REZENSIONEN / REVIEWS

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Legal Education in Asia: Globalization, Change and Contexts

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In their *opening chapter* entitled "Introduction: Globalization, Change and Contexts", the editors provide their own useful summary of this book, the seventh in the "Routledge Law in Asia" series edited by Randall Peerenboom (pp 6-7):

> "this monograph is the first significant edited collection available in English on the subject of pre-qualification legal education in Asia. It updates the existing literature and provides a valuable multi-jurisdictional tool for academics and students of Asian legal studies, law reformers, governance experts, development practitioners and lawyers working in the region.
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> *Legal Education in Asia* is also a commemorative monograph, in memory of Professor Malcolm D.H. Smith. Although each chapter provides an intellectual comment on legal education in Asia, the book as a whole celebrates the work of Professor Smith. Professor Smith was the Founding Director of the Asian Law Centre in the Melbourne Law School at the University of Melbourne, and an important figure in Asian legal studies. In 2004, he was appointed as a full-time professor at the Chuo Law School in Japan. In 2006, a Memorial Symposium, *Legal Education in Asia: Professor Malcolm D.H. Smith, in Memorium*, was convened at the Melbourne Law School to celebrate Professor Smith's contribution to a subject in which he was passionately interested throughout his career. Many of the chapters in this monograph originated at the Memorial Symposium."

Many readers of the Journal of Japanese Law will remember "Mal". Like a few other senior scholars in Japanese legal studies, such as Professor John O. Haley,[1] he manifested a deep appreciation for German and European perspectives on Japanese law.[2] Mal was therefore a significant force in bringing closer together the overlapping but still

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1 See eg J.O. HALEY, Antitrust in Germany and Japan: The First Fifty Years, 1947-1998 (Seattle 2001).

2 See eg his contribution to the 2006 Kyoto conference (discussed by Harald Baum at pp 89-90 of this book), in Z. KITAGAWA (ed.) Identity of German and Japanese Civil Law in Comparative Perspectives (Berlin 2007).

quite distinct worlds of "*japanisches Recht*" (commentary written primarily in German) and "Japanese Law" (in English), as well as the world of *nihon-hô* (written primarily in Japanese by Japanese commentators).[3] Mal has been much missed by his colleagues and friends world-wide since his sudden and sad demise in 2006, the Australia-Japan Year of Exchange, shortly before the Chief Justice of New South Wales (NSW) gave a lecture at Chuo Law School.[4] Two other books have been dedicated to him.[5] In *Chapter 2* of this volume, Stacey Steele provides a full biography of Mal's interesting life and career, linked to the study of Asian legal systems in Australia (and more briefly in Canada, where he was the founding Director of UBC's Japanese Legal Studies Program from 1981 through 1987: p 24).

Part II of this 16-chapter book, headed "Legal Education: Globalization and Contexts", comprises three more general contributions. Part III covers "Legal Education in Developed Economies". Part IV presents a "Country Case Study: Japan". Part V concludes with "Legal Education in Transitional Economies" (Vietnam, the People's Republic of China, Cambodia, Indonesia, and a pan-Asian view of "Legal Education as Development" written by Veronica Taylor – extending to Central Asia). Readers of this Journal – and others sharing Mal's lifelong interest particularly in Japanese law – will probably be most interested in two chapters found in Part II as well the two in Part IV. They may derive some further insights especially from two chapters in Part III covering developments in jurisdictions sharing much legal history: South Korea and Taiwan. This rest of this book review focuses on these six chapters, but ends with a briefer introduction to others dealing with two other developed economies: Hong Kong and Singapore.

Chapter 3 in Part II, entitled "Gatekeepers: A Comparative Critique of Admission to the Legal Profession and Japan's New Law Schools" and written by Kent Anderson and Trevor Ryan, is particularly useful for contextualising developments in Japan as well other countries – including Australia. They show how legal education and entry to the legal profession can be analysed by comparing who acts as "gatekeeper" to the profession. One possible gatekeeper is the legal profession itself. Traditionally, in England, this comprises solicitors and barristers, who administer qualification examinations. This system has also been influential in former British colonies in Australasia such as Australia, Singapore and Hong Kong.[6]

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3 L. NOTTAGE, Japanisches Recht, Japanese Law and Nihon-Hô: Towards New Transnational Collaboration in Research and Teaching, in: Zeitschrift für Japanisches Recht / Journal of Japanese Law 12 (2001) 17-21 (discussed also by Baum at p 99 of this book).

4 J.J. SPIGELMAN, Judicial Exchange between Australia and Japan, in: Zeitschrift für Japanisches Recht / Journal of Japanese Law 22 (2006) 1-10.

5 G.P. MCALINN (ed.) Japanese Business Law (Alphen aan den Rijn 2007); L. NOTTAGE / L. WOLFF / K. ANDERSON (eds.), Corporate Governance in the 21st Century: Japan's Gradual Transformation (Cheltenham 2008).

6 C. ANTONS, Legal Education in Australia, in: Kansai University Review of Law and Politics 22 (2001) 71.

An alternative gatekeeper is said to be the university system. Countries like Australia (and New Zealand) have moved mainly to this model since around the 1960s, by basically requiring all lawyers to have passed an LLB or similar (undergraduate or initial) law degree. (NSW is unusual in retaining an alternative, perhaps reflecting the strength of the profession vis-à-vis universities in that state. The Legal Profession Admission Board (LPAB) allows students instead to study for its exams, mostly in evening classes, preparing students for the Diploma in Law – treated as equivalent to an LLB for qualifying as a lawyer in NSW. This program is nominally affiliated with the University of Sydney, but instructors and course content are quite separate from its Law School.[7]) Throughout Australia there are now-short programs for Practical Legal Training (PLT) necessary in addition to an LLB for admission as lawyers, and these are administered for example in NSW primarily by the "College of Law", but some law schools sometimes administer those too (for example, the University of Technology in Sydney).

Nonetheless, Australia also reveals many affinities with a model centred on a third possible gatekeeper identified by Anderson and Ryan: the market (for law graduates). The United States epitomises this model because basically anyone can pass even the hardest state bar examination. Yet, if that is achieved only after multiple attempts or with poor results, then that person will not be able to compete in the market and get a good job as a lawyer (especially if also a graduate from a less well-regarded law school or with poor university grades). Australia is similar because the proliferation of law schools particularly since the late 1980s allows almost anyone to obtain some form of LLB, and basically everyone can pass the short PLT programs if they can afford them. But if someone's university grades are under whelming, s/he will find it very difficult to actually practice as a lawyer.

Australia also shows some influence from a model centred on a fourth gatekeeper: the state. This arises because the government funds universities, especially through limited numbers of Commonwealth Supported Places for many students undertaking LLB degrees – whereby students pay lower fees to the law schools, and the government pays them a subsidy per student. Yet, as explained below, Australia has witnessed not only the emergence of a few private law schools since the late 1980s. There is also a growing tendency for public law schools to seek full-fee-paying LLB students (as well as international students, and LLM or other similar postgraduate students, who are always full-fee-paying – note however that an LLM or such qualification does not allow admission to the legal profession). Still, this situation remains very different from (more influenced by the "civil law tradition") countries like Germany or Japan, where the state – with more or less consultation with the legal profession – sets a nation-wide legal examination. (In this model, such an examination also usually opens up careers in the judiciary or procuracy, not just as lawyers, so often it is accompanied by separate post-examination training at state rather than private expense.)

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7 Compare *http://sydney.edu.au/lec* with *http://sydney.edu.au/law*.

Australia's legacy of the legal profession itself as a gatekeeper is reflected not only in the NSW LPAB exams alternative to the LLB, but also more generally in the profession's broad control over what must be taught in the LLB (the "Priestley Eleven" compulsory subjects, named after a committee chaired by a then-judge[8]). Combined with a (possibly accelerating) shift towards the market as major gatekeeper to the profession, this generates strong pressures to make legal education "practice-oriented" even in universities. However, their law schools are increasingly integrated in wider academic communities, nationally and internationally, and the government also has interests in law students graduating with a broader perspective (as well as incentivising law schools in other ways by offering funding for research, not necessarily linked to teaching). The net effect since the 1970s, at least until recently, has been for law school education to become less practice-oriented and more interdisciplinary and theoretical – although less so, for example, compared to the top US law schools.[9]

Whether this combination is optimal or sustainable is difficult to assess in the Australian context.[10] Critical commentary on the challenges and impediments to change in Australian law schools provides one starting point for chapter 4 of this book (p 69), written by Jeff Waincymer and assessing pros and cons involved in "Internationalization of Legal Education: Putting the 'Why' Before the 'How'". This chapter is the most general in the volume, dealing very little with East Asia other than briefly "using China as an example" for the need to take complexity into account when considering internationalization of legal education (pp 76-7).

Yet the Australian experience also provides an interesting comparative reference point for countries like Japan. The latter too is starting to develop its own new combination of gatekeepers, by introducing the postgraduate "Law School" programs as the main (but still not sole) pathway to the National Legal Examination (*shihô shiken*).[11]

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8 See further *http://www.lawlink.nsw.gov.au/lawlink/olsc/ll_olsc.nsf/pages/lra_admission.* Cf p 69 of this book, referring to the « Priestly Eleven ».

9 See for example M. COPER, Law Reform and Legal Education: Uniting Separate Worlds, in: University of Toledo Law Review 39 (2007-8) 233; and L. NOTTAGE, International Arbitration and Commercial Law Education for an International World, in: M. Deguchi/M.Storme (eds.), The Reception and Transmission of Civil Procedural Law in the Global Society (Antwerp/Apeldoorn 2008) 71. See also P. KEYZER (ed.) Community Engagement in Contemporary Legal Education: Pro Bono, Clinical Legal Education and Service-Learning (Sydney 2009).

10 See further J. DOUGLAS / L. NOTTAGE, The Role of Practice in Legal Education: National Report for Australia, in: Sydney Centre for International Law Working Paper 27 (2010) *http://sydney.edu.au/law/scil/documents/2010/wp_no_2027_Role_of_Practice_In_Legal_Ed.pdf.*

11 See L. NOTTAGE, Build Postgraduate Law Schools in Kyoto, and Will They Come – Sooner *and* Later?, in: Australian Journal of Asian Law 7 (2005) 241-263, and other articles in that special issue ; as well as articles in Issue 20 of the Zeitschrift für Japanisches Recht / Journal of Japanese Law reproduced at

Law professors are involved in setting the content of this Examination and marking papers, but so are judges, public prosecutors and *bengoshi* lawyers; and only the latter three groups are the primary stakeholders in the crucial task of setting the number allowed to pass the *shihô shiken* each year.[12] However, Anderson and Ryan appear cautiously confident that Japan can keep moving towards a more "pluralist" gatekeeper model for the legal profession, more likely in turn to result in pre-qualification legal education that balances both practical and theoretical understandings of the law (p61):

> "Japan's example demonstrates how creating incentives and means for practitioners and broader stakeholders to take interest in law schools and other sites of legal training affords them an indirect gatekeeper role within a wider process of qualification. Third-party accreditation of law schools is but one means of performing this role. Other means include direct involvement in training and mentoring."

In *Chapter 5*, rounding off Part II of the book, Harald Baum offers a rather different perspective: "Teaching and Researching Japan: A German Perspective". Taking as a springboard Mal's interest in German engagement with Japanese legal studies, it provides a helpful update about the impressive efforts at various levels in Germany – at universities, other research institutions, and the German-Japanese Associations of Jurists – to research or teach Japanese Law. For the non-German reader (including perhaps many Japanese readers), it is interesting to learn that Japan's first Chair in Japanese Law studies has in effect moved from Marburg University to the Johann Wolfgang Goethe University in Frankfurt/Main predominantly for "political, or rather organizational" reasons, although "a certain shift of interests from Japan proper to Japanese studies embedded in an 'East Asian' context may have perhaps played an additional role" (p 92). We are also told (p 93) that the Max Planck Institute for Comparative and International Private Law in Hamburg "has fostered a regional research emphasis in East Asia for a number of years (without harbouring the fashionable but mistaken idea that there is actually a construct like 'Asian law' as such)".[13]

Baum's chapter is therefore about a particular aspect of German legal education – indeed, not limited to pre-qualification studies – related to Japanese law. He does mention that among Japanese scholars "a stable interest in German law persists, especially in

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http://sydney.edu.au/law/anjel/content/anjel_research_pap.html. Those papers stemmed from another conference organised at the Melbourne Law School, in 2004, by Professor Smith and Stacey Steele.

12 For more on the recent backlash about raising the number of passers, particularly on the part of some *bengoshi* lawyers, see L. NOTTAGE, New Legislative Agendas, Legal Professionals and Dispute Resolution in Australia and Japan: 2009-2010, in: Sydney Law School Research Paper 10/74 (2010) *http://ssrn.com/abstract=1656650* (forthcoming also in: Ritsumeikan Law Review, 2011), Part 10.

13 Referring for example to L. NOTTAGE, Japanese Law, Asian Law and Comparative Law, in: Zeitschrift für Japanisches Recht / Journal of Japanese Law 15 (2003) 41-61; but also the "thoughtful discussion of that issue" in Stacey Steele's Chapter 2 (specifically, at pp 30-33).

civil and civil procedure law" (p 91), reflecting Japan's early borrowings from Germany in such fields. It would have been interesting to learn more about the commonalities in legal education and the legal profession more generally that facilitate such exchanges. Those may also underpin the much stronger interest in comparing "black letter law" and legal reasoning, particularly perhaps from Japanese scholars according to Baum (pp 98-99), in contrast to the broader interdisciplinary approaches characteristic of the US sub-world of "Japanese Law" studies. And although US commentators tend to perceive strong influences from US legal education on Japan's new Law School system – only then to be often disappointed that this has not resulted in more far-reaching transplantation – it would be instructive to learn whether Germans instead see similarities with contemporary developments in German legal education. This would have given readers another sense of how Japanese legal education may continue to evolve, although it would have meant a much longer Chapter 5 for this book.

Jumping ahead to *Chapter 11*, Dan Rosen (who joined Chuo Law School in 2004 with Mal) relates his experiences in teaching American law even to very bright and motivated Japanese law students. The basic challenge he finds is that the "civil law and common law systems approach law from opposite perspectives: heaven and earth" respectively. That is, the civil law tradition aspires (at least) to a system where "everything fits perfectly"; "the common law, on the other hand, takes its starting point as the problems of humans themselves" (p 201). Although this sort of disjunction has been criticised by several commentators in Europe (especially those involved in projects to unify or harmonise private law), and many more in the discipline of Asian legal studies, it can provide valuable insights into significantly different visions for legal systems – including the legal profession and legal education.[14] One suspects that Rosen would have faced some similar challenges in teaching American law to German law students, despite recent developments in German law and legal education.[15]

In *Chapter 10*, Noboru Kashiwagi (who also joined Chuo Law School in 2004) provides a more comprehensive analysis of the "Creation of Japanese Law Schools and Their Current Development". He first offers further background to the recent changes to

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14 My own approach is a compromise that distinguishes primarily between more formal 'legal reasoning' based systems (often, but not necessarily, those more influenced by the continental European system – especially the French) and more 'substantive reasoning' based systems (especially the US, as opposed to the Anglo-Commonwealth' variant of the common law tradition). See L. NOTTAGE, The Japanisation of American Law? Substantive Similarities, Compared to Formal Anglo-New Zealand Law, in: Sydney Law School Research Paper 10/80 (2010) *http://ssrn.com/abstract=1663456.*

15 All the more so, perhaps, if teaching students from the French law tradition. It would also have been interesting to have had his views in response to a question he posed at the 2001 University of Victoria conference: D. ROSEN 'Will the Creation of American-Style Law Schools Bring American-Style On-Line Legal Education to Japan' in: T. GINSBURG / L. NOTTAGE/H. SONO (eds.), The Multiple Worlds of Japanese Law: Disjunctions and Conjunctions (Victoria, Canada 2001) 164.

legal education in Japan, emphasising the difficulty of the old *shihô shiken* despite increased demands on the legal profession, and broader reforms culminating in the recommendations of the Justice System Reform Council in 2001. Kashiwagi presents some "good news" from the inauguration of the Law Schools: both students and professors "work very hard", and practical legal education is promoted thanks to greater diversity in the professoriate and courses offered. But he also identifies lots of "bad news". Students focus on the *shihô shiken*. Preparatory schools (*yobikô* or *juku*) have resurfaced.[16] Professors are exhausted,[17] and it reportedly shows in their published work. There are difficulties in training young researchers, as well as in teaching "complete novices" – those who enter Law Schools without having completed an undergraduate LLB. Indeed, although about one-third of students in most Law Schools enrol as "complete novices" for a three-year program, instead of the two-year program designed for those with an LLB, in fact over half are really "quasi-novices" because they have completed an LLB. They lack the confidence to enrol in the two-year program, and present an unexpected further complication for teachers in the Law Schools.

Kashiwagi concludes on an ironic and depressing point: "The most serious trend is that many law schools are moving towards a system of education designed only to train students in examination skills and techniques". The difficult *shihô shiken* still casts a deep shadow, yet (p 196):

> "no serious discussion or empirical research has been conducted regarding the level of skills and knowledge required for qualification as a contemporary lawyer. It seems that the standard set more than 50 years ago, when most lawyers were litigators, has been retained, without regard to Japan's current requirements."

Kashiwagi, and perhaps the present reviewer, may be forgiven for adding: "we told you so".[18]

Where to now for Japan? One option is go "all the way with the USA". In *Chapter 9* on "Legal Education in Korea: New Law School Reforms", Simon Spencer Reyner Lee explains how Korea has already taken more steps in that direction. Unlike Japan, many fewer Korean universities have been allowed to establish law schools since 2009 and numbers are capped more strictly, with the numbers allowed to pass the new Lawyer

16 More generally see J. DIERKES, Guilty Lessons? Postwar History Education in Japan and the Germanys (London 2010).

17 I am aware of at least two very capable professors who have resigned recently from well-regarded Law Schools to take up positions back at undergraduate law faculties. This tendency may well accelerate in light of the pressures identified by Kashiwagi.

18 N. KASHIWAGI, 'New Graduate Law Schools in Japan and Practical Legal Education' in: T. GINSBURG / L. NOTTAGE / H. SONO (eds.), The Multiple Worlds of Japanese Law: Disjunctions and Conjunctions (Victoria, Canada 2001) 158 at 162; L. NOTTAGE, Reformist Conservatism and Failures of Imagination in Japanese Legal Education, in: Asian-Pacific Law & Policy Journal 2 (2001) 28-65.

Admission test raised to 2400 per annum, so that 80 percent are expected to be able to join the legal profession. In addition, as other commentators have observed:[19]

> "Law school studies are to be completed in a three-year program, similar to the U.S. counterpart; there will be no shorter programs like the two-year programs at Japanese law schools. Another major difference from the Japanese system is that those universities that house law schools will not be permitted to maintain their undergraduate college of law or to grant undergraduate law degrees. It is apparent that Korean policy makers have carefully studied developments in Japan and have tried to avoid the same pitfalls."

In 2013, moreover, Korea will phase out its Judicial Research and Training Institute, whereas Japan retains a counterpart administered by the Supreme Court and funded by the state.

However, the Korean system does not go the whole (American) hog, by only admitting students into Law School who have completed a non-law undergraduate degree – like the Melbourne Law School since 2007, as part of a University-wide initiative to expand postgraduate programs (pp 14-15). Indeed, Lee points out that: "The move to a postgraduate program under the new model is designed to encourage Korean university students to enrol in the Korean JD program after they have obtained a Bachelor degree in politics or other law-related course" (p 175). Extending time spent at university studying law per se, followed by a less difficult but still formidable qualification examination, seems to me to reveal some influence still from the German approach. Yet "the cost of the new model is likely to be high, potentially leading to further elitism in the Korean legal community" (p 178).

Another legal (education) system with much shared legal history that Japan is also likely to keep watching carefully is found in the Republic of China. In *Chapter 7*, translated and abridged by Sean Cooney, Tay-sheng Wang details "The Development of Legal Education in Taiwan: An Analysis of the History of Law and Society". He uncovers a backlash led by the universities in 2007 to proposals to abolish undergraduate law faculties, which would have left only JD-style postgraduate law schools à la americaine. This can be seen not merely as self-serving, but as part of a broader process of democratisation and popular engagement with the legal system since the end of martial law in 1987. That had generated an dramatic expansion in institutions offering law courses as well as more autonomy in setting curricula – albeit, as in Japan, against the backdrop of still-difficult National Bar and Judiciary Examinations.

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19 S. MIYAZAWA / K.-W. CHAN / I. LEE, The Reform of Legal Education in East Asia, in: Annual Review of Law and Social Sciences 4 (2008) 333-360, at p 354. However, as they note earlier (at p 348), the original JSRC recommendation was for Japan also to have a high pass rate for the new *shihô shiken* for Law School graduates there, namely 70-80 percent. This has not been achieved due to higher than expected enrolments and Law School accreditations, and now slower than expected increases in the numbers allowed each year to pass the *shihô shiken*.

Wang instead advocates a "two-track – multiple outcomes" system (p 150, Figure 7.1) whereby students aim to enter the legal profession (after passing those Examinations or instead working in government or corporate legal departments) via revamped LLB and possibly LLM degree programs, or a graduate law degree ('Legal Professional Masters', like the JD) for non-law graduates. Students from either Masters program would still be equipped to proceed instead to a doctoral program, aimed more at law teaching and research. This proposed system is similar to Japan's, but all students would need to have completed at least one (undergraduate or postgraduate) law degree before being able to sit the examinations. It is also unclear whether the JD-like program would be taught by separate Law Schools (as in Korea, albeit with LLB and LLM degrees still taught elsewhere in Taiwan) or by the same universities that offer LLB and LLM degrees (as now in Japan).

While Wang's chapter stresses the importance of politics in legal education reform, Carol Jones focuses more on economics in the richly-textured *Chapter 6* on "Legal Education in Hong Kong: Producing the Producers". In particular, she shows how Hong Kong's corporate law firms in particular have pressed successfully for more vocational (and especially commercially-oriented) courses in law degree programs. Those are still taught at the undergraduate level, but now over four rather than three years, and under the threat still of the (post-LLB) "Postgraduate Certificate of Laws" courses being moved from the universities to separate institutions. That idea, along with the recommendation to establish a third law school (at the Chinese University of Hong Kong, since 2004), came from a review initiated in 2000 that in fact involved two Australian consultants (pp 108-9).

The neo-liberal edge to the globalisation of legal education suggested by Jones can also be read into *Chapter 8* by Kee Yang Low, "Legal Education in Singapore and the Introduction of a New Law School at the Singapore Management University" (SMU). Unusually for this book, it focuses mainly on the curriculum and other pedagogical features of this second Law School for Singapore, which opened in 2007 with 117 LLB students following a proposal in 2005 emphasising "diversity and competition" (p 156) – namely competition with the National University of Singapore (NUS). SMU has "an emphasis on commercial and corporate law" (p 159) evident in its law elective courses, for example, and the non-law courses that students must include in this four-year program naturally reflect the business studies orientation of the University as a whole. Relatedly, of 32 students who had applied successfully for a double-degree program (studying an LLB jointly with a non-law degree), only two were majoring in social sciences rather than commerce-related studies.[20]

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20 By contrast, for example, about 75 percent of University of Sydney LLB students are required to undertake a conjoint degree (the rest study law after completing a non-law degree), with only around 40 percent of those choosing commerce or economics. Thanks to Greg Sherington for these statistics.

As noted by another reviewer (admittedly from NUS!):[21]

> "The reader gets the distinct sense that the institutional identity of SMU Law lies in its acute responsiveness to the needs of the capitalist economy. Unlike universities in Hong Kong, there is no apparent reluctance in SMU Law to cede any cultural or institutional identity to market demands. The bigger question in this regard is whether the function of a law school and legal education is to churn out the correct type of practitioner and nothing more."

Apart from the normative dimensions to that issue, which are also troubling law schools in Australia and beyond, empirically the answer will likely depend on the extent to which the market is the dominant gatekeeper to the profession. It would therefore have been interesting to learn about the broader context in Singapore, including also the role of the (traditionally powerful) government.

Much more could be written about this thought-provoking and informative book overall, and no doubt it will attract further reviews and generate other discussion. Although it is less systematic than many conference volumes, it contains a wealth of up-to-date information from most parts of East Asia, and provides a basis to identify specific questions (and sometimes the likely information sources) for further inquiry. Geographical coverage might have been further expanded, to include for example Malaysia, the Philippines, and even India (rather than perhaps parts of Central Asia).[22] But that would have added to the book's (already hefty) purchase price, and geography is always a challenge when comparing developments across Asian legal systems.

This book is also much more thematic than most *Festschrift* volumes, deserving a wide readership among those interested in legal education and the profession in Asia, and it represents another fitting tribute to the late Professor Smith. The editors deserve high praise, and let us leave them with these final words (from p 8):

> "This monograph engages with legal education in Asian contexts from the perspective of scholars based in Australia, North America, Europe and Asia. The ability to bring together a diverse range of scholars reflects the institutional and personal links pioneered and nurtured by Professor Smith (Mal). Some of the authors were taught by Mal, some taught or worked with Mal, and others were taught by Mal's students or have worked with them. Each chapter owes something to Mal's tenacious networking and skills in Asia and beyond."

Luke Nottage

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21 Jean HO, in: Asian Journal of Comparative Law 5(1) (2010).

22 Fortunately, albeit in a study of the legal profession more generally, all three countries are covered in Y. DEZALAY / B. GARTH, Asian Legal Revivals: Lawyers in the Shadow of Empire (Chicago 2010).