

Conference

Interpreting Legal Transfers: A Comparative Analysis

The Asia-Pacific Business Regulation Group, Department of Business Law and Taxation at Monash University and the Asian Law Centre at The University of Melbourne will host a two day conference at Monash University's Prato Facility, in Italy on 15-16 October 2009.

Over recent years the globalisation of legal and regulatory regimes has significantly increased. Much analysis of this phenomenon assumes that asymmetries in power and economic development among countries correspond to underlying levels of social and legal development. This analysis perpetuates an assumption that legal knowledge is concentrated in the 'developed core' and is suboptimal, albeit 'evolving', in the 'developing' world. With these assumptions it is easy to assume that 'good' law (usually from western sources) should displace, or augment regulatory norms existing in non-western legal systems.

Not only is it assumed that Western transfers will benefit developing legal systems, it is also assumed, at least in conventional analysis, that laws and regulatory systems are transferable and can engineer particular types of behavioral change in recipient countries. This conference seeks to analyse legal/regulatory transfers from an interpretive perspective that treats transfers as narratives rather than instruments. We want to move beyond hypotheses that privilege the transferability of laws; such as the legal origins literature and the 'faith' in legal transplantation and examine at close range how legal transfers are decoded in new locations. We therefore seek interpretations of legal transfers that empirically explore what happens to legal transfers in their new locations.

This conference will bring together those working empirically on the interpretation of legal transfers to debate how local knowledge influences law and legal change within Asia. It will follow a round-table format, aiming to allow participants the opportunity to present their work in a collegial atmosphere, resulting in the publication of an edited collection of papers.

When: 15-16 October, 2009

RSVP: Email: law-alc@unimelb.edu.au
Tel: +61 3 8344 6847

Where: Sala Veneziana
Monash University Prato Centre
Palazzo Vaj,
Via Pugliesi 26
100 Prato, ITALY

The conference is proudly supported by:



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