

On 29-30 October 2010, a HYI-sponsored international workshop titled "*We the People*" and *the Post-1945 Constitutional Founding in Asia: A Comparative Perspective* was successfully held on the campus of the Netherlands Institute for Advanced Study (NIAS) in Wassenaar in the suburban Hague.

Convened and organized by Sung Ho Kim (Visiting Scholar '09-'10) of Yonsei University, Seoul, Korea, together with Chaihark Hahm of Yonsei Law School, the workshop was made possible through the joint support of the Hague Institute for the Internationalization of Law (HiiL) and NIAS as well as HYI. Another HYI alum, Teilee Kuong (Visiting Scholar '09-'10), also joined the Workshop as a participant.

The workshop was conceived of during Kim's residence at HYI with the intention of comparing the constitutional traditions of various Asian nations as well as promoting scholarly dialogue among academics from Asia, Europe, and North America. It showcased the experiences of ten different Asian nations (China, Taiwan, Singapore/Malaysia, Vietnam/Cambodia, Indonesia, the Philippines, Japan, and Korea) in forging a democratic "constituent people" through the process of making and amending constitutions.

A group of top political scientists and constitutional scholars representing eight Asian countries (Ishida Ken, Teilee Kuong, Li Qiang, Raul Pangalangan, Bivitri Susanti, Thio Liann, Yeh Jiunn-rong, and Hahm & Kim) made lively presentations, to which three interlocutors and discussants from Europe (Leonard Besselink, H. Patrick Glenn, and Bert van Roermund) offered engaging and critical comments. Mark Tushnet, Cromwell Professor of Comparative Law at Harvard Law School, chaired each and every session.

One theme that was reiterated throughout the discussions was that idea of "We the People" which is invoked by all modern democratic constitutions is an ideological construct that is conjured by the process of making the constitution. While this was more clearly visible in cases like the Philippines and Indonesia, it could also be confirmed in relation to countries like Japan and Korea which had existed as a unified ethnic nation long before the adoption of democratic constitutions.

Another dominant theme of the workshop was the inadequacy, in the face of the Asian experience, of conventional West-centric theoretical frameworks and conceptual tools for thinking about constitutional founding. This pointed to the need for more historically informed reflections on how to theorize about constitution-making and popular sovereignty.

Organizers of the workshop and director of HiiL expressed great satisfaction with the depth and sincerity of the intellectual debates and promised to work closely to secure publication of the presented works. The workshop is already scheduled to meet again during the annual conference of the Association for Asian Studies on 2 April 2010, where the final version of the papers to be published will be exchanged and discussed in a special Roundtable.