

FOCUS ASIA

The 12th Focus Asia brings leading scholars in law & society from around the world. This one-day conference of public lectures focuses on the rule of law in Asia. Many Asian countries enjoyed economic growth and social order without strong legal institutions. However, as policies shifted to more market-oriented solutions, law becomes more important today and this gave impetus for legal and judicial reforms in Asia. When Asia develops strong legal institutions, western models are often adopted. Transplanting western legal institutions in Asia can be interpreted as a global convergence which creates homogeneity in a world that is very diverse in local culture and resources. However, the actual operation of global institutional transplants in Asia is often loosely coupled with their formal structure. It is also argued that foreign institutional models are likely to be imported with significant modification of the systems.

At the Focus Asia, we share our knowledge and experiences in global legal transplants in Asia. We also discuss the processes and factors in which Asian societies are being transformed to rule-of-law societies where law becomes a social infrastructure. Public lectures at the conference offer research and analysis on such issues as international law, legal profession, dispute resolution, gender, law & development, and labour rights, drawing on varying experiences in East, South-East, and South Asia.

Welcome!

30 March 2010

FOCUS ASIA

Interpreting the Rule of Law in Asia

The lectures are open to the public
and entry is free of charge

Venue: Telaris at Juridicum,
Lund University,
Lilla Gråbrödersgatan 4, Lund

Organized by the Centre for East and
South-East Asian Studies in co-operation
with the Faculty of Law



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Interpreting the Rule of Law in Asia

- 09:00-09:10 **Welcome Speech**
Christina Moëll, Dean, Faculty of Law, Lund University
Mayumi Saegusa, Centre for East and South-East Asian Studies, Lund University
- 09:10-10:10 **Colonial Construction and the (Relative) Demise of Law and Lawyers in Asia during the Cold War**
Bryant G. Garth, Southwestern Law School, USA
- 10:10-11:10 **Influence of Legal Culture on Dispute Resolution System in Japan: Change and Continuity in Legal reform**
Yoshitaka Wada, Waseda Law School, Japan
- 11:10-11:30 Coffee Break
- 11:30-12:30 **Justice and Jihad from the East India Company to the Lashkar-e-Toiba**
Stig Toft Madsen
- 12:30-14:00 Lunch Break
- 14:00-15:00 **Vietnam and Doi Moi - Some Reflections on the Road to the Rule of Law**
Bengt Lundell, Faculty of Law, Lund University
- 15:00-15:30 Coffee Break
- 15:30-16:30 **Rule of Law Chinese style: Labour Rights and the Problem of Enforcement**
Sarah Biddulph, Melbourne Law School, Australia
- 16:30-17:30 **Strategies for Revamping Law and Lawyers: Asian Legal Revivals**
Yves Dezalay, Centre National de la Recherche Scientifique, France
- 17:30-17:35 **Concluding Speech**
Mayumi Saegusa, Centre for East and South-East Asian Studies, Lund University

Sarah Biddulph is Associate Professor and Reader in the Law School, University of Melbourne. She teaches and researches in the area of Chinese law. Her work has focussed on contemporary Chinese administrative law, criminal procedure, labour, comparative law and the law regulating social and economic rights. Her recent publications include *Legal Reform and Administrative Detention Powers in China* (2007) and she is the co-editor of *Examining Practice Interrogating Theory* (2008).

Yves Dezalay is Directeur de recherches au C.N.R.S (Centre National de la Recherche Scientifique). In 2009, he received the "International Scholar Prize" from the Law & Society Association. He and Bryant G. Garth together wrote several books, including *Dealing with Virtue* (1996), *The Internationalization of Palace Wars* (2002), and *Global Prescriptions* (edited volume, 2002). Their new book, *Asian Legal Revivals*, will be published this year.

Bryant G. Garth is Dean and Professor of Law at Southwestern Law School. He began his tenure as Dean in the fall of 2005. Prior to that time, he served for fourteen years as Director of the American Bar Foundation and four years as Dean of Indiana University School of Law-Bloomington. His research focuses on the legal profession and on the globalization of law. He currently chairs the advisory board of the Law School Survey of Student Engagement and serves on the executive coordinating committee of the "After the J.D." study of lawyer careers. He is also co-editor of the *Journal of Legal Education*.

Bengt Lundell is a senior lecturer in Constitutional Law at the Faculty of Law, Lund University. He is an executive director of the project Strengthening Legal Education in Vietnam. He is also a member of the faculty of China EU School of Law at China University of Political Science and Law. He is specialized in Swedish Constitutional and Administrative Law. Currently, he is involved in research on Law and development. He received a PhD in Political Science.

Stig Toft Madsen is a Danish anthropologist cum sociologist who has worked on a variety of issues in South Asia. He wrote a magister's thesis called *A Study of Indian Lawyers in 1979* and published his Swedish dissertation *State, Society and Human Rights in South Asia in 1996*. Recent articles include *EU-India Relations: An Expanded Interpretive Framework in Gaens et al. The Role of the European Union in Asia: China and India as Strategic Partners*.

Yoshitaka Wada is Professor of Law at Waseda Law School. His current research interests include healthcare dispute resolution, legal education, and international comparative study of dispute resolution behavior. He is one of the principal investigators of the Asia Pacific Dispute Resolution Research organized by University of British Columbia. He wrote numerous Japanese books, including *Process of Dispute Negotiation* (1991), *Deconstruction of Sociology of Law* (1996), and *Promise of Sociology of Law* (2004).