THE 2005
SHO SATO CONFERENCE
ON JAPANESE LAW

EMERGING CONCEPTS OF RIGHTS
IN JAPANESE LAW

Including a symposium honoring
Professor Takao Tanase

SATURDAY AND SUNDAY
FEBRUARY 12-13, 2005
Goldberg Room, Boalt Hall School of Law
UC Berkeley

Conference director: Professor Harry N. Scheiber
SATURDAY, FEBRUARY 12 – MORNING SESSION
SYMPOSIUM HONORING PROFESSOR TAKAO TANASE

Moderator: Harry N. Scheiber, UC Berkeley
**The Scholarship of Takao Tanase** – 9:00-9:45 am
Veronica Taylor, University of Washington

**The Collected Writings of Takao Tanase, Part 1** (10-minute presentations) – 9:45-10:45 am
**Lawyers’ Ethics**
Norman Spaulding, UC Berkeley

**Family Law**
Ira Ellman, Arizona State University
Kazuyo Tanase, Kyoto Women's University and Graduate School

**Community and Rights**
Malcolm M. Feeley, UC Berkeley

Discussion to follow

Break – 10:45-11:00 am

Moderator: Arthur Rosett, UCLA
**The Collected Writings of Takao Tanase, Part 2** – 11:00 am-12:20 pm
**Torts and Litigiousness**
Robert A. Kagan, UC Berkeley
Luke Nottage, University of Sydney
Thomas Ginsburg, University of Illinois

**Modernism**
Marianne Constable, UC Berkeley
Andrew Barshay, UC Berkeley

Discussion to follow

SATURDAY, FEBRUARY 12 – AFTERNOON SESSION
EMERGING CONCEPTS OF RIGHTS IN JAPANESE LAW

Moderator: Leon Wolff, University of New South Wales
**Mobilizing Law Against Local Governments: Recent Trends in Public Law Litigation in Japan** – 2:00-2:45 pm
Masaki Abe, Osaka City University

**The Unreluctant Litigant? An Empirical Analysis of Japan’s Turn to Litigation** – 2:45-3:30 pm
Thomas Ginsburg, University of Illinois

Break – 3:30-3:45 pm

Moderator: Robert A. Kagan, UC Berkeley
**Everyday Disputes in Small Claims Court: Community Mediators, Warm Ways of Resolution, and Equitable Judgments for Litigious Parties** – 3:45-4:30 pm
Aya Yamada, Kyoto University
Judicial Reform and Legalization: Hasty Lapse from Idealism to Instrumentalism – 4:30-5:15 pm
Ichiro Ozaki, Hokkaido University

Exhibit – 5:15 pm
The Archive Room of the Boalt Hall Library (225A Boalt) presents an exhibit of Japanese historical materials and books, organized by Mr. William Benemann of the Boalt Hall Library professional staff.

SUNDAY, FEBRUARY 13 – MORNING SESSION
EMERGING CONCEPTS OF RIGHTS IN JAPANESE LAW

Moderator: Akio Harada, Stanford University
Emerging Rights in Japanese Criminal Justice – 9:00-9:45 am
David T. Johnson, University of Hawai‘i
Satoru Shinomiya, Waseda University

Marketing Rights: Dispute Resolution at the Tokyo Tuna Auction – 9:45-10:30 am
Eric A. Feldman, University of Pennsylvania

Break – 10:30-10:45 am

Moderator: WTO Chief Judge Yasuhei Taniguchi
Disability Rights in Japan – 10:45-11:30 am
Katharina Heyer, University of Hawai‘i

Taxpayer Litigation – 11:30 am-12:00 pm
Jonathan Marshall, UC Berkeley

Comparing Product Safety and Liability Law in Japan: From Minamata to Mad Cows – and Mitsubishi – 12:00-12:30 pm
Luke Nottage, University of Sydney

SUNDAY, FEBRUARY 13 – AFTERNOON SESSION
EMERGING CONCEPTS OF RIGHTS IN JAPANESE LAW

Moderator: Lauren Edelman, UC Berkeley
Engendering and Embodying the Discourse of Rights in Japan – 2:00-2:45 pm
Vera Mackie, University of Melbourne

Sexual Harassment Litigation – 2:45-3:30 pm
Leon Wolff, University of New South Wales

Break – 3:30-3:40 pm

Moderator: Laurent Mayali, UC Berkeley
Panel on Comparative Law – 3:40-5:15 pm
Europe – Rolf Nygren, Uppsala University
Latin America – Ángel R. Oquendo, University of Connecticut and UC Berkeley
International Private Law – Jan H. Dalhuisen, King’s College, University of London

Discussion to follow
**COOPERATING CONFERENCE SPONSORS**

Center for the Study of Law and Society, UC Berkeley

Office of the Dean, Boalt Hall School of Law, UC Berkeley

Morgan, Lewis & Bockius LLP

The Sho Sato Program acknowledges the additional contributions of support by:

- Australian Network for Japanese Law
- Hokkaido University, Japan
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- University of New South Wales, Australia
- University of Sydney, Australia
- Uppsala University, Sweden

Conference administrator: Karen Chin

Conference assistants: Toni Mendicino and Takeshi Akiba
THE 2005 SHO SATO CONFERENCE ON JAPANESE LAW

“Emerging Concepts of Rights in Japanese Law”

Friday-Sunday, February 11-13, 2005

SOCIAL PROGRAM

FRIDAY, FEBRUARY 11
RECEPTION (buffet dinner) – 6:30 pm-8:15 pm
Goldberg Room, Boalt Hall School of Law
(entrance at 2745 Bancroft Way opposite International House)

SATURDAY, FEBRUARY 12
LUNCH – 12:30 pm-2 pm
Goldberg Room, Boalt Hall School of Law
Speaker:  Professor Takao Tanase

BANQUET – 7:00 pm-9:15 pm
Dining Room, Women’s Faculty Club
   Reception – 7:00 pm-7:30 pm
   Dinner – 7:30-9:15 pm
Banquet sponsors:  Morgan, Lewis & Bockius LLP

Welcoming:  Christopher Edley, Dean, Boalt Hall School of Law
Introduction of speaker:  Richard M. Buxbaum, UC Berkeley
Speaker:  WTO Chief Judge Yasuhei Taniguchi
   “New Developments in the Japanese Legal Profession”

SUNDAY, FEBRUARY 13
LUNCH – 12:30 pm-1:30 pm
Kerr Dining Room, Faculty Club

DINNER – 6:30 pm
location to be announced