

Research Article

Influence of United States Constitutional System on Asian Countries

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Abstract: United States of America is a leading superpower in international politics and the infiltration of its constitutional system into other countries is quite conspicuous in many ways. The impact of it is manifest in the governance structure many Asian countries. Asia is an abode to different types of governments including long-established democracy, socialism and monarchies. This research studies and compares special Asian countries with the constitutional system of America as a model that has withstood the test to time since the 18th century. This research finds that the question of whether Asia can adopt democracy was what preoccupied Lee Kuan Yew as an Asian and Singaporean statesman. However, diffusion theory penetrates Asia, and the continent begins to wax in democracy and constitutionalism. Written constitutions also dominate Asia with models of check and balance, impeachments, and elimination of dictatorship although its last vestiges are still in some parts of the continent.

Keywords: American Constitution, Asian Constitutions, President's Impeachment, Separation of Power.



1. Introduction

Early in 1993, Lee Kuan Yew, the former Prime Minister of Singapore, made the argument that the ideal standard of Universal Declaration of Human Rights which states that the basis for a government's authority is the will of the people as periodically expressed through free elections, was impractical and unattainable in all nations. The Asian leader used China as an example of a nation whose four millennia-old customs could not be altered overnight [1]. The Singaporean statesman was thinking about one of the trickiest challenges facing the region posing whether it is possible for Asian nations to adopt democracy. Beneath his critical enquiry and concern is another equally complicated one that has to be addressed first. That is, can democracy be understood differently in different places, or is it a universal concept? The debate about universal against local constitutional system formulations is akin to this.

When examining the historical context of constitutional making process, there has been a noticeable shift in global discourse away from the normative or institutionalist perspective toward a more theoretical and comparative approach. A variety of models and theories have been proposed about the emergence and functioning of comparative constitutional systems. These include the ideational approach, the rights-based and rule of law hypothesis, the internationalization and modernization theories, and the hegemonic preservation theory. Additionally, there is the diffusion theory, which maintains that nations aim to imitate one another when implementing specific institutions and principles [2]. This diffusion theory explains how American constitutional law extends throughout Asia. It is important to note right away that Asian states have not embraced the entirety of the American constitutional style and framework. Rather, as Asian countries start to adopt constitutionalism in their governance, they only adopt specific components.

Asia's post-World War II decolonization presents itself as both a unique and common historical phenomenon. On the one hand, it was a more intense period of intense constitutional activity and state-building. Following the fall of the Western empires, numerous emerging nations stood out, each attempting to establish a new constitutional system. The sheer quantity of these new states, and particularly their influence on how the world's political map is arranged, is astounding. There were 56 sovereign nations in the globe in 1910. Following the first significant wave of decolonization, the number had risen to 142 by 1970 [3].

It is also evident that there are other constitutional courts operating throughout Asia, and the establishment of these courts frequently signifies the spread of constitutionalism and democracy from the US Supreme Court [4]. The Supreme Court of America is regarded as the oldest constitutional court in the world even if it does not use the term "constitutional" because it was among the first to declare a statute unconstitutional. As the only normative standard based on the understanding that every person has inherent dignity and nobility, human rights constitutionalism is the most compelling and prevalent set of normative standards by which to evaluate and compare constitutional systems, according to Beer's extensive opening analysis on constitutionalism in Asia and the United States of America [5].

The presidential election mechanism in the separation of power system used in the United States appears to be easily comparable to other current state administration concepts, particularly those affected by the western system. The role of the president alone has grown and will continue to do so as it develops. Asian countries are still heavily influenced by their traditional values and beliefs, even though they have evolved into modern "city-states" with western traits.

Two of the world's democratic nations are said to be the United States of America and Indonesia. Even while Indonesian democracy is still in its infancy, it offers a potential path toward becoming a fully-fledged democracy. On the other hand, the long-standing American political system has failed to produce a workable form of democracy [6]. In this case, written constitutions are present in both Indonesia and the US. The author contends that despite the fact that both states have the same type of constitution, there must be differences and parallels between the US and Indonesian constitutions [7]. Since Asia is the largest continent in the world, an attempt to examine and compare America's constitutional style with all of Asia is outside the purview of this research. Specifically, this research does not attempt to discuss, analyze, or make a thorough comparison of the American constitutional style with that of the Asian continent. Rather, this study compares the constitutional models of a few Asian nations with that of the United States of America. It is also crucial to note that this article will explore significant constitutional issues that affect the whole Asian continent.

This research's legal issue is how America's constitutional system or style has influenced Asia. In addition to legal matters, a state's constitution regulates its political and social issues. It is a tool for

social engineering that directs a society in a certain direction, but it is also a tool for social control that protects the customs and values unique to each community. As a result, there are certain parallels and discrepancies between the American Constitution and the constitutional frameworks in Asia due to the socioeconomic dynamics that influence political and legal structures in various jurisdictions. As a result, a major portion of this research will compare the processes involved in the creation, modification, and impeachment of presidents in various Asian nations.

2. Literature Review

2.1. Comparison of President's Impeachment Procedure in United States of America and Indonesia

French philosophy and English enlightenment schools of the Renaissance are the sources of ideas acquired by the American Declaration of Independence which was adopted in 1774 and acknowledges the rights to life, liberty, and the pursuit of happiness, among other things. Thus, many nations look forward to America in many of the things it professes and accomplishes, having benefited from the labour of this Thomas Jefferson follower to make one of the most inspirational statements. A criminal justice proceeding against a public figure that takes place before the Senate, often known as a quasi-political court, is known as impeachment. Articles of impeachment, which operate similarly to an indictment in a criminal court system, are the first step in the impeachment process. The impeachment procedure is one of the legislative instruments for keeping an eye on the conduct of public workers who have been given the power by the people to carry out their duties. Upon being impeached and found guilty of treason, bribery, or other crimes, the President of the United States, the Vice President, and all other civil officers must be removed from office, according to Section 2 of Article II of the US Constitution.

According to the Indonesian Constitution, the President of the Republic of Indonesia is the head of state. Therefore, removal of the President and/or Vice President from office requires completing the required steps and receiving the approval of the Constitutional Court. The Constitutional Court reviews, considers, and renders decision on the House of Representatives' determination that the President and/or Vice President have broken the law through acts of treason against the state, corruption, other serious criminal offenses, misconduct, or by no longer being eligible to serve as President or Vice President [8]. As a result, the legal systems of both nations effectively implement the philosophy of constitutionalism in policing and overseeing public office holders. This process is essentially unique in that deals with the stabilization of the President's position. It is pertinent if the legitimacy of the President's and Parliament's authority is based on the principle of accountability, which is the power derived from the popular trust – that is, the people's sovereignty [9]. Although the process of impeachment in both countries are not exactly the same, the normative intents of both systems of government is to ensure that there is check and balance among the arms of government which must be done within the purview of their constitutions and the institutions created to execute this task.

2.2. Constitutional Amendment Processes

This section compares and contrasts the United States of America with the Republic of Indonesia. Both nations are governed by presidential systems. In a presidential system of government, the president serves as both the head of state and the head of government. It differs from the parliamentary system, where the prime minister heads the government, and the president serves simply as the head of state. Article V of the US Constitution governs constitutional amendments. Meanwhile, in Indonesia, the mechanism for this change is regulated in Article 37 of the 1945 Constitution. Article V of the United States Constitution provides that "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses of the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate". In Article 37 of the Constitution of Indonesia 1945, it provides that:

- (1) If at least one-third of the People's Consultative Assembly membership submits a request to alter the Articles of this Constitution, it may be added to their session.
- (2) Any written proposal to amend any of the articles of this constitution must specify the articles that need to be changed as well as the justification for the change.
- (3) A minimum of two-thirds of the People's Consultative Assembly entire membership must be present for them to change its articles of incorporation.
- (4) The consent of at least 50% plus one member of the People's Consultative Assembly total membership is required for any resolution to modify the constitution's articles.
- (5) It is not permitted to change provisions pertaining to the Republic of Indonesia's unitary state structure.

Thus, the United States of America and the Republic of Indonesian constitutions both acknowledge and encourage amendment processes. There have been four amendments to the Indonesian Constitution [10], and the United States has undergone twenty-seven amendments. Furthermore, the legislature is the official body that has the authority to amend a nation's constitution. The Congress, which consists of the House of Representatives and the Senate, is the body in the United States with the authority to amend the Constitution, the People's Consultative Assembly which comprises the People's House of Representative and Regional Representative Council is the body in Indonesia with the same authority [11].

The XXII Amendment to the United States Constitution, which was enacted in 1951, states that there is a term limit on the number of presidential terms in office "No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of President more than once". Comparably, restricting the length of a president's tenure of office was a primary goal of Indonesia's first amendment, ensuring that future presidents would not be able to hold office for as long as President Soeharto did. As a result, the 1945 Constitution's Article 7 was modified to make it abundantly evident that a person could only hold the office of President of the Republic of Indonesia twice. This demonstrates how the American constitutional system has affected Indonesia, an Asian country. Several additional aspects of the American constitutional system are in use throughout Asia, aside from this impact on Indonesia.

3. Methodology

This paper is formed based on normative legal research with volumes of secondary data such as books, journal articles, thesis and dissertations. Since this is a comparative study, both new and old data are used to establish a nexus between the past and the current status of the subjects in this discourse. This research identifies some constitutional systems in Asia, the invasion of constitutionalism and the fading of monarchy and dictatorship. A comparison between Indonesia and United States President's impeachment process and the normative intents of both countries for embracing this process. Constitutional amendments are examined and the issue of separation of power is studied in a comparative way. This is complemented by the constitution-making in Asia, which is based on Renaissance philosophical ideas.

4. Finding and Discussion

4.1. The Concept of Separation of Power in America's Constitution

Making decisions involves borrowing ideas from one jurisdiction to advance them in another. For the aim of persuasion, precedents, arguments, concepts, and heuristics can all be applied across doctrinal boundaries of states [12]. One of the Founding Generation's main concerns during the drafting of the Constitution was how to appropriately limit the authority of the government. The creators of the new Constitution sought to achieve a crucial balance between safeguarding the most prized liberties of the American people and establishing a new, more powerful national government than the one that existed before it. They decided on a federal government with clear-cut but constrained authority. The framers distributed power in two ways rather than giving it to a single individual (like a king), a small group of individuals (like an aristocracy), or even the entire populace (like a direct democracy). The legislative, executive, and judicial departments of government comprise the three branches of government that the framers established to share authority at the federal level. The division of powers is the mechanism by which the several branches of government share authority. Afterward, the

framers of the constitution created the federalist system to further divide power between the federal government and the states.

The administrative structures of Asian nations are studied, and it is found that while they have comparable systems, they frequently operate differently. The majority of the Constitution makes it quite clear what powers belong to what and how a nation is to be run. But more research is needed to see whether the administrators' true intentions are reflected in how the constitution was drafted [13]. Since 2007, the judiciary in Pakistan has evolved into an independent institution from its historical role as a passive body that served to advance the executive's objectives. In the interests of the broader public, it has begun to exert its authority and function as a true law enforcer. Many segments of society find it admirable that it serves as an arbiter in the numerous conflicts about the distribution of powers among the government's branches. In a same vein, the Parliament passed important reforms to establish a national tradition of strengthening democracy and good governance [14]. The theory of separation of powers holds that rather than being centralized in one organization, governmental authority is dispersed, split, and shared. It prevents one branch from ever becoming overly dominant. For instance, under the American presidential system, laws are enacted by Congress and are vetoed by the president. If Congress has a two-thirds majority, they can overturn the president's veto. A statute may also be approved by the president and the congress, but the Supreme Court may later rule that it is unconstitutional. In a similar vein, the senate must confirm any appointments made by the president to positions as judges or other public authorities. The "Separation of Powers" theory is the foundation of the Pakistani Constitution. Though not to the same extent, it can be argued that the idea of separation of powers permeates every Asian legal system.

4.2. Constitution Making in Asia

The majority of States' constitutions in the 21st century is centered on a written document that has domestic status as ultimate law. The State to which a constitution applies has an umbilical cord relationship with it. The blending of concepts with roots in the Enlightenment period had an impact on the early codified contemporary constitutions in the United States. From these early trials, the idea of a purposefully written and defined constitution expanded throughout the world [15]. With the exception of Thailand, every nation in Southeast Asia has a comparable past as American colonies. Whether on purpose or accidentally, many of these nations became democracies after independence and drafted constitutions that were fashioned after the United States Constitution. For instance, Malaysia embraced many significant ideas from the United States constitution, including the supremacy of the constitution, the division of powers among the three arms of government, and the idea of federalism. The separation of powers idea and what it would entail to achieve it were theoretically and practically understood by the Framers of the American Constitution. Though few may have been well-versed in the complexities of the concept found in English political writings from the 17th and 18th centuries, the majority, if not all, were familiar with Montesquieu's formulation, which integrated much of this previous thought, especially that of John Locke [16].

In terms of fundamental rights, the American Constitution has an influence on the constitution of India. Articles 15 through 35 of the Indian Constitution outline fundamental rights. It is a thorough "bill of rights" that is modeled after the 1774 American Declaration of Independence. The fundamental rights are: Right to equality (Articles 14 – 18), Right to freedom (Articles 19 – 22, Right against exploitation (Articles 23 – 24), Right to freedom of religion (Articles 25 – 28), Cultural and educational rights (Articles 29 – 30), and right to constitutional remedies (Article 32). The American Constitution also contains provisions about the impeachment of the president, the roles of the president and vice president, the removal of justices from the Supreme Court and High Court, judicial review, and the independence of the judiciary.

It is critical to remember that the American constitution originally did not grant any fundamental rights to its inhabitants. The people of the country fiercely objected to the lack of fundamental rights. The French Declaration of the Rights of Man and the British Magna Carta were two further examples of fundamental rights given by the press. The strong American government was obliged to think about drafting these essential rights because the citizens of these two countries possessed them. The Bill of Rights was one of ten amendments to the American Constitution that were added in 1791. Because of this, the Americans were the ones who added the Bill of Rights to the Constitution first [17]. Regarding fundamental rights, there are many similarities between the people of the United States of America and the people of India. The main reason for the similarity is that many of the rights found in the US constitution are also found in the Indian constitution. Both countries' fundamental rights were

updated on a regular basis to make sure no important rights were overlooked. One of the fundamental rights that both countries have upheld is the right to free expression. The constitutions of both nations guarantee people the right to free speech and provide them plenty of opportunity to take up topics or difficulties that come up. Additionally, it has been noted that the government of the nation makes sure that everyone is free to enjoy these rights and that no one is hindered from doing so.

The United States Constitution, particularly the part that contains the Bill of Rights, is essentially duplicated in the Philippine Constitution. The United States of America colonized the Philippines for nearly fifty years. The national government of the Philippines is modeled after the American one, with a president, an executive branch, and a bicameral legislature consisting of the Senate and House of Representatives. The Philippine Supreme Court, which is in charge of the federal court system, leads the judicial branch. The Philippine Constitution upheld the division of powers between religion and politics, much like the US Constitution does. The 1987 Constitution's Article II, Section 6 states: "The separation between Church and State shall be inviolable". Moreover, Article III, Section 5 of the Constitution mentions "No law shall be made respecting an establishment of religion or prohibiting the exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights". The principle of the United States Constitution that prohibits the state from interfering with domestic religious affairs is attributed to the French philosopher Voltaire.

Another constitutional design worth comparing with the US Constitution is the one found in Japan. In fact, men of letters, journalists, and a national commission of inquiry concluded that Americans forced the existing constitution upon the Japanese [18]. Japan's sovereign was the emperor, according to the previous constitution. From the palace down to the people, he bestowed upon them the 1889 constitution, using his authority as a direct descendant of the old Japanese gods. However, the 1946 constitution started with a familiar-sounding sentence in the preamble: "We, the Japanese people, acting through our duly elected representatives in the National Diet, determined that we shall secure for ourselves and our posterity the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land, and resolved that never again shall we be visited with the horrors of war through the action of government, do proclaim that sovereign power resides with the people and do firmly establish this Constitution". The declaration "We the people" and "secure for ourselves and our posterity" – the US Constitution and US state constitutions are two more things that the Japanese constitution borrows from. It was translated from English into Japanese. Japan's 1946 constitution was an audaciously progressive and utopian charter. It expressly declares the right to vote, among other things. Such a right is just implied by the US constitution. Additionally, the US constitution implies but does not explicitly state the express right to academic freedom.

The statement that Japanese law evolved in the direction of American law after World War II is not hyperbole given the significant influence that American law has had on Japanese law [19]. The United States also modified the clause in the Japanese constitution that said Japan would not pursue military expansion in the future for the sake of international security. Three fundamental concepts are outlined in the new constitution, one of which highlights Japan's commitment to peace. Article 9 of the 1947 Japanese Constitution specifically addresses the ban on military use in order to put this idea into practice [20]. Several American historians generally view the 1946 Japanese Constitution with contempt. Because it carries the stamp of an alien political worldview – more precisely, because it was allegedly imposed by the purposeful and covert activity of an American field commander – they believe the instrument is off key and needs to be recast. Harold S. Quigley presented their case persuasively years ago; in his own words [21], "the SCAP draft Constitution ... has been regarded widely in Japan as a foreign imposition not wholly suited to a people of very different legal and social traditions.... [It was] written hastily by men without adequate knowledge of Japanese civilization and with little regard ... for the national right of self-determination.... The decision to prepare a constitution was made by General MacArthur, who interpreted directives from Washington liberally. These directives ... did not require SCAP to write a new constitution.... they specifically laid down ... that the new government should be established in accordance with the freely expressed will of the Japanese people."

4.3. Challenges and Lesson for Asian Countries

Given the differences between the social, political, and economic structures of the United States of America and the Asian continent, Asian nations will inevitably face obstacles when implementing certain provisions of the US Constitution. The first difficulty is Asia's multiethnic and multireligious

population. A constitution serves as a mirror and a symbol of the goals and ideals of the society it is intended to govern. A continent whose nations have diverse cultural and socioeconomic backgrounds should create legal systems that the populace can understand rather than something wholly foreign. Allow me to consider the religion problem in Malaysia: “In January 2018, the Federal Court of Malaysia issued a landmark judgment in *Indira Gandhi* – a case that epitomized a protracted battle not only about the boundaries of religious freedom in Malaysia, but also about the role of the (civil) courts in adjudicating important constitutional questions that are bound up with religious matters. *Indira Gandhi* is a mother of three children who were converted to Islam – without her knowledge – by her then husband, who embraced Islam at some point during their marriage. The children had been born and raised in the Hindu faith, and *Indira*’s marriage to her husband was contracted under the civil law applicable to non-Muslims. In 2009, immediately upon discovering her children’s conversion, *Indira* challenged the validity and legality of the conversion, and in a separate suit, she subsequently obtained custody of her three children. Her husband, however, had earlier secured custody of the children through the shariah courts. All these marked the start of an almost decade-long legal battle revolving around a mother’s quest to secure custody of her children and seek an equal say in crucial decisions relating to the upbringing of her children” [22]. This must be considered in light of the concurrent operation of civil and shariah courts, which is not intrinsically problematic but is complicated by the civil courts’ tendency to hand over jurisdiction to shariah courts in cases involving Islamic law or Islam. In a delicate scenario like this, a foreign law from American jurisdiction might not be of use. In this case, local jurisprudence within the context of Malaysian society is looked to for guidance.

In terms of ethnicity, ethnic identities are invented in the context of the contemporary state, and majority-minority relations are dynamically formed in the various Asian countries [23]. The need to address the fears and ambitions of ethnic, religious, and linguistic minorities in regard to threats to their identity and autonomy is a persistent issue for constitutional design and democratic practice within the context of a heterogeneous society. Keeping people together when they are deeply divided along ethnic and cultural lines is a challenging task. A key issue for democratic governments in divided communities is that pure majoritarianism needs to be tempered by counter-majoritarian checks and balances [24]. A state founded on the rule of law must have both justice and peace. While not exclusive, constitutions are crucial for defining norms, securing rights, and putting in place the institutions and procedures necessary to protect normative goals like respect for human dignity, racial and religious diversity, social harmony, political freedom, and minimal standards of material well-being. Creating a government that is capable of governing and facilitating national interests such as economic development and human welfare is an additional responsibility.

Constitutional crises have frequently followed as Asian nations have transitioned from autocracy to democracy following widespread demonstrations or even protracted civil wars, as has recently happened in Nepal and Sri Lanka. Thailand and the Philippines, two developing democracies with limited institutional guarantees, have regressed toward authoritarian governance. Meanwhile, emerging democracies that assert they are eschewing authoritarianism – like those in Timor-Leste, Bangladesh, Burma, Hong Kong, Indonesia, Malaysia, the Maldives, and Mongolia – remain delicate and vulnerable due to constitutional issues. Even the well-established democracies in Taiwan and South Korea have to deal with issues related to corruption, human rights, and the constitution that date back to their respective authoritarian pasts [25]. This is owing to the fluid character of constitutionalism in which democracy is now considered to mean that minorities have legal protection in the form of a written constitution that even democratically elected assemblies cannot alter, as opposed to “canonical” majority rule and parliamentary sovereignty [26].

Also, over the next few years, global constitutionalism will not change along a single path. It also should not be interpreted as a straightforward story of advancement in which democracy, human rights, and the rule of law triumph. Instead, what we observe is a variety of distinct behaviors and players attempting to comprehend and engage in the nexus between politics and the law. This is the emergence of a realistic global constitutional system, which is not yet complete and never will be. However, if global constitutionalism theorists want to properly comprehend and create a more just world for all, they must focus much of their emphasis on these complex forms of contestation [27].

4.4. Opportunities for Asian Countries to explore in America’s Constitutional Style

Asian nations can learn a lot from the American constitutional model, as the latter boasts a strong legal system and body of jurisprudence that is worthy of imitation. Asia has seen a transition from

monarchical to democratic states, and this is a movement for which the American constitutional system is to be commended. First-generation analysts of the Asian state did not give law much thought, but the developing state model included an implicit concept of law in general and administrative law in particular. The region's administrative law tended to be formalistic and to regulate a narrow range of transactions. The government would sometimes prescribe a course of action for private parties to pursue, even in situations where the government lacked the explicit legal authority to compel them to do so. This typical practice was known as "administrative guidance" in Japan and by other euphemisms elsewhere. Despite certain misconceptions, Asian bureaucrats are not the only ones that exhibit this kind of behavior; in fact, it is present in almost all regulatory frameworks, albeit to varying degrees [28]. Even so, the idea that Asian bureaucracies were more discretionary during the high-growth period endures.

The subject of constitutional protection, observance, and fulfillment of human rights presents another chance for investigation. The inclusion of fundamental human rights in Asian constitutions, in keeping with modern constitutionalism, has become a major paradigm shift. This model is based on the United States Constitution, which was not a modern constitution when it was drafted in 1774 but has since undergone multiple amendment processes. The current version of governance in Asia is a wave of transition from "Constitutions without constitutionalism" to democratization in which the power resides with the people. For example, in Indonesia through the amendments shifted from parliamentary to constitutional sovereignty thereby controlling the power of institutions.

5. Conclusion

Even if American colonization of Asia was not particularly significant, the country's constitutional influence on Asia cannot be disregarded. Few features of the American constitution are still present in Asian nations that do not adhere to the common law system. Put another way, it is appropriate to argue that the United States Constitution serves as the model for constitutionalism and the rule of law for the majority of Asian nations. However, due to sociological variations resulting from many nations, America's constitutional approach occasionally fails to live up to Asian expectations regarding its aptitude and willingness to tackle issues. This is the case because laws – which function as tools of social engineering and social control – must conform to particular norms and values that are embraced by that society so as to address its problems.

Although independent constitutions did borrow language from the constitution of the United States, I find that this mimicry was neither extensive nor universal. It mostly happened in terms of the governing system's constitutional provisions. Therefore, a vibrant constitutional system is one that borrows some elements that are of universal application to complement the already existing ones. Therefore, I recommend that Asia should embrace the constitutional style of America to the extent that it is not repugnant to the ideals and values of the various Asian countries. Laws that are borrowed from America's constitutional system should be a modified to address the social, political and economic needs of Asia.

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