

The Docket

The Newsletter of the IPSA Research Committee on Comparative Judicial Studies (R.C.#9)

January 1998
Issue 31

Inside this Issue

- 2 London Meeting: The Legacy of the Common Law
- 2 Book on Comparative Judicial Independence
- 2 Final Program of RC#9, XVIIth World Congress
- 2 Election of New Officers
- 3 Other Meeting of Interest to Our Members
- 4 Mailing List Renewal

For Inquiries: D.W. Jackson,
Secretary, R.C. #9, IPSA, TCU Box
297021, Fort Worth, TX 76129-0001,
USA. email: D.W.Jackson@tcu.edu

Seoul World Congress Meetings a Success

Ted Morton

The Research Committee organized three successful panels at the IPSA XVIIth World Congress in Seoul, South Korea, August 17-21, 1997. The panels featured ten presented papers and three supplementary papers. The authors represented 6 different countries. In addition to the panelists, there were 21 participants in the first panel, 13 in the second, and 10 in the third. At the business meeting new officers were nominated for the next three-year term (see next page). Tentative plans were made for upcoming off-year meetings in Boston, Capetown and London. Finally, a resolution was unanimously adopted thanking Professor Martin Edelman for his leadership as President/Convenor of the past six years.

Upcoming Meetings

1998 August 30-September 1, Northeastern University, Boston. Contact person: Professor Michael Tolley

1999 January, University of the Western Cape, Capetown, South Africa. Contact person: Professor Jeremy Sarkin [postponed indefinitely]

1999 July 18-20, The Commonwealth Conference Centre, London. Contact person: Professor Donald Jackson.

2000 August 1-6, Quebec City, IPSA World Congress.

Call for Papers: 1998 Meeting in Boston

The 1998 Interim Meeting of the Research Committee on Comparative Judicial Studies will be held August 30-September 1 in Boston, Massachusetts. Our meeting will precede the annual meeting of the APSA (September 3-6). Our host will be Professor Michael Tolley of Northeastern University. The meeting will open with a reception on Sunday evening, followed by two days of panels. Several themes have already been accepted. Professors Peter Russell and David O'Brien will organize at least one panel on comparative judicial independence. Other suggested comparative themes include church-state relations, the role of interest groups in rights litigation, the role of the public prosecutor, and the relationship between economic development and judicial independence. Individuals interested in presenting papers should submit a proposal of no more than a single page as soon as possible to Professor F. L. Morton, Department of Political Science, University of Calgary, Calgary, AB T2N 1N4, CANADA; FAX 403-282-4773. Email: morton@acs.ucalgary.ca

Early call for London Meeting: *The Legacy of the Common Law*

Donald Jackson

As the millenium comes to an end, what better place than the Commonwealth Institute in London could we find to assess the legacy of the common law? This should be a good time to examine the contribution of the common law tradition in the countries where the British flag once flew—or still flies. The rule of law, the role of precedent and *stare decisis*, the adversary system, jury trials, and the absence (or presence) of embedded rights documents are only few of the possible themes. We will especially welcome scholars from present or former commonwealth countries to present their views. Rooms have been reserved at the Conference Centre of the Commonwealth Institute, located in the heart of the London borough of Kensington and Chelsea. We have already held exploratory talks with several U.K. presses about publishing selected papers from the conference. The conference will begin with a reception on Sunday evening, July 18, 1999, followed by two days of meetings. Those interested in presenting a paper are encouraged to submit a proposal by June 30, 1998 to:

Donald W. Jackson, Department of Political Science, Texas Christian University, TCU Box 297021, Fort Worth, TX 76129-0001; USA FAX: 817-921-7397; email: D.W.Jackson@tcu.edu

Book Planned on Comparative Judicial Independence

Professor Peter Russell (Toronto) and David O'Brien (Virginia) are planning a edited book on the subject of judicial independence from a comparative perspective. They have already received papers or commitments for

papers on the following countries or regions: Australia, South Africa, Russia, the Islamic Middle East, Israel, Germany, Italy, Spain, the United Kingdom, Eastern Europe, the European Union and Central America. Scholars interested in contributing to this project should contact the principals directly. Note that at least one panel on this topic is already planned for the Boston meeting. Contacts: Professor Peter Russell, Department of Political Science, University of Toronto, 100 St. George St, Toronto, Ontario M5S 1A1 CANADA; Professor David O'Brien, Department of Government, 232 Cabell Hall, University of Virginia, Charlottesville, VA 22903 USA.

Final Program from the XVII World Congress in Seoul

RC9.1 Courts and the Resolution of Political Conflicts. Chair, C. Neal Tate, University of North Texas. **Papers presented:** "Law and Politics in Post-1997 Hong Kong," Timothy O'Neill, Southwestern University; "Judicial Activism and the Working of Democracy in India," Sheila Ray, University of Rajasthan; "Do Courts Protect Rights?: A Comparative Perspective," F.L. Morton, University of Calgary. **Discussant:** C. Neal Tate. **Supplementary papers:** "Continuing Expansion of Judicial Power," C. Neal Tate; "Judicial Activism and Public Interest: The Indian Case," S.K. Ray, University of Burdwan.

RC9.2 Courts and the Maintenance of Democracy I. Chair F. L. Morton, University of Calgary. **Papers presented:** "The Role of the Courts in the Democratization of Mexico," Kenneth Holland, The University of Memphis; "Protecting Human Rights: The Legitimacy of Judicial System Reforms in El Salvador," Donald Jackson, Texas Christian University; "Western Theories and Eastern

Realities: Democracy, the Judiciary and Korea," Marcello Octavio de Jesus; "Judicial Independence with Reference to the High Courts of Indian States: The Case of Tamil Nada," P. Periakaruppan, Madarai Kamarajaj University.

RC9.3 Courts and the Maintenance of Democracy II. Chair, R Madhanagopal, Madurai Kararaj University. **Papers presented:** "The Judicial Politics of Israeli Interest Groups," Menachem Hofhung and Yoav Dotan, The Hebrew University of Jerusalem; "Courts and the Maintenance of Democracy: The Australian Experience," Brian Galligan, University of Melbourne; "Judicial Review of Legislation: Implications for Judicial Independence and Autonomy of Courts," Melinda Gann Hall, Michigan State University and Paul Brace, Rice University. **Discussant:** Melinda Gann Hall. **Supplementary paper:** "State Power, Democratic Government and the Institutions of Justice: A Theoretical Perspective," R. Madhanagopal.

Election of New Officers

The terms of the officers and council members of Research Committee #9 expired at the end of 1997. Neal Tate, serving as Chair of the Nominating Committee nominated new officers and council members at the Seoul World Congress. Following is the list of those nominated. Additional nominations are entertained from the members at large. If you wish to make additional nominations, or, if already nominated, you wish to withdraw your name, please contact Donald Jackson, acting Secretary, by February 15, 1998. If no additional nominations are received by that date, the following nominees will be declared elected.

Convenor/President : Professor F.L. (Ted) Morton, Department of Political Science, University of Calgary,



Calgary, Alberta T2N 1N4 CANADA
Phone: (403) 220 6514 (o); FAX (403)
282-4773; email:
morton@acs.ucalgary.ca

Secretary: Professor Donald Jackson,
Department of Political Science, TCU
Box 287021, Texas Christian
University, Fort Worth, TX 76129-
0001 USA Phone: (817) 921-7468(o);
FAX (817) 921-7397; email:
D.W.Jackson@tcu.edu.

Executive Council:

M.S. Chaturvedi, University of
Rajasthan, Jaipur INDIA Phone: 91
(141) 517330; FAX: 91 (141) 510738

Professor Guiseppe Di Federico,
Dipartimento di organizzazione e
sistema politico, Via G. Petroni, 33
41026, Bologna, ITALY Phone: (51)
500389

Professor Menachem Hofnung,
Department of Political Science,
Hebrew University of Jerusalem/ Mt.
Scopus Campus, Jerusalem, ISRAEL
991905

Professor Kenneth Holland, Department
of Political Science, The University of
Memphis, Clement Hall, Memphis, TN
38152 USA Phone (901) 678-3320;
FAX: (901) 678-2983

Professor R. Madhanagopal,
Department of Political Science
Madurai Kararaj University, Madurai
625 021 INDIA Telex: 445 308 MKU
IN

Jonas Nordquist, Department of
Political Science, Stokholms Universitet
S-106 91 SWEDEN Phone: +46 8 16
22 11; FAX +46 8 16 25 29 email:
Jonas.Nordquist@statsvet.su.se

Marcello Octavio de Jesus, Chelala,
Linares & Asociados, Corrientes 2335 -
5° Piso "A", 1046 Buenos Aires,

ARGENTINA Phone (541) 952-4741;
951-7964; FAX: (541) 952-6295

Professor Peter Russell, Department of
Political Science, University of Toronto,
100 St. George Street, Toronto, Ontario
M5S 1A1 CANADA Phone: (416) 978-
3346; FAX: (416) 978-556

Professor Jeremy Sarkin, Faculty of
Law, University of the Western Cape,
Bellville 7538 SOUTH AFRICA

Professor Mary Volcansek, Department
of Political Science, Florida
International University, Tamiami Trail
Miami, FL 33199 USA Phone: (305)
398-2226 or 398-3292; FAX (305) 398-
3765; email (BITNET):
VOLCANM@SERVAX/

Dr. Peter von Koppen, Faculty of Law,
Erasmus University, 3000 D R,
Rotterdam, THE NETHERLANDS
Phone: 31 (017) 511-9302 email
(BITNET): KOPPEN@HROEUR5

**Other Meetings of
Interest to Our Members**

**Conference on Human
Rights Standards and
Transnational Corporate
Policy**

The Law Department at the University
of Exeter, U.K., in collaboration with
the International Third World Legal
Studies Association (INTERWORLSA)
will host an international conference on
the theme of Human Rights Standards
and Transnational Corporate Policy.
Under this theme the conference is
expected to explore the value of human
rights standards to the policy and
activities of corporations both at home
and abroad taking into account the
increasing clamor for the infusion of
ethical standards in corporate decision-
making. The conference is proposed for
23-25 March 1998 at the University of
Exeter. Invitations are extended to non-
member academics as well as interested

NGOs and transnational corporations.
Prospective participants are encouraged
to contribute by joining or leading
discussions or by presenting thematic
papers. Proposals via a 200-word
summary of the proposed contribution
are requested by 30 January, 1998. For
details contact Dr. Michael Addo,
Lecturer in Law, phone, (01392)
263263; FAX (01392) 263196; Telex
43894 EXUNIV G.

**International Conference on
Comparative Non-
Discrimination Law**

A conference on Comparative Non-
Discrimination Law will be held at the
University of Utrecht in the
Netherlands, 22-24 June, 1998. The
conference endeavors to bring together
and develop worldwide expertise on the
subjects of discrimination, including
ethnic minorities, women, the
handicapped, religious minorities,
homosexuals and elderly people, all of
who have sometimes been allured by
law's grand promise to guarantee their
equal citizenship without
discrimination. Yet it remains to be
seen whether law can live up to such
expectations. For details contact the
Conference Organizer & Secretariat.
Loes Donkers, FBU Congress Bureau,
Utrecht University. P.O. Box 80.125,
NL-35-8 TC Utrecht. Phone:
+31.30.253.5044; FAX:
+31.30.253.5831; email:
LDO@FBU.RUU.NL

**Democratization
Conference**

Professor James L. Gibson of the
University of Houston has made a
preliminary announcement of a
conference on democratization to be
held at the University of Houston in
November, 1999 to celebrate the
occasion of the 10th anniversary of the
fall of the Berlin Wall. According to

January 1998

Professor Gibson, the purpose of the conference will be to take stock of what we have learned about democratization after nearly a decade of sustained effort. Specifically, the conference will be convened to assess the body of theories and hypotheses addressed in democratization research, with an eye toward consolidating our knowledge of the processes involved, and, more importantly, identifying the urgent

questions and problems that remain unanswered after this decade of intensive research. A formal call for papers will be made in the Spring of 1998. If you wish to receive further information about the Conference, please send your name, mailing address, phone and fax numbers and email address to: Professor James L. Gibson, 3934 University Blvd. Houston, TX 77005, USA . email: jgibson@UH.EDU

Mailing List Renewal for The Docket for 1998

Name _____

Address _____

Bus. Phone: _____ **FAX:** _____ **email:** _____

Make your \$10 US cheque/money order payable to [Donald W. Jackson, RC#9 Secretary] and mail to Jackson, c/o Department of Political Science, TCU Box 297021, Fort Worth, TX 76129-0001 USA.

Research Committee on
Comparative Judicial Studies
TCU Box 297021
Fort Worth, TX 76129-0001
USA

BULK RATE
US POSTAGE
PAID
CITY, STATE
PERMIT NO. 000

ADDRESS CORRECTION REQUESTED



.....