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## Foreword: A Special Issue on Asian Courts and the Constitutional Politics of the Twenty-First Century

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## FOREWORD: A SPECIAL ISSUE ON ASIAN COURTS AND THE CONSTITUTIONAL POLITICS OF THE TWENTY-FIRST CENTURY

John G. Brumbaugh<sup>†</sup>

The staff of the *Washington International Law Journal* presents the third installment of Volume 25 dedicated to a study of the constitutional politics of Asian courts. In particular, the Volume 25 Editorial Board is proud to honor the *Journal's* historic ties with East Asia. The *Journal* has, since its inception as the *Pacific Rim Law & Policy Journal*, recognized the global influence of legal developments in region. This special issue serves as a fitting capstone to the publication's status as the preeminent legal publication tracking East Asian jurisprudential developments over the last twenty-five years.

This special issue of Volume 25 features articles that encapsulate the *Journal's* twenty-five year history of advancing the body of legal scholarship covering Asia. Articles in this issue highlight the role of constitutional courts in Pakistan, Indonesia, Hong Kong, Taiwan, India, and Malaysia. Guest editor Professor Po Jen Yap, uses his expertise in comparative constitutional law to weave these insightful jurisdictional-focused pieces into a broader narrative of Asian constitutional jurisprudence. It is rare opportunity to compile such impressive scholarship that covers the development of jurisprudence and the ever-increasing role of judges in Asia.

In creating this special issue, the *Journal* is honored to partner with Professor Po Jen Yap, Associate Professor of Law at The University of Hong Kong and an expert in constitutional and administrative law. In addition to his teaching, he is an Advocate and Solicitor of the Supreme Court of Singapore and an Attorney at Law in the State of New York. Professor Yap is uniquely qualified to guest edit works from this esteemed group of scholars included in this special issue, as exemplified by his recent sole authorship of an Oxford University Press publication entitled *Constitutional Dialogue in Common Law Asia* (2015). The *Journal* is delighted to have a continued relationship with Professor Yap and looks forward to his continued scholarship in this area.

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<sup>†</sup> John Brumbaugh is the Editor-in-Chief of the *Washington International Law Journal*. He is a J.D and LL.M. in Taxation candidate at the University of Washington School of Law.

In addition Professor Yap, the compilation of this special issue was overseen by Po-liang Chen, Ph.D. candidate at the University of Washington School of Law. Po-liang earned an LL.M. from Duke University School of Law in 2012, and taught the course “Chinese Legal Study” at the University. His current research focus is “Money in Taiwanese Politics—A Historical Analysis of Taiwanese Campaign Finance Law.” In addition to serving as the Symposium Editor, Po-liang serves as a Senior Articles Editor for Volume 25 of the *Journal*. He recently published “Identity Laws and Privacy Protection in a Modern State: the Legal History concerning Personal Information in Taiwan (1895–2015)” in the *Washington International Law Journal* with Yung-hua Kuo.

As the *Journal* caps off its first twenty-five years in print, it feels appropriate to reflect on the thoughts of our first full-run Editor-in-Chief, John Price:

The publication of such an innovative journal is a natural consequence of the times and environment in which this educational institution exists. The State of Washington is a major Pacific Rim center whose lifeblood is tied, more than any other state, to events in East Asia. Further, the University of Washington [was the first] school in the nation to offer graduate of law degrees in East Asian Law, as well as in . . . Sustainable Development Law. For these reasons, it is inevitable that the Law School should publish a journal devoted to bridging the gap between East and West. As Professor Dean Prosser has pointed out, a law journal is more than just a place for discourse; it is “the expression of what a law school itself has to say to the world.”

Since its founding, the *Journal* has prided itself on publishing novel and presciently insightful articles on the forefront of East Asian legal developments. Recognizing the dearth of scholarship on the region, the *Journal*’s founding editors sought to fill the academic void by using the journal to bridge the discursive gap. As a result, the *Journal* has made significant contributions in intellectual property law, trade law, complex international litigation, labor law, and gender rights in East Asia. As a result our founder’s foresight and the University of Washington School of Law’s

Pacific Rim connections, the *Journal* has enjoyed a wealth of content written by some of the most prolific authors studying the region.

Furthermore, the *Journal's* tradition of featuring regular legal translations remains vital and strong. The *Journal's* founding was borne out of an understanding that such translations would be a critical component of its success and utility. Generations of Editorial Boards selected from students raised in an increasingly globalized world understood, and continue to recognize, the necessity of trans-Pacific legal competency. In keeping with this commitment, the *Journal* has maintained translation staff covering Mandarin Chinese, Japanese, and Korean for every year of its existence. This is a reflection of the *Journal's* strong belief that success requires editors that possesses the capacity to access non-U.S. source material in its native form and has allowed us to acquire some of our finest and mostly widely-cited content. Additionally, the *Journal* has greatly benefitted from the robust pool of cultural advisors working within the halls of the Law School itself. The School's talented faculty has allowed us to find, evaluate, and promote academic legal work at the highest levels since our inception.

With this historical perspective in mind, the *Journal* dedicates this issue to the Asian Law Center at the University of Washington School of Law. We gratefully acknowledge and thank the Center for all its contributions over the years. For over a half century, the Asian Law Center has provided invaluable world class legal education for professional engagement in Asia. It is the leader in the development of Asian and comparative law in North America and continues to provide resources and support for students and faculty seeking to develop their legal analysis and professional competence.

The Asian Law Center's dedication and commitment has allowed students and academic scholars to lead innovative research on changing legal systems and legal development in Asia. The Center's jurisdictional focus includes Afghanistan, China and Hong Kong, Indonesia, Japan, South Korea, Taiwan, Thailand, and Vietnam and has faculty dedicated to providing world-class programs for J.D., LL.M., and Ph.D. students. It has drawn policy makers, prominent legal figures, and esteemed scholars in Asian and comparative law to the University of Washington, building international networks and encouraging collaborative research.

The *Journal* is humbled by the continued support provided by the Asian Law Center and its associated faculty and staff, both past and present.

We would like to recognize their unparalleled efforts to connect us with prominent legal scholars in Asia and support the development of international legal scholarship. The *Journal* would especially like to thank Professor Clark Lombardi for his advocacy and counsel. Professor Lombardi is a widely recognized proponent of comparative constitutional studies. Through his efforts, the University of Washington has become a regular forum for dialogue amongst the most prominent scholars on the subject. Without his efforts, this special issue would not be possible and much of the content this journal has had the privilege to publish in the past would also not have been possible.

We would also like to Professor Dongsheng Zang for his continued support and encouragement throughout the development and publication process. Professor Zang has provided the *Journal* with invaluable insight and awareness of developments within East Asia. Furthermore, his ability to attract scholars through the Asian Law Lecture series and comparative law events has been a driving force behind the University of Washington School of Law's positions as leader in global legal studies. We would also like to thank Professor Daniel Foote for his contributions to the *Journal* and Japanese legal scholarship in general. Professor Foote has been instrumental in developing connections between the *Journal* and Japan. Without his persistent dedication, we would not have been able to develop our relationship with Japanese scholars to the extent that we have today.

A last thank you goes to Professor John Haley. Professor Haley has supported our journal since its inception and has continued to support the journal throughout the years. He has been one of our biggest advocates and we would not have been able to develop into a successful, internationally known journal without his constant support. His dedication to legal scholarship in Asia is unequalled in the West. He has dedicated his career to enhancing the field of international law and has inspired generations of students and scholars alike in his persistence and enthusiasm. For that, we thank Professor Haley and the other professors and scholars who have supported the *Washington International Law Journal* over the years.

The *Journal* has proudly served as a vehicle for advancing international legal scholarship over the past quarter century. We look forward to continuing this tradition of scholarly excellence for years to come. With that introduction, the *Journal* is delighted to present the reader with our symposium issue entitled *Asian Courts and the Constitutional Politics of the Twenty-First Century*.