

Introduction:

Leading Graduate Schools Program and Institutional Design in the Philippine Mining Sector

David Green
Sean McGinty

The papers that follow are the outcome of what might be termed a “pioneering” two year joint research project undertaken by the inaugural group of students in Nagoya University’s Leading Graduate Schools Program (Leading Program). The program aims to develop professionals with the ability to design legal institutions in a cross border environment and this project, which required the students to work in collaboration with colleagues from a variety of countries, is one of its key components.

Nagoya University’s Leading Graduate Schools Program, administered through the Graduate School of Law, started in 2011 as a means of educating future Asia-literate leaders in classical legal and political science pedagogy, as well as fostering practical team management and project development skills. Managed in part by the Japan Society for the Promotion of Sciences and funded by the Japanese Ministry of Education, the program emphasizes on investigating and identifying social and legal problems, collaborating with professionals in the field, international networking and the multilingual research environment, which makes the program wholly unique both in and outside of Japan.

The initial cohort of five students selected for the program were given a broad task of creating a policy proposal for the government of an Asian country in the area of “environmental issues in a globalized world.” The project is composed of two interconnected parts: individual research projects undertaken by each student on a specific issue, and an overall joint research project in

which the individual pieces are brought together into a single, cohesive policy proposal. The details of the project – including the country to be the subject of the proposal, the area of environmental policy to be examined, and the policy mechanisms to be proposed – were left to the students to develop through a process of collaborative research and negotiation amongst themselves. As a result, the students settled upon the topic of “enhancing environmental governance through transparency and public participation in the Philippines’ mining sector.”

Throughout this project, the students were required at regular intervals to submit reports and to present the results of their evolving research before a panel of professors in the Leading Program. The aim of these sessions was to subject their proposals to criticism and to provide comments which would allow them to improve the quality of their research. Some of the students were also given the opportunity to visit the Philippines and conduct field research. In February of 2014, nearing the completion of the joint research workshop, the students presented the interim results of their research at an international conference hosted by Nagoya University. A number of leading experts in the field of legal institutional design, including David Trubek of the University of Wisconsin, Jacob Torfing and Eva Sorensen of Roskilde University in Denmark, Bengt Lundell from the University of Lund in Sweden, Stefan Rother from Germany’s Arnold Bergstrasser Institute, Yasunobu Sato from the University of Tokyo, and Hassan Cisse and Akiko Ogawa of the World Bank were invited to give presentations and provide the students with feedback on their project. The students were able to use the valuable input they received on these occasions to improve their project and complete the final report in July of 2014.

What you hold in front of you are the results of these efforts: excerpts from students’ individual reports as well as their joint project summary. Through this exercise we hope not only to improve the research and policy proposal skills of our students, but also to shed some light on a pressing environmental problem in a number of Asian countries. Looking forward, Nagoya University’s Leading Graduate Schools Program plans to address additional issues affecting Asia with viable policy prescriptions in future volumes.