

## THE JOURNEY OF A JOURNAL: 50 YEARS OF THE *SINGAPORE JOURNAL OF LEGAL STUDIES*

KEVIN Y.L. TAN\*

### I. INTRODUCTION

Even though the first law schools appeared in Rome around 3 BCE, the modern law school did not appear till the 18th century. In England, even though Sir William Blackstone gave his pioneering series of lectures on English law at Oxford in the 1750s, the systematic instruction of the law in the universities did not develop significantly till the 19th century. And in America, the first university-based law school was established at William & Mary College in Virginia in 1779.<sup>1</sup> With the establishment of law schools came the publishing of *law reviews* or *law journals*. The scholarly nature of these publications set them apart from other professional publications by bar associations that typically covered issues encountered in the daily practice of law.<sup>2</sup>

Law reviews in America and in the United Kingdom developed along very different paths. America's first scholarly law review was *The American Law Register*, published by Asa Fish and Henry Wharton, two members of the Philadelphia bar in 1852. It contained more scholarly and analytical articles than other journals of its time and was described by Roscoe Pound as the prototype "academic-professional" journal.<sup>3</sup> When William Draper Lewis—who was then one of the two editors of the *Register*—became dean of the University of Pennsylvania Law School, he arranged for the journal to be published by his school because he realised "that an important attribute of a good law school was a law journal." The first student-edited edition was published in 1896, and in 1908, it was renamed the *University of Pennsylvania Law Review* and *American Law Register*. This is the oldest continuously-published law review in America. The late nineteenth century saw the creation and growth of

---

\* LL. B. (Hons.) (NUS); LL.M., J.S.D. (Yale); Adjunct Professor, Faculty of Law, National University of Singapore; Director, Equilibrium Consulting Pte. Ltd.

<sup>1</sup> The first law school in America was established by Tapping Reeve in Litchfield, Connecticut in 1784. It was a private institution offering instruction in law. Harvard University, which established a law school in 1817, lays claim to be the oldest law school in continuous operation. The Law School at William & Mary College closed during the American Civil War and was not re-established till 1920.

<sup>2</sup> For a history of American law reviews, see Michael L. Swygert & Jon W. Burce, "The Historical Origins, Founding, and Early Development of Student-Edited Law Reviews" (1984-1985) 36 *Hastings L.J.* 739.

<sup>3</sup> *Ibid.* at 755.

that distinctly American institution—the student-edited law journal. The first American student-edited law journal had in fact been the *Albany Law Review*, founded in 1875, and which predated the *University of Pennsylvania Law Review* by two decades. Unfortunately, it survived only a year. Certainly among the earliest and most influential of student-edited journals from this period are the *Columbia Law Review* (1885), the *Harvard Law Review* (1887), and the *Yale Law Journal* (1891).

In the United Kingdom, things developed differently. Professors would not dream of having undergraduate law students edit, much less select, worthy articles for publication and the most important and influential law journals have traditionally been helmed, managed and run by legal academics.<sup>4</sup> Take the *Law Quarterly Review*, for example. It was founded in 1884 and is quite possibly the oldest law review in continuous publication in the United Kingdom. Its founders were T.E. Holland, Sir William Anson, James Bryce, Albert Venn Dicey, Sir William Markby and Frederick Pollock, all notable members of the Law Faculty at Oxford University.<sup>5</sup> And unlike student-edited law reviews in America, the British law reviews did not suffer high turnover of their editors and editorial board members.<sup>6</sup>

The law schools in Australia were more eclectic. The oldest review, the *Melbourne University Law Review*, for instance, chose the American route largely because it inherited the mantle of *Res Judicatae* which had been published by the Law Students' Society of Victoria since 1935. It was in 1957 that Zelman Cowen, Dean of the Faculty of Law at Melbourne University, renamed it the *Melbourne University Law Review* and consciously sought to model it along the lines of the venerable *Harvard Law Review*.<sup>7</sup> On the other hand, the *Sydney Law Review* adopted a hybridised system when it commenced publication in 1953 under the editorship of Professor Julius Stone. It was, and continues to be, edited and managed jointly by an editorial committee made up of faculty and a student editorial board.<sup>8</sup> The *Adelaide Law Review*, established in 1960, was run along the lines of its Melbourne counterpart, but with faculty advisors.<sup>9</sup> Such is the case with the *Tasmanian University Law Review* (established 1958) as well.<sup>10</sup> This same trend can be seen in the case of law reviews in New Zealand. See, for example, the *Victoria University of Wellington Law Review*, established in 1953, and the *Auckland Law Review*, established in 1967, which are both student-edited and managed.

In Asia, English-language law reviews were less in evidence. The earliest of these is the student-edited and managed *Philippine Law Journal*, published by the College

<sup>4</sup> There are very few student-run or edited journals in the United Kingdom. Of some note are: *King's Student Law Review*, the *UCL Jurisprudence Review*, the *UCL Human Rights Review*, and the *Oxford University Commonwealth Law Journal*. None of these journals are considered to be 'Tier 1' journals.

<sup>5</sup> The first issue of the *Law Quarterly Review* was published in 1885 with Sir Frederick Pollock, then Corpus Professor of Jurisprudence at Oxford and Professor of Common Law in the Inns of Court as its editor.

<sup>6</sup> For example, the *Law Quarterly Review* has been served by only five editors during its entire history: Sir Frederick Pollock (1885-1919); A.E. Randall (1919-1926); Arthur L. Goodhart (1926-1975); P.V. Baker (1971-1987); and Francis Reynolds (1987 to date).

<sup>7</sup> See online: <<http://mulr.law.unimelb.edu.au/go/about/history>> (accessed on 25 June 2009).

<sup>8</sup> See (1953) 1 *Sydney L. Rev.* xxviii.

<sup>9</sup> The student editor of the inaugural issue of this review was W.R. Cornish, now Emeritus Herchel Smith Professor of Intellectual Property Law at Cambridge University.

<sup>10</sup> It should be noted that the oldest Australian law review in continuous publication is the *University of Western Australia Law Annual Review* which was founded in 1948.

of Law of the University of the Philippines since 1914.<sup>11</sup> Other than the Philippines, early English-language law-reviews took root mainly in Japan. The earliest of these is the *Osaka University Law Review*, published by the School of Law of Osaka University since 1951.<sup>12</sup> This would make the *University of Malaya Law Review*, predecessor of the *Singapore Journal of Legal Studies*, and first published in 1959, among the earliest law reviews in the region.

Beginning life in 1959 as the *University of Malaya Law Review*, the journal has undergone several transformations over the past half century, becoming first the *Malaya Law Review* and then the *Singapore Journal of Legal Studies*. In addition, it has also spawned two other journals—the *Singapore Journal of International and Comparative Law* (now the *Singapore Yearbook of International Law*) and the *Asian Journal of Comparative Law*. This essay takes a historical look at the development of the journal and the key personalities who have made it one of Asia’s most respected legal publications.

## II. THE FOUNDING

As the history of the development of the Faculty of Law at the University of Malaya in Singapore has been detailed in two previous publications,<sup>13</sup> only a brief recounting of the salient events are necessary. Prior to 1956, no institution in Singapore offered formal legal education and training. Aspiring lawyers had to decamp to England and read at one of its universities, sit the Bar examinations and then return to be admitted to the local Bar. The idea of establishing a law faculty in Singapore was first mooted by Northcote C. Parkinson, then Raffles Professor of History at the University of Malaya, in 1953.<sup>14</sup> It was not till 1956 that a non-Faculty Law Department was established with the young Dr. Lionel Astor Sheridan as Head of Department. The first 42 students were admitted to the four-year honours law course in September 1957. Sheridan, an enterprising, energetic and far-sighted leader who struggled in the early years to establish the Law Department as an independent Faculty in its own right, saw the development of a good law library and of local legal literature to be of paramount importance.<sup>15</sup> He lamented in 1957:

Malayan law is starving for lack of publications. There are few textbooks, those which exist are all out of date, and with one exception they each cover only a

<sup>11</sup> The other significant Filipino law review is the *Ateneo Law Journal*, published since 1951 by the Faculty of Law of the Ateneo de Manila University.

<sup>12</sup> This was followed by the *Hitotsubashi Journal of Law & Politics* (founded in 1960) and the *Kobe University Law Review* (1961). This brief survey focuses on law reviews published by universities and law schools rather than professional organisations and associations. If these were included, two significant journals were published by international law societies: the *Japanese Yearbook of International Law* by the International Law Association of Japan since 1958, and the *Indian Journal of International Law*, published since 1960 by the Indian Society of International Law.

<sup>13</sup> See Kevin Y.L. Tan, ed., *Change & Continuity: Forty Years of the Law Faculty* (Singapore: Faculty of Law, National University of Singapore, 1999); and Kevin Y.L. Tan, *Scales of Gold: 50 Years of Legal Education at the NUS Faculty of Law* (Singapore: Faculty of Law, National University of Singapore, 2007).

<sup>14</sup> The University of Malaya was established in Singapore in 1949 and occupied the campus originally built for Raffles College and home to the current Faculty of Law of the National University of Singapore.

<sup>15</sup> On Sheridan’s contributions to the building of the Law Faculty, see Andrew B.L. Phang, “Founding Father and Legal Scholar: The Life and Work of Professor LA Sheridan” [1999] Sing. J.L.S. 335.

small amount of specialized technical ground. There is no legal periodical. The *Malayan Law Journal* is ninety per cent law reports, and on the whole only four or five pages in each monthly issue can be devoted to comments or book reviews.<sup>16</sup>

A man of action, Sheridan set about creating the literature and the periodical he thought necessary. In 1961, just five years after his appointment as Head of the Law Department, he wrote for, edited and published the monumental *Malaya and Singapore, The Borneo Territories: The Development of the Laws and Constitutions*<sup>17</sup> as Volume 9 of the acclaimed series *The British Commonwealth: The Development of Its Laws and Constitutions* under the general editorship of Professor George W. Keeton.<sup>18</sup> On the matter of the creation of a scholarly journal, Sheridan pronounced ambitiously:

It is also hoped that the *University of Malaya Law Review* can be started by the middle of 1958. I think that this can be made to become important all over the world. But whatever they may think about it outside Malaya, there is undoubtedly sufficient demand within Malaya to justify the creation of an organ of scholarly criticism.<sup>19</sup>

More than a half century later, Sheridan recalled his motivations as follows:

From the beginning, before I had any colleagues, it was my intention that the Law Department should beget a journal. There were a number of purposes. The primary purpose was to foster scholarly and practical discussion of the laws of Singapore, the Federation of Malaya and its constituent states and the Commonwealth Borneo territories. It was not considered that that objective should exclude articles on the law of other places, on comparative law, on international law or on legal theory. Secondly, it was my hope that the existence of the journal would help to encourage members of the academic staff to write. Thirdly, it was thought that the wide distribution of the journal would (if it was any good!) enhance the reputation of the university. Finally, it was hoped that, by making exchange arrangements, legal journals from all over the world could be obtained without using library funds.<sup>20</sup>

Although Sheridan had, in 1957 expressed his hopes to get the *University of Malaya Law Review* up and running by the middle of 1958, he changed his mind thereafter, given the multitude of things yet to be done in getting the Law Department ready for its transition to a full Faculty by November 1959. It was at a departmental meeting sometime in late 1958 that a suggestion was made to publish the first issue of the *Review* in the same year the department attained faculty status. As he recalled:

---

<sup>16</sup> L.A. Sheridan, "Legal Education in Malaya" (1957-1958) J.S.P.T.L. (N.S.) 19 at 22.

<sup>17</sup> L.A. Sheridan, ed., *Malaya and Singapore, The Borneo Territories: The Development of their Laws and Constitutions* (London: Stevens & Sons, 1961).

<sup>18</sup> Professor S.A. de Smith thought Sheridan's volume "perhaps the best of all" the volumes in the series as "none has journeyed across unmapped lands so surely as the present volume." See his "Review of *Malaya and Singapore, The Borneo Territories: The Development of Their Laws and Constitutions*" (1962) 38:2 International Affairs 283.

<sup>19</sup> Sheridan, *supra* note 16.

<sup>20</sup> L.A. Sheridan to Kevin Tan (28 February 2009) at 2 (on file with author).

I had in mind that the *University of Malaya Law Review* would be started rather later than in fact happened. My colleague Mr WED Davies, at a departmental meeting at which I still had in mind a couple of years more of planning, proposed that the journal should be started straight away. Although I dissented, Dai's [Davies'] proposal received majority approval and so we made haste to go ahead.

... The establishment of the *University of Malaya Law Review* took place in the informal way I have indicated: a staff meeting followed by my putting it into effect.<sup>21</sup>

On 24 November 1958, Sheridan sent out a circular to a number of colleagues, inviting them to serve as members of the editorial board of the *Review*. He explained that the Board would be "in charge of general policy, but not of day to day administration" and that among its functions was "the appointment of officers of the *Review* to carry on the ordinary business of running it." It is perhaps speculative to suggest that the impetus for the Department to establish its own journal sooner rather than later could have emanated from the fact that in 1958, the student body of the Law Department, represented by the Law Society (now the Law Club) initiated the publication of its own journal, *Me Judice* (literally 'In My Judgment'), with Len P. Rodrigo as editor. Indeed, in a brief short article, published in the inaugural issue of *Me Judice*, Sheridan once again alluded to the impending founding of the *University of Malaya Law Review*:

... learned papers have been and are being written and published, both in the *Malayan Law Journal* and overseas. The eventual establishment of a *University of Malaya Law Review* will provide a more systematic vehicle for this sort of publication.<sup>22</sup>

### III. THE PIONEERING YEARS: 1959-1963

#### A. *The Editorial Board Meets*

The *pro-tem* editorial board of the *University of Malaya Law Review* met for the first time on 15 December 1958 on Monday at 5.15pm in Sheridan's office. Among those present were his colleagues Bernard Brown and W.E.D. Davies, legal practitioners E.W. Barker and Punch Coomaraswamy,<sup>23</sup> and Tan Boon Teik, then Director of the Legal Aid Bureau. Absent with apologies was Chua Boon Lan, another faculty from the Department.<sup>24</sup> Sheridan recalled that the Department was anxious to engage practitioners in the affairs of the university and thus wanted an academic/practical mix in the constitution of the Editorial Board.<sup>25</sup>

<sup>21</sup> *Ibid.*

<sup>22</sup> L.A. Sheridan, "The Development of University Legal Education in Malaya" (1958-1959) 1:1 *Me Judice* 3 at 5.

<sup>23</sup> Another legal practitioner who served on the Editorial Board for its first two volumes was David Marshall, Singapore's greatest criminal lawyer. Marshall also taught criminal law and criminal procedure part-time in the early years of the Law Department.

<sup>24</sup> Minutes of the First Meeting of the Editorial Board dated 15 December 1958.

<sup>25</sup> L.A. Sheridan to Kevin Tan (22 June 2009) at 1.

Sheridan informed the meeting that the Vice-Chancellor had given permission for the review to be called the *University of Malaya Law Review* and made a general report on the inception of the review stating that:

... it would be published twice yearly in July and December beginning in 1959. Each issue would be between 100 and 150 pages in length, and would consist of articles, case notes, legislation notes, items of special interest to Malayan practitioners, and book reviews. While the contributors would be partly from within and partly from outside Malaya, it was intended that the review should not contain any material which was not of interest to Malayan lawyers. Preparatory work, which had been undertaken by members of the staff, was well in hand.

What is perhaps important to note at this juncture is that although the proposed journal was published by the Department of Law, the editorial board was not a formal structure within the Department. It was not till 1961 that the Editorial Board was officially constituted as a Standing Committee of the Faculty of Law.

For the first issue, seeing that there was no ready reservoir of local material on which to tap, Sheridan proceeded to write to his academic acquaintances "in various parts of the world asking them to write something for inclusion."<sup>26</sup> The response he received was very positive and more numerous than he had expected, and as such, there were enough articles to fill the first two issues. Indeed, the first issue of the *Review* was much bigger than foreseen. Sheridan and his team had envisaged a volume of between 100 and 150 pages,<sup>27</sup> but ended up with one of 174 pages largely on account of the late arrival of Professor James Montrose's article.<sup>28</sup>

At the conclusion of that inaugural meeting of the *Review*, an editorial board was officially appointed. Sheridan took the chair as General Editor while Davies became Case & Legislation Notes Editor. Book Reviews and Practitioners' Materials were placed in the hands of Punch Coomaraswamy while Bernard Brown took charge as Treasurer and Business Manager. Alice Tay, who was later to become Challis Professor of Jurisprudence at Sydney University, was appointed Distribution Manager.

### B. *Going to Press*

As there was no faculty budget for publishing the *Review*, the Editorial Board took eight loans of \$100.00 each from several individuals to defray the costs of printing.<sup>29</sup> These loans were paid back very quickly as the *Review* proved to be a great commercial success and the Faculty received a donation from the Asia Foundation that

---

<sup>26</sup> L.A. Sheridan to Kevin Tan (28 February 2009) at 2.

<sup>27</sup> The original plan was that the inaugural issue be 150 pages, of which 120 pages would be devoted to articles, 20 pages to case notes and legislation notes, 6-7 pages to practitioners' material and 3-4 pages to book reviews. See Minutes of the Second Meeting of the Editorial Board dated 5 February 1959 at para. 10.

<sup>28</sup> J.L. Montrose, "The Treatment of Statutes by Lord Denning" (1959) 1:1 U. Mal. L. Rev. 87. Montrose had been Sheridan's Ph.D. supervisor at Queen's University, Belfast and later became Dean of the Law Faculty in Singapore from 1965 to 1966.

<sup>29</sup> The records do not reveal who the sums were borrowed from and neither could Sheridan remember when I asked him about it in 2009.

could be used to defray costs.<sup>30</sup> For its inaugural volume, it received a total of 65 subscriptions, the bulk of which were at the full price of \$30.00 per volume.<sup>31</sup> The Law Library also purchased 30 copies of the *Review* for exchange with other law libraries at \$14.50 a copy and this helped boost sales. In its statement of accounts of June 1959, it was reported that the *Review* had over \$5,000 in paid-up subscriptions. To further publicise the *Review*, the Editorial Board arranged to place advertisements in the *Law Quarterly Review* and the *Modern Law Review* and, by way of exchange, gave Sweet & Maxwell—publisher of both these titles—the whole of the outside back cover of the first two issues of the *Review* for advertisement.<sup>32</sup> Plans were also made to advertise the *Review* in the *Melbourne University Law Review* and the *American Journal of Comparative Law* by way of exchange.<sup>33</sup>

In terms of production, the Board decided that the size of the *Review* should be the same as that of the *New York University Law Review* which was substantially larger than the British journals, except that an inch more of text would be crammed onto each page.<sup>34</sup> G.H. Kiat & Co., a well-known local printer established by Goh Hood Kiat, was appointed the official printer for the *Review*. G.H. Kiat charged the *Review* \$13.00 a page to print 1,000 copies and provided off-prints without extra charge. Initially, the Board had wanted to use the same type of paper on which the *Malayan Law Journal* was printed but this was rejected in favour of a less glossy paper similar to that used in the *Canadian Bar Review*.<sup>35</sup> The structure of the contents followed that of the *Modern Law Review*.<sup>36</sup>

By July 1959, three new faces joined the Editorial Board: Harry Calvert (who had recently joined the Faculty as Lecturer), John Tan Chor Yong (former part-time Tutor turned full-time Acting Lecturer) and S.K. Tan (part-time Tutor). Calvert proved the most enthusiastic and energetic among the newcomers, suggesting that a cumulative index of the *Review* along the patterns of the *Law Quarterly Review* and the *Modern Law Review* be kept, and also asking some academics he knew to contribute.<sup>37</sup> Sheridan agreed to the suggestion but cautioned that since there were enough articles to fill the next two issues, these prospects might be approached,

<sup>30</sup> Minutes of the Third Meeting of the Editorial Board dated 2 July 1959.

<sup>31</sup> Minutes of the Second Meeting of the Editorial Board dated 5 February 1959 at para. 2.

<sup>32</sup> *Ibid.* at para. 4(a).

<sup>33</sup> *Ibid.* at para. 4(b) and (c).

<sup>34</sup> Sheridan confirmed that the choice of this larger format was motivated by economics. It was, he wrote “a more economical cost to word ratio to print on a larger page.” L.A. Sheridan to Kevin Tan (22 June 2009) at 2.

<sup>35</sup> *Ibid.* at para. 3.

<sup>36</sup> On the history of the *Modern Law Review*, see Cyril Glasser, “Radicals and Refugees: The Foundation of the Modern Law and English Legal Scholarship” (1987) 50 *Mod. L. Rev.* 688.

<sup>37</sup> Calvert suggested approaching W.H. Pedrick (Northwestern University, Chicago); Paul Tappen (New York University), Abraham Harari (Canberra), G. Harnsey (Leeds University); and G.W. Bartholomew (University of Khartoum). It is unclear from the records what specific responses he obtained from these academics. What we do know is that G.W. Bartholomew, later to join the Faculty in Singapore, was positive and submitted an article entitled “‘Hermaphrodites’ and the Law” for volume 2. Calvert had known Bartholomew since they were members of the Faculty of Law at the University of Tasmania. When Calvert was leaving Singapore, he wrote to Bartholomew, informing him of the vacancy and urging the latter to apply for the position. See Kevin Y.L. Tan, “An Encounter with Legal History: Geoffrey Wilson Bartholomew (1927-2005)” in Kevin Y.L. Tan, ed., *Encounters with Singapore Legal History: Essays in Memory of Geoffrey Wilson Bartholomew* (Singapore: Singapore Journal of Legal Studies, 2009) 3 at 6.

but no promises be made to publish their submissions.<sup>38</sup> Alas, Calvert left the Faculty for the University College of Wales in Aberystwyth after only 10 months of teaching as his wife did not like living in Singapore.<sup>39</sup> Calvert's main contribution to the *Review* was the establishment of the Haggen Prize in 1960. He had made a deed, promising to donate \$50 for seven years to establish the prize to be awarded by the editorial board for the best student contribution published in the *Review*.<sup>40</sup> The Prize was named in memory of G.L. Haggen, a stalwart of the Faculty of Law at Leeds University of which Calvert was an alumnus. Haggen had died in 1957.

At the end of 1960, just after Volume 2 had gone to press, Sheridan could look back with great satisfaction at the journal he created:

Though all law schools have accommodation of some kind and all schools have libraries, or what pass for libraries, by no means all (and in the United Kingdom, practically none) have law journals. The *University of Malaya Law Review* which, I must confess, was inaugurated by a law staff meeting towards the end of 1958 against my opinion, has turned out to be an organ which attracts scholarly contributions, which has a secure public all over the world, which is always produced on time and which is financially viable.<sup>41</sup>

### C. Student Participation in the Review

In 1960, the Board decided to invite a student representative to sit on the Editorial Board. The object of this move was two-fold: first, to get students contribute to the *Review* by writing case-notes and legislation comments; and second, to involve the wider faculty community in the work of the *Review*. The first student representative invited onto the Board was Chan Sek Keong, later to become Singapore's Chief Justice in 2006. When he was asked to comment on why students were not enthusiastic about contributing to the *Review*, Chan replied that students were contributing to their own journal, *Me Judice*, which had been established the year before and furthermore, they received no encouragement from members of the staff for such contributions. He was then asked to convey to the students that the Board would consider all kinds of contributions from the student body and that decisions to publish would be based entirely on merit and not status. He was also asked to publicise the fact that there would be an annual Haggen Prize of \$50 for 7 years to the author of the best article by an undergraduate published each year.<sup>42</sup> Chan was obviously very persuasive in conveying this message because when the Editorial Board met again in August that year, it was reported that "there was a sudden boom in students contributions to the case note and legislation sections of the *Review*".<sup>43</sup>

---

<sup>38</sup> Minutes of the Third Meeting of the Editorial Board dated 2 July 1959.

<sup>39</sup> L.A. Sheridan to Kevin Tan (22 June 2009) at 3.

<sup>40</sup> See Kevin Y.L. Tan, ed., *Change & Continuity: Forty Years of the Law Faculty* (Singapore: Faculty of Law, National University of Singapore, 1999) at 244.

<sup>41</sup> L.A. Sheridan, "Foreword" (1961) 3:1 *Me Judice* 11 at 12.

<sup>42</sup> Minutes of the Fourth Meeting of the Editorial Board (7 January 1960).

<sup>43</sup> Minutes of the Fifth Meeting of the Editorial Board (16 August 1960) at para. 2.



#### D. *Re-Organising the Editorial Board*

In 1960, Geoffrey Wilson Bartholomew, an English legal academic who had previously taught at the University of Tasmania and at the University of Sudan in Khartoum, joined the Law Faculty, replacing his old friend Harry Calvert. Sheridan invited Bartholomew to the August 1960 meeting of the editorial board and asked him to present a memorandum on the re-organisation of the editorial board.<sup>44</sup> Bartholomew, who had considerable experience in legal publishing, proposed that the editorial board be reconstituted to consist of 12 persons appointed by the Faculty of Law headed by the Chairman and General Editor.<sup>45</sup> Bartholomew stated that the functions associated with production of a law review typically fell into three categories: (a) determining which contribution to accept; (b) preparing the manuscripts for press and proof-reading; and (c) distributing, advertising and printing. Under his proposed scheme, the General Editor was to be assisted by the Assistant Editor (who doubled as Secretary of the Board); and a Managing Editor (who was also Treasurer). Under the Assistant Editor were three sub-editors, one of whom was sub-editor-in-chief and the other two taking charge of case notes and book reviews respectively. The Business, Advertising, and Circulation Managers worked under the Managing Editor. Bartholomew argued that under this new scheme, “all aspects of the production of the law review are adequately covered” and “[e]ach member of the Board has clearly defined responsibility”.<sup>46</sup>

#### E. *Bartholomew Takes Over*

The Board accepted Bartholomew’s recommendations and put them into operation from Volume 3 onwards, when Sheridan handed over the Editorship of the *Review* to Bartholomew. Sheridan, who never imagined himself at the helm of the *Review* even though he mooted the idea, was much relieved:

... I had not envisaged editing the journal myself when I mooted its establishment; and when I took on the job in the absence of other willing hands, I regarded my editorship as being highly temporary, only to get the magazine going until someone else was available to take over. I had too many other things to do. I am sure that I must have been very relieved at the time that Geoff Bartholomew was willing to take it on.<sup>47</sup>

When Bartholomew took over the *Review* in 1961, the Editorial Board underwent a massive transformation. Sheridan, B.L. Chua, E.W. Barker, David Marshall, and Tan Boon Teik retired from the Board while W.E.D. Davies and John Tan Chor

<sup>44</sup> G.W. Bartholomew, “Memorandum on the Constitution of the Law Review Board” (Sing. J.L.S. files).

<sup>45</sup> Other members of the Board would include: Book Review and Practitioners’ Materials Editor; Case Note and Legislation Editor; Co-ordinating Sub-Editor; Managing Editor who would be the Treasurer of the Review; Business Manager; Advertising Manager; Circulation Manager; two student representatives (one graduate and one undergraduate) and two other persons to be appointed by the Faculty. Two or more of the eight posts might be simultaneously held by one person.

<sup>46</sup> G.W. Bartholomew, “Memorandum on the Constitution of the Law Review Board” (Sing. J.L.S. files) at 2.

<sup>47</sup> L.A. Sheridan to Kevin Tan (22 June 2009) at 3.

Yong resigned from the Law Faculty. In their place, Bartholomew invited five recent graduates from the first batch of students of the Faculty: Chan Sek Keong, Huang Su Mien, Koh Eng Tien, Kirpal Singh and Tommy Koh Thong Bee. The increase in student participation had been something Sheridan had in mind from the *Review's* earliest days:

The review was originally run by a board of full-time and part-time lecturers invited by me to undertake the work. We had in mind from the outset that student participation in the review would gradually increase and ultimately become dominant. The review was intended not merely as an organ of Malayan legal scholarship, but also an educational tool in the Faculty of Law. It was, therefore, desired from the beginning to solicit student contributions and to provide for student assistance in management. At the beginning of 1960, the first undergraduate, Mr Chan Sek Keong, was invited to join the board for a year. At the beginning of 1961, the board will be reconstituted as a sub-committee of the Faculty of Law, with a greatly increased participation by undergraduates and graduates of our Faculty. From year to year this representation will grow, and it, it is to be hoped, will grow the student proportion of authorship.<sup>48</sup>

Lalith W. Athulathmudali, who recently joined the Faculty, became Sub-Editor while Bernard Brown was Treasurer and Managing Editor. Punch Coomaraswamy continued as Book Review Editor while Bashir Mallal was Business Manager.<sup>49</sup> Two new additions to the Faculty, Professors Harry E. Groves and Leslie C. Green, were also invited to join the Board.

That year, the Editorial Board awarded the inaugural Haggen Prize to Koh Eng Tien. The Board also inaugurated two Law Review Prizes of \$25.00 each. These were awarded to Huang Su Mien and Koh Eng Tien for their article and case note contributions respectively.<sup>50</sup> Just after two years into its operations, Sheridan wrote, "Probably the proudest achievement of all is the academic and commercial success of the *University of Malaya Law Review*."<sup>51</sup>

In 1961, the Governments of the Federation of Malaya and Singapore agreed to establish two separate national universities, with the Kuala Lumpur division of the University of Malaya retaining its name and the Singapore campus of the University of Malaya becoming the University of Singapore. Following this important constitutional change, the Editorial Board of the *Review* was asked to consider the possibility of a name change. The Faculty accepted the Board's recommendation that the journal be renamed the *Malaya Law Review* with effect from Volume 4 (1962).<sup>52</sup> By the time this volume was published, B.J. Brown had resigned from the Faculty and thus left the Board. Koh Eng Tien and Chan Sek Keong also retired from the Board. New additions to the Board included E.P. Ellinger (Assistant Editor), Vinod Kumar (Business Manager) and recent graduate S. Jayakumar.

---

<sup>48</sup> L.A. Sheridan, "Foreword" (1961) 3:1 Me Judice 11 at 12.

<sup>49</sup> See (1961) 3 U. Mal. L. Rev. ii.

<sup>50</sup> Minutes of the Faculty Meeting (4 October 1960) at paras. 40-41.

<sup>51</sup> L.A. Sheridan, "Legal Education" [1961] M.L.J. lxxxv at lxxxvi.

<sup>52</sup> Minutes of Faculty Meeting (9 February 1962) at para. 84.

The Law Faculty was struck a severe blow in 1962 when it was announced that Sheridan had resigned his post as professor and dean to become Professor of Comparative Law at Queen's University, Belfast, and that Bartholomew was to leave for a Senior Lectureship at Melbourne University.

#### IV. YEARS OF CONSOLIDATION (1963-1969) AND INSTABILITY (1969-1971)

Even though Sheridan's resignation led to a period of great instability in the Faculty, the *Review* maintained an even keel thanks to the appointment of E.P. Ellinger to the post of General Editor in Bartholomew's place in December 1962.<sup>53</sup> Between 1962 and 1966, the Faculty was led by four different deans: Chua Boon Lan (1962-1963); Harry E. Groves (1963-1964); Leslie C. Green (1964-1965); and James L. Montrose (1965-1966). During this period the *Review* grew from strength to strength. Under Ellinger—who joined the Faculty as an Assistant Lecturer in 1961—a number of practical changes were announced. He proposed to eliminate the place for the undergraduate member and recommended that invitations be issued for more contributions on Malayan law. He also urged the Board to expand the legislation section and invest such sums of *Review* moneys not required for current expenditure in fixed, short-term deposits in the Chartered Bank.<sup>54</sup>

The most important innovation during this period was the creation of an Advisory Committee to offer advice and assistance to the Board. Leslie Green, then Professor of International Law at the Faculty, was appointed Honorary Chairman of this Committee. The other members who were appointed for a period of one year each were a combination of Law Faculty stalwarts (past and present)—L.A. Sheridan, G.W. Bartholomew, and Harry E. Groves—and English and American academics—L.C.B. Gower, John N. Hazard, and F.H. Lawson.<sup>55</sup> For 1964, to offset the West-centric composition of the Committee, Ahmad bin Mohd Ibrahim, Singapore's first Advocate-General, and A.K. Brohi, former Law Minister of Pakistan, were appointed.<sup>56</sup> The practice of appointing distinguished lawyers and academics as members of the Advisory Committee was discontinued in 1967 when the Board felt that the Committee had “not proved to be useful” as most of the members “were at great distances from Singapore” and it was “difficult to consult them on any problems, especially as most problems arose just before the *Law Review* went for printing.”<sup>57</sup>

The *Review* functioned smoothly during the years of Ellinger's administration. Indeed, he was even able to take a year's leave to complete his D.Phil. at Oxford, leaving the publication in the hands of Lalith Athulathmudali who acted as Editor in his absence for the July 1964 issue. From the records, there did not appear to be any shortage of contributions to the *Review* although contributions on subjects of local law were always in short supply. Indeed, an editorial policy that Ellinger had emplaced since late 1964 to reserve space for articles on local law led to a delay in

<sup>53</sup> Lu Sinclair to E.P. Ellinger (13 December 1962).

<sup>54</sup> Minutes of the Second Meeting of the Editorial Board (21 January 1963).

<sup>55</sup> Minutes of Faculty Meeting (4 June 1963) at para. 12. At the time of their appointments to the Advisory Committee, Gower was Dean of the Faculty of Law at the University of Nigeria; Hazard, Professor of Law at Columbia University; and Lawson, Professor of Comparative Law at Oxford University.

<sup>56</sup> Minutes of the Fourth Meeting of the Editorial Board (26 October 1963) at para. 33.

<sup>57</sup> Minutes of the Second Meeting of the Editorial Board (1 October 1966) at para. 13(a).

the production of the *Review*. The only small hiccup that appeared resulted from the voluntary liquidation of its printers, G.H. Kiat & Co. After obtaining more than five different quotations, the Board decided to engage Tak Seng Press—which also printed the *Malayan Law Journal*—as its new printer. Tak Seng’s quotation of \$13.50 per page meant an increase of \$200 a year in printing costs which were recovered from additional advertisements, especially those from tourist agencies and airlines.<sup>58</sup>

Following Singapore’s secession from the Federation of Malaysia in August 1965, the Editorial Board had intensive discussion on whether the name of the *Review* should be changed to reflect the new status of Singapore as an independent nation. In a meeting convened just two days after the momentous event, the Board, “after considerable discussion”, decided against a name change “for the present” but stated that “the matter could be considered again at a later date if circumstances warranted a change of name.”<sup>59</sup> From available records, it is unclear why members of the Board thought that a name change was unnecessary, but seeing how soon the meeting had been called after the announcement of separation on 9 August 1965, it is possible that some members may have considered it premature given that Singapore might have well rejoined the Federation at a not too distant date.

Ellinger resigned from the Law Faculty in August 1966 to become Professor of Commercial Law at the University of Victoria in Wellington. In February that year, G.W. Bartholomew returned to the Faculty as Professor of Law and was subsequently elected Dean of the Faculty. To replace Ellinger, the Board elected Dr. Thio Su Mien, one of two locally-educated Assistant Editors serving under Ellinger.<sup>60</sup> By the time Thio assumed leadership of the *Review*, the size of its Editorial Board had shrunk to only eight members,<sup>61</sup> but this did not appear to hamper the efficacy or effectiveness of the Board. What should perhaps be noted is that the tenure of the Editorial Board was now renewed on an annual as opposed to triennial basis. Unfortunately, due to the incomplete state of the *Review*’s records we are unable to understand what precipitated this change in appointment procedures for the Board. To avert instability, the same members of the Editorial Board tended to be re-appointed at the beginning of each year with replacements for those who had resigned. Thus, when Mrs. J.S. Brown resigned her position as Book Review Editor, Tan Sook Yee was appointed to replace her.<sup>62</sup> Likewise, when David S.Y. Wong resigned as Assistant Editor in 1968, he was replaced by S. Jayakumar.<sup>63</sup> Thio served as Editor of the Board from 1966 to 1968 when she stepped down to assume the Vice-Deanship of the Faculty. At the end of 1968, she was elected Dean of the Faculty in place of Bartholomew. Michael Barry Hooker, who was Visiting Professor, was appointed Editor.

From 1969 to 1971, Editors of the *Review* only served one volume each: Hooker (for Volume 10, 1968-69); Leonard Pegg<sup>64</sup> (Volume 11, 1969-1970);

---

<sup>58</sup> Minutes of the Third Meeting of the Editorial Board (6 August 1963).

<sup>59</sup> Minutes of the Second Meeting of the Editorial Board for 1965 (11 August 1965) at para. 5(a).

<sup>60</sup> The other was Molly Cheang.

<sup>61</sup> The Board consisted of the Editors, two Assistant Editors, the Business Manager, an Assistant Business Manager, a Book Review Editor and two members appointed by the Faculty for a period of one year. See Minutes of the Meeting of the Faculty of Law (3 January 1967) at para. 68.

<sup>62</sup> Minutes of the Meeting of the Law Faculty (6 June 1967) at para. 10(1).

<sup>63</sup> Minutes of the Meeting of the Law Faculty (9 January 1968) at para. 44(1).

<sup>64</sup> Pegg taught at the Faculty from 1967 to 1970 when he left to teach at Hong Kong University.

Narendra Nath Singh<sup>65</sup> (Volume 12, 1970-1971). This made for great instability in the leadership of the *Review* and there was little enterprise or innovation in its management and operations. The stabilising influences within the management of the *Review* in these years were Molly Cheang and S. Jayakumar, who served as Assistant Editors; Tan Sook Yee, who was Book Review Editor, and Bartholomew, who served as an ordinary member of the Board after stepping down as Dean of the Faculty.

#### V. THE LAST EXPATRIATES: BARTHOLOMEW & HICKLING (1971-1977)

G.W. Bartholomew, who had last been Editor of the *Review* in 1962, was once again persuaded to helm the *Review* in 1971. Following his appointment to the Editorship, Bartholomew once again proposed a structural change in the management of the Editorial Board “[i]n view of the undesirability of formal and rigid division of duty between members of the Board.”<sup>66</sup> The Board proposed and the Faculty agreed to transform the Editorial Board into an Editorial Committee “to allow greater flexibility in administration by vesting all executive functions primarily in two persons, namely, (1) the Chairman and General Editor, and (2) the Business Manager and Treasurer.”<sup>67</sup> Despite these changes, the year-to-year tenure of Editorial Committee members remained and most of the members were re-appointed yearly right up till 1973. Under this new system, the two key members of the Committee were Bartholomew, who was Chairman and Editor; and David S.Y. Wong, who played the triple role of Secretary, Treasurer and Business Manager. Other members of Bartholomew’s first Committee in 1972 were: Rowena Daw, Tan Ng Chee, T.P.B. Menon, Tan Sook Yee, Philip N. Pillai, Kenneth K.S. Wee and Bashir Mallal. In 1973, Bartholomew proposed that the number of Editorial Committee members be reduced from 9 to 7 and that the term of office for each member be for a period of three years.<sup>68</sup> This brought about much needed stability in the membership of the Committee and allowed members to involve themselves more intimately and thoroughly with the *Review*’s work.

It was tragic that as the *Review* was entering its next phase of development, Bashir Mallal—founder of the *Malayan Law Journal* and great friend of the Law Faculty—passed away on 5 September 1972. An obituary, written by Dean Tommy Koh, was published in the December 1972 issue of the *Review*. Mallal had been associated with the *Review* since its inception and gave much encouragement and support to Sheridan and each succeeding editor of the *Review*, even offering the use of his resources at the *Malayan Law Journal* offices in Malacca Street for the *Review*’s use. The Faculty, and the *Review*, had lost a great benefactor and friend. Mallal’s passing was mourned by an outpouring of emotion and goodwill and this moved Bartholomew to propose a volume of legal essays to be published in memory of the great man. It took Bartholomew almost two years to secure the contributions for the volume and in July 1974, the Editorial Committee of the *Review* decided to publish the memorial volume. As the volume was likely to be published at a loss, Dean Tommy

<sup>65</sup> Singh taught at the Faculty from 1969 to 1976.

<sup>66</sup> Minutes of the Editorial Board Meeting (13 September 1971) at para. 2.

<sup>67</sup> Minutes of the Meeting of the Law Faculty (28 December 1971) at para. 37.

<sup>68</sup> Minutes of the Meeting of the Law Faculty (25 August 1973) at para. 10(2).

Koh resolved to obtain a grant of about \$5,000 to subsidise the undertaking.<sup>69</sup> The memorial volume, entitled *Malaya Law Review Legal Essays in memoriam Bashir Ahmad Mallal LLD*, was eventually published in 1975. It was partly sponsored by the Lee Foundation and was the very first book publishing venture undertaken by the *Review*. Bartholomew, who edited the volume on behalf of the *Review*, noted in his Preface:

The contributors to this volume were all at one time or another associated with the Faculty of Law of the University of Singapore of which Dr Mallal was also a member from its inception until his death, and all experienced the good fortune of knowing and working with him. Many more would have contributed had their commitments allowed them time to do so. The present volume is merely a small acknowledgement by the Faculty of Law of the University of Singapore and those associated with it of the debt owed to Dr Bashir Ahmad Mallal.<sup>70</sup>

Bartholomew's preface is significant beyond the gratitude and emotions conveyed, for the *Review*, and its publication of the memorial volume, stood unequivocally for the voice of the Law Faculty as well. Mallal was not the only legal luminary to be lauded and celebrated by the *Review*. Pursuant to Bartholomew's proposal, the Editorial Committee decided to dedicate the December 1974 issue of the *Review* to Mr. Justice Tan Ah Tah, to celebrate the 21st anniversary of his elevation to the Bench.<sup>71</sup> The tribute, which comprised three sections in 33 pages, was compiled and written by R.H. Hickling and Colin Ying.

During Bartholomew's tenure as Chairman and Editor of the *Review*, the Committee was small and comprised mainly local academics, most of whom were graduates of the Law Faculty. Bartholomew stepped down as Chairman and Editor of the *Review* in 1974 and Reginald Hugh (R.H.) Hickling, then visiting professor, was appointed in his stead. At the same time, Tommy Koh, who had been Dean of the Faculty since 1971, stepped down from his post to become Singapore's Permanent Representative to the United Nations. S. Jayakumar, who had been an active member of the *Review*, succeeded Koh as Dean of the Faculty.

Hickling was no stranger to the region, having been posted to Sarawak as Assistant Attorney-General by the Colonial Legal Service in 1950. He spent the next decade and a half in Sarawak, Brunei and then in Malaya as its first parliamentary draftsman. Hickling, who came to Singapore from the School of Oriental and African Studies in London, got down to business very quickly. He was a first-class administrator and planner and was ably assisted by Colin Ying—who had joined the Faculty in 1973<sup>72</sup>—as Secretary. Bartholomew remained on the Committee as an ordinary member. Hickling, conscious of the fact that Singapore had now been independent for a decade, thought that a name change was in order. Scouting around for an appropriate name, Hickling thought that a simple substitution of the word *Malaya*

---

<sup>69</sup> Minutes of the Editorial Committee Meeting (27 July 1974) at para. 2.

<sup>70</sup> G.W. Bartholomew, ed., *Malaya Law Review Legal Essays in Memoriam Bashir Ahmad Mallal LLD* (Singapore: Malaya Law Review, 1975) xii.

<sup>71</sup> Tan Ah Tah (1906-1976), a Queen's Scholar and former District Judge, was the first Asian to be appointed to the High Court Bench in 1955.

<sup>72</sup> Both Hickling and Ying were appointed to the Committee in September 1974 to replace Rowena Daw and Andrew Ang who had left the University. See Minutes of the Law Faculty Meeting (3 September 1974) at para. 17(1).

with *Singapore* would do the trick. But this was not to be for he quickly discovered that a few years earlier, the students had beaten him to it and had renamed their journal the *Singapore Law Review*.<sup>73</sup> Instead of proposing a name change, Hickling decided to go for a change in symbolism. He proposed that the cover of the *Review* be changed:

The national colours of red and white should be adopted, so that the cover would be white and the title in red. The title should also be translated into Chinese, Malay and Tamil, the characters and letters of which should be placed within a seal. This seal should be in red, so that the names of the articles and contributors, painted in black, would be superimposed on the seal.<sup>74</sup>

The Committee authorised Hickling to have a mock-up made of the proposed cover and submit it for their examination at a later date. Hickling went to work quickly and the mock-up was presented and discussed just two months later in August 1975. The Committee rejected the inclusion of the *Review*'s name in four languages "in view of possible objections of a political nature from sensitive readers". It also felt that the "symbolism portrayed was meaningless and unnecessary" and "decided to dispense with the use of any language other than English on the cover."<sup>75</sup> The seal—designed by seal-maker Wee Beng Chong—was also rejected.

Another important innovation proposed by Hickling was to create an ASEAN section in which correspondents from the five ASEAN countries<sup>76</sup> would provide an annual survey of the law in their respective countries.<sup>77</sup> Excellent though Hickling's idea was, it was extremely difficult to find willing correspondents to contribute. Within the Law Faculty, Tan Keng Feng and Lye Lin Heng informally agreed to write a survey on Singapore law, but responses from the other ASEAN countries were not forthcoming.<sup>78</sup> This scheme was slow to bear fruit and it was not till mid-1979 that the *Review* succeeded in getting commitments from credible and reliable individuals in the ASEAN countries to act as their correspondents.<sup>79</sup> For Volume 17 (1975), Hickling had to settle for a single contribution from Dr. G.T. Santos of the Philippines on recent changes to the country's income tax law in the newly-created 'Aspects of ASEAN Law' section of the *Review*.<sup>80</sup>

Hickling also proposed compiling a cumulative index of the *Review* up to December 1975, as the last time it was done was in 1963. The Law Librarian, Sng Yok Fong,

<sup>73</sup> See Kevin Y.L. Tan, "Ten Years of the Singapore Law Review: Reflections of a Past Chief" (1993) 14 Sing. L. Rev. 24 at 30. The students' journal, *Me Judice*, was published continuously from 1958 to 1968 in 9 volumes. In 1969, it was renamed the *Singapore Law Review* which has been published continuously—save for a hiatus between 1972 and 1982—ever since.

<sup>74</sup> Minutes of the Editorial Committee Meeting (24 June 1975) at para. 3.

<sup>75</sup> Minutes of the Editorial Committee Meeting (26 August 1975) at para. 3.

<sup>76</sup> The original five ASEAN countries were: Singapore, Malaysia, Thailand, Indonesia and the Philippines.

<sup>77</sup> Minutes of the Editorial Committee Meeting (26 August 1975) at para. 5.

<sup>78</sup> Minutes of the Editorial Committee Meeting (25 October 1975) at para. 2.

<sup>79</sup> Minutes of the Editorial Committee Meeting (24 July 1979). The correspondents confirmed were: Tun Mohamed Suffian (Lord President of Malaysia); Dr. Gonzalo T. Santos Jr. (Madrid & Associates, the Philippines); Teuku Mohammad Radhie (Head, Division of Legal Research & Development, Badan Pembinaan Hukum Nasional, Departemen Kahakiman, Indonesia); Kamol Sadhikstetrin (Permanent Legislative Councillor, Office of the Juridical Council, Thailand); and Dr. Kiethajorn Vacharasvasti (Faculty of Law, Thammasat University).

<sup>80</sup> G.T. Santos Jr., "Recent Changes in the Philippine Law on Income Taxation" (1975) 17 Mal. L. Rev. 354.

agreed to do the compilation and indexing.<sup>81</sup> To further streamline and systematise the *Review*, the Editorial Committee also proposed to insert a 'Documentary and Historic Section' in the structure of each issue so that documentary and historical material could be published therein and not inter-mixed with the articles, causing confusion among readers. Up to this time, the *Review* had republished rare historical material, such as Raffles' Regulations of 1823, within the 'Articles' section.<sup>82</sup>

In 1976, Hickling, David S.Y. Wong and Bartholomew resigned from the Committee. Hickling was nearing the end of his term as Visiting Professor, while Wong was preparing to go into private practice. Bartholomew, who had become increasingly disenchanted with the University's anti-expatriate policy, decided to return to Australia to become Foundation Dean of the Law Faculty at the New South Wales Institute of Technology (now University of Technology, Sydney).

## VI. DEVELOPING LOCAL AND REGIONAL JURISPRUDENCE: 1977-1991

At a meeting of the Editorial Committee on 26 August 1976 chaired by outgoing Secretary Colin Ying, Molly Cheang reluctantly agreed to be Editor of the *Review* with effect from 1 January 1977 as there were no other nominations for the post. Dean Jayakumar agreed to act as *pro-tem* chairman with respect to the publication of a commemorative issue of the *Review* in December 1976 to commemorate the 21st year of the Law Faculty.<sup>83</sup> The proposal was overly optimistic with regard to deadlines, and as the publication deadline approached, there were insufficient articles to go to press. It was then decided that the commemorative volume would be published in July 1977.<sup>84</sup> Cheang stepped down as Editor in November 1976 because of her heavy commitments to the Institute of Southeast Asian Studies<sup>85</sup> but remained a member of the Committee as Assistant Editor.

The commemorative volume contained articles by Jayakumar and three of his predecessor deans: L.A. Sheridan, L.C. Green and H.E. Groves. It was a time for celebration and a time to take stock of what the Law Faculty had accomplished in the preceding two decades. Looking forward, Jayakumar outlined the challenges confronting the law student and teacher, and vowed to continue building up a local jurisprudence:

... today the law student's burdens are increasing in quantitative and qualitative terms. The law school must strike a proper balance between a liberal education and technical competence, a task which was relatively simple in the first days of the law school. To understand the development of the various branches of the law, legal research and writing is imperative. The paucity of local legal literature

<sup>81</sup> Minutes of the Editorial Committee Meeting (25 October 1975) at para. 5.

<sup>82</sup> See "Singapore Regulations—1823 (Reprint)" (1968) 10 Mal. L. Rev. 248. Other such articles include: J.W. Norton Kyshe, "A Judicial History of the Straits Settlements 1786-1890" (1969) 11 Mal. L. Rev. 1 (entire volume); "The Regulations of the Prince of Wales Island, Singapore and Malacca 1825-1833" (1971) 13 Mal. L. Rev. 294; "The First Year of the Court of Judicature of Prince of Wales' Island 1808-9" (1973) 15 Mal. L. Rev. 55; and William Napier, "An Introduction to the Study of the Law Administered in the Colony of the Straits Settlements" (1974) 16 Mal. L. Rev. 1.

<sup>83</sup> Minutes of the Editorial Committee Meeting (31 March 1976) at para. 5.

<sup>84</sup> Minutes of the Editorial Committee Meeting (6 October 1976).

<sup>85</sup> Minutes of the Editorial Committee Meeting (30 July 1977) at para. 4.



has rendered the task of the law teacher, law student and those who administer the law, difficult. The Faculty of Law and the *Malaya Law Review* have attempted and will continue to build up a Singapore jurisprudence.<sup>86</sup>

About a year before, Dean Jayakumar had proposed bringing out, as a Faculty project, a volume of essays on various facets of Singapore to update Sheridan's pioneering work from 1961, *Malaya and Singapore, The Borneo Territories: The Development of their Laws and Constitutions*.<sup>87</sup> This earlier hefty volume, which runs to over 500 pages, is divided into 3 parts: Constitutional Development, Public Law, and Private Law. While Sheridan was the editor of the volume, he had the able assistance of five other contributors: Harry G. Calvert, Chua Boon Lan, Punch Coomaraswamy, Reginald Hugh Hickling, and Theodore B. Lee.<sup>88</sup> Jayakumar, ever conscious of the impending coming of age of the Faculty in 1977, thought that it would be an excellent idea to publish a collection of essays offering a comprehensive survey of Singapore law. Unfortunately, there were insufficient available essays to bring out the volume, and Jayakumar proposed that "each chapter might be published separately under the aegis of the *Malaya Law Review* as part of a Singapore Law Series."<sup>89</sup> This proposal was favourably received and Jayakumar invited Koh Kheng Lian to be the 'General Editor' for the series. The title was later changed to 'Editor' at Koh's suggestion since there was to be but one editor for the series. At the time the series was conceived, drafts for volumes on the following subjects were ready: Banking Law, Civil Procedure, Criminal Law, Constitutional Law, Evidence, Family Law and Shipping Law. Koh suggested that some practitioners might be approached to contribute manuscripts on practical subjects like Conveyancing and Criminal Procedure.<sup>90</sup> Between 1976 and 1979, a total of seven volumes were published under the Singapore Law Series.<sup>91</sup>

Jayakumar, who had already taken much time off his administrative duties to oversee the completion of the commemorative edition of the *Review*, was anxious to relinquish his Chairmanship of the Committee. He succeeded in persuading Koh Kheng Lian to take over the *Review* as the new Editor and urged her to bring out each volume "in a timely fashion".<sup>92</sup> On 30 July 1977, the Committee discussed a paper Koh had prepared two weeks before, on the future policy of the *Review*. Koh was adamant that the *Review* "should strive to build up a local jurisprudence" and "publish as far as possible, legal writings and materials that are of relevance to Singapore."<sup>93</sup> The Editorial Committee should thus make a "concerted effort" to "achieve this

<sup>86</sup> S. Jayakumar, "Editorial" (1977) 19 Mal. L. Rev. v.

<sup>87</sup> L.A. Sheridan, ed., *Malaya and Singapore, The Borneo Territories: The Development of their Laws and Constitutions* (London: Stevens & Sons, 1961).

<sup>88</sup> With the exception of Hickling, the rest were teaching staff at Sheridan's new law school at the University of Malaya.

<sup>89</sup> Minutes of the Editorial Committee Meeting (22 June 1976) at para. 8.

<sup>90</sup> Minutes of the Editorial Committee Meeting (26 August 1976) at para. 3(i).

<sup>91</sup> They were: S. Jayakumar, *Constitutional Law* (1976); Kenneth K.S. Wee, *Family Law* (1976); Koh Kheng Lian, *Criminal Law* (1977); James K.K. Wong, *Shipping Law* (1977); U. Myint Soe, *Banks and Banking* (1978); Philip N. Pillai, *Legal Framework of Business Organisations* (1978); and Philip N. Pillai, *Company Law* (1979).

<sup>92</sup> Interview with Koh Kheng Lian (2 June 2009).

<sup>93</sup> Koh Kheng Lian, "Future Policy of the *Malaya Law Review*" (18 July 1977) (Sing. J.L.S. files).

objective”.<sup>94</sup> Koh proposed to restructure the *Review* by: (a) enhancing the ‘Case and Comment’ section by including a complete digest of recent cases in main areas of the law; (b) including a new ‘Singapore at the United Nations’ section which would carry reports of Singapore’s activities at the UN; (c) including a new ‘Treaties’ section to list treaties entered into by Singapore, reproduce important treaties among ASEAN nations, and comment on important treaties to which Singapore was a party; and (d) enhancing the ‘Legislation’ section by inviting commentary and annotations on important statutes.<sup>95</sup> The Committee—which now included T.A.G. Beazley, Molly Cheang, Chin Tet Yung, Leong Wai Kum, Tan Lee Meng, S. Jayakumar, Philip N. Pillai, Poh Chu Chai, Tan Sook Yee, V.S. Winslow, Tan Keng Feng and Sng Yok Fong—agreed to her proposals and changes were instituted from Volume 20 (1978) onwards. At Koh’s suggestion, the Committee also agreed to dedicate the 1978 July issue to Mr. Justice Alfred Victor Winslow on the occasion of his retirement from the Bench.

When she assumed the Editorship of the *Review*, Koh also inherited an on-going project that would have a less than happy ending. Back in 1975, the Committee agreed to finance the preparation of a 5-year cumulative *Noter-Up* of the 1970 Revised Edition of the Singapore Statutes to be undertaken by G.W. Bartholomew.<sup>96</sup> Delays were caused by Bartholomew’s departure from Singapore and subsequent misunderstandings over the respective obligations of Bartholomew’s other collaborators and it was decided in 1978 that the project be discontinued. This unhappy episode demonstrates how lacking Singapore was in up-to-date reference tools to navigate something as basic as the primary Acts of Parliament. This deficiency was so serious that a senior professor like Bartholomew felt compelled to spend time compiling basic finding aids such as this. Another such project which the *Review* was involved in was the publishing of the *Tables of Written Laws of the Republic of Singapore 1819–1971*<sup>97</sup> and its sequel, *Tables of Written Laws of the Republic of Singapore*.<sup>98</sup>

Koh Kheng Lian served as Editor from 1977 to 1979 when she left for a sabbatical. S. Jayakumar who had himself recently returned from sabbatical agreed take over as Editor for the July 1979 issue if Koh was unable to complete her editing before leaving the country. Jayakumar ended up taking care of the 1980 issue instead, before leaving the University on secondment to enter political office in 1982. He was succeeded by one of his Assistant Editors, Tan Keng Feng, who proved to be one of the most methodical and thoughtful of the *Review*’s editors. Tan, who had graduated from the Faculty in 1971, was a specialist in tort law and had been on the Editorial Committee since 1977 and was an ideal choice as Editor.

While on sabbatical in 1981, he signed up for a 10-month MBA course at the International Management Institute (IMI) in Geneva. Putting his editorial experience to work, he wrote up a case study of the *Malaya Law Review* in part fulfillment of

---

<sup>94</sup> *Ibid.*

<sup>95</sup> *Ibid.*

<sup>96</sup> Minutes of the Editorial Committee Meeting (24 June 1975) at para. 6.

<sup>97</sup> *Tables of the Written Laws of the Republic of Singapore, 1819–1971*, compiled by Elizabeth Srinivasagam and the staff of the Law Library, University of Singapore; with an introduction by G.W. Bartholomew (Singapore: Malaya Law Review, 1972).

<sup>98</sup> Molly Cheang, ed., *Tables of the Written Laws of the Republic of Singapore* (Singapore: Malaya Law Review, 1982).

his course requirements. In his conclusion, Tan proposed the way forward for the *Review*:

What is needed are strategies that will meet the challenges of scholarly publication in the 1980s. The focus of the *Review* has to be more sharply defined: maybe, as a regional (ASEAN) law journal with special emphasis on Singapore and Malaysia. The organizational structure of the Editorial Committee of the *Review* should take more account of the requisite business functions. An Editorial Advisory Board should be reinstated to serve the *Review*. Law students' participation in the *Review* should be further encouraged. More contributions to the *Review* should be generated, the editing process streamlined; and the production better scheduled. The income of the *Review* must be increased to cover at least, notionally, the total real expenditure of the *Review*.<sup>99</sup>

He moved quickly to reorganise the *Review*, getting rid of old copies of the *Review* by selling them off to students and faculty at drastically reduced prices, and inviting students to help out in the work of the *Review* by checking footnotes and proof-reading.<sup>100</sup>

Among his many accomplishments at the *Review*, three stand out. The first was the introduction of a new refereeing process requiring two referees to concur for an article to be published.<sup>101</sup> The second was the introduction of a standard 'house-style' for use by the *Review*. Tan put his own shoulder to the wheel in this instance and subsequently completed the 'house-style' working with A.J. Harding and W.J.M. Ricquier.<sup>102</sup> Tan recalled that the 'house-style' had been based on that of the London publisher Sweet & Maxwell, which he found preferable for adaption to the Butterworths house-style.<sup>103</sup> Tan's third major contribution was the reintroduction of the Advisory Board that had been abolished in 1966. Tan believed that "such a board would enhance the *Review*'s prestige, and also act as contacts for the *Review*."<sup>104</sup> The Board would comprise one member from each of the ASEAN countries (except Singapore); two from Singapore (a leading practitioner and a judge); one member each from the United Kingdom, the United States of America, Canada and Australia.<sup>105</sup> This Board was established by inviting the ASEAN editors to be members of the Board, and identifying new members from countries not already represented. The Board as constituted in 1983 comprised: Justice Lai Kew Chai (Singapore); Dr. Thio Su Mien (Singapore); Tun Mohd Suffian (Malaysia); Teuku Mohammad Radhie (Indonesia); Dr. Kietkajorn Vachanasvasti (Thailand); Kamol Sandhikshetrin (Thailand); Dr. Gonzalo T. Santos Jr. (Philippines); Prof. G.W. Bartholomew (Australia); Prof. L.A. Sheridan (United Kingdom); Prof. Arthur von Mehren (United States of America); and Prof. Stanley Beck (Canada).

<sup>99</sup> Tan Keng Feng, *Publication of Scholarly Journals: A Case-Study of the Malaya Law Review* (Geneva: IMI, 1981) at 43.

<sup>100</sup> For the 1982 (Volume 24) issue, Tan recruited 8 students as Student Editorial Assistants.

<sup>101</sup> Minutes of the Editorial Committee Meeting (23 February 1982).

<sup>102</sup> See Tan Keng Feng, A.J. Harding & W.J.M. Ricquier, eds., *Malaya Law Review House Style: Guide for Editors and Authors for Preparation and Printing of Contributions* (Singapore: Faculty of Law, National University of Singapore, 1986).

<sup>103</sup> Interview with Tan Keng Feng (2 July 2009).

<sup>104</sup> Minutes of Editorial Committee Meeting (23 February 1982).

<sup>105</sup> *Ibid.*

During Tan's Editorship of the *Review*, two more volumes in the Singapore Law Series were planned. However, unlike the first series edited by Koh Kheng Lian, this new series featured much larger volumes that were to be edited by Tan Sook Yee and co-published by the *Review* with Butterworths.<sup>106</sup> When Tan Keng Feng took the helm of the *Review*, he had wanted to pen a short commemorative note with A.J. Harding to celebrate the 25th anniversary of the Law Faculty, to be inserted into the July 1982 issue of the *Review*. However, this could not be done because the 25th anniversary of the Faculty had already passed in 1981. Instead, as the 25th anniversary of the *Review* was in 1984, Harding offered to put together a collection of essays for publication as a commemorative book.<sup>107</sup> This collection was eventually published as *The Common Law in Singapore and Malaysia*.<sup>108</sup>

The *Review's* 25th anniversary was celebrated in grand style with a public lecture by G.W. Bartholomew, who had twice before been its editor, on 10 February 1984. Bartholomew, who stopped by Singapore on his way back to Australia from Cambridge, delivered a lecture entitled "The Singapore Statute Book" at the Moot Court at the Faculty of Law at Kent Ridge campus. In his introductory speech, Tan Keng Feng outlined what he considered to be the hallmarks of a good law journal:

The standing of a law journal is judged by:

- (i) the quality of the material it contains;
- (ii) citations of the journal in legal bibliographies, books and other journals;
- (iii) availability of the journal in major law libraries; and
- (iv) longevity, regularity and frequency of its publication.

By these criteria, the *Review* has, over the last 25 years of development, reached a satisfactory standard and can justifiably claim to have become one of the internationally accepted law journals. The circulation of the *Review* is over 650 copies each issue world-wide and it may be one of the few publications by an academic institution that can still be run profitably and beneficially nowadays.<sup>109</sup>

Shortly after this happy occasion, Tan Keng Feng resigned as Editor of the *Review*. His father, who had been ailing for some time, had just passed away, and Tan felt the need to take a sabbatical. Just before his departure, Tan completed a confidential report on the state of the *Review* with recommendations on future actions and submitted it to Tan Sook Yee, who was now Dean of the Faculty.<sup>110</sup> Among other things, Tan Keng Feng recommended that the present organisational structure be maintained and that Editorial Committee members not be allowed to serve more than 2 terms on the Committee except under "exceptional circumstances considered justifiable by the Faculty."<sup>111</sup>

---

<sup>106</sup> The two volumes were: W.J.M. Ricquier, *Land Law* (1985); and Lye Lin Heng, *Landlord and Tenant* (1990).

<sup>107</sup> Minutes of Editorial Committee Meeting (1 March 1983).

<sup>108</sup> A.J. Harding, ed., *The Common Law in Singapore and Malaysia* (Singapore: Butterworths & Malaya Law Review, 1985).

<sup>109</sup> Tan Keng Feng, Speech on the occasion of the 25<sup>th</sup> anniversary of the *Malaya Law Review* (10 February 1984).

<sup>110</sup> Tan Keng Feng, "Report to the Dean on the Organisational Structure of the Malaya Law Review" (August 1984) (Sing. J.L.S. files).

<sup>111</sup> *Ibid.* at 11.

Tan further commented on the Committee's high dependence on Koh Yong Song—administrative assistant in the Faculty office—for support in “the operational mechanics of printing and the running of the Accounts of the *Review*”, and on how his presence provided “the continuity in these matters between Editors.”<sup>112</sup> Koh had joined the Faculty as a member of the administrative support staff in 1965 and was quickly deployed to assist in the work of the *Review*. In addition to assisting in all administrative matters relating to the *Review*, Koh was also responsible for painstakingly typing out drafts of manuscripts in readiness for publication. Often-times, he had to take manuscripts home to type so that deadlines could be met. For his off-office hours work, the *Review* paid Koh \$250 for each volume. Later, when the Faculty bought a Burroughs word processor (at Tan Keng Feng's recommendation), Koh voluntarily gave up this honorarium. Beyond supporting the *Review* administratively, Koh also succeeded in persuading his brother, Koh Yong Chuan, director of Bang & Olufsen Asia, to consistently place full-colour advertisements in the prime back page of the *Review*. He retired from the Faculty of Law in April 2006.

Lye Lin Heng, who had served on the Committee with Tan since 1980, took over as Editor. Lye took further steps to streamline the management of the *Review* by proposing a new Editorial Committee structure that would include 9 Faculty members elected by the Faculty and 3 student representatives appointed by the Editorial Committee. She also proposed that the term of office for each member run for 2 years from the date of election. All these recommendations were accepted by the Editorial Committee and the Faculty. The formal inclusion of 3 student representatives to the Committee—as opposed to merely having them listed as student assistants—was a major but shortlived innovation. This was subsequently abolished as it was found to be “impractical” and in its stead, the Editor of the student-run *Singapore Law Review* was invited to occupy an *ex-officio* position in the Editorial Committee.<sup>113</sup> Like Tan Keng Feng and Koh Kheng Lian before her, Lye was committed to ensuring greater coverage of ASEAN materials in the *Review*. In 1985, she strengthened the ASEAN section by getting the Board to reinstate the previous practice of appointing ASEAN correspondents. Four ASEAN correspondents were appointed for the 1986 volume.<sup>114</sup> The practice of appointing correspondents continued till 1995 although different nomenclature was used to designate them. In 1993, they were simply known as ‘Correspondents’ whereas from 1994, they were known as ‘Asia-Pacific Rim Correspondents’, with the latter including correspondents from Brunei and Australia as well.

Lye stepped down as Editor of the *Review* in 1986 and was replaced by Poh Chu Chai. Alas, the paper trail goes rather cold at this point. Due to the Law Faculty's move from Kent Ridge to Bukit Timah campus, many documents, including minutes of meetings, have been misplaced or lost and attempts by individuals to recall precise dates and events have not been too successful. What we do know is that the *Review* grew from strength to strength under each of the succeeding editors and it was never short of contributions. The organisation of the *Review*'s contents remained relatively

---

<sup>112</sup> *Ibid.* at 12.

<sup>113</sup> Minutes of Law Faculty Meeting (23 August 1986).

<sup>114</sup> They were: Apirat Petchsiri (Thailand); Bartolome S. Carale (the Philippines); Sunaryati Hartono (Indonesia); and Visu Sinnadurai (Malaysia).

unchanged from the time of Koh Kheng Lian's editorship in 1977-1979 right up to her second stint as Editor in 1990-1994.

#### VII. THE SINGAPORE JOURNAL OF LEGAL STUDIES (1991-2008)

Koh Kheng Lian had returned from her long stint in Vienna in 1988. In 1990, she was asked by Dean Tan Lee Meng to take over the Editorship of the *Review* from M. Sornarajah, who was stepping down from the post. Koh, who had long felt that the *Review* should be renamed, succeeded in getting Faculty approval to change the name of the *Review* a year after she assumed office. Several names were suggested and she recalls that it was Soh Kee Bun, then Assistant Editor of the *Review*, who proposed that the journal be renamed the *Singapore Journal of Legal Studies* ("SJLS").<sup>115</sup> Koh remembers going round to each and every member of the Faculty to personally canvass support for the name change and to get reactions to the proposed name. Dean Tan Lee Meng, who was known to actively encourage the growth and development of local legal scholars and literature, gave her his whole-hearted support.<sup>116</sup> The journal was launched under its new title in July 1991, with its Malaysian Advisory Committee member, Tun Mohamed Suffian, as guest-of-honour. In her effort to get more students to read articles in the new journal, she persuaded several leading law firms to donate moneys that would pay for complimentary copies that would be given out to the students. In 1993, after much lobbying by the staff and the Dean, the University agreed to classify the *SJLS* as an "internationally-refereed journal", distinguishing it from other "locally-refereed" journals such as the student-run *Singapore Law Review* and the newly-established *Singapore Academy of Law Journal*. Koh stepped down as Editor in 1995.

M. Sornarajah took over the Editorship of the *Journal* and floated the idea to split the journal into two, with the *SJLS* covering the traditional common law areas and a new *Singapore Journal of International and Comparative Law* ("SJICL") that would take over the sections on 'Singapore and International Law' and 'Asia-Pacific Law'. The idea to start a new journal was supported by Dean Chin Tet Yung. The initiative was to create a new publication that would "cater to the growing interest and need for research and information in these areas" and to "serve the need for a journal on international legal issues in the region."<sup>117</sup> This proposal was accepted by the Faculty and Sornarajah became simultaneously the Editor of both journals.<sup>118</sup> With two whole sections excised from the *SJLS*, its form was returned to that of a more conventional journal, like many published in the common law world, being organised along the divisions of 'Articles', 'Case-notes and Legislation Comments' and 'Book Reviews'.

In 1998, Sornarajah relinquished the Editorship of the *SJLS* in favour of Teo Keang Sood (who had served under him as Business Manager), and the Editorship of the *SJICL* in favour of Kevin Tan and became a member of the Advisory Committee of the latter journal.<sup>119</sup> Teo took charge of two volumes of the *SJLS* and stepped down

<sup>115</sup> Interview with Koh Kheng Lian (2 June 2009).

<sup>116</sup> *Ibid.*

<sup>117</sup> Minutes of Law Faculty Meeting (16 September 1995) at para. 11(1).

<sup>118</sup> Minutes of Law Faculty Meeting (16 September 1995).

<sup>119</sup> *Ibid.* at para. 12.

in 1999 in favour of Michael Hor. In November 1999, the Law Faculty celebrated its 40th anniversary and along with it, the *SJLS* published a 40th Anniversary issue which included special guest articles by Andrew Ashworth, Peter Birks and Andrew Phang.

Hor served as Editor of the *SJLS* for the next five years, stepping down in 2004 in favour of Yeo Tiong Min. Yeo resigned from the Faculty and as Editor of the journal in 2007 to become the first Yong Pung How Professor of Law at the Singapore Management University's School of Law. As an interim measure, Tracey Evans-Chan, who was Deputy Chief Editor to Yeo Tiong Min, took charge of one issue of the journal. Stanley Yeo, who first served on the Board of the journal as ASEAN editor when it was the *Malaya Law Review* back in 1982, was appointed the journal's Editor in 2008.

### VIII. CONCLUSION

It seems like we have gone full circle. Today, the *SJLS* continues to be published along the lines established by L.A. Sheridan when he first conceptualised the journal back in 1958. In the intervening 50 years, the *SJLS* was called upon to perform a multitude of tasks, from commissioning and financing basic research to create finding tools for lawyers and law students, to publishing monographs to advance local jurisprudence, to acting as a repository for important documents, statements and material relating to our jurisdiction and those of our neighbours in ASEAN.

Over the past 50 years, the *SJLS* has grown in quality and stature and is now acknowledged as one of the most important law journals in the common law world. Recently, it received an 'A' rating in the Australian Research Council's recent ranking of world legal publications. The *SJLS*'s current coverage extends to domestic and international legal developments in Singapore, Asia and the common law world. Its articles have often been cited by judges in the local courts<sup>120</sup> and even in courts abroad.<sup>121</sup> The likelihood of the *SJLS* being cited in decisions as well as in scholarly

<sup>120</sup> Citations by local courts for 2008 alone include: Daniel Seng, "Another Clog on the Construction of Contracts? The Parol Evidence Rule and the Use of Extrinsic Evidence" [1997] Sing. J.L.S. 457 in *Zurich Insurance (Singapore) Pte. Ltd. v. B-Gold Interior Design & Construction Pte. Ltd.* [2008] 3 S.L.R. 1029 (C.A.); Michael Hor, "Corroboration: Rules and Discretion in the Search for Truth" [2000] Sing. J.L.S. 509 in *Public Prosecutor v. Mohammed Liton Mohammed Syeed Mallik* [2008] 1 S.L.R. 601 (C.A.); Jeffrey Pinsler, "Statements of Witnesses to the Police: A Story of Strange Bedfellows in the Criminal Procedure Code and Evidence Act" [2001] Sing. J.L.S. 53; M. Somarajah, "Common Intention and Murder under the Penal Codes" [1995] Sing. J.L.S. 29; Michael Hor, "Common Intention and the Enterprise of Constructing Criminal Liability" [1999] Sing. J.L.S. 494; and Koh Kheng Lian, "Penal Code: Section 34 and Participation" [1992] Sing. J.L.S. 232 in *Lee Chez Kee v. Public Prosecutor* [2008] 3 S.L.R. 447 (C.A.); Tan Keng Feng, "Nervous Shock to Primary Victims" [1995] Sing. J.L.S. 649; Kumaralingam Amirthalingam, "Lord Atkin and the Philosopher's Stone: The Search for A Universal Test for Duty" [2007] Sing. J.L.S. 350; and Lee Eng Beng, "Vindication of the Three Proximities" [1992] Sing. J.L.S. 528 in *Ngiam Kong Seng v. Lim Chiew Hock* [2008] 3 S.L.R. 674 (C.A.); and Alexander Loke, "Damages to Protect Performance Interest and the Reasonableness Requirement" [2001] Sing. J.L.S. 259 in *Family Food Court (a firm) v. Seah Boon Lock (trading as Boon Lock Duck and Noodle House)* [2008] 4 S.L.R. 272 (C.A.).

<sup>121</sup> See for example Michael Hor, "The Privilege Against Self-Incrimination and Fairness to the Accused" [1993] Sing. J.L.S. 35, in *Environment Protection Authority v. Caltex Refinery Co. Pty. Limited* (1993) 178 C.L.R. 477 (High Court of Australia) as well as in *R v. P* [1994] 1 S.C.R. 555, *R v. Jones* [1994]

publications has also been enhanced by the journal making itself available to scholars and lawyers worldwide through databases such as Lawnet, Heinonline, Westlaw, Proquest and the Social Science Research Network (SSRN). The latter database is directly connected to the Wilson Index to Legal Periodicals as well as to the Google Scholar search engine. As the *SJLS* and the Faculty look towards the next 50 years, new challenges and demands will be made upon the publication. The proliferation of new journals—such as the *Singapore Academy of Law Journal* (established in 1989)—and web-based publications threaten journals like the *SJLS* at every turn. Scholars and practitioners, anxious for their work to reach a larger audience, are increasingly enticed to contribute to web-based publications that allow their articles to be published much more quickly and to reach a wider audience. As the *SJLS* looks ahead to its next 50 years, does its history hold any lessons for us?

Three points might perhaps be made here. First, the *SJLS* has survived and flourished primarily because it was always regarded as one of the central pillars of the Faculty of Law. The Faculty's close identification with the *SJLS*—as evinced by its original name, the *University of Malaya Law Review*—gave Editorial Board and Committee members a deep sense of ownership of the publication and its processes. Even in times when instability reigned in the Faculty, when Editors were being changed annually, sufficient concerned members of the Faculty would always rally to keep their journal from teetering over the brink. At the same time, by keeping it in-house the journal was able to build up a huge cash reserve that would see it through the most difficult of times. It was profitable from the day it was founded and by the mid 1990s had amassed some S\$410,000 in cash and stocks. Secondly, the *SJLS* has thrived because it constantly strove to remain relevant and committed to its constituency. In the early years, its main mission was the publication of material relating to local law, and as Singapore matured as a nation, the journal consciously expanded its remit to include materials from ASEAN and other Asian states. The constant review and adaptation has kept the publication current and relevant to an ever-growing audience. By consciously making itself the English-language voice of the common law and of indigenous law in Southeast-Asia, rather than senselessly aping established journals in the West, the *SJLS* has positioned itself strategically to take on all comers. Finally, the *SJLS*'s willingness to rejig and reorganise its organisation and structure—be it the inclusion of an advisory committee or the involvement of student editors—to meet changing circumstances and trends, keeps it nimble and ready to respond to change in the wider world.

So long as the *SJLS* remains committed to its constituency, to bringing high quality thought and commentary on legal issues of the day, and so long as it is able to react practically and sensibly (rather than sentimentally) to change, it need have no fear that it will not enjoy another glorious 50 years.

---

2 S.C.R. 229, and *R v. S* [1995] 1 S.C.R. 451 (all Supreme Court of Canada); Margaret Fordham, "Breach of Statutory Duty—A Diminishing Tort" [1996] Sing. J.L.S. 362 in *Northern Sandblasting Pty. Ltd. v. Harris* (1997) 71 A.L.J.R. 1428 (High Court of Australia); and Tan Keng Feng, "Nervous Shock to Primary Victims" [1995] Sing. J.L.S. 649 in *Frost v. Chief Constable of Yorkshire Police* [1998] 3 W.L.R. 1509 (House of Lords).