



LUNCH SEMINAR

on the Japanese Economy and Society

at the Maison franco-japonaise

The Possibility of the Rule of Law Networking through Legal Cooperation: a Challenge for Global Governance

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Discussant

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The Research Institute at the French-Japanese House

Thursday November 26th, 2009, from 12:30 pm to 2 pm

Maison franco-japonaise, room 601 (6th floor)



With the generous support of the Economic Section of the French Embassy and the French Chamber of Commerce and Industry in Japan

Summary

Legal cooperation has become the major category of international aid as it has been recognized that institution matters in development, for it will give incentives for people to be creative and thus transform various assets into productive capital. So many legal assistance projects have been concentrated on the former Eastern bloc and developing countries in Asia, Africa and Latin America. However, the outcome of legal cooperation is now questioned, because it has produced problems rather than visible fruits. Where donors have been competing each other believing that "he who writes the laws get the business", they brought about the confusing, sometimes harmful, laws which were mutually contradicting in one country. New legislation often collided with the traditional rules in recipient countries so that it is still hard to enforce. The main

stream strategy for legal reform like the "Washington Consensus" is severely criticized by emphasizing the crucial role of informal rules based on the culture, while new strategy has yet to replace the old one. We do not know both who can be the credible coordinator of legal assistance provided by different donors and what should be the correct way of legal reform in a developing society where government is weak or collapsed. But it could be profitable for every actor of international society to consider how to establish governance system even without government in the globalizing world where various interests are becoming common. Legal cooperation projects experimented in various states may enter into a new stage of national legislation, if they are webbed effectively so as to construct a network of the rule of law.

Short Biography of MATSUO Hiroshi



Hiroshi Matsuo, Professor of Law, at Keio University Law School, studied law at Keio University (LLB, LLM) and Hitotsubashi University. He teaches Property, Contract, Tort, Restitution, Family Relations and Succession Law, and Law and Development. He has taught Japanese Legal System at the University of Sydney, Jena, etc., and has been participating in legal assistance projects undertaken by Japan International

Cooperation Agency (JICA) for China, Cambodia, Lao PDR, Myanmar, Nepal, East Timor, etc. He is the author of *A System of Civil Law* (『民法の体系』慶應義塾大学出版会), *Good Governance and the Rule of Law* (『良い統治と法の支配』日本評論社), *Introduction to the Civil Law Systems*, JICA-Net (<http://hdl.handle.net/10410/231>), and wrote articles on jurisprudence, including "Reception of Law and Civil Law Tradition," in: G. Doeker-Mach and K. A. Ziegert (eds.),

Law, Legal Culture and Politics in the Twenty First Century, Franz Steiner Verlag, 2004, "The Rule of Law and Economic Development: A Cause or a Result?", in: Y. Matsuura (ed.), *The Role of Law in Development: Past, Present and Future*, Nagoya University: CALE Books, 2005, etc.

Short Biography of Isabelle GIRAUDOU



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- Associate Researcher, Global COE Program, University of Tôhoku (Sendai)
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What is the Lunch Seminar?

This typical event has been organized at the Maison-Franco Japonaise (Nichi-Futsu Kaikan) – Room 601 (6F) from 12.30 to 14.00, since 2004 with the generous support from the Economic Section of the French Embassy and the French Chamber of Commerce and Industry in Japan. For more information, please visit the website of the seminar : http://www.mfj.gr.jp/lunch_seminar/lunch_seminar.html

Please note that this is a "brown bag lunch seminar" (please bring your sandwiches or "bento").

How to attend the Lunch Seminar ?

The participation to the Lunch Seminar is free but **registration is strictly required**. Please apply by e-mail to : mikasa@mfj.gr.jp ; or by fax (03-5421-7652) specifying your :

- | | |
|--------------------------|----------|
| – name | – adress |
| – company or institution | – phone |
| – position | – e-mail |

NB : The presentation will be followed by a discussion with the participants (in English, no translation).

How to get there ?



Nichifutsu Kaikan (MFJ) : Shibuya-ku, Ebisu, 3-9-25

▷ From the Ebisu JR station take the Skywalk Exit, turn left and walk 5 mn alongside Yebisu Garden Place.

