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. His 5th monograph, "*China's 'Autonomous' Cities: The Constitution and Reconstruction of Hong Kong and Macau*", (co-authored with Han Zhu and Shiling Xiao) was published with Routledge in 2026. In addition, Yap has also edited 6 books, 3 of which are published with Routledge, and 2 with Cambridge University Press, and 1 forthcoming with Hart Publishing. 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. *Asia in Times of Crisis: Pandemics, Power, and Parliaments* (Hart Publising, 2027) (co-edited with Maartje De Visser) (forthcoming)

2. *China's "Autonomous" Cities: The Constitution and Reconstruction of Hong Kong and Macau* (Routledge, 2026) (226 pages) (monograph co-authored with Han Zhu and Shiling Xiao)

3. *Cambridge Handbook of Comparative Law* (Cambridge University Press, 2024) (754 pages) (co-edited with Mathias Siems)

4. *Routledge Handbook of Asian Parliaments* (Routledge, 2023) (428 pages) (co-edited with Rehan Abeyratne)

5. *The Constitutional System of the Hong Kong Special Administrative Region* (Hart Publishing, 2023) (258 pages) (monograph co-authored with Albert Chen)

6. *Constitutional Convergence in East Asia* (Cambridge University Press, 2022) (198 pages) (monograph co-authored with Chien-Chih Lin)

7. *Proportionality in Asia* (Cambridge University Press, 2020) (300 pages) (sole editor)

8. *Constitutional Remedies in Asia* (Routledge, 2019) (181 pages) (sole editor)

9. *Courts and Democracies in Asia* (Cambridge University Press, 2017) (232 pages) (sole author)

10. *Judicial Review of Elections in Asia* (Routledge, 2016) (ed.) (237 pages) (sole editor)

11. *Hong Kong Basic Law Bibliography* (2nd ed.) (Hong Long Law Journal Ltd, 2016) (330 pages) (with Simon Young)

12. *Constitutional Dialogue in Common Law Asia* (Oxford University Press, 2015) (244 pages) (sole author)

13. *Public Interest Litigation in Asia* (Routledge, 2010) (ed.) (166 pages) (with Holning Lau)

B. Book Chapters

14. "China's National Security Infrastructure" in Maartje De Visser and Po Jen Yap (eds) *Asia in Times of Crisis: Pandemics, Power, and Parliaments* (Hart Publising, 2027) (with Han Zhu) (forthcoming)

15. "Asia in Times of Crisis: Contexts, Catalysts, and Consequences" in Maartje De Visser and Po Jen Yap (eds) *Asia in Times of Crisis: Pandemics, Power, and Parliaments* (Hart Publising, 2027) (with Maartje De Visser) (forthcoming)

16. "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)

17. "Convergence and Divergence in Public Law" in Mathias Siems & Po Jen Yap (eds) *Cambridge Handbook of Comparative Law* (Cambridge University Press, 2024) 475 – 489

18. "Parliaments in Asia: Introduction" in Po Jen Yap & Rehan Abeyratne (eds) *Routledge Handbook of Asian Parliaments* (Routledge, 2023) 1 – 12 (with Rehan Abeyratne)

19. "Dominant Party Democacies" in Po Jen Yap & Rehan Abeyratne (eds) *Routledge Handbook of Asian Parliaments* (Routledge, 2023) 46 – 57 (with Marcus Teo)

20. "Communist Regimes" in Po Jen Yap & Rehan Abeyratne (eds) *Routledge Handbook of Asian Parliaments* (Routledge, 2023) 15 – 30 (with Chen Yujie)

21. "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

22. "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

23. "Proportionality in Asia: Joining the Global Choir" in Po Jen Yap (ed) *Proportionality in Asia* (Cambridge University Press, 2020), pp 3 – 22

24. "Constitutional Remedies in Asia: An Overview" in Po Jen Yap (ed.), *Constitutional Remedies in Asia* (Routledge, 2019), pp 1 – 11

25. "Courts and Elections in Asia" in Po Jen Yap (ed.), *Judicial Review of Elections in Asia* (Routledge, 2016), pp 1 – 8

26. "Judicial Review of Elections in Singapore after *Vellama*" in Po Jen Yap (ed.), *Judicial Review of Elections in Asia* (Routledge, 2016), pp 84 – 92

27. "Uncovering Originalism and Textualism in Singapore" in Jaclyn Neo (ed.) *Constitutional Interpretation in Singapore: Theory and Practice* (Routledge, 2016), pp 117 – 136

28. "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

29. "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

30. "Freedom of Expression" in Johannes Chan SC and Lim Chin Leng (eds.) *Law of the Hong Kong Constitution* (Sweet & Maxwell, 2011), pp 605 – 626

31. "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

32. "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

33. "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

34. "Responsive Judicial Remedies" (2025) 14(2) *Global Constitutionalism* 323 – 348 (with Rosalind Dixon)

35. "Legalism and Strategic Decision- Making in Hong Kong" (2023) 53 *Hong Kong Law Journal* 207 – 224 (with Julius Yam)

36. "Constitutional Dismemberments, Basic Structure Doctrine, and Pragmatic Justifications in Context: A Rejoinder" (2022) *International Journal of Constitutional Law* 905 – 910 (with Rehan Abeyratne)

37. "Judicial Self-Dealing and Unconstitutional Constitutional Amendments in South Asia", (2021) *International Journal of Constitutional Law* 127 – 148 (with Rehan Abeyratne)

38. "Remedial Discretion and the Prohibition on Face Covering Regulation", (2020) 50 *Hong Kong Law Journal* 569 – 584 (with Jiang Zixin)

39. "Democracy, Courts and Proportionality Analysis in Asia", (2020) 9 *Global Constitutionalism* 531– 542

40. "Remedial Discretion and Dilemmas in Asia" (2019) 69 *University of Toronto Law Journal* 84 – 104

41. "Electoral Disqualification, Political Allegiance, and the Courts: A "Fruitless Debate"? (2019) 49 *Hong Kong Law Journal* 825 – 834 (with Jiang Zixin)

42. "Statutory Rights and Defacto Constitutional Supremacy in Hong Kong?" (2019) *International Journal of Constitutional Law* 836 – 859 (with Francis Chung)

43. "Twenty Years of the Basic Law: Continuity and Changes in the Geoffrey Ma Court" (2019) 49 *Hong Kong Law Journal* 209 – 238

44. "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)

45. "Spouses without Benefits: 'Ring-Fencing' Marriage after W and QT Have Unbolted Its Gates?' (2018) 48 *Hong Kong Law Journal* 365 – 374

46. "Human Trafficking and Judicial 'Divination' in Hong Kong" (2018) 48 *Hong Kong Law Journal* 807 – 818 (with Kenneth Lee)

47. "Colocation is Constitutional" (2018) 48 *Hong Kong Law Journal* 37 – 50 (with Jiang Zixin)

48. "Exploring the Political Question Doctrine in Hong Kong" (2017) *Singapore Academy of Law Journal* 690 – 718

49. "Legislative Oaths and Judicial Intervention in Hong Kong" (2017) 47 *Hong Kong Law Journal* 1 – 15 (with Eric Chan)

50. "New Democracies and Novel Remedies" (2017) *Public Law* 30 – 45

51. "Constitutional Fig Leaves in Asia" (2016) 24 *Washington International Law Journal* 421 – 445

52. "The U.K. Supreme Court at War" (2015) 23 *Washington International Law Journal* 363 – 390

53. "Public Entertainment and the Interpretive Dilemma in *T v Commissioner of Police*" (2015) 45 *Hong Kong Law Journal* 1 – 12

54. "The Conundrum of Unconstitutional Constitutional Amendments" (2015) *Global Constitutionalism* 114 – 136

55. "A Typography of Constitutional Arguments in Hong Kong" (2014) 44 *Hong Kong Law Journal* 459 – 482

56. "Public Welfare and Over-enforcement of Socio-economic Rights in Hong Kong" (2014) 44 *Hong Kong Law Journal* 41 – 54 (with Thomas Wong)

57. "A Taxonomy of Constitutional Arguments" (2014) 35 *Statute Law Review* 211 – 229 (Oxford University Press)

58. "Transsexual Marriage in Hong Kong: Going Beyond Bellinger" (2013) 129 *Law Quarterly Review* 503 – 507

59. "Section 377A and Equal Protection in Singapore: Back to 1938?" (2013) 25 *Singapore Academy of Law Journal* 630 – 640

60. "Dialogue and Subconstitutional Doctrines in Common Law Asia" (2013) *Public Law* 779 – 799

61. "Defending Dialogue" (2012) *Public Law* 527 – 546

62. "*Sienkiewicz v Greif*: Causation and Risk of Injury" (2011) 19 *Tort Law Review* 61 – 64

63. "*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

64. "*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

65. "Negligence in Hong Kong: Turning *Caparo* on its Head?" (2011) 127 *Law Quarterly Review* 358 – 362

66. "Constitutionalising Capital Crimes: Judicial Virtue or 'Originalism' Sin?" (2011) *Singapore Journal of Legal Studies* 281 – 288

67. "Rethinking the Illegality Defence in Tort Law" (2010) 18 *Tort Law Review* 52 – 64

68. "The 'Dead' Constitution: Crime and Punishment in Singapore" (2010) 40 *Hong Kong Law Journal* 577 – 592

69. "Indeterminate Causes of Personal Injuries and Probabilistic Risk-based Assessments" (2009) 17 *Tort Law Review* 175 – 187

70. "Foreign Traders and Goodwill Hunting: Passed Over or Passing Off?" (2009) 31 *European Intellectual Property Review* 448 – 454

71. "Pure Economic Loss and Defects in the Law of Negligence" (2009) 17 *Tort Law Review* 80 – 99

72. "Collateral Challenges in Criminal Proceedings: Mayday for Citizens Radio" (2009) 39 *Hong Kong Law Journal* 189 – 196

73. "Essential Function of a Trade Mark: From BMW to O2" (2009) 31 *European Intellectual Property Review* 81 – 87

74. "Understanding Public Interest Litigation in Hong Kong" (2008) 37 *Common Law World Review* 257 – 276

75. "Honestly, Neither Celine Nor Gillette is Defensible!" (2008) 30 *European Intellectual Property Review* 286 – 293

76. "Enlisting Close Connections: A Matter of Course for Vicarious Liability?" (2008) 28 *Legal Studies* 197 – 214

77. "Interpreting the Basic Law and the Adjudication of Politically Sensitive Questions" (2007) 6 *Chinese Journal of International Law* (Oxford University Press) 543 – 564

78. "Making Sense of Trade Mark Use" (2007) 29 *European Intellectual Property Review* 420 – 427

79. "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)

80. "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

81. "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

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

RESEARCH GRANTS

External Peer-Reviewed Competitive Research Grants:

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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