
CENTRE FOR LAW IN ASIA

MEMBERS OF THE CENTRE FOR LAW IN ASIA

SOAS University of London

The Centre for Law in Asia (CeLIA) is based in the School of Law at SOAS (formerly the School of Oriental and African Studies) University of London. CeLIA brings together legal expertise on law, legal cultures and legal systems in Asia. Its current Director is Dr Kanika Sharma. The main goals of the centre are to advance research and teaching in the field of law and legal development in Asia and to build partnerships with educational organizations, and legal institutions and practitioners based in Asia.

CeLIA has its origins in the decision made in 1988 by the Law Department (as the Law School was then known) to establish a Centre of East Asian Law (CEAL). The main purpose of this new centre was the promotion of understanding of East Asian legal systems among academic lawyers, legal practitioners and administrators of justice. Through its members, CEAL offered a unique concentration of expertise in the field of East Asian law, especially in Chinese law (both ‘traditional’ and ‘modern’). The Law School and indeed the SOAS Library also had (and continue to have) significant strengths in the laws of Africa, the Middle East and South Asia; CEAL represented a significant broadening of the range of regional expertise in the Law School, and with an important accompanying expansion of teaching and research interests and library provision.

For a number of years, the centre hosted and offered regular seminars to the ‘Chinese Legal Practitioners Group’, engaging with, in particular, London-based practising lawyers on legal developments in the People’s Republic of China (PRC). The importance of understanding legal values and legal change in East Asia, following the founding of the centre, steadily grew, and CEAL came to provide a focus for scholarly research and practical investigation into both developing and developed legal systems in that region, including Japanese law and Korean law. In due

course, its remit further widened, to include law in Southeast Asia, the Republic of China, Central Asia and South Asia. In large part as a result of the impact of globalization in Asia and the development of regional organizations such as the Association of Southeast Asian Nations and the Asian Development Bank, the centre further evolved into its present role as a centre for law in Asia, first as the Centre for Asian Legal Studies (CALs, established 2017) and now renamed CeLIA (2021).

Faculty members of CeLIA teach on a substantial number of Asian law modules at SOAS, contribute their expertise on laws in Asia to more general modules, and research and publish extensively in these fields. Of course, a key issue is whether Asian societies share enough common ground for the idea of examining law in 'Asia' to be useful. We argue that there is—for example, in the impact of colonialism, post-Second World War economic development, authoritarian rule, environmental problems and so on—but accept that there may be more common ground in particular areas of law and legal development, and in relation to certain issues, than in others. Sometimes there may be differences so striking that comparative analysis is not possible.

The study of Chinese law within the SOAS Law Department had been an innovative and rare specialization when it commenced in the late 1950s, especially with the appointment at that time of Henry McAleavy as Lecturer (subsequently Reader) in Chinese law (see Liu 1968). Later, it was also greatly assisted by the contributions made by Professor Anthony Dicks (see Palmer 2019; Xi & Palmer 2019), Professor Michael Palmer, Dr Cheng Yuan (see Cheng 1991) and others.¹

From its early days the centre mainly functioned as an academic home for a number of public service professional training and specialized research programmes. These programmes involved academic and professional legal exchanges between the United Kingdom (UK) and East Asian jurisdictions, in particular the PRC. The programmes, jointly organized with various UK and European institutions, included training schemes for lawyers, judges, procurators, legislators and others as well as consultation and research visits to Europe by senior PRC academics and state legal officials. Among the most notable of the training programme contributions was participation in the Lord Chancellor's Training Scheme for Young Chinese Lawyers (from 1988 onwards), the Lord Chancellor's

¹ It might be added here that in its early days the centre received a great deal of support and encouragement from the then Head of the Law School, Professor James Read. For an appreciation of Jim Read's work, focusing mainly on his contributions to the study and practice of law in Africa, see Coldham & Ors (1996).

Training Scheme for Young Chinese Judges (1998 onwards) and the EU–China Legal and Judicial Training Programme (2000 onwards, and leading to the creation of the EU–China Law School in Beijing, PRC, in 2008).

The centre also created a partnership with the Dongguan Intermediate People’s Court (Guangdong Province, PRC) in an informal agreement by means of which that court for a number of years sent to the SOAS Law School young judges to study for postgraduate law degrees. These programmes continued with the centre’s involvement right through to the end of the first decade of the present century, when further renewal sadly was not financially possible. Nevertheless, thereafter, SOAS was able to host Chinese judges on its LLM programme through the competitive Chevening Scholarship scheme. In addition to capacity building and professional legal development in China through its participation in such schemes, the centre worked closely with, *inter alia*, the Great Britain China Centre, the British Council, the Foreign and Commonwealth Office, the Bar Council, the Law Society, the Office of the United Nations High Commissioner for Human Rights, the Danish Centre for Human Rights and the European Commission, as well as leading Chinese law schools, encouraging constructive exchange and dialogue on important issues relating to legal development in East Asia.

In 1999, with the support of Sir Joseph Hotung, the centre also became the academic home for a Senior Research Fellowship on human rights in China, resulting in a series of important publications on judicial abuse of political psychiatry in China by Dr Robin Munro.² The centre also encouraged the development of the ‘Law in East Asia’ book series—launched in 2006 under the General Editorship of Professor Anthony Dicks and Professor Michael Palmer—a series dedicated to the publication of studies of law, legal culture and legal institutions in East Asia and the interaction between the legal systems of East Asia and other parts of the world.³ The centre also enjoys links with law schools in Japan, in particular that at Nagoya University.

Within the broad remit of CeLIA the Centre has continued its focus on issues of Chinese law and legal development. In 2019 Dr Yu Mou hosted a one-day conference entitled ‘Access to Justice: China–UK Dialogues on Criminal Legal Aid and Effective Defence’, an event bringing together

² For an appreciation of the work of Robin Munro see the obituary (‘Robin Munro, 1952-2021’) written by Donald C Clarke (2021).

³ See, for example, Professor Tan’s study (2008) and other titles on the [Wildy website](#).

legal scholars, legislators, legal practitioners and NGO representatives on criminal legal aid from both China and the UK. Members have published major studies in recent years on a range of topics including Chinese legal history, criminal justice, consumer law and dispute resolution, higher education, mediation, and legal education.

From the late 1980s onwards, the Law School developed a series of initiatives focused on law in Southeast Asia. It has sought to develop teaching of and research into the region's legal issues, and specialists (including in particular but not only Professors Andrew Harding, Andrew Huxley and Carol Tan) have published work on a wide range of issues including the impact of colonialism, constitutional development, family and marriage, migrant workers, and the rule of law. These efforts have also from time to time been the subject of international conferences such as that held in 2011 for international scholars to discuss the interfaces and connections between Edward Said's Orientalism and the law. Edited papers from this workshop were later published in the *Journal of Comparative Law* 6:2. In 2015 the centre played a lead role in securing British Council funding for a workshop for the participation of 40 early career scholars from the UK and Indonesia to disseminate and discuss their research on Indonesian Migrant Workers. From 2017 for several years the centre hosted a 'Rule of Law in Thailand' Project, examining issues of legal and constitutional development in Thailand.

Since 2019, reflecting its expanded identity, the centre has also attempted to strengthen its links with new Asian jurisdictions including those in South Asia. This has resulted in a number of talks jointly hosted by the centre and the SOAS South Asia Institute as well as the SOAS Law, Environment and Development Centre. Externally, CeLIA has partnered with the Law and Social Sciences Research Network to host webinars that bring together lawyers and legal scholars to discuss relevant issues in contemporary South Asia. The papers presented at a webinar in September 2021 examined the continuing relevance of colonial legal iconography in modern India and will soon be published in a special symposium in *Law and Humanities*.

CeLIA's specialist areas include law in Central Asia. Here, the concern is with post-Soviet law and constitutional structures (although the Soviet constitutional system continues to influence Central Asian States and the Commonwealth of Independent States). In addition to constitutional issues and legal, institutional and governmental reform, there is concern with questions of law and development (markets and globalization in

developing and transitional states), and post-conflict reconstruction, and human rights.

Today, CeLIA remains a major centre for the study of legal cultures and contemporary legal systems of Asian societies, their interlinkages, and their experiences of international law and globalization (including analysis of the impact of empire and colonialism).⁴ It also continues to develop partnerships with educational institutions and legal practitioners based in Asia. CeLIA welcomes expressions of interest for future projects as well as [applications for visiting scholars](#) with mutually beneficial research interests who would like to be based at the centre.

References

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⁴ Current members include: Kanika Sharma (Chair), Ernest Caldwell, Philippe Cullet, Vanja Hamzić, Amy Kellam, Michelle Kelsall, Yuka Kobayashi, Amber Lakhani, Martin W Lau, Chulwoo Lee, Grace (Yu) Mou, Michael Palmer, Scott Newton, Patricia Ng, Verapat Pariyawong, Mayur Suresh, Max Wong, Xi Chao, Ling Zhou. CeLIA’s website is currently undergoing revision, but a provisional version is available on the main [SOAS website](#).