

Opening Remarks

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Opening Remarks

Naoyuki Sakumoto
Institute of Developing Economies

Distinguished guests and speakers:

Let me take this opportunity on behalf of Institute of Developing Economies /Japan External Trade Organization (IDE/JETRO) to express our gratitude to all the participants for your attendance to this Roundtable Meeting on “Law, Development and Socio-Economic Changes in Asia”, here in Manila. Presently we are carrying out nine joint research projects with overseas research counterparts of seven countries, including China, Philippines, Malaysia, Thailand, Indonesia, Vietnam and India. All these counterparts are kindly participating in this Roundtable Meeting. Please allow me also to extend our sincerest appreciation to Prof. Pangalangan, Dean of College of Law, University of the Philippines, as well as to the member staff of the College, who have kindly provided assistance to hold this Roundtable Meeting. Moreover, I would like to thank the Japanese professors who are with us today.

In this meeting, we will discuss two research topics: “Judicial Reforms in Asia: Current Issues and Challenges” and “Rethinking of Law and Development: An Asian Perspectives”, respectively on November 20 and 21, 2000. When we look at the recent radical changes in the economic and political environment in Asia, we will immediately notice that such changes are seriously affecting our legal climate to a considerable extent. Globalization, marketization and democratization movements are sweeping over all Asian countries. The economic crisis in Thailand, which started in July 1997, plunged not only the Asian economies but also the world economy into a complete mess. Asian countries exposed their fragility in its structural and institutional aspects. As a result, drastic legal reforms or dynamic legal changes have been taking place to cope with such deficiencies. These are what we call new challenges in many Asian countries. We are trying hard to establish our new and own legal regime or governance.

With regard to Indonesia, the dictatorial Suharto political regime, which had lasted for as many as 32 years, was finally overthrown by democratization movement of the Indonesian people. It should be remembered that the most decisive moment to topple

down the Suharto regime was the serious economic crisis triggered by the considerable depreciation of Rupiah currency against US dollars in 1997. Almost three years have passed since the downfall of President Suharto; however, Indonesia has not yet witnessed its political and economic stability. Rather, they are falling into more unstable conditions, despite the fact that a large number of laws and regulations have been promulgated during these three years.

On the other hand, international organizations such as the World Bank, IMF or ADB, and developed countries, are discussing the most effective way of providing technical legal assistance to Indonesia, because different donors and overseas governments have been providing legal assistance to Indonesia in an uncoordinated way. Some emphasize the importance of introduction of economic laws such as Insolvency Law or Anti-monopoly Law in order to achieve her rapid economic recovery, whereas others prioritize the eradication of KKN (Corruption, Collusion and Nepotism) in Indonesia. Some stress the need to support capacity building at the local government level, while others are interested in pushing democratization process of Indonesia ahead more strongly. Not only international organizations and developed countries but also NGO groups are supporting human capacity development in Indonesia.

It is clear from these examples that, analyzing the economic development in Asian countries, we cannot ignore the accumulation of social problems found everywhere in Asia. They are not necessarily traditional issues but modern legal issues. We need to sophisticate our legal tools in order to solve such modern type social problems such as environmental problems, consumer protection, labour issues, and human rights. We can also witness such discussion as developmentalism versus anti-developmentalism or globalism versus anti-globalism. I believe that it is the time for us to stop to think or to rethink how the development should be and the role of law in such a process should be in Asia.

Every Asian country is facing with various legal issues that have to be resolved. However, our historical, as well as political, economic and social situations are different from each other. We need to start our discussion from the very beginning but from the very essential part of our legal studies.

It is our sincere wish to discuss actively in order to exchange our academic ideas

on the aforementioned two subjects. It will help develop our knowledge on other Asian countries and comparative insights. The time allowed for us is only two days, however, we would like to make the most use of our time in order to enjoy discussion and to share different views and understandings on the role of law in the process of development as well as the legal changes in Asia.

Thank you very much again for your participation and we strongly hope that our Roundtable Meeting will finally become a very fruitful one.