

PO JEN YAP

Po Jen Yap is a Professor at The University of Hong Kong (HKU), Faculty of Law, where he specializes in Comparative Constitutional Law, with a special focus on Asia. He is one of the world's leading scholars on Asian constitutional law. He is Singaporean and graduated from the National University of Singapore with an LLB degree and he obtained LLM qualifications from both Harvard Law School and University College London. He also has a PhD degree from the University of Cambridge. He is an Advocate and Solicitor of the Supreme Court of Singapore and an Attorney at Law in the State of New York (USA). He is the author and editor of over 75 books, book chapters, and journal articles. His first sole-authored monograph "*Constitutional Dialogue in Common Law Asia*" was published by Oxford University Press in 2015 and was awarded HKU's University Research Output Prize in 2016. He was also the recipient of HKU's 2016 Outstanding Young Researcher Prize. His second sole-authored monograph "*Courts and Democracies in Asia*" was published by Cambridge University Press in 2017 and was awarded the HKU Law Faculty Research Output Prize in 2019. His third monograph – "*Constitutional Convergence in East Asia*" (co-authored with Chien-Chih Lin) was also published with Cambridge University Press in 2022. His 4th monograph, "*The Constitutional System of the Hong Kong Special Administrative Region*" (coauthored with Albert Chen) was published with Hart Publishing in 2023. In addition, Yap has also edited 5 books, 3 of which are published with Routledge, and 2 with Cambridge University Press. He served as the Director of HKU's Centre for Comparative and Public Law from October 2019 to September 2023.

PO JEN YAP

Professor of Law, The University of Hong Kong	(May 2018 – present)
Director, Centre for Comparative and Public Law, HKU	(Oct 2019 – Sep 2023)
Associate Professor of Law, The University of Hong Kong	(May 2011 – April 2018)
Assistant Professor of Law, The University of Hong Kong	(July 2006 – April 2011)
Advocate and Solicitor of the Supreme Court of Singapore	
Attorney and Counselor-at-Law in the State of New York	

EDUCATION

- Ph.D., University of Cambridge (2014)
- LL.M., University of London (2006)
- LL.M., Harvard University (2005)
- LL.B., National University of Singapore (2003)

AWARDS AND HONOURS

- 2019 HKU Faculty of Law Research Output Prize, for *Courts and Democracies in Asia* (Cambridge University Press, 2017) (232 pages) (sole author)
- 2017 HKU Outstanding Young Researcher Award
- 2017 HKU University Research Output Prize, for *Constitutional Dialogue in Common Law Asia* (Oxford University Press, 2015) (244 pages) (sole author)
- 2017 (January) Visiting Research Associate Professor, National University of Singapore
- 2014 (March) Visiting Professor, University of North Carolina
- 2013 HKU Faculty of Law Research Output Prize, for “Defending Dialogue” (2012) *Public Law* 527 – 546 (sole author)
- 2008 HKU Faculty of Law Research Output Prize, for “10 Years of the Basic Law: The Rise, Retreat and Resurgence of Judicial Power in Hong Kong” (2007) 36 *Common Law World Review* 166 – 191 (sole author)

PUBLICATIONS

A. Books

1. *Cambridge Handbook of Comparative Law* (Cambridge University Press, 2024) (754 pages) (co-edited with Mathias Siems)
2. *Routledge Handbook of Asian Parliaments* (Routledge, 2023) (428 pages) (co-edited with Rehan Abeyratne)
3. *The Constitutional System of the Hong Kong Special Administrative Region* (Hart Publishing, 2023) (258 pages) (monograph co-authored with Albert Chen)
4. *Constitutional Convergence in East Asia* (Cambridge University Press, 2022) (198 pages) (monograph co-authored with Chien-Chih Lin)
5. *Proportionality in Asia* (Cambridge University Press, 2020) (300 pages) (sole editor)
6. *Constitutional Remedies in Asia* (Routledge, 2019) (181 pages) (sole editor)
7. *Courts and Democracies in Asia* (Cambridge University Press, 2017) (232 pages) (sole author)
8. *Judicial Review of Elections in Asia* (Routledge, 2016) (ed.) (237 pages) (sole editor)
9. *Hong Kong Basic Law Bibliography* (2nd ed.) (Hong Long Law Journal Ltd, 2016) (330 pages) (with Simon Young)
10. *Constitutional Dialogue in Common Law Asia* (Oxford University Press, 2015) (244 pages) (sole author)
11. *Public Interest Litigation in Asia* (Routledge, 2010) (ed.) (166 pages) (with Holning Lau)

B. Book Chapters

12. “A New Handbook for Comparative Law in a Global Context” in Mathias Siems & Po Jen Yap (eds) *Cambridge Handbook of Comparative Law* (Cambridge University Press, 2024) 1 – 14 (with Mathias Siems)
13. “Convergence and Divergence in Public Law” in Mathias Siems & Po Jen Yap (eds) *Cambridge Handbook of Comparative Law* (Cambridge University Press, 2024) 475 – 489
14. “Parliaments in Asia: Introduction” in Po Jen Yap & Rehan Abeyratne (eds) *Routledge Handbook of Asian Parliaments* (Routledge, 2023) 1 – 12 (with Rehan Abeyratne)
15. “Dominant Party Democracies” in Po Jen Yap & Rehan Abeyratne (eds) *Routledge Handbook of Asian Parliaments* (Routledge, 2023) 46 – 57 (with Marcus Teo)
16. “Communist Regimes” in Po Jen Yap & Rehan Abeyratne (eds) *Routledge Handbook of Asian Parliaments* (Routledge, 2023) 15 – 30 (with Chen Yujie)

17. “Judging Hong Kong’s National Security Law” in Fu Hualing and Michael Hor (eds) *The National Security Law of Hong Kong: Restoration and Transformation* (HKU Press 2022) pp 149 – 166
18. “Authoritarian Regimes” in *Oxford Handbook of Comparative Administrative Law* (eds) Peter Cane, Herwig C H Hofmann, Eric C Ip, and Peter L Lindseth (Oxford University Press, 2020) pp 339 – 355
19. “Proportionality in Asia: Joining the Global Choir” in Po Jen Yap (ed) *Proportionality in Asia* (Cambridge University Press, 2020), pp 3 – 22
20. “Constitutional Remedies in Asia: An Overview” in Po Jen Yap (ed.), *Constitutional Remedies in Asia* (Routledge, 2019), pp 1 – 11
21. “Courts and Elections in Asia” in Po Jen Yap (ed.), *Judicial Review of Elections in Asia* (Routledge, 2016), pp 1 – 8
22. “Judicial Review of Elections in Singapore after *Vellama*” in Po Jen Yap (ed.), *Judicial Review of Elections in Asia* (Routledge, 2016), pp 84 – 92
23. “Uncovering Originalism and Textualism in Singapore” in Jaclyn Neo (ed.) *Constitutional Interpretation in Singapore: Theory and Practice* (Routledge, 2016), pp 117 – 136
24. “Freedom of Expression” in Johannes Chan SC and Lim Chin Leng (eds.) *Law of the Hong Kong Constitution* (2nd ed.) (Sweet & Maxwell, 2015), pp 733 – 756
25. “Freedom of Assembly and Association” in Johannes Chan SC and Lim Chin Leng (eds.) *Law of the Hong Kong Constitution* (2nd ed.) (Sweet & Maxwell, 2015), pp 821 – 846
26. “Freedom of Expression” in Johannes Chan SC and Lim Chin Leng (eds.) *Law of the Hong Kong Constitution* (Sweet & Maxwell, 2011), pp 605 – 626
27. “Freedom of Assembly and Association” in Johannes Chan SC and Lim Chin Leng (eds.) *Law of the Hong Kong Constitution* (Sweet & Maxwell, 2011), pp 691 – 710
28. “Locus Standi and Public Interest Litigation in Hong Kong: A Comparative Study”, in Po Jen Yap and Holning Lau (eds.), *Public Interest Litigation in Asia* (Routledge, 2010), pp 35 – 56
29. “Public Interest Litigation in Asia: An Overview”, in Po Jen Yap and Holning Lau (ed.), *Public Interest Litigation in Asia* (Routledge, 2010), pp 1 – 8 (with Holning Lau)

C. Journals

30. “Legalism and Strategic Decision- Making in Hong Kong” (2023) 53 *Hong Kong Law Journal* 207 – 224 (with Julius Yam)
31. “Constitutional Dismemberments, Basic Structure Doctrine, and Pragmatic Justifications in Context: A Rejoinder” (2022) *International Journal of Constitutional Law* 905 – 910 (with Rehan Abeyratne)

32. “Judicial Self-Dealing and Unconstitutional Constitutional Amendments in South Asia”, (2021) *International Journal of Constitutional Law* 127 – 148 (with Rehan Abeyratne)
33. “Remedial Discretion and the Prohibition on Face Covering Regulation”, (2020) 50 *Hong Kong Law Journal* 569 – 584 (with Jiang Zixin)
34. “Democracy, Courts and Proportionality Analysis in Asia”, (2020) 9 *Global Constitutionalism* 531– 542
35. “Remedial Discretion and Dilemmas in Asia” (2019) 69 *University of Toronto Law Journal* 84 – 104
36. “Electoral Disqualification, Political Allegiance, and the Courts: A "Fruitless Debate"”? (2019) 49 *Hong Kong Law Journal* 825 – 834 (with Jiang Zixin)
37. “Statutory Rights and Defacto Constitutional Supremacy in Hong Kong?” (2019) *International Journal of Constitutional Law* 836 – 859 (with Francis Chung)
38. “Twenty Years of the Basic Law: Continuity and Changes in the Geoffrey Ma Court” (2019) 49 *Hong Kong Law Journal* 209 – 238
39. “Substantive Review of Administrative Discretion in Hong Kong: Divergence between Judicial Rhetoric and Practice” (2019) 7 (1) *Chinese Journal of Comparative Law* 190 – 211 (with Eric Ip)
40. “Spouses without Benefits: ‘Ring-Fencing’ Marriage after W and QT Have Unbolted Its Gates?” (2018) 48 *Hong Kong Law Journal* 365 – 374
41. “Human Trafficking and Judicial ‘Divination’ in Hong Kong” (2018) 48 *Hong Kong Law Journal* 807 – 818 (with Kenneth Lee)
42. “Colocation is Constitutional” (2018) 48 *Hong Kong Law Journal* 37 – 50 (with Jiang Zixin)
43. “Exploring the Political Question Doctrine in Hong Kong” (2017) *Singapore Academy of Law Journal* 690 – 718
44. “Legislative Oaths and Judicial Intervention in Hong Kong” (2017) 47 *Hong Kong Law Journal* 1 – 15 (with Eric Chan)
45. “New Democracies and Novel Remedies” (2017) *Public Law* 30 – 45
46. “Constitutional Fig Leaves in Asia” (2016) 24 *Washington International Law Journal* 421 – 445
47. “The U.K. Supreme Court at War” (2015) 23 *Washington International Law Journal* 363 – 390
48. “Public Entertainment and the Interpretive Dilemma in *T v Commissioner of Police*” (2015) 45 *Hong Kong Law Journal* 1 – 12
49. “The Conundrum of Unconstitutional Constitutional Amendments” (2015) *Global Constitutionalism* 114 – 136

50. “A Typography of Constitutional Arguments in Hong Kong” (2014) 44 *Hong Kong Law Journal* 459 – 482
51. “Public Welfare and Over-enforcement of Socio-economic Rights in Hong Kong” (2014) 44 *Hong Kong Law Journal* 41 – 54 (with Thomas Wong)
52. “A Taxonomy of Constitutional Arguments” (2014) 35 *Statute Law Review* 211 – 229 (Oxford University Press)
53. “Transsexual Marriage in Hong Kong: Going Beyond Bellinger” (2013) 129 *Law Quarterly Review* 503 – 507
54. “Section 377A and Equal Protection in Singapore: Back to 1938?” (2013) 25 *Singapore Academy of Law Journal* 630 – 640
55. “Dialogue and Subconstitutional Doctrines in Common Law Asia” (2013) *Public Law* 779 – 799
56. “Defending Dialogue” (2012) *Public Law* 527 – 546
57. “*Sienkiewicz v Greif*: Causation and Risk of Injury” (2011) 19 *Tort Law Review* 61 – 64
58. “*Vallejos Evangeline B. v Commissioner of Registration*: Why Foreign Domestic Helpers Do Not Have the Right of Abode” (2011) 41 *Hong Kong Law Journal* 611 – 620
59. “*Democratic Republic of the Congo v FG Hemisphere*: Why Absolute Immunity Should Apply but a Reference was Unnecessary” (2011) 41 *Hong Kong Law Journal* 393 – 400
60. “Negligence in Hong Kong: Turning *Caparo* on its Head?” (2011) 127 *Law Quarterly Review* 358 – 362
61. “Constitutionalising Capital Crimes: Judicial Virtue or ‘Originalism’ Sin?” (2011) *Singapore Journal of Legal Studies* 281 – 288
62. “Rethinking the Illegality Defence in Tort Law” (2010) 18 *Tort Law Review* 52 – 64
63. “The ‘Dead’ Constitution: Crime and Punishment in Singapore” (2010) 40 *Hong Kong Law Journal* 577 – 592
64. “Indeterminate Causes of Personal Injuries and Probabilistic Risk-based Assessments” (2009) 17 *Tort Law Review* 175 – 187
65. “Foreign Traders and Goodwill Hunting: Passed Over or Passing Off?” (2009) 31 *European Intellectual Property Review* 448 – 454
66. “Pure Economic Loss and Defects in the Law of Negligence” (2009) 17 *Tort Law Review* 80 – 99
67. “Collateral Challenges in Criminal Proceedings: Mayday for Citizens Radio” (2009) 39 *Hong Kong Law Journal* 189 – 196
68. “Essential Function of a Trade Mark: From BMW to O2” (2009) 31 *European Intellectual Property Review* 81 – 87

69. “Understanding Public Interest Litigation in Hong Kong” (2008) 37 *Common Law World Review* 257 – 276
70. “Honestly, Neither Celine Nor Gillette is Defensible!” (2008) 30 *European Intellectual Property Review* 286 – 293
71. “Enlisting Close Connections: A Matter of Course for Vicarious Liability?” (2008) 28 *Legal Studies* 197 – 214
72. “Interpreting the Basic Law and the Adjudication of Politically Sensitive Questions” (2007) 6 *Chinese Journal of International Law* (Oxford University Press) 543 – 564
73. “Making Sense of Trade Mark Use” (2007) 29 *European Intellectual Property Review* 420 – 427
74. “10 Years of the Basic Law: The Rise, Retreat and Resurgence of Judicial Power in Hong Kong” (2007) 36 *Common Law World Review* 166 – 191 (also published as “Constitutional Review under the Basic Law: The Rise, Retreat and Resurgence of Judicial Power in Hong Kong” (2007) 37 *Hong Kong Law Journal* 449)
75. “Rethinking Constitutional Review in America and the Commonwealth: Judicial Protection of Human Rights in the Common Law World” (2006) 35 *Georgia Journal of International and Comparative Law* 99 – 142
76. “Transnational Constitutionalism in the United States: Toward a Worldwide Use of Interpretive Modes of Comparative Reasoning” (2005) 39 *University of San Francisco Law Review* 999 – 1044

EDITORSHIPS

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| 2016 – 2021 | Editor, <i>Asian Journal of Comparative Law</i> (Cambridge University Press, UK) |
| 2007 – present | Articles Editor, <i>Hong Kong Law Journal</i> (Sweet & Maxwell Asia, Hong Kong) |

RESEARCH GRANTS

External Peer-Reviewed Competitive Research Grants:

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| 2017 | General Research Fund (GRF) Grant. Project Title: “Courts and Democracies in Asia” (Principal Investigator). Funding received: \$736,600 HKD |
| 2014 | General Research Fund (GRF) Grant. Project Title: “Constitutional Dialogue in Common Law Asia” (Principal Investigator). Funding received: \$675,920 HKD |

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