

EARL WARREN LEGAL INSTITUTE
UNIVERSITY OF CALIFORNIA, BERKELEY

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 Barsby, 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

SATURDAY, FEBRUARY 12 – AFTERNOON SESSION (continued)

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 – Angel 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:

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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