



Centre for Asian Legal Studies
Faculty of Law



CONSTITUTIONAL FOUNDINGS IN SOUTH ASIA

Convenors

Kevin YL Tan
Adjunct Professor
NUS Law

Ridwanul Hoque
Professor of Law
University of Dhaka

22 & 23 March 2019 (Friday & Saturday)
NUS Law (Bukit Timah Campus) Singapore
Eu Tong Sen Building Level 1, Lee Sheridan Conference Room

WORKSHOP PROGRAMME DAY 1

FRIDAY, 22ND MARCH 2019

TIME	PROGRAMME
9.30 am (30 mins)	Registration <i>Venue: NUS Law (Bukit Timah Campus), Eu Tong Sen Building Level 1 Lee Sheridan Conference Room</i>
10.00 am (15 mins)	Welcome Addresses & Opening Remarks Associate Professor Dan Puchniak Director, Centre for Asian Legal Studies, NUS Law
10.15 am (15 mins)	Introduction and Opening by Convenors of the Workshop Professor Kevin Tan, NUS Law Professor Ridwanul Hoque, University of Dhaka
10.30 am (30 mins)	AM Tea Break <i>Venue: Foyer outside Lee Sheridan Conference Room</i>
SESSION 1	
11.00 am (60 mins)	India: Professor Arun Thiruvengadam, Azim Premji University
12.00 pm (60 mins)	Pakistan: Assistant Professor Sadaf Aziz, Shaikh Ahmed Hassan School of Law
1.00 pm (60 mins)	Group Photograph
	Lunch <i>Venue: Portico @ Federal Building</i>
SESSION 2	
2.00 pm (60 mins)	Bangladesh: Professor Ridwanul Hoque, University of Dhaka
3.00 pm (60 mins)	Bhutan: Dr Winnie Bothe, Independent Scholar (via Skype)

4.00 pm (30 mins)	PM Tea Break <i>Venue: Foyer outside Lee Sheridan Conference Room</i>
4.30 pm (60 mins)	Sri Lanka: Dr Roshan da Silva Wijeyaratne, Westminster University (via Skype)
5.30 pm	End of Day 1

WORKSHOP PROGRAMME DAY 2

SATURDAY, 23RD MARCH 2019

TIME	PROGRAMME
SESSION 3	
9.30 am (60 minutes)	Nepal: Dr Bipin Adhikari, Kathmandu University
10.30 am (60 minutes)	Afghanistan: Associate Professor Ebrahim Afsah, University of Vienna & University of Copenhagen
11.30 am (60 minutes)	Maldives: Dr Shamsul Falaah, The University of Auckland
12.30 pm (60 minutes)	Wrap Up and Future Steps
1.30 pm (90 mins)	Lunch <i>Venue: Portico @ Federal Building</i>
3.00 pm	End of Workshop

Note

Each paper is allocated 60 minutes, of this:

- a) Presentation by speaker: 30 minutes
- b) Q&A and open discussion: 30 minutes

PARTICIPANTS' PROFILES

Convenor – Kevin YL TAN Adjunct Professor, NUS Law



Kevin YL Tan specializes in Constitutional and Administrative Law, International Law and International Human Rights. He graduated with an LLB (Hons) from the Faculty of Law at the National University of Singapore and holds an LLM and JSD from the Yale Law School. He currently holds Adjunct Professorships at the Faculty of Law, National University of Singapore (NUS) as well as at the S Rajaratnam School of International Studies, Nanyang Technological University (NTU) where he teaches constitutional law, international law and international human rights.

He has published widely in his areas of specialization and has written and edited over 40 books on the law, history and politics of Singapore. Kevin has been on the editorial board of several leading legal journals. From 1998-2000, he was also Chief Editor of the *Singapore Journal of International and Comparative Law* and from 2000-2003 was the journal's Adjunct Editor. He is currently Consulting Editor of the *Asian Yearbook of International Law*; Executive Editor of the *Asian Journal of Comparative Law*; and Editorial Board member of the *Korean Journal of International and Comparative Law*. Kevin also serves on the Board of Governors of the Human Rights Resource Centre (HRRC).

Convenor – Ridwanul Hoque Professor of Law, University of Dhaka



Ridwanul Hoque studied law at Chittagong, Cambridge, and London Universities. He obtained PhD in public law from SOAS of the University of London, working on judicial activism. Currently, He is a professor of law at the Department of Law, University of Dhaka. He have held visiting positions at Cornell University (Fulbright Scholar), the University of Melbourne (Endeavour Fellow), La Trobe University, and National Law University, Delhi.

He has published a book on *Judicial activism in Bangladesh: A Golden Mean Approach* (Cambridge Scholars Publishing 2011). His major areas of interest are constitutional law and theory, comparative constitutional law, judicial activism, citizenship law, human rights of vulnerable groups, and Islamic family law. Law of compensation is also his favourite subject. He have been widely consulted by government ministries and international organisations on international labour migration, human trafficking, and child rights issues. He have written expert reports for the UK, the USA, and Australian courts on issues involving the Bangladeshi law (citizenship law, torts, statelessness, and so on).

Bipin Adhikari
Dean, Faculty of Law, Kathmandu University



Dr Bipin Adhikari is an expert of constitutional law. He teaches Constitutional Law and Federalism. Adhikari is involved with many legal reform and institution building issues in Nepal. He is also implementing the Masters by Research Programme of Kathmandu University School of Law in the area of Corporate Law, International Trade Law, International Investment Law, Intellectual Property Law and Energy and Infrastructure Law. Adhikari has keen interest in legal aspects of the Belt and Road Initiative (BRI) programme and their implications for Nepal and its prospect for further development. He Holds Master of Comparative Law (MCL) and PhD (Constitutional Law) from University of Delhi and Finance Law Course from Lancaster University, UK.

Adhikari has a legal career of more than thirty years. Before accepting the appointment as Dean of Kathmandu University School of Law Adhikari worked as a constitutional jurisconsult as the owner of Nepal Consulting Lawyers, Inc - a group of legal professionals in Kathmandu, and gave leadership to Nepal Constitution Foundation, which is a foremost not-for-profit think tank in Nepal in the area of constitutional law and public policy analysis, as its chairperson.

Ebrahim Afsah
Associate Professor, University of Copenhagen



Born in Iran and raised in Germany, Professor Ebrahim Afsah commenced his undergraduate law degree at the School of Oriental & African Studies, London, followed by graduate work at Trinity College Dublin, the Kennedy School of Government at Harvard University and the Max Planck Institute for Public International Law in Heidelberg. Having set up the Institute's legal transfer programme in Afghanistan, he continued for a decade as a legal and public administration reform expert in the region, working for a large number of national and international organisations, including the German government, the EU, USAID, UNDP, UNODC and the Worldbank.

He returned to academia in 2012 as an associate professor of international law at the University of Copenhagen and is currently Professor of Islamic Law and Ethics at the University of Vienna. His research interests include the history of international law, law of armed conflict, international relations theory, comparative government and state-building and Islamic public law.

Sadaf Aziz
Assistant Professor, Shaikh Ahmed Hassan School of Law



Sadaf Aziz is Assistant Professor at the Shaikh Ahmad Hassan School of Law. One of the School of Law's founding faculty members, she has taught in the areas of Jurisprudence and Labour Law. Her research focuses on issues such as the interplay between Islamic and secular legality, the political impact of rule of law narratives and is broadly situated within the field of law and society. She is the author of *The Pakistani Constitution; A Contextual Analysis* (Oxford: Hart, 2017). Currently on leave, Sadaf is completing her doctoral dissertation at the University of Melbourne. Over the past few years, she has held visiting fellowships at the universities of Cambridge, Michigan, Oxford and NYU.

Winnie Bothe
Independent Scholar



Winnie BOTHE is an independent scholar. She was educated in Denmark where she attended Aarhus University and obtained her PhD from the University of Copenhagen for her thesis, *Forming Local Citizens in Bhutan: The Traditionalization of Participation - Empowerment, Domination or Subjugation?* She was formerly post-doctoral fellow at the University of Lund. Winnie is the author of 'The Monarch's Gift: Critical Notes on the Bhutanese Constitutional Process' (2012) 40 *European Bulletin of Himalayan Research* 27–59; and 'In the Name of King, Country, and the People on the Westminster Model and Bhutan's Constitutional Transition' (2015) 22(7) *Democratization* 1338–1361.

Arun Thiruvengadam
Professor, Azim Premji University



Arun THIRUVENGADAM is a Professor of Law at the School of Policy and Governance, Azim Premji University, Bangalore, India. He holds degrees in law from the National Law School, Bangalore and the New York University School of Law. Between 1995-97, he served as a Law-clerk-cum-research-assistant to the Chief Justice of India, Justice A.M. Ahmadi. He practiced law for approximately two years before the High Courts of Madras and Delhi and the Supreme Court of India. He has held research positions at the National Law School (1999-2001) and New York University School of Law (2003-05). Arun was successively a Visiting Fellow (2005-07) and an Assistant Professor of Law (2007-15) at the Faculty of Law, National University of Singapore.

His areas of teaching and research interest are: Indian constitutional and administrative law, comparative public law, law and development, and law and politics in South Asia. Arun has taught courses, in a visiting capacity, at the West Bengal National University of Juridical Sciences, Kolkata, the Faculty of Law at the University of Toronto, Canada, the Faculty of Law at the University of Trento, Italy, the Department of Legal Studies, Central European University, Hungary, and the City University School of Law, Hong Kong. He is an editor of the *Asian Journal of Comparative Law* (Cambridge UK) and the *Indian Law Review* (Routledge UK). His most recent book is *The Constitution of India: A Contextual Analysis* (Hart Publishing UK, Dec 2017; India edition published by Bloomsbury India, Jan 2018).

Shamsul Falaah
Dr, The University of Auckland



Shamsul Falaah graduated with Bachelor of Laws (LL.B with Islamic Shari'ah) from the Maldives College of Higher Education (Maldives National University). He also holds a Master of Law (LL.M) in International Human Rights and Humanitarian Law from the European University Viadrina, Germany. Falaah obtained his PhD from the University of Auckland, New Zealand.

Falaah has taught Modern Perspectives of Islamic Law at the Faculty of Law, University of Auckland, and Human Rights Law and General Principles of Law at the Maldives National University and Public International Law at the Islamic University of Maldives. He has published in the area of theocratic constitutionalism, Islamic constitutionalism, and human rights adjudication in the Maldives, most notably, with the *Oxford Constitutions of the World*.

He is an Advocate of the Supreme Court of the Maldives, and has also served in the Maldivian Government as the Legal Affairs Secretary at the President's Office, as a Commissioner of the Judicial Service Commission, Legal Adviser to the Defence Minister, and drafted several bills pertaining to human rights and defense sector.

Roshan da Silva Wijeyeratne
Westminster University



Roshan de Silva Wijeyeratne graduated from the School of Oriental and African Studies (University of London) and completed his doctorate at the University of Kent. He teaches courses in 'Property Law', and 'Law, Culture and Anthropology'. He is the author of *Nation, Constitutionalism and Buddhism in Sri Lanka* (2014), published by Routledge. He has recently published a co-authored article on the Benthamite legacy in Ceylon published in the *Journal Comparative Legal History*. Roshan is currently working on a second (co-authored) monograph for Macmillan (Pivot) on comparative colonial legal history. He is an external Research Associate of the Centre for Policy Alternatives in Colombo, Sri Lanka.

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