

# The Docket

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

January 1999  
Issue 32

## In this Issue

- 1 London Meeting  
On The Legacy of the  
Common Law, July 1999
- 3 Update: RC#9 web site:  
[Http://www.fastlane.net/  
Homepages/jjackson](http://www.fastlane.net/Homepages/jjackson)
- 3 Cape Town Meeting,  
January 2000, Jeremy  
Sarkin, Coordinator
- 3 Call for Panel Chairs for  
London Conference
- 4 XVIII World Congress of the  
IPSA in Quebec City,  
August 1-6, 2000
- 4 Send us your email  
Address

For inquiries regarding this  
newsletter contact  
[d.w.Jackson@tcu.edu](mailto:d.w.Jackson@tcu.edu)

## London Meeting July 18-20 1999

**The Legacy of the Common  
Law, Donald Jackson, Coordinator**

*Ted Morton, RC#9 Convenor*

### PRELIMINARY PROGRAM

#### *Sunday, July 18*

6-8 p.m., Registration and  
Reception

#### *Monday, July 19*

Panel I, 8 to 10 a.m.

Coffee, 10 to 10:30 a.m.

Panel II, 10:30 a.m. to noon

Lunch break, noon to 1:30 p.m.

Panel III, 1:30 to 3 p.m.

Coffee 3 to 3:30 p.m.

Panel IV, 3:30 to 5 p.m.

#### *Tuesday, July 20*

Panel V, 8 to 10 a.m.

Coffee, 10 to 10:30 a.m.

Panel VI, 10:30 to noon

Lunch break, noon to 1:30 p.m.

Panel VII, 1:30 to 3 p.m.

Coffee, 3 to 3:30 p.m.

Panel VIII, 3:30 to 5 p.m.

**Brief business meeting  
following the last panel.**

Optional dinner at 7 p.m. at a  
nearby restaurant.

**Directions and Housing Details  
for London Meeting beginning  
on Page 2.**

**TENTATIVE PROGRAM  
DETAILS—Registration form  
enclosed.**

#### **Monday, July 19**

**8:30 to 10 a.m. Panel I, The  
Legacy Conceptually**

Samuel Krislov, University of  
Minnesota: "The Logic of the  
Common Law in the Testing  
Grounds of Non-common law  
Systems."

Mary Volcansek, Florida  
International University: "Stare  
Decisis Crosses the Channel and  
Invades the Continent."

Steven Wasby, University at  
Albany, SUNY: "The Incredible  
Shrinking Common Law."

**10:00 to 10:30, break**

**10:30 a.m. to noon, Panel II,  
The Legacy in Particular  
Places**

Lydia Favali, University of  
Trieste, and Roy Pateman,  
University of California at Los  
Angeles: "The Legacy of the  
Common Law in Eritrea."

Jason L. Pierce, University of  
Texas at Austin: "Dicey to the  
Dustbin? The Legacy and  
Prospects of Parliamentary  
Sovereignty in the Australian  
Legal System."

**Panel II (continued)**

Jeremy Sarkin, University of the Western Cape: “The Common Law in South Africa: Pro Apartheid or Pro Democracy.”

Chandra Mauli Singh, “Trends of Policy Continuity in British and Post Independent India: A Study in the Legacy of the Common Law with Special Reference to Jagir Administration in Rajasthan State (India).”

**Lunch break, noon to 1:30 p.m.**

**1:30 to 3 p.m. Panel III, The Legacy in Terms of Human and Transcendent Rights**

John C. Blakeman, Baylor University: “The Common Law and Freedom of Expression.”

Martin Edelman, University at Albany (SUNY): The Common Law as Natural Law.”

Laura Langer, Washington State University: “A Comparative Assessment of the Countermajoritarian Function of Courts: State Supreme Courts and Judicial Review Across Areas of Law.”

**3 to 3:30 p.m. break**

**3:30 to 5 p.m., Panel IV, The Legacy as Institutions, Processes and Remedies**

Kate Malleon, London School of Economics: “Changes to Judicial Appointments in the Common Law World.”

Kenneth Holland, University of Memphis: “Remedies at Law and Equity: Impact of English Jurisprudence on Relief Provided by Federal Courts in the United States.”

Carl F. Pinkele, Ohio Wesleyan University: “A Common Law Yes, But Not a Home Grown Variety.”

Jerold Waltman, University of Southern Mississippi: “The Common Law and Federalism.”

**Tuesday, July 20**

**8:30 to 10 a.m. Panel V, The Legacy of Trial by Jury**

Walter Carnota, National University of Buenos Aires: “Common Law in Civil Law Societies: Trial by Jury in Argentina and Spain.”

Oscar Chase, New York University School of Law: The Civil Jury as the Voice of the Community: A Case Study.”

Torbjorn Vallinder, University of Lund: “The 1815 Jury System in Press Cases: An English Mole in the Swedish Legal System.”

**10 to 10:30 a.m. break**

**10:30 to noon, Panel VI, The Legacy Concerning Business, Economics and the Regulatory State I**

Edward A. Fitzgerald and James L. Walker, Wright State University: “A Comparative Analysis of Environmental Takings in Common Law Systems.”

Marcello Octavio de Jesus, University of Buenos Aires Law School: “Investing in the Rule of Law; Relationships Between the Judicial System and the Costs of the Economic System.”

Stephen L. Percy, University of Wisconsin—Milwaukee: “Examining the Judicial Underpinnings of the ADA and Its Mandate for Regulatory Compliance in the Public and Private Sectors.”

**Noon to 1:30 Lunch break**

**1:30 to 3 p.m. Panel VII, The Legacy Concerning Business, Economics and the Regulatory State II**

John Rohr, Virginia Polytechnic Institute and State University: “Dicey’s Influence on the Development of Administrative Law in the United States.”

Duane Windsor, Rice University: “Business Social Responsibility in American Common Law.”

**3 to 3:30 p.m. break**

**3:30 to 5 p.m., Panel VIII**

Melinda Gann Hall and Paul Brace on “The State Appellate Court Data Project”

**5 p.m. Brief Business Meeting**

*Please note that the panels may be adjusted when papers are submitted to the Conference Coordinator in May 1999.*

**Directions to the Commonwealth Conference Centre (Kensington, London)**

The Commonwealth Institute (Conference Centre) is on the North side of Kensington High Street adjacent to Holland Park. The nearest tube stations are High Street Kensington (Circle and District Lines) to the East and Holland Park (Central Line) to the North. The entrance to the



Conference Centre is at the left of the building near the middle.

**For all who would enjoy a social gathering at the conclusion of the Conference, we will gather at 7 p.m. at the Trattoo Italian Restaurant, telephone: 0171-937-4448, at #2 Abington Road, very near the Conference Centre, just across Kensington High Street. We will need a head count by Monday afternoon of the Conference, so the reservation can be accomplished.**

### **Housing Details for London**

**You will be responsible for your own housing arrangements. London is very busy in the summer, so please reserve early.**

The Commonwealth Conference Centre has concessionary rates arranged with several nearby hotels. When booking, be sure to mention that you will be attending a conference at the Centre. The following hotels are rated with two \*\* for those more expensive and with one \* for those that are somewhat less expensive. The less expensive ones may be somewhat less than 100 pounds and the more expensive ones more than 100 pounds for a single. There are a number of relatively inexpensive bed and breakfast venues not far from the Centre off Kensington Church Street. There is a booking office at Victoria Rail Station. Even most bed and breakfast venues in London are more than 50 pounds for a single, often with the bath down the hall, and many small hotels are in the range of 65 to 75 pounds for a single but usually with shower and toilet en suite (within the room).

**Note that when phoning or faxing the U.K. from abroad, it**

**usually is necessary to drop the 0 and dial 171 for the city code.**

**Forte Posthouse Kensington\***  
Wright's Lane, London W8 5SP  
Phone: 0171-937-8170 or FAX: 0171-937-8289 (near the Kensington High Street Tube Station)

**The Copthorne Tara Hotel\***  
Scarsdale Place, London W8 5SR  
Phone: 0171-937-7211 or FAX: 0171-937-7100 (near the Kensington High Street Tube Station)

**The Royal Garden Hotel\*\***  
2-24 Kensington High Street  
London W8 4PT  
Phone: 0171-937-8000 or FAX: 0171-361-1991

**Kensington Park Hotel\*\***  
DeVere Gardens, Kensington  
London W8 5AG  
Phone: 0171-937-8080 or FAX: 0171-937-7616 (just off Kensington High Street, near Kensington Gardens)

**Kensington Palace Hotel\***  
DeVere Gardens, Kensington  
London W8 5AG  
Phone: 0171-937-8080 or FAX 0171-937-7616 (next to the Kensington Gardens Hotel)

**The following hotels are not as close to the Conference Centre, but may be somewhat less expensive.**

**The Strathmore Hotel\***  
41 Queen's Gate Gardens  
London SW7 5NB  
Phone: 0171-584-0512 or FAX 0171-584-0246 (to the South of the Queen's Gate to Kensington Gardens)

**The Adelphi Hotel\* (bargain)**  
127-129 Cromwell Road  
London SW7 4DT  
Phone: 0171-373-7177 or FAX 0171-373-7720 (South Kensington near the Gloucester Road Tube Station)

### **Visit the RC #9 Web site**

The research committee's web site has been updated to include the latest newsletter and more complete information about the London meeting, including abstracts of the papers that will be presented and short c.v.'s of the presenters. Visit the web site at:

**[www.fastlane.net/homepages/jjackson](http://www.fastlane.net/homepages/jjackson)**

### **Cape Town Meeting**

Jeremy Sarkin of the University of the Western Cape has agreed to sponsor a research conference in Cape Town, Republic of South Africa, January 9-11, 2000.

Several ideas for future conferences were discussed at our Boston meeting. These included panels on the role of the public prosecutor (possibly to be expanded to include the various roles played by lawyers who work for the government. Jeremy is keen on the theme of judicial systems in transition.

You may address inquiries about the meeting to Jeremy at: (jerry@global.co.za).

Ideas for themes, papers or panels should be sent to Ted Morton at the locations listed on page 4 of this newsletter.

### **Call for Panel Chairs for the London Conference**

If you would like to serve as a panel chair for the Conference on "The Legacy of the Common Law," please contact Donald Jackson as soon as possible by email: [d.w.jackson@tcu.edu](mailto:d.w.jackson@tcu.edu) or by FAX 817-257-7397

**Send your email address to the Secretary:**  
**D.W.Jackson@tcu.edu** Email addresses  
will be posted on the web site when received.

The **XVII World Congress of the International Political Science Association** will be held in Quebec City Canada, August 1-6, 2000. The main theme of The Congress is: **World Capitalism, Governance and Community: Toward a Corporate Millenium**. It is not too early to send your proposals for panels and papers to Ted Morton, Department of Political Science, University of Calgary, 2500 University Drive, Calgary, Alberta, CANADA T2N 1N4. FAX: 403-282-4773, email: morton@acs.ucalgary.ca

**Mailing List for The Docket.** If you are not currently a member of the Research Committee on Comparative Judicial Studies and would like to join, send your \$10 to cover the costs of producing and mailing **The Docket**:

**Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**Bus. Phone** \_\_\_\_\_ **FAX** \_\_\_\_\_ **email** \_\_\_\_\_

Make your \$10 check/money order payable to Donald Jackson, Secretary, RC#9, and mail to Jackson c/o TCU Box 297021, Fort Worth, TX 76129-0001 USA

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Judicial Studies  
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ADDRESS CORRECTION REQUESTED

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