This volume of essays contributes to the understanding of global law reform by questioning the assumption in law and development theory that laws fail to transfer because of shortcomings in project design and implementation. It brings together leading scholars who demonstrate that a synthesis of law and development, comparative law and regulatory perspectives (disciplines which to date have remained intellectually isolated from each other) can produce a more nuanced understanding about development failures.

Arguing for a refocusing of the analysis onto the social demand for legal transfers, and drawing on empirically rich case studies, contributors explore what recipients in developing countries think about global legal reforms. This analytical focus generates insights into how key actors in developing countries understand global law reforms, providing knowledge that will enable lawmakers to better predict the outcomes of imported reforms.

**John Gillespie** is Professor of Law at and Director of the Asia-Pacific Business Regulation Group at the Department of Business Law and Taxation, Monash University. He specialises in Asian comparative law, law and development theory and regulatory theory.

**Pip Nicholson** is Professor of Law and Director of the Comparative Legal Studies Program and Associate Director (Vietnam) at the Asian Law Centre, Melbourne Law School, University of Melbourne. She specialises in law and development, comparative legal studies and socialist transforming Vietnam.
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In September 2009 a group of scholars, invited from around the globe, assembled in Prato, Italy to discuss how legal transfers are reinterpreted in recipient countries. This volume emerged from the Prato conference. Contributing authors were asked to consider how stakeholders in diverse locations (particularly within Asia) adapt, reject or adopt legal transfers. Contributors were asked to reflect on the methodology they took to their studies and explore how an interpretive framework advanced their understanding of the broader field of law and development.

We wish to thank the Australia Research Council (particularly Grants DP0985927 and DPO880036) and our ‘home’ institutions. Monash University provided the convivial and collegial Prato facility for the original conference and the Asian Law Centre at the Melbourne Law School, led by its manager Kathryn Taylor, afforded logistical and organisational support.

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John Gillespie and
Pip Nicholson