

CHAN SEK KEONG PROFESSORIAL LECTURE IN PUBLIC LAW

OF CONSTITUTIONAL INTEREST? COMPARATIVE CONSTITUTIONAL ENCOUNTERS WITH INTERNATIONAL INVESTMENT LAW

Professor David Schneiderman
University of Toronto

Chairperson: Associate Professor Jaclyn Neo
Director, Centre for Asian Legal Studies, NUS Law

THURSDAY, 29 AUGUST 2024
5.30 PM to 7.00 PM

NUS LAW (BUKIT TIMAH CAMPUS), WEE CHONG JIN MOOT COURT

How have apex courts responded to shrinking policy space as a consequence of international treaties that protect the contract, property, and due process rights of foreign investors? Investment treaties have prompted allegations that they are not constitutionally compliant because they violate either constitutional procedures or constitutional rights. Are apex courts interested in such arguments in defence of constitutional standards or do they simply get out of the way? Drawing upon a new empirical study, the lecture catalogues how apex courts in some locales have responded to these challenges, both in the Global North and in selected Global South courts. If high courts in the North have found a way of smoothing a path to constitutional compatibility, those in the South have offered a greater spectrum of responses to investment law's constraints, ranging from deference to modest defiance. The lecture concludes with a normative argument about why courts are duty bound to closely scrutinize treaties for their constitutional compatibility, rather than simply yielding, as some advocate, to the exigencies of international economic law.

ABOUT THE SPEAKER



David Schneiderman is the Chan Sek Keong Visiting Professor of Public Law at NUS Law, and Professor of Law and Political Science (courtesy) at the University of Toronto where he teaches courses on Canadian, US, and comparative constitutional law and international investment law. He has been visiting Professor of Law at numerous universities, including University of Stockholm, Georgetown University, and Columbia University. He is the author of over 80 articles and book chapters and, in addition, the author or editor of over a dozen books, among them, *Constitutionalizing Economic Globalization: Investment Rules and Democracy's Promise* (Cambridge UP 2008), *Red, White and Kind of Blue? The Conservatives and the Americanization of Canadian Constitutional Culture* (U Toronto, 2015) and *Constitutional Review and International Investment Law: Deference or Defiance?* (Oxford UP, 2024).

PROGRAMME

5.00PM: Registration
5.30PM: Lecture by Professor David Schneiderman
6.30PM: Q&A Session
7.00PM: Dinner Reception

REGISTRATION

There is no registration fee for this lecture but seats are limited. Visit <https://bit.ly/4bcpmm2> or scan the QR Code to register by Thursday, 22 August 2024, 5.00 PM.



CONTACT PERSON

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CPD POINTS



Public CPD Point: 1
Practice Area: Government
Training Level: Foundation

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