

AsianLaw



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Annual Report
January–December 2001

The Asian Law Centre

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The Asian Law Centre

DIRECTOR'S REPORT Associate Professor Tim Lindsey

2001 was a year of consolidation for the Centre: new programs, building on the achievements of 2000 and earlier, were introduced. Most importantly, 2001 saw the formal **appointment** to staff of Dr Pip Nicholson as Associate Director (Vietnam), thus strengthening our regional expertise and providing new depth in comparative law, already a key area of interest for Centre members. I am also proud to report that in 2001 Centre staff supervised 15 Doctoral candidates, of which 3 successfully completed in the same year.

The research high point of 2001 was the Centre's **major international conference**, held in the Great Khural or Parliament Building of Ulaanbaatar in Mongolia. Convened in conjunction with the Asian Law Center at the University of Washington in Seattle and the Prosecutor-General of Mongolia, the conference aimed to discuss the problems of law reform in developing and transitional economies. As with all our major conferences, it will result in a **new book** on the same theme. *Law Reform in Developing Economies* will include case studies from Africa and Latin America, as well as Asia, and will appear in early 2003.

The *Australian Journal of Asian Law*, the Centre's **flagship publication**, continued to produce refereed scholarly writing on Asian laws and legal systems.



Centre members:

Rear L-R: Associate Professor Tim Lindsey, Kerstin Steiner, Professor Malcolm Smith, Sean Cooney, Sarah Biddulph, Kathryn Taylor

Front L-R: Stacey Steele, Dr Pip Nicholson, Alice Pung, Luke Arnold

Absent: Helen Pausacker, Amanda Whiting

The Asian Law Centre

Importantly, 2001 saw the decision to shift from two to three editions annually as the journal gains increasing international recognition. Produced in conjunction with the University of Washington and the Australian National University, Amanda Whiting (Centre Research Assistant) and I continue to coordinate the editing of this new refereed journal from its base in the Centre.

The Centre's **Occasional Seminar Series** has now been complemented as a source of debate, discussion and presentation of research by our new '**Brown Bag**' **Seminar Series** of lunchtime talks. Both of these series have been consistently well attended by staff, students and practitioners and have now developed a momentum of their own, thanks to the efforts of Kathryn Taylor (Centre Administrator), Helen Pausacker (Research Assistant) and Amanda Whiting. These series have been able to draw on our large **Visiting Asian Scholar program**, which, in 2001, saw **14 leading regional lawyers** working with us here in Melbourne.

2001 also saw a review of our relationships with the profession. In particular, a **new sponsorship initiative** was launched to formalise relations with our key supporters. Allens Arthur Robinson, Blake Dawson Waldron, Freehills and Maddock Lonie & Chisholm all became formal ALC sponsors. Given that recurrent funding from the University is now reduced to a minimum (\$5,000), these financial contributions are essential for us to continue our now extensive research publication and seminar program. We therefore hope that these sponsorship links can become permanent ones in the years ahead.

Finally, another major achievement of the year was the development of *Asian Law Online*. This project commenced five years ago with the gradual compilation of English language materials on Asian laws held throughout the world. In 2002, we will launch this **database as a public service**, available on our website without charge. Our aim is to provide scholars and practitioners with a facility that will lift our understanding of Asian laws to a new level. This initiative symbolises the Centre's commitment both to scholarship and research and to the practical needs of lawyers working with Asian clients.

2001 has seen the Centre set new directions for the future, with a strong team of scholars and researchers now in place.



Associate Professor Tim Lindsey
Director,
Asian Law Centre

The Asian Law Centre

GOALS OF THE ASIAN LAW CENTRE

- To promote the teaching of Asian law in Australia at both graduate and undergraduate levels, and the teaching of Australian law in Asia.
- To promote the development of Asian studies and Asian languages in other disciplines and to encourage linkages with law studies.
- To improve Australia's knowledge of the laws of our region and to research the legal framework for trade, investment and governance.
- To develop specialised legal training programmes for Australians and Asians.
- To promote exchanges of staff and students between the Law School and Asian universities and institutions.
- To develop better mutual understandings between Australia and Asian countries.
- To support the rule of law in Asia.

ASIAN LAW CENTRE ADVISORY BOARD

The current Advisory Board of the Centre reflects the range of external interests and involvement in the activities of the Centre.

Professor Michael Crommelin

Dean, Law School, The University of Melbourne

Mr David Laidlaw

Chairman of Partners, Maddock Lonie & Chisholm

Mr Stephen Spargo

Partner, Allens Arthur Robinson

Mr Richard St. John

Senior Counsel, BHP Limited, representing the University of Melbourne Law School Foundation

GRADUATE DIPLOMA IN ASIAN LAW ADVISORY BOARD

The Asian Law Graduate Diploma programme continued to benefit from the professional input of its Advisory Board, comprising:

Mr Jim Armstrong

Mallesons Stephen Jaques

Mr David Laidlaw

Chairman of Partners, Maddock Lonie & Chisholm

Mr Stephen Spargo

Partner, Allens Arthur Robinson

Asian Law Centre Members

Director

Associate Professor Tim Lindsey



Tim Lindsey

Associate Professor Timothy Lindsey joined the Centre in 1990 and was appointed to the Law School in 1994. He has been Director since 2000. A graduate of the University of Melbourne Law School, Tim completed his doctoral thesis in Indonesian studies. He teaches Indonesian Law, Malaysian Law, Islamic Law and Traditional Customary Law. His research interests are in the areas of commercial law, insolvency law, constitutional law, comparative law, Islamic law, law reform in developing countries and the rule of law. He researches and teaches in Indonesian and is a member of the Board of the Australia-Indonesia Institute and a practising member of the Victorian Bar.

Tim's publications include *Indonesia: Law & Society*; *Indonesia: Bankruptcy, Law Reform and the Commercial Court*; *Corruption in Asia: Rethinking the Governance Paradigm* (with Howard Dick); and *Indonesia After Soeharto: Prospects for Reform*. Tim is a Founder and co-Editor of the *Australian Journal of Asian Law*.

Founding Director and Professor of Asian Law

Professor Malcolm Smith



Malcolm Smith

Professor Malcolm Smith was Director of the Centre from March 1987 to June 2000. He joined the Centre from the University of British Columbia, Canada, where he was Founding Director of the Japanese Legal Studies Programme. He is a graduate of the University of Melbourne Law School and Harvard Law School and specialises in Japanese Law. He now holds the Foundation Chair in Asian Law in the University. He is admitted to practice in Victoria.

Professor Smith is a member of the Executive Board of the Australian Centre for International Commercial Arbitration and the International Trade Law and Business Committee of the Law Council of Australia. He is convenor of the University's Korea Forum. He researches and teaches in Japanese.

Associate Director (China)

Ms Sarah Biddulph



Sarah Biddulph

Ms Sarah Biddulph joined the Centre in 1989 on secondment from the firm Blake Dawson Waldron and was appointed to a lectureship in the Law School in 1991. She is a graduate of Sydney University in Law and Chinese Studies and studied in Shanghai on an exchange of lawyers under the joint agreement of the Attorney-General's Department and the P.R.C. Ministry of Justice. She worked at Blake Dawson Waldron's Shanghai office from 1998 to 2000. Her research and teaching interests are Chinese law and society, administrative law, criminal procedure law, labour law and other issues affecting social control in China. She researches and teaches in Chinese.

The Asian Law Centre



Sean Cooney

Associate Director (Taiwan)

Mr Sean Cooney

Mr Sean Cooney joined the Centre in 1992 after four years in legal practice and completed his LL.M. in Asian law in that year. He spent 1994 in Taiwan researching at the National Taiwan University and National Chengchi University. He was appointed to a lectureship in 1995. Sean's research interests include East Asian employment and labour law, democratic transitions and sovereignty issues (with a particular emphasis on Taiwan), comparative law and contract and regulatory theory. He researches and teaches in Chinese and is fluent in French and German.

Sean holds LL.M. degrees from Columbia University and the University of Melbourne and is currently completing his Columbia doctorate. He has published in a range of international journals in English and Chinese, and is currently examining alternatives to the current system of international labour standards.



Pip Nicholson

Associate Director (Vietnam)

Dr Pip Nicholson

Dr Pip Nicholson joined the Asian Law Centre in 1997 and was a Senior Fellow of the Faculty from 1998. She joined the Faculty permanently as a lecturer in 2002. A graduate in Law and Arts from the University of Melbourne with a Masters in Public Policy from the Australian National University, Pip teaches on the Vietnamese legal system in both the undergraduate and graduate programs of the Law School. Pip has worked as a consultant to the Faculty's International Programs, assisting to develop and run programs for overseas visiting groups. Pip's doctoral research focused on the Vietnamese court system between 1945 and 1976, in the course of an analysis of the extent to which the Vietnamese legal system mirrored or diverged from its Soviet parent.

Pip is interested in the challenges of cross-cultural legal research and legal reform – particularly within Asia. She has recently completed research on corruption within the Vietnamese court system. Current projects include analyses of the take-up of labour law reforms in Vietnam, Vietnamese attitudes to law reform and a study of the relationship of comparative law theory to legal reform in Vietnam.

Asian Law Centre Associates



M.B. Hooker

Professor M.B. Hooker

Professor M.B. Hooker was appointed as an Associate of the Centre in 1997. He is Adjunct Professor of the Faculty of Law at the Australian National University and was previously Professor of Comparative Law at the University of Kent at Canterbury. He is regarded as a world authority in Islamic law and traditional customary law in Southeast Asia and is a Founder and co-Editor of the *Australian Journal of Asian Law*.



Richard Mitchell

Professor Richard Mitchell

Professor Richard Mitchell was appointed as an Associate of the Centre in 1999 and is the Director of the Centre for Employment and Labour Relations Law. He has studied labour law and industrial relations at the University of Melbourne and the London School of Economics and Political Science. He is joint editor of the *Australian Journal of Labour Law*, and of the *Monographs on Australian Labour Law Series*. Among his areas of specialisation are labour law systems in the Asia-Pacific Region, the legal regulation of labour markets and the role of law in the construction of internal labour markets.



Ian Ramsay

Professor Ian Ramsay

Professor Ian Ramsay was appointed as an Associate of the Centre in 1999. He is the Harold Ford Professor of Commercial Law in the Law School at the University of Melbourne, where he is Director of the Centre for Corporate Law and Securities Regulation. He has practised law with the firms Sullivan & Cromwell in New York and Mallesons Stephen Jaques in Sydney.

Administrator:

Ms Kathryn Taylor



Kathryn Taylor

Kathryn Taylor joined the Centre in 1998 as an administrative assistant and became the Centre Administrator in 2001. She completed her Arts degree with Honours in Chinese from the University of Melbourne in 1999, after spending 16 months studying Mandarin at National Cheng Kung University, Taiwan R.O.C. She has recently completed a Master of Management (International Business) at Monash University. Kathryn has also completed a Winter Semester in Chinese Law at the East China University of Politics and Law. Her research interests include the Chinese language and culture (in particular the Southern Min dialect spoken in Tainan), the Chinese legal system and the current state of China-Taiwan relations.

The Asian Law Centre

Research Assistants:

Mr Luke Arnold

Luke Arnold joined the Centre in 2001. He is currently completing an Arts/Law degree at the University of Melbourne. During 2000, Luke spent six months in Yogyakarta, Indonesia, studying philosophy and law at Universitas Gadjah Mada and working for the Indonesian Legal Aid Foundation. Luke has backpacked extensively in Asia, and has completed a Winter Semester in Chinese Law at the East China University of Politics and Law. His research interests include Indonesian slang and humour, Asian understandings of law and the anthropology of work in Asia.



Luke Arnold

Ms Helen Pausacker

Helen Pausacker joined the Centre in 1999. She is an Arts graduate of the University of Melbourne (B.A. Hons., B.Litt. and Grad. Cert. in Gender and Development) and Monash University (M.A.). Her research interests are Indonesian culture. Helen Pausacker's research in the Centre is focused on the translation of Indonesian legal texts.



Helen Pausacker

Ms Alice Pung

Alice Pung joined the Asian Law Centre in 2001. She is currently completing an Arts/Law degree, majoring in Southeast Asian Politics. Her research interests include the study of ethnic holocausts in Southeast Asia, in particular Cambodia, as she believes there is a lack of female Australian scholarship in this area. Alice plans to do further study in the area of Sino-Southeast Asian relations and conduct fieldwork in Indochina.



Alice Pung

Ms Kerstin Steiner

Kerstin Steiner joined the Centre in 2001 as a research assistant. She completed her LL.B. at the University of Bielefeld in Germany. She has recently completed a LL.M. at the University of Melbourne, focusing on Asian law. She will begin a Ph.D. at the University of Melbourne in 2002. Her research interests include comparative law, Asian law and international law.



Kerstin Steiner

Ms Amanda Whiting

Amanda Whiting joined the Centre in 1999 as a research assistant and as editorial assistant to the *Australian Journal of Asian Law*, and is now co-Editor. She completed her honours degree in Arts at the University of Melbourne in 1981 and then taught seventeenth and eighteenth century history in the University's History Department over the next decade. She also has a Diploma of Education (1988) and a Graduate Diploma of Indonesian (1995), which was partly undertaken at Universitas Kristen Satya Wacana, Indonesia. She completed her LL.B. with First Class Honours in 2002. She is currently completing her doctorate and her research interests include women and Islam in Southeast Asia and human rights in Southeast Asia.



Amanda Whiting

Asian Law Centre Finances & Sponsors

The Centre receives administrative support from the University of Melbourne of \$5,000. The salaries of academic staff members of the Centre are borne by the Faculty, as members undertake standard teaching obligations in the Faculty.

The Asian Law Centre's research activities in 2001, including salaries of research assistants, were funded largely from grants and the proceeds from training programmes. We thank the following sponsors for their support in 2001, each contributing \$4,000 to our activities:

Allens Arthur Robinson 

BLAKE DAWSON WALDRON
L A W Y E R S

Freehills



Maddocks

GRANTS RECEIVED

Cooney, S., Large ARC grant for project entitled *Rethinking International Labour Standards: Prospects for Australia and the Asia-Pacific* (with Richard Mitchell) (A\$82,000)

Lindsey, T. & Taylor, V., Large ARC grant for project entitled *Asian Laws in Transition 1945-2000* (with Professor M.B. Hooker (ANU) and Professor J. Wu (NTU)) – Final Year (A\$180,000)

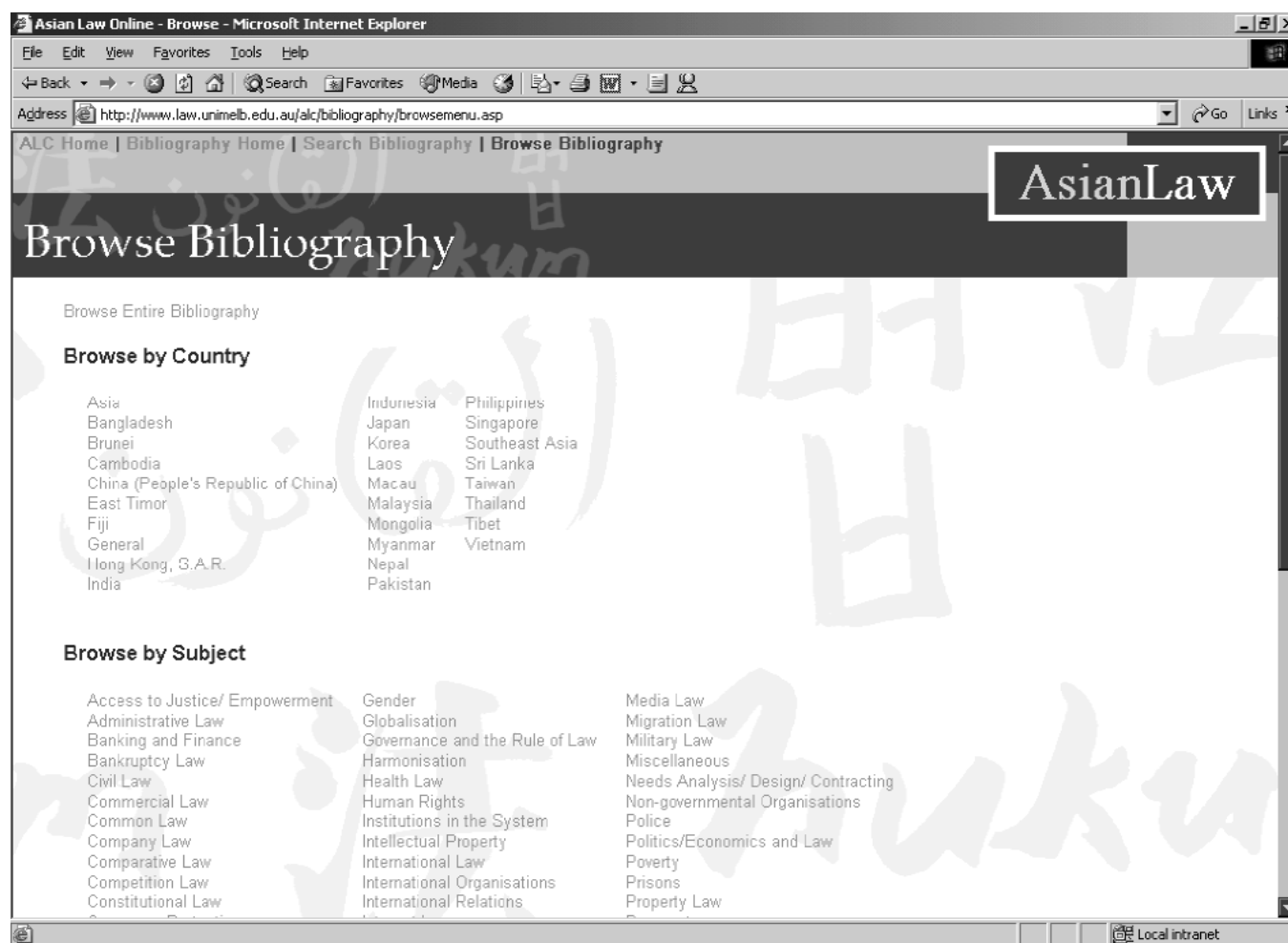
Lindsey, T., ARC Discovery grant for project entitled *Islamic Law in Contemporary Indonesia* (with Professor M.B. Hooker (ANU)) (A\$139,270)

Asian Law Online

Asian Law Online is the first online bibliographic database of Asian law materials in the world. Offered to the public as a service to assist students and scholars of Asian legal systems, it is the biggest bibliographic collection of English language materials on Asian laws available throughout the world and includes books, chapters in books, journal articles and theses.

The database is organised according to countries in East Asia and a selection of basic legal areas. The database can be searched for any word or a more specific advanced search can be conducted. The database is also linked to a huge list of useful websites for each country and legal area.

This database is the result of five years research and has been supported by grants from the Australian Research Council, a Special Initiatives Grant in 1998 and the *Asian Laws in Transition* ARC Large Grant in 1999. *Asian Law Online* can be accessed at <http://www.law.unimelb.edu.au/alc/bibliography>



The Asian Law Centre



Conferences

Law Reform in Developing and Transitional Economies 2-3 July, 2001

Ulaanbaatar, Mongolia

The Asian Law Centre, in conjunction with the Asian Law Center at the University of Washington in Seattle, convened an international conference in Ulaanbaatar, Mongolia

on 2-3 July 2001. The conference was hosted by Mr Mongol Altankhuyag, Prosecutor-General of Mongolia.

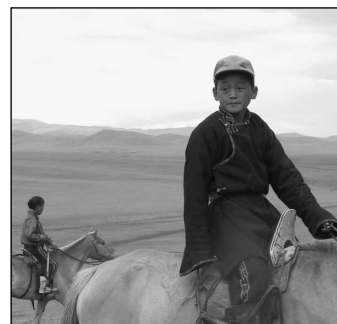
The conference addressed issues of "Law Reform in Developing and Transitional Economies" and was supported by various Mongolian institutions, including the Prosecutor-General; Ministry of Justice; Secretary of State; Supreme Court; Faculty of Law at the State University of Mongolia; Legal Retraining Centre; and leading NGOs.

The speakers from Australia, Canada, Mongolia and the U.S.A. spoke on a wide range of issues, including corruption, economic development, the rule of law, competition law, comparative law and religion. More than 90 Mongolian participants attended the conference, held at the Great Khural (Parliament House) in Ulaanbaatar.

Law Reform in Developing Economies will include case studies from Africa and Latin America, as well as Asia, and will appear in early 2003.

For more information, including photographs, see

http://www.law.unimelb.edu.au/alc/conferences/conf_2001/index.html



Occasional Seminar Series

The Asian Law Centre regularly hosts 'Occasional Seminars' by leading scholars and practitioners on current Asian legal issues.

Rule of Law Post-Soeharto

Contesting Native Title: Perspectives from Malaysia and Australia

Wednesday 4 April, 4:30-5:30pm

Upper East Dining Room, University House



Professor Dr JE Sahetapy

The Rule of Law Post-Soeharto

Professor Dr JE Sahetapy

Professor Dr JE Sahetapy was visiting Melbourne from 2-6 April through the Australia-Indonesia Legal Fellowship program, which was organised by the Asian Law Centre and funded by DETYA. Professor Sahetapy was appointed in 1999 to head Indonesia's first National Law Commission by President Abdurrahman Wahid. The peak national legal advisory body, the Commission has two roles: to develop national policy on law reform and advise the President on legal issues. Professor Sahetapy has long been a leading legal scholar and thinker. However, as a member of Indonesia's first democratic parliament, elected in 1999, he has also developed a national reputation for his courageous and outspoken attacks in parliament on judicial incompetence and 'KKN' (corruption, collusion and nepotism). Few Indonesians could be better positioned to speak authoritatively on Indonesian law reform since Soeharto.

Professor Dr JE Sahetapy's animated talk included many observations based upon his long personal involvement with law, legal education and law reform in Indonesia. During a lively discussion, **Wimar Witoelar**, advisor and Presidential Spokesman to Indonesian President Abdurrahman Wahid, took the opportunity to clarify some of the inner workings of the President's inner circle. Approximately 60 people attended the seminar, including members from the Indonesian consulate, a Member of Parliament from Indonesia, law firm representatives, the Indonesian public and students.

Contesting Native Title: Perspectives from Malaysia and Australia

Professor MB Hooker and Maureen Tehan

Professor MB Hooker of the Australian National University – a leading authority on Southeast Asian legal systems and traditional law – and *Ms Maureen Tehan* of Melbourne Law School, explored the complexities of native title law and politics in Malaysia and Australia, drawing links between the treatment of the land claims by the *orang asli* indigenous people of Malaysia and Australian aborigines.



MB Hooker



Maureen Tehan

In particular, Professor Hooker's talk focused attention on the recent adoption of the **Mabo** decision in Malaysia and the reforms that will be necessary to bring outdated land legislation into line with native title rights now recognised, although not clearly defined, by the courts in that country.

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Ibrahim Assegaf

The Rise and Fall of Anti-Corruption Agencies in Indonesia

Ibrahim Assegaf

Thursday 26 April, 5:00-6:30pm

Karagheusian Room, University House

Mr Ibrahim Assegaf, a prominent Indonesian lawyer and anti-corruption campaigner, visited Melbourne from 24 April to 6 May through the Australia-Indonesia Legal Fellowship program, which was organised by the Asian Law Centre and funded by DETYA. He is Executive Director of the Center for Indonesian Law and Policy Studies (*Pusat Studi Hukum dan Kebijakan Indonesia* or PSHKI) and a member of the Steering Committee for the Establishment of the Anti-Corruption Commission and of the UNDP's Partnership for Governance Reform. Mr Assegaf is also founder of the Indonesian law website, www.hukumonline.com, a demonstration of his innovative thinking and scholarship.

Mr Assegaf gave a broad overview of the anti-corruption mechanisms in Indonesia, a critique of their shortcomings and proposals for reform. Approximately 30 people attended the evening seminar, including law firm representatives, academics, members of the local Indonesian community and students.



William Holder

The International Monetary Fund: Its Roles in the Asia Pacific (with the Institute for Comparative and International Law)

Mr William Holder

Wednesday 5 September, 6:00-7:30pm

Elizabeth Murdoch Theatre A

The ALC and ICIL Public Lecture on "The IMF: Its Role in the Asia Pacific Region" caused a riot (literally!) on Wednesday 5 September. More than 150 people attended this event, which required mounted police presence. *Mr William Holder*, Deputy General Counsel of the International Monetary Fund, commented on the features and functions of the IMF in a changing world; the relationship of the IMF to the Asia Pacific region, including the events and impact of the Asian financial crisis; and regional developments in the Asia Pacific region.



Tim Lindsey

Associate Professor Tim Lindsey, Director of the Asian Law Centre, provided a reply to Mr Holder's presentation. He indicated reasons for the controversy surrounding the activities of the IMF and similar organisations in Asian economies. For a transcript of Associate Professor Lindsey's remarks, please see <http://www.law.unimelb.edu.au/alc/wip/>

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The Legal System and Women's Rights in Indonesia

Reorienting TRIPS: Intellectual Property Law in North Asia

Thursday 20 September, 4:30-8:00pm

Lower East Dining Room, University House



Nursyahbani Katjasungkana

The Legal System and Women's Rights in Indonesia

Nursyahbani Katjasungkana

Nursyahbani Katjasungkana is Indonesia's leading woman lawyer. She has been a long-term proponent of the rule of law and women's rights and took a courageous and principled stand against Soeharto's abuse of law. She has also fought hard for improved gender awareness and women's rights in Indonesia. Formerly a key figure at Indonesia's Legal Aid Institute (*LBH*), she has been instrumental in founding a series of leading NGOs devoted to championing women's rights in the legal sphere, including Indonesian Women's Association for Justice (*LBH APIK*), Indonesian Women's Coalition for Justice and Democracy (*Koalisi Perempuan Indonesia Untuk Keadilan dan Demokrasi*) and Women's Solidarity (*Solidaritas Perempuan*). She is now also a member of Indonesia's parliaments (DPR/MPR).



Antony Taubman

Reorienting TRIPS: Intellectual Property Law in North Asia

Antony Taubman

Tony Taubman (B.Sc. (Hons.) (Syd.), B.A. (Hons.) (Melb.)) is a former Australian diplomat and WIPO official, as well as a patent and trade mark attorney, who has taken part in several WTO disputes on intellectual property and has advised governments in the Asia Pacific region on the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS'). He has presented training and given technical advice on TRIPS and intellectual property in many Asian and Pacific countries. Tony recently moved to ANU to assist in the establishment of the new Australian Centre for Intellectual Property in Agriculture and has now accepted a senior post with WIPO in Geneva. He is also teaching 'TRIPS Law and Practice' in the Melbourne graduate program. Tony gave a spirited defence of TRIPS, arguing that it offered real opportunities for small developing countries in trade disputes with larger states, but that these opportunities were rarely exploited.



Hamid Chalid

A Personal Experience in Combating Corruption: The Indonesian Supreme Court's Wrongful Dissolution of the Joint Investigating Team Against Corruption

Hamid Chalid

Wednesday 17 October, 5:30-7:00pm

Lower East Dining Room, University House

Hamid Chalid is one of the leaders of *Masyarakat Transparansi Indonesia* (MTI) (Indonesian Society for Transparency), a key Indonesian legal NGO combating corruption. In this capacity he has been closely involved in developing Indonesian government policy on corruption and was a member of the Attorney-General's Joint Team for the Eradication of Criminal Acts of Corruption, the precursor of Indonesia's new Anti-Corruption Commission. The Team was recently controversially dissolved by the Supreme Court, as a result of attempts to prosecute judges of that court for taking bribes.

Hamid Chalid is also Executive Director of the Indonesian Partnership for Business Competition and was closely involved in developing the newly-enacted Indonesian Competition Law and the recently established Competition Commission. He has been active in running awareness and education programmes linked to anti-corruption and competition throughout Indonesia. Through MTI, Hamid Chalid was instrumental in establishing GERAK, the Indonesian Network for Anti-corruption NGOs, now emerging as a key vehicle for the Indonesian civil society reform movement.

Approximately 40 people attended the evening seminar, including law firm representatives, academics, members of the local Indonesian community and students.



‘Brown Bag’ Seminar Series

In 2001, the Asian Law Centre launched its lunchtime ‘Brown Bag’ Seminar Series. Postgraduates and academics who are researching and writing on Asian legal topics present papers on work in progress or rehearse a conference or article submission. The forum provides a collegial atmosphere for peer feedback.



Pip Nicholson

Roots and Routes: Comparative Law in a Post-modern World

Dr Pip Nicholson

Wednesday 8 August, 1:00-2:15pm

Staff Library

Asian Law Centre’s first ‘Brown Bag’ seminar featured Pip Nicholson, who spoke on “Roots and Routes: Comparative Law in a Post-modern World”. Dr Nicholson discussed the challenges confronting comparative law in contemporary studies of Asian legal systems. She argued that recent scholarship (Friedman, Hooker, Mattei) strengthens comparative law by reinvigorating it with conceptual and methodological insights. These have particular applicability in the study of non-Western legal systems, such as the legal systems of Asia. Examples were drawn from her doctoral study of the Vietnamese court system.



Sean Cooney

Further Perspectives on Comparative Law

Sean Cooney

Wednesday 22 August, 1:00-2:15pm

Staff Library

In the second of the Asian Law Centre’s ‘Brown Bag’ Seminar Series, Sean Cooney spoke on “Further Perspectives on Comparative Law”. In particular Sean examined two important contributions to the study of transferral of concepts from one legal system to another: the work of Kahn-Freund in the 1970s and its reworking by Gunther Teubner in the 1990s. The discussion was tied to the application of “international” labour standards in industrialising Asian countries.



Ryad Chairil

Traditional Customary Law & Article 33 of the Constitution: Who owns minerals in Indonesia?

Ryad Chairil

Wednesday 29 August, 1:00-2:15pm

Staff Library

Ryad Chairil is a Ph.D. candidate in the Faculty supervised by Associate Professor Tim Lindsey and senior official in Indonesia’s Department of Mining. His thesis looks at how Indonesia’s Contract of Work mining system could be reformed to take into account the recent decentralisation of government to the District level. Ryad presented the third of the Asian Law Centre ‘Brown Bag’

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Seminar series on Wednesday 29 August. He spoke about “Traditional Customary Law and Article 33 of the Constitution: Who owns Minerals in Indonesia?” These are key issues as decentralisation leads to breakdown in regional security, secessionist movements, “native title” claims, widespread illegal mining and the collapse of mining projects across the archipelago.



Legal Aspects of OTC Derivatives in Korea: Reducing Legal Uncertainty by Legislative Reform

Sunseop Jung

Wednesday 5 September, 1:00-2:15pm

Staff Library

Sunseop Jung is a Ph.D. candidate of the Faculty of Law at the University of Melbourne, under the direction of Professor Malcolm Smith at the Asian Law Centre. Sunseop graduated with a Bachelor of Laws from Seoul National University in 1987. He has worked at the Korea Development Bank on derivatives documentation, aircraft and ship finance. Over the counter (OTC) derivatives are valuable tools for risk management and financial market development. Since the 1997 financial crisis, various legal reforms have been made to advance the financial system in Korea. However, there still remains considerable uncertainty, requiring legislative reform.



Budi Darmono

Adat, National Land and Forestry Laws

Budi Darmono

Wednesday 19 September, 1:00-2:15pm

Staff Library

Budi Darmono is a lecturer in the Faculty of Law at the University of Indonesia, specialising in the theory of states. He was formerly a partner with Budi, Muchyar, Bari and Masagus, a Jakarta law firm. He holds the degree MSc in Administration from Central Michigan University and MCL from George Washington University in Washington DC. He is currently completing his Ph.D. thesis on traditional customary land law in Indonesia in the Faculty, supervised by Associate Professor Tim Lindsey. Traditional customary law or *adat* remains a major influence on land law in Indonesia. The paradigm relied upon by the Indonesian government in establishing the law is, however, based on Dutch-style individuated title and assumes that ‘the people will follow the law’, while ancient *adat* traditions expect that the law will follow people’s customs. This fundamental conflict in grundnorm inevitably leads to disputes, particularly in forest areas and in connection with development projects. As a result the Indonesian land law regime is dysfunctional. The content of *adat* varies across the archipelago and is, in any case, very dynamic. There are, however, common procedural mechanisms. Indonesian land law must therefore be reformed to better accommodate adat structures and procedures. Budi Darmono looked at how this might be done.



Sarah Biddulph

Which Contradiction? Vestiges of Antagonistic Contradictions in China's "Modern" Legal System

Sarah Biddulph

Wednesday 17 October, 1:00-2:15pm

Staff Library

Sarah Biddulph's paper examined the developing legal form of police detention powers in China. Since the project of legal reconstruction started in 1978, there has been much work done to give a legal basis to the coercive powers of state agencies. The stated aim of legal construction is the creation of a modern and comprehensive legal system that both entrenches and rationalises the exercise of coercive powers. Whilst many legal developments and reforms have been consistent with this objective, this is not the case with a group of administrative detention powers. The legal form of these powers adopts the rhetoric of education and transformation typical of the non-antagonistic contradiction of the pre-reform era, but their use has been transformed into flexible and punitive technologies of control. When read in conjunction with the current social order policy, it is possible to see how the developing regulatory regime governing coercive powers bears the marks of the conceptual framework for the handling of contradictions in the pre-reform era, stripped of its political base, which the new legal order has sought to leave behind.





Kathryn Taylor, Professor Malcolm Smith and Mr Xu Qingyu

Visiting Asian Scholars 2001

| Date of Visit | Visiting Asian Scholar |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 2000 – March 2001 | Mr Xu Qingyu, <i>President of Legal Affairs Bureau of Nantong, Secretary General of Nantong Arbitration Commission, People's Republic of China</i> |
| 6 March | Professor Hamano, <i>Kyoto-Gakuen University, Japan</i> |
| 14-16 March | Professor Kon Sik Kim, <i>Faculty Director for Graduate Program in Private Law, Seoul National University, South Korea</i> |
| 22 March | Professor Dai Kelai, <i>Honorary Dean of Humanities College and Professor of History, Zhengzhou University, People's Republic of China</i> |
| 22 March | Professor Ning Jincheng, <i>Deputy Chancellor and Dean of Law, Zhengzhou University, People's Republic of China</i> |
| 22 March | Professor Song Maoping, <i>Dean, Office of Teaching & Academic Affairs, Zhengzhou University, People's Republic of China</i> |
| 22 March | Associate Professor Wang Xiaojie, <i>Director, Department of Computer Science, Zhengzhou University, People's Republic of China</i> |
| 22 March | Ms Wang Xue, <i>Foreign Affairs Office, Zhengzhou University, People's Republic of China</i> |
| 28 March | Professor Dr. Jur. Shoen Ono, <i>President, Japan Trademark Association, Japan</i> |
| 3-7 April | Professor Dr. J.E. Sahetapy, <i>Chairman, National Law Commission of the Republic of Indonesia, Indonesia</i> |
| 24 April – 6 May | Mr Ibrahim Assegaf, <i>Executive Director, Center for Indonesian Law and Policy Studies and Managing Director, www.hukumonline.com, Indonesia</i> |
| 10-11 September | Mr Mongol Altankhuyag, <i>Attorney-General & Prosecutor-General, Mongolia</i> |
| 16-23 September | Ms Nursyahbani Katjasungkana, <i>Member of DPR/MPR (Indonesia's Legislatures); Secretary-General, Indonesian Women's Coalition for Justice & Democracy, Indonesia</i> |
| 15-29 October | Mr Hamid Chalid, <i>The Indonesian Society for Transparency, Indonesia</i> |



Mr Mongol Altankhuyag and Sarnai Sougar

Faculty Teaching & Education

Members of the Centre again contributed a full programme of Asian Law related subjects at the undergraduate and graduate levels. The Law School continues to offer the best coverage of Asian Law in Australia.

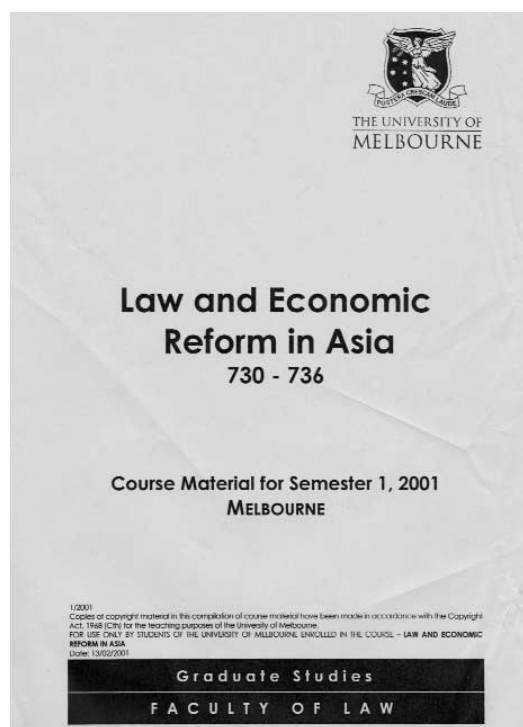
The following subjects were offered by the Asian Law Centre in 2001:

Undergraduate Programmes

- Commercial Law in Asia (T. Lindsey, P. Nicholson) – Semester 2
- Issues in Chinese Law (S. Biddulph) – Summer
- Land, Race and Law in South East Asia (T. Lindsey, P. Nicholson) – Semester 1
- Law and Labour Relations in East Asia (S. Cooney) – Semester 2
- Law and Society in South East Asia (T. Lindsey, P. Nicholson) – Semester 2

Postgraduate Programmes

- Commercial Law in Asia (T. Lindsey, P. Nicholson) – Semester 2
- Globalisation, APEC and Law (M. Smith) – Semester 1
- International Marketing: Franchising, Distribution and Licensing (V. Taylor) – Semester 2
- Law and Economic Reform in Asia (P. Nicholson, T. Lindsey) – Semester 1



Major Institutional Contributions

Study in China

These intensive introductory courses to Chinese Law are taught in English and run in Shanghai each year.

The 'Winter School in Shanghai' is taught in January and is a collaboration between the Centre for Asian and Pacific Law at the University of Sydney (CAPLUS) and East China University of Politics and Law in Shanghai, China. The ALC Centre Administrator, Kathryn Taylor, attended this course in January 2001, with other University of Melbourne students.

The 'Annual Summer Study in China' is taught in June/July and is a collaboration between Willamette University College of Law, USA and East China University of Politics and Law in Shanghai, China. Sarah Biddulph was again one of the principal lecturers in the 2001 programme.



Major Institutional Contributions cont.

Chulalongkorn University, Bangkok

Professor Malcolm Smith participated for the third time in the teaching of a graduate course on Commercial Alternative Dispute Resolution with Judge Vichai of the Board of International Trade of Thailand. The subject was offered in the LL.M. Business Law, taught in English, at Chulalongkorn University.

ANU MBA Program

Tim Lindsey and Veronica Taylor taught “Legal Frameworks of Business in Asia” as part of the Master of Business in Asia program at Australian National University, for the sixth time. This award-winning course attracts participants from across South and East Asia, North and South America, Europe, Africa and Australia.

Australia-Indonesia Legal Fellowships

The Australia-Indonesia Legal Fellowships programme is organised by the Asian Law Centre and receives government funding from DETYA. 2001 Fellows, Professor Dr. J.E. Sahetapy, Ms Nursyahbani Katjasungkana and Mr Ibrahim Assegaf, were required to give a 1.5 hour seminar dealing with Indonesian law and reform efforts. They also conducted their own private research and visited institutions of interest to their particular field.

The Fellowships are an important opportunity to build relations between Australian and Indonesian lawyers and policy makers, and to broaden understanding of Indonesian legal issues in Australia. Details of the 2001 Australia-Indonesia Legal Fellows and their research in Melbourne appear above in ‘Occasional Seminar Series’.

Research Students Under Supervision of Centre Members

Members of the Centre continued to offer supervision to a large group of Australian students interested in Asian law and international students studying at the Law School, most of whom are Ph.D. candidates. In addition, Centre members are involved on a daily basis with assistance for LL.M. and Graduate Diploma by coursework students.

Higher degree research candidates who successfully completed in 2001 were:

Andrew Godwin (LL.M.)

– *“The Emerging Theory Underpinning the Development of Mortgage Law in China”*

Pip Nicholson (Ph.D.)

– *“Vietnamese Court Development Since 1945”*

Benny Tabalujan (Ph.D.)

– *“Corporate Governance in the Indonesian Capital Market: A Legal-Sociological Study of Legal Culture”*

Xu Zhangrun (Ph.D.)

– *“The Confucian Misgivings: Liang Shuming’s Narrative About Law”*

Research students under the supervision of Centre members included:

| | |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ms Sarah Biddulph Ph.D. | Supervisor: Malcolm Smith Expected Year of Completion: 2004 <i>“Controlling Detention for Investigation: Legal Accountability of the Chinese Public Security Organs”</i> |
| Mr Ryad Chairil Ph.D. | Supervisors: Tim Lindsey, Michael Crommelin Expected Year of Completion: 2002 <i>“The Indonesian Mineral Regime: A Model for the Future – Learning From Other Countries in Implementing Changes”</i> |
| Mr John Chellew Ph.D. | Supervisor: Malcolm Smith Expected Year of Completion: 2003 <i>“Australian Derivatives Law: Finding a Workable “Derivative” Definition”</i> |
| Mr Budi Darmono Ph.D. | Supervisor: Tim Lindsey Expected Year of Completion: 2003 <i>“The Position of Adat (Local) Land Rights Under the Indonesian Forestry Act”</i> |

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|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr Joseph Eng Ph.D. | Supervisor: Tim Lindsey Expected Year of Completion: 2003 <i>"A Critical Review of the Customary Land Rights of the Natives of Sarawak"</i> |
| Mr Andrew Godwin LL.M. | Supervisor: Sarah Biddulph Completed in 2003 <i>"The Emerging Theory Underpinning the Development of Mortgage Law in China"</i> |
| Mr Peter Holland Ph.D. | Supervisor: Tim Lindsey Expected Year of Completion: 2007 <i>"The OECD Convention on Bribery of Foreign Government Officials: The Impact on Australian Business in Asia"</i> |
| Mr Sunseop Jung Ph.D. | Supervisor: Malcolm Smith Expected Year of Completion: 2002 <i>"Legal Aspects of OTC Derivatives: Reducing Uncertainty Through Legislative Reform"</i> |
| Ms Kate McGregor Ph.D. (Arts) | Supervisor: Tim Lindsey Completed in 2002 <i>"The Military and History in Indonesia"</i> |
| Ms Pip Nicholson Ph.D. | Supervisor: Tim Lindsey Completed in 2002 <i>"Vietnamese Court Development Since 1945"</i> |
| Ms Inge Resdiano LL.M. | Supervisor: Tim Lindsey Submitted in 2001 <i>"Corporate Governance in Indonesia, Singapore and Australia – A Comparison"</i> |
| Adv. Andy Schmulow Ph.D. (Arts) | Supervisor: Tim Lindsey Expected Year of Completion: 2003 <i>"Problems Associated with Prudential Regulatory Enforcement in the Indonesian Banking Sector"</i> |
| Ms Chenxia Shi Ph.D. | Supervisors: Tim Lindsey, Sean Cooney Expected Year of Completion: 2004 <i>"Directors Duties as an Effective Corporate Governance Mechanism for Chinese Companies"</i> |
| Mr Benny Tabalujan Ph.D. | Supervisors: Malcolm Smith, Tim Lindsey Completed in 2001 <i>"Corporate Governance in the Indonesian Capital Market: A Legal-Sociological Study of Legal Culture"</i> |

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| | |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Professor Xu Zhangrun Ph.D. | Supervisor: Malcolm Smith Completed in 2001 <i>"The Confucian Misgivings: Liang Shuming's Narrative About Law"</i> |
| Ms Se Se Zhang Ph.D. | Supervisor: Malcolm Smith, Sarah Biddulph Expected Year of Completion: 2002 <i>"Tensions and Implications: Contractual Aspects of Technology Transfer to China"</i> |
| Mr Ming Zhou Ph.D. | Supervisor: Malcolm Smith, Gillian Triggs Expected Year of Completion: 2003 <i>"Antidumping Law and Practices in China and the WTO"</i> |

New Law School Building



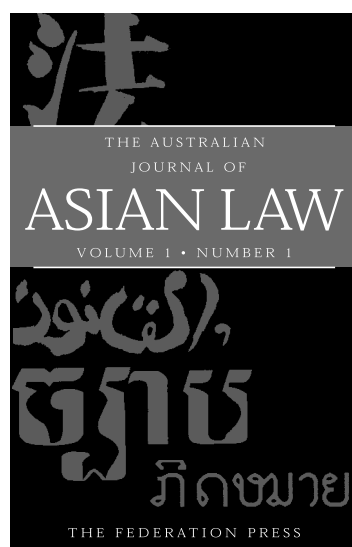
Publications of Members, Associates & Researchers

- BOOKS ■ Ramsay, I., Hanrahan, P. & Stapledon, G. (2001), *Commercial Applications of Company Law*, 2nd edition, CCH Australia, North Ryde, N.S.W.
- CHAPTERS IN BOOKS AND MONOGRAPHS ■ Hooker, M.B., “Wakaf (South-East Asia)”, in (2001), *Encyclopaedia of Islam*, Volume XI, 2nd edition, 97-99.
- Hooker, M.B. & Hooker, V., “Introduction”, in (2001), *John Leyden’s Malay Annals*, Reprint 170.20, Royal Asiatic Society, Malaysia, 1-76.
- Lindsey, T., “Abdurrahman, the Supreme Court and Corruption: Viruses, Transplants & the Body Politic in Indonesia”, in Budiman, A. & Kingsbury, D. (eds.) (2001), *Indonesia: The Uncertain Transition*, Crawford House, Adelaide.
- Lindsey, T., “The Criminal State: Premanisme and the New Indonesia”, in Lloyd, G. & Smiths, S. (eds.) (2001), *Indonesia Today: Challenges of History*, ISEAS, Singapore, 283-294.
- Lindsey, T., “Indonesian Insolvency Law”, in Ikeda (ed.) (2001), *Insolvency Law in Asia Pacific Countries*, Commercial Law Centre, Tokyo (Japanese language).
- Ramsay, I. & Stapledon, G. (2001), “Corporate Governance: The Role of Superannuation Trustees”, Centre for Corporate Law and Securities Regulation and Institutional Analysis.
- Ramsay, I. & Stapledon, G., “Directors’ Conflicts: An Empirical Study”, in Andenas, M. & Sugarman, D. (eds.) (2001), *Directors’ Conflicts of Interest: Legal, Socio-Legal and Economic Analysis*, Kluwer International, London, 141-162.
- Ramsay, I. (2001), “Independence of Australian Company Auditors: Review of Current Australian Requirements and Proposals for Reform”, *Report to the Minister for Financial Services and Regulation*.
- Smith, M., “Changing Regulatory Patterns in Japan: An Australian Perspective”, in Okira, A. (ed.) (2001), *State Legal Intervention and Freedom: Comparative Studies on Asian-Oceanic Legal Systems*, The Institute of Comparative Law, Waseda University, Tokyo, 353-369.
- Tabalujan, B.S., “Dispute Resolution”, in Shenoy, G.T.L. (ed.) (2001), *Principles of Law for Engineers*, Prentice Hall, Singapore, 284-295.
- JOURNAL ARTICLES ■ Biddulph S. (2001), “Through a Glass Darkly: China, Transparency and the World Trade Organisation”, *Australian Journal of Asian Law*, 3(1), 59-95.
- Hooker, M.B. (2001), “‘Native Title’ in Malaysia: Adong’s Case”, *Australian Journal of Asian Law*, 3(2), 198-212.

- Mitchell, R., Murray, J. & O'Donnell, A. (2001), "Labour Law and a New Social Settlement", *Growth* (Special Issue: Future Direction in Australian Social Policy: New Ways of Preventing Risk), 49, 66.
- Nicholson, P. (2001), "Judicial Independence and the Rule of Law: The Vietnam Court Experience", *Australian Journal of Asian Law*, 3(1), 37-58.
- O'Donnell, A. & Mitchell, R. (2001), "Immigrant Labour in Australia: The Regulatory Framework", *Australian Journal of Labour Law*, 14, 269.
- Ramsay, I. (2001), "Financial Services Reform in Australia", *Singapore Journal of International and Comparative Law*, 5, 485-515.
- Ramsay, I., Stapledon, G. & Vernon, J. (2001), "Political Donations by Australian Companies", *Federal Law Review*, 29, 177-218.
- Ramsay, I. & Noakes, D. (2001), "Piercing the Corporate Veil in Australia", *Company and Securities Law Journal*, 19, 250-271.
- Ramsay, I. & Stapledon, G. (2001), "Corporate Groups in Australia", *Australian Business Law Review*, 29, 7-32.
- Tabalujan, B.S. (2001), "Corporate Governance of Indonesian Banks: The Legal & Business Contexts", *Australian Journal of Corporate Law*, 13, 67-97.
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BOOK REVIEWS

AUSTRALIAN JOURNAL OF ASIAN LAW



- Nicholson, P. (2001), Review of "The High Court at the Cross Roads, Essays in Constitutional Law", *Journal of Judicial Administration*, 10(3), 172-175.
- Biddulph, S. (2001), "Self-Interest and Ideology: Bureaucratic Corruption in Vietnam", *Australian Journal of Asian Law*, 3(1), 59-95.
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- Fitzpatrick, D. (2001), "Land Claims in East Timor: A Preliminary Assessment", *Australian Journal of Asian Law*, 3(2), 135-166.
- Foster, R. (2001), "Labelling the Law: Security for Credit Sales and the Classification of Legal Systems in South-east Asia", *Australian Journal of Asian Law*, 3(2), 167-197.
- Gillespie, G. (2001), "Self-Interest and Ideology: Bureaucratic Corruption in Vietnam", *Australian Journal of Asian Law*, 3(1), 1-36.

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- Harding, A. (2001), "May there be Virtue: 'New Asian Constitutionalism' in Thailand", *Australian Journal of Asian Law*, 3(3), 236-260.
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- Iyer, V. (2001), Review of Tay (ed.), "East Asia – Human Rights, Nation-Building, Trade", *Australian Journal of Asian Law*, 3(3), 315-318.
- Lee, S. (2001), "Constitutional Crisis in Paradise: The Fiji Court of Appeal Decision in Republic of Fiji v Prasad", *Australian Journal of Asian Law*, 3(3), 280-289.
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- Taylor, V. (2001), Review of Yoon, "Recent Transformations in Korean Law", *Australian Journal of Asian Law*, 3(1), 105-106.
- Wilson, E. (2001), "Anatomy of FDI Failure: Foreign Direct Investment and the Sino-Vietnamese Experience of Total War", *Australian Journal of Asian Law*, 3(2), 107-134.
- Zhang, X. (2001), Review of Wang Kui Hua, "Chinese Commercial Law", *Australian Journal of Asian Law*, 3(1), 96-104.

Dr Pip Nicholson, Professor Anita Ramasastry, Professor William Neilson and Professor Gary Goodpaster in a Mongolian yurt



Conference Papers and Seminars Delivered by Members

- Biddulph, S., “*Which Contradiction? Vestiges of Antagonistic Contradictions in China’s “Modern” Legal System*”, at Asian Law Centre Brown Bag Seminar, The University of Melbourne, Melbourne, 17 October 2001.
- Biddulph, S., “*Enhancing China’s Rule of Law: Supposedly Yet But How?*”, at 4th EU China Academic Network Conference, Berlin, January/February 2001.
- Cooney, S., “Further Perspectives on Comparative Law”, at *Asian Law Centre Brown Bag Seminar*, The University of Melbourne, Melbourne, 22 August 2001.
- Lindsey, T., “Corporate Governance in Asia: Can Independent Institutes of Directors and Codes of Conduct Ever Work in ‘Insider’ Corporate Systems?”, at *Corporate Governance and the Role of Independent Directors/Commissioners Institutes in Asia Conference* by USAID, University of Indonesia, University of South Carolina, Jakarta Stock Exchange, BAPPEPAM (together with the Law & Finance Institutional Partnership) and Udayana University, Sanur, Indonesia, 21 December 2001.
- Lindsey, T., “The IMF in the Asia Pacific: A Critical Reply” (response to William Holder, Deputy Chief of Counsel of the IMF), at *Institute for International and Comparative Law/Asian Law Centre Seminar*, University of Melbourne, September 2001.
- Lindsey, T., “Indonesia and the Philippines: Does Democracy Work?”, at *La Trobe Politics Society Seminar*, La Trobe University, Melbourne, 22 August 2001.
- Lindsey, T., “Indonesian Perspectives on Asylum Seekers”, at *Institute for International and Comparative Law/Centre for Comparative Constitutional Studies Seminar*, University of Melbourne, 11 October 2001 (chaired by the Rt Hon Malcolm Fraser AC CH).
- Lindsey, T., “Intellectual Property, Civil Law and the Failure of Law Reform in Indonesia. Can Criminal Enforcement of Commercial Law Work in Developing Countries?”, at *Lomba Karya Tulis Ilmiah dalam Rangka Pengembangan Penelitian dalam Publikasi International Conference* by University of Indonesia, University of South Carolina and Udayana University, Sanur, Indonesia, 20 December 2001.
- Lindsey, T., “Kegagalan Reformasi Hukum di Indonesia”, at *Membangun Strategi Pemberantasan Korupsi yang Efektif Conference* by Masyarakat Transparansi Indonesia/AusAID, Jakarta, July 2001.
- Lindsey, T., “Transplants and Local Ownership: Selecting a Vehicle for Law Reform”, at *Law Reform in Developing and Transitional Economies Conference* by Asian Law Centre, Mongolia Prosecutor General, Liberty & Rule of Law Association, Ulaan Baatar, Mongolia, 2–3 July 2001.

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- Nicholson, P., “Comparative Law and Legal Transplants Between Socialist States: An Historical Perspective”, at *Law Reform in Developing and Transitional Economies Conference* by Asian Law Centre, Mongolia Prosecutor General, Liberty & Rule of Law Association, Ulaan Baatar, Mongolia, 2-3 July 2001.
- Nicholson, P., “Roots and Routes: Comparative Law in a Post-modern World”, at *Asian Law Centre Brown Bag Seminar*, The University of Melbourne, Melbourne, 8 August 2001.

Contributions to The University of Melbourne and The Community

Ms Sarah Biddulph

- China-Australia Chamber of Commerce (Shanghai, China)
- Law Society of NSW
- Responsible for setting up Blake Dawson Waldron's new offices in Shanghai
- Member, Advisory Committee, *Australian Journal of Asian Law*

Mr Sean Cooney

- Associate, Centre for Employment and Labour Relations Law
- Member, Advisory Committee, *Australian Journal of Asian Law*
- Ethical Advisory Committee, Brotherhood of St. Laurence
- Board member, International Association for Labour Law and Policy
- Liaison Officer, International and Non-English Speaking Background Students
- Member of Japan/U.S./E.U. Joint Research on Labour Law
- Member, Australian Labour Law Association
- Member, International Network on Employment and Labor Law
- Member, Centre for Corporate Law and Securities Regulation

Associate Professor Tim Lindsey

- Board member, Australia-Indonesia Institute (DFAT)
- Editor, *Australian Journal of Asian Law*
- Contributing editor and Member, Editorial Advisory Board, CCH *Doing Business in Asia*
- Member, Advisory Board, Institute for Comparative and International Law
- Associate, Melbourne Institute of Asian Languages and Societies
- Acting Director, Melbourne Institute of Asian Languages and Societies (April, 2001)
- Member, Centre for Employment and Labour Relations Law
- Member, Centre for Corporate Law and Securities Regulation
- Barrister (Victorian Bar)
- Secretary, Indonesian Arts Society

The Asian Law Centre

Dr Pip Nicholson

- Member, Advisory Committee, *Australian Journal of Asian Law*

Professor Malcolm Smith

- Member, Advisory Committee, *Australian Journal of Asian Law*
- Member, Advisory Board, Institute for Comparative and International Law
- Australian Centre for International Commercial Arbitration
- Associate, Melbourne Institute of Asian Languages and Societies

The Asian Law Centre thanks our 2001
Sponsors for their support for our
activities, which enabled the
production of this report
for 2001.

Allens Arthur Robinson



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L A W Y E R S

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