Editors’ Note

The editors of the Asian-Pacific Law & Policy Journal (“APLPJ”) are proud to present our Fall 2016 issue (Volume 18, Issue 1). This issue features five distinct articles which examine an array of fascinating legal issues from across Japan, China, Malaysia, Thailand and Hawaii.

We first present, Japan and the Liberal Global-Order Project: A Time to Stop and Stare by Dr. Luca Siliquini-Cinelli, senior lecturer at Deakin University Law School in Australia. In this article, the author analyzes the “liberal global-order project” in comparison to Japan’s attitude towards globalized liberalism. In looking at the Westernization of Japan’s legal values, form of government, and legal doctrines, he demonstrates that Japan has never been a part of the liberal global-order project and continues to reject it.

Next, Challenges for Enforcing Food Safety Law and Regulation in China: Case-Studies of Government Agencies in the Shanghai Region, provides an in-depth analysis of the food regulatory system in China. Through a series of interviews with several Shanghai law enforcement agencies concerned with food safety, authors Qijun Jiang and Ying Zhu, find that the reactive mentality of law enforcement agencies in rigidly following rules and routine inspection methods has failed to prevent continuous food crises that continue to influence consumer confidence in China. They instead propose that more holistic methods of implementation and enforcement of laws and regulations is necessary.

Next, Daniel Pascoe of the University of Hong Kong elaborates on What Rejection of Anwar Ibrahim’s Petition for Pardon Tells Us About Malaysia’s Royal Pardons System. On 16 March 2015, Malaysian opposition leader Anwar Ibrahim’s petition for pardon from what he claims was a politically-motivated conviction for sodomising his male aid was rejected by Malaysia’s King, the Yang di-Pertuan Agong. In Malaysia’s Federal jurisdiction, the Yang di-Pertuan Agong exercises the prerogative power to grant clemency or pardon on advice from a specially constituted Pardons Board, consisting of up to five members. Despite arguments in the Malaysian media being made in favour of the purported independence of the Pardons Board as a decision-making body and the pre-eminence of the Yang di-Pertuan Agong as the final decision maker on pardon, the article argues that through its composition and procedures, the Federal Pardons Board that disposed of Anwar’s petition is open to the perception that it may be subject to significant political influence from the Barisan Nasional government in power in Malaysia.
In *Dying to Spite the Graveyard: Thailand and the Necessity of Creating a Culture-Based IP Enforcement Paradigm*, author Matthew Parker discusses the difficulties of trade in intellectual property despite the existence of major treaties on the subject (such as the TRIPS treaty of the WTO). Using Thailand as a case study, it examines the ways in which Asia views Intellectual Property through a distinctly different set of assumptions by the West—culturally, economically, and philosophically. It then proposes that the only way to truly harmonize IP enforcement internationally is to do so in a culturally tailored way, focusing on educational and economic efforts more than punishment as the only way to bring disparate countries to mutual benefit and embrace of IP protections.

Our last article features the work of one of our own colleague at the University of Hawaii, J.D. Candidate Sara Hayden. Her article, *Electing the Bench: An Analysis of the Possible Negative Effects of Judicial Elections on Hawai‘i’s Legal Community*, proposes that Hawai‘i’s merit selection system is an appropriate and necessary method for selecting judges, and that judicial elections would be problematic for judicial selection and retention, and maintaining checks and balances in Hawai‘i. Through her in-depth analysis of the judicial election system used by Washington she details recommendations on how the current merit selection process could be reformed, based on the Washington model.

Finally, Asian-Pacific Law & Policy Journal is honored to provide a humble commemoration of our long-time journal advisor and William S. Richardson School of Law Professor and former Dean Larry Foster. His warmth towards students and faculty alike as well as his leadership, guidance and expertise have been fondly remembered by many of the distinguished legal scholars and former colleagues.

As always, the editorial staff of APLPJ would like to extend a warm *mahalo* (thanks) to the authors who have worked so diligently with us this semester and have chosen to publish their work in our beloved publication – truly an honor to have worked with you. Thank you as well to our advisors, Professor Mark Levin, Ronald Brown and Melody MacKenzie for their wisdom and guidance. Finally, thank you to our senior editors who have returned this year and to our incoming staff editors who have joined our ranks. As our journal continues to expand, it is an honor to help continue the legacy of APLPJ.

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