

südostasien

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Call for Papers Issue 1/2017

Legal culture, justice and legal security

What is legal? Everything that you have a right to do! In legal and cultural studies there is a never-ending debate about the sources of law as well as the specific cultural and social conditions determining a legal system and the application of law. Is it the will of the state, that creates law? Is law only restricted to what you can find in legal codes? Or is law rooted in culture beyond these codes? Who even has the authority to design and apply laws? Who is capable of evading laws and why?

In the first issue of 2017 we would like to focus on these topics, thus we are looking for articles, reports, interviews and analyses that shed light on the following questions and thematic aspects:

Legal culture

We are interested in what kind of law prevails in specific Southeast Asian countries and where does this law originate from.

- To what extent is law in these countries a Western/colonial imposition or subject to the current political and economic interests of those in power? Where and how deep is it anchored in historical or religious context of particular societies? To what extent are individual citizens capable of enforcing their interests among other powerful actors? (e.g. workers rights in Myanmar)
- How deep is the concept of human rights entrenched in Southeast Asian societies and to what extent can it be considered a Western import?
- What are the traditional sources of law that could inform a locally rooted legal system? Are there any religious or customary laws available, handed-down from generation to generation? How can Western-inspired or state law co-exist with legal cultures shaped by religion?

Justice

Some attention should also be devoted to the application of law and the question of jurisdiction, especially in the field of criminal law.

- What does the current application of law in particular Southeast Asian countries look like?
- Where can we talk about judicial treatment of massive human rights violations and where are these processes still lacking? (Keywords: transitional justice, ECCC in Cambodia, Indonesian People's Tribunal for 1965 in The Hague)
- What is the basis of political imprisonment? Where can we talk about state abuse of laws to prosecute political opposition and those who "threaten" national stability?
- What kind of role does capital punishment play in the particular legal systems? (Keywords: death penalty for white-collar crimes, proportionality in drug crime cases)
- Where and in what context do we find instances of unaddressed and unregulated impunity?

(Keywords: politicians, (para-)military personnel, mob violence, police brutality)

- What are the possibilities/mechanisms in place for a judicial treatment of ongoing conflicts such as those in Myanmar or in the southern Philippines?

Legal security

When the state is not abiding by its own laws... In this section we are also interested in the means civil society attempts to provide access to justice and protect citizen rights.

- What kind of legal or political possibilities are granted by the respective constitutions to their legal subjects?
- How do civil society actors fight against legal abuses and arbitrary actions of the state? Do NGOs actually possess a popular mandate or with their human rights based criticism of colonialism they, INGOs in particular, simply manifest another form of Western influence?
- What role do laws play against land-grabbing? (Here we return to the beginning of our questions in regard to legal sources: which of the existing laws and regulations are more in favour of safeguarding economic interests instead of protecting the population of a particular area?)
- How does state arbitrariness produce private violence when those concerned have no more trust in written laws/legal codes?

Formal criteria

Articles should be 1 page (up to 4,500 characters including spaces), 2 pages (up to 9000 characters including spaces) or 3 pages (up to 13,500 characters including spaces) and if possible should include photographs (300 dpi with subtitles and copyright). Authors from Southeast Asia are most welcome. Please submit articles by **30.12.2016**.

For our review section we are always looking for short reviews (up to 1600 characters) on recent published books, films, music albums and exhibitions from Southeast Asia.

Contact:

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