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COMPARATIVE CONSTITUTIONAL LAW IN ASIA



Comparative Constitutional Law In Asia

Yvonne Tew



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Comparative Constitutional Law in Asia Rosalind Dixon, Tim Ginsburg, 2014-02-28 Comparative constitutional law is a field of increasing importance around the world but much of the literature is focused on Europe North America and English speaking jurisdictions The importance of Asia for the broader field is demonstrated here i

Comparative Law in Asia Ngoc Son Bui, Munin Pongsapan, 2025-11-13 This book includes essays in honour of Professor Andrew Harding a leading scholar in the fields of Asian legal studies and comparative constitutional law Written by his colleagues and friends the essays deal with important themes in comparative law in Asia including comparative law methodology and theory comparative constitutional law legal transplants and development and comparative law and society The essays cover Malaysia Singapore Thailand Myanmar Southeast Asia and Commonwealth Asia

Constitutional Courts in Asia Albert H. Y. Chen, Andrew Harding, 2018-09-20 The founding of a constitutional court is often an indication of a chosen path of constitutionalism and democracy It is no coincidence that most of the constitutional courts in East and Southeast Asia were established at the same time as the transition of the countries concerned from authoritarianism to liberal constitutional democracy This book is the first to provide systematic narratives and analysis of Asian experiences of constitutional courts and related developments and to introduce comparative historical and theoretical perspectives on these experiences as well as debates on the relevant issues in countries that do not as yet have constitutional courts This volume makes a significant contribution to the systematic and comparative study of constitutional courts constitutional adjudication and constitutional developments in East and Southeast Asia and beyond

Constitutional Convergence in East Asia Po Jen Yap, Chien-Chih Lin, 2021-11-25 Explains why the constitutional jurisprudence of Hong Kong Taiwan and South Korea is converging and provides analysis of relevant case law

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as recommendations for further reading The book presents a representative range of Asian materials from jurisdictions including Bangladesh China Hong Kong India Japan Mongolia Nepal Pakistan South Korea Sri Lanka Taiwan Timor Leste and the 10 ASEAN states Asian Comparative Constitutional Law, Volume 3 Ngoc Son Bui,Mara Malagodi,Christopher Roberts,2025-12-04 This is the third in a four volume set that provides the definitive account of the major issues of comparative constitutional law in Asia Volume 3 looks at the both the formal and functional aspects of constitutional structure in 18 Asian jurisdictions It considers formal aspects such as legislative executive relations the court system constitutional review including specialist ordinary judicial review and non judicial institutions of constitutional review central local relations and federalism the role of the political parties the role of the military and independent institutions such as audit election and anti corruption institutions It also answers questions about functional aspects of constitutional structure including How do these structural institutions work in practice What are the factors such as political dynamics local culture ethnic diversity and social structure influence their operation The jurisdictions covered are Bangladesh China Hong Kong Indonesia Japan Laos Macau Malaysia Mongolia Myanmar North Korea Pakistan the Philippines Singapore South Korea Sri Lanka Taiwan and Thailand **Asian Comparative Constitutional Law, Volume 1** Ngoc Son Bui,Mara Malagodi,2023-05-18 This is the first in a 4 volume set that provides the definitive account of the major issues of comparative constitutional law in 19 Asian jurisdictions Volume 1 explores the process and contents in the making of a new constitution The book provides answers to questions on the causes processes substance and implantation involved in making new constitutions such as What are the political social and economic factors that drive the constitution making How are constitutions made and who makes them What are the substantive contents of constitution making What kinds of legislation are enacted to implement constitutions How do courts enforce constitutions The book considers the impact of decolonisation globalisation and social political dynamics which have led to the enactment of numerous independent constitutions in Asia including Vietnam 2013 Nepal 2015 and Thailand 2017 The jurisdictions covered include Bangladesh Cambodia China Hong Kong India Indonesia Japan Malaysia Mongolia Myanmar Nepal North Korea the Philippines Singapore South Korea Sri Lanka Taiwan Thailand and Vietnam An essential reference for those interested in Asian constitutional law *Asian Comparative Constitutional Law, Volume 2* Ngoc Son Bui,Mara Malagodi,2024-08-22 This is the second in a 4 volume set that provides the definitive account of the major issues of comparative constitutional law in Asian jurisdictions Volume 2 looks at constitutional amendments and offers answers to questions about the formal rules for amending the constitution such as Who initiates an amendment proposal How is the amendment proposal adopted How are the amendments codified and the neo institutional questions regarding amendment practices such as Why is the constitution amended Who engages in the amendment process How does the amendment affect the political system and the society Volume 2 covers 17 Asian jurisdictions including Bangladesh Cambodia mainland China Hong Kong India Indonesia Japan Malaysia Mongolia Myanmar

North Korea the Philippines Singapore South Korea Sri Lanka Taiwan and Thailand **Comparative Law in Asia** Ngoc Son Bui, Munin Pongsapan, 2025-11-13 This book includes essays in honour of Professor Andrew Harding a leading scholar in the fields of Asian legal studies and comparative constitutional law Written by his colleagues and friends the essays deal with important themes in comparative law in Asia including comparative law methodology and theory comparative constitutional law legal transplants and development and comparative law and society The essays cover Malaysia Singapore Thailand Myanmar Southeast Asia and Commonwealth Asia Constitutionalism in Asia in the Early Twenty-First Century Albert H. Y. Chen, 2014-04-17 Examining developments in the first decade of the twenty first century this authoritative collection of essays studies the evolving practice of constitutional law and constitutionalism in Asia It provides a comprehensive overview of the diverse constitutional issues and developments in sixteen East Southeast and South Asian countries It also discusses the types of constitutionalism that exist and the general trends in constitutional developments whilst offering comparative historical and analytical perspectives on Asian constitutionalism Written by leading scholars in the field this book will be of great interest to students and scholars alike *Asian Comparative Constitutional Law* Mara Malagodi, Ngoc Son Bui, 2022 This is the first in a 4 volume set that provides the definitive account of the major issues of comparative constitutional law in 19 Asian jurisdictions Volume 1 explores the process and contents in the making of a new constitution The book offers answers to questions on the causes processes substance and implantation involved in making new constitutions such as What are the political social and economic factors that drive the constitution making How are constitutions made and who makes them What are the substantive contents of constitution making What kinds of legislation are enacted to implement constitutions How do courts enforce constitutions The jurisdictions covered include Bangladesh Cambodia China Hong Kong India Indonesia Japan Malaysia Mongolia Myanmar Nepal Pakistan the Philippines Singapore South Korea Sri Lanka Taiwan Thailand and Vietnam **Unstable Constitutionalism** Mark Tushnet, Madhav Khosla, 2015-09-17 Although the field of constitutional law has become increasingly comparative in recent years its geographic focus has remained limited South Asia despite being the site of the world's largest democracy and a vibrant if turbulent constitutionalism is one of the important neglected regions within the field This book remedies this lack of attention by providing a detailed examination of constitutional law and practice in five South Asian countries India Pakistan Sri Lanka Nepal and Bangladesh Identifying a common theme of volatile change it develops the concept of unstable constitutionalism studying the sources of instability alongside reactions and responses to it By highlighting unique theoretical and practical questions in an underrepresented region Unstable Constitutionalism constitutes an important step toward truly global constitutional scholarship Proportionality in Asia Po Jen Yap, 2020-08-27 Explores how proportionality analysis a legal transplant from the West is judicially enforced by courts around Asia **Comparative Constitutionalism in South Asia** Sunil Khilnani, Vikram Raghavan, Arun K. Thiruvengadam, 2016 Despite their divergent recent histories and political experiences there is a

remarkable degree of constitutional and legal kinship among the South Asian countries Yet for long legal communities in these countries were in the habit of looking to the West for statutory modelling and jurisprudential innovation They are however now increasingly reacting to and engaging with constitutional law developments in the neighbouring countries of the region This pioneering volume maps out the intellectual and historical contours of this little studied field yet one that is critical to South Asia's future the mutual borrowing citing and dialogue across the constitutional jurisdictions of South Asia This nascent but significant development provides the basis the volume argues for a distinct comparative constitutionalism focused on the South Asian region The essays collected here examine whether the experience so far of comparative law across South Asia offers insight into broader trends in constitutionalism and also ask how the corpus of general comparative constitutional law might benefit from greater familiarity with the South Asian experience The contributors are broad and diverse in their outlook and experience and their contributions cover a wide range of contemporary constitutional developments in Bangladesh Bhutan India Nepal Pakistan and Sri Lanka The topics addressed include substantive issues such as the interface of law and religion and models of secularism in specific South Asian jurisdictions the challenges confronted by public interest lawyers in championing their causes across courts in South Asia and the evolution of constitutionalism in smaller South Asian polities over time Additionally some chapters focus on methodological and related challenges to fostering deeper dialogue in the field of constitutional law across South Asian nations

Social Difference and Constitutionalism in Pan-Asia Susan H. Williams, 2014-02-10 This book addresses the role of constitutions and constitutionalism in dealing with the challenges of social difference such as religion or race and ethnicity The book brings together lawyers political scientists historians religious studies scholars and area studies experts to consider how constitutions address issues of difference across Pan Asia

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Social Difference and Constitutionalism in Pan-Asia Susan H. Williams, 2014

Constitutional Statecraft in Asian Courts Yvonne Tew, 2021-07-23 Constitutional Statecraft in Asian Courts explores how courts engage in constitutional state building in aspiring yet deeply fragile democracies in Asia Yvonne Tew offers an in depth look at contemporary Malaysia and Singapore explaining how courts protect and construct constitutionalism even as they confront dominant political parties and negotiate democratic transitions This richly illustrative account offers at once an engaging analysis of Southeast Asia s constitutional context as well as a broader narrative that should resonate in many countries across Asia that are also grappling with similar challenges of colonial legacies histories of authoritarian rule and societies polarized by race religion and identity The book explores the judicial strategies used for statecraft in Asian courts including an analysis of the specific mechanisms that courts can use to entrench constitutional basic structures and to protect rights in a manner that is purposive and proportionate Tew s account shows how courts in Asia s emerging democracies can chart a path forward to help safeguard a nation s constitutional core and to build an enduring constitutional framework

Unstable Constitutionalism Mark V. Tushnet, Madhav Khosla, 2016

The Law and Politics of Unconstitutional Constitutional Amendments in Asia Rehan Abeyratne, Ngoc Son Bui, 2021-11-29 This book explains how the idea and practice of UCA are shaped by and inform constitutional politics through various social and political actors and in both formal and informal amendment processes across Asia This is the first book length study of the law and politics of unconstitutional constitutional amendments in Asia Comprising ten case studies from across the continent and four broader theoretical chapters the volume provides an interdisciplinary comparative perspective on the rising phenomenon of unconstitutional constitutional amendments UCA across a range of political legal and institutional contexts The volume breaks new ground by venturing beyond the courts to consider UCA not only as a judicial doctrine but also as a significant feature of political and intellectual discourse The book will be a valuable reference for law and political science researchers as well as for

policymakers and NGOs working in related fields Offering broad coverage of jurisdictions in East Asia Southeast Asia and South Asia it will be useful to scholars and practitioners within Asia as well as to those seeking to better understand the law and politics of the region

Unveiling the Magic of Words: A Review of "**Comparative Constitutional Law In Asia**"

In some sort of defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their power to kindle emotions, provoke contemplation, and ignite transformative change is really awe-inspiring. Enter the realm of "**Comparative Constitutional Law In Asia**," a mesmerizing literary masterpiece penned by way of a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve in to the book is central themes, examine its distinctive writing style, and assess its profound affect the souls of its readers.

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