

# The Centre for Comparative and Public Law Faculty of Law, The University of Hong Kong

*Seminar*

## Why Bills of Rights are Dangerous

**Professor James Allan**

*Garrick Professor of Law, University of Queensland, Australia*

**Friday, 13 March 2009**

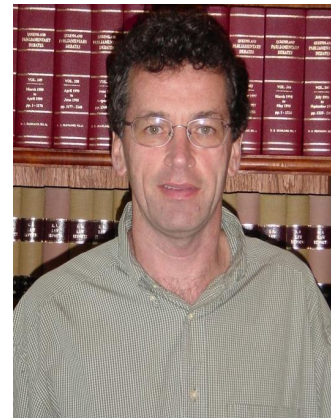
**1:00 - 2:00 pm**

**Room LG105, LG1 Floor, KK Leung Building, HKU**

\*\*\*\*\*

This talk will consider the literature opposed to bills of rights and why these instruments are, on balance, a bad idea. It will then move to consider so-called 'weak form' bills of rights starting with Canada's with its notwithstanding clause and then moving to look at the statutory bills of rights of New Zealand, the United Kingdom and the State of Victoria in Australia. The argument to be put will be that these so-called 'weak form' versions are in fact 'strong form'. The whole talk will be put in the context of a jurisdiction having moderately good background democratic institutions, and hence Hong Kong will be considered (from the point of view of this speaker's bill of rights skepticism) as something of a special case.

**James Allan**, a native born Canadian, is the Garrick Professor of Law at the University of Queensland in Australia. Before arriving in Australia he taught law in New Zealand for a dozen years and in Hong Kong for four. He was the Bertha Wilson Visiting Professor of Human Rights in Canada in 2004 and he spent a sabbatical at Cornell in 1997. He has published over 60 peer reviewed articles in law journals across the world, including in all the top legal philosophy journals. He has written three books and a fair number of book chapters. His main areas of interest are constitutional law, legal philosophy and bills of rights scepticism.



\*\*\*\*\*

**ALL ARE WELCOME!**

Please register on-line via [www.hku.hk/ccpl/](http://www.hku.hk/ccpl/) or  
email Flora Leung at [fkleung@hku.hk](mailto:fkleung@hku.hk) if you would like to attend.