Law in the Common Law World, 28 September 2018)