

SHO SATO PROGRAM ON JAPANESE AND U.S. LAW  
SCHOOL OF LAW, UNIVERSITY OF CALIFORNIA, BERKELEY

**THE 2008 SHO SATO CONFERENCE  
ON JAPANESE LAW**

---

**JAPANESE FAMILY LAW**



**IN COMPARATIVE PERSPECTIVE**

---

**March 7-8, 2008  
Boalt Hall School of Law, UC Berkeley**

Co-sponsored by  
Institute for Legal Research  
Robbins Religious and Civil Law Collection

SHO SATO PROGRAM ON JAPANESE AND U.S. LAW  
SCHOOL OF LAW, UNIVERSITY OF CALIFORNIA, BERKELEY

THE 2008 SHO SATO CONFERENCE  
ON JAPANESE LAW

**JAPANESE FAMILY LAW  
IN COMPARATIVE  
PERSPECTIVE**

MARCH 7-8, 2008

Room 115, Boalt Hall School of Law  
University of California, Berkeley

Co-sponsors:

Institute for Legal Research  
Robbins Religious and Civil Law Collection

Organizers:

Harry N. Scheiber, Director, Sho Sato Program  
Laurent Mayali, Director, Robbins Collection

**FRIDAY, MARCH 7**

**Continental Breakfast – 8:30-9:00 am**

115 Boalt Hall, UC Berkeley

**Welcoming Remarks – 9:00-9:15 am**

Harry N. Scheiber, UC Berkeley

Laurent Mayali, UC Berkeley

**Session 1 – 9:15-9:45 am**

Keynote Address: “Convergence from the Opposite Directions? Characteristics of Japanese Divorce Law in a Comparative Perspective”

Masayuki Murayama, Meiji University

**Session 2 – 9:45-11:00 am**

Moderator: Stephen D. Sugarman, UC Berkeley

“The Framework: Legal Culture and Family Law” – 9:45-10:15 am

Lawrence Friedman, Stanford University

“Family Law and World Value Mapping: What Can World Value Surveys tell Family Lawyers?” – 10:15-10:45 am

Rolf Nygren, Uppsala University

Discussion – 10:45-11:00 am

**Break – 11:00-11:15 am**

**Session 3 – 11:15 am-12:30 pm**

Moderator: Kahei Rokumoto, University of Tokyo

“Succession Law and Inheritance Disputes in Japanese Family Courts” – 11:15-11:45 pm

Yasuhei Taniguchi, World Trade Organization (in collaboration with Akiko Taniguchi)

“Divorce Mediation: Legalization, Privatization, and Unification” – 11:45 am-12:15 pm

Aya Yamada, Kyoto University

Comment and discussion – 12:15-12:30 pm

Commentator: Ira Ellman, Arizona State University

**Lunch – 12:45-2:00 pm**

Faculty Lounge, 336 Boalt Hall

sponsored by the Center for the Study of Law and Society

Speaker: Herma Hill Kay, UC Berkeley

“Women on American Law Faculties Before World War II”

Introduction: Catherine Albiston, UC Berkeley

**Session 4 – 2:00-3:15 pm**

Moderator: Gillian Lester, UC Berkeley

“The Disparate Impacts of Family Law on Japan’s Racial and Ethnic Minorities” – 2:00-2:30 pm

Mark A. Levin, University of Hawai’i

Ichiro Ozaki, Hokkaido University

“Legal Barriers to Educational Activities for Latino Immigrants in the United States” – 2:30-3:00 pm  
Harriett D. Romo, University of Texas at San Antonio (co-author: Carlos Romo, Clerk, Texas Supreme Court)

Comment and discussion – 3:00-3:15 pm  
Commentator: Kenneth Karst, UCLA

**General Discussion – 3:15-4:00 pm**

Moderator: Laurent Mayali, UC Berkeley

Opening comments: Yasuhei Taniguchi, World Trade Organization  
Paul G. Pickowicz, UC San Diego

**SATURDAY, MARCH 8**

**Continental Breakfast – 8:30-9:15 am**

115 Boalt Hall, UC Berkeley

**Session 5 – 9:15-10:00 am**

Moderator: Aya Yamada, Kyoto University

“Family Law and Its Others” – 9:15-9:45 am  
Vera Mackie, University of Melbourne

Comment and discussion – 9:45-10:00 am  
Commentator: Frank K. Upham, New York University

**Session 6 – 10:00-10:45 am**

Moderator: Joan H. Hollinger, UC Berkeley

“Medically-Assisted Reproduction and Family Law in Japan” – 10:00-10:30 am  
Michiko Ishii, Meiji University

Comment and discussion – 10:30-10:45 am  
Commentator: Lisa C. Ikemoto, UC Davis

**Break – 10:45-11:00 am**

**Session 7 – 11:00-11:45 am**

Moderator: Donna C. Schuele, UC Irvine

“Legal Response to Domestic Violence in Japan” – 11:00-11:30 am  
Yukiko Tsunoda, Meiji University

Comment and discussion – 11:30-11:45 am  
Commentator: Franklin E. Zimring, UC Berkeley

**Session 8 – 11:45 am-12:30 pm**

Moderator: Ira Ellman, Arizona State University

“Secularization and Modernization of Family Law in Scandinavian Welfare States in the 1960s-1970s” –  
11:45 am-12:15 pm  
Kjell Åke Modéer, Lund University

Comment and discussion – 12:15-12:30 pm  
Commentator: Kristen Luker, UC Berkeley

**Lunch – 12:45-2:00 pm**  
Faculty Lounge, 336 Boalt Hall

Speaker: Shigenori Matsui, University of British Columbia  
“The Constitution and the Family in Japan”

**Session 9 – 2:00-3:15 pm**  
Moderator: Laurent Mayali, UC Berkeley

“Recent Developments in Italian Family Law on Marriage, Partnership and Parenthood: An Overview and Some Comparative Remarks” – 2:00-2:30 pm  
Erica Palmerini, Scuola Superiore Sant’Anna, Italy

“Migration and Fundamental Right to Respect for Family Life at the European Level” – 2:30-3:00 pm  
Ioannis G. Dimitrakopoulos, European Ombudsman’s Institution and Supreme Administrative Court of Greece

Comment and discussion – 3:00-3:15 pm  
Commentator: Laurent Mayali

**General Discussion – 3:15-4:15 pm**  
Moderator: Kahei Rokumoto, University of Tokyo

Brief comments – 3:15-3:40 pm  
Commentators: Lawrence M. Friedman, Stanford University  
Masayuki Murayama, Meiji University  
Frank K. Upham, New York University

Closing general discussion – 3:40-4:15 pm

\* \* \*

**SHO SATO PROGRAM DIRECTORS**

Founding directors: Professor Sanford Kadish, Dean Emeritus; and the late Professor Sho Sato

Director, 1993-present: Professor Harry N. Scheiber, The Riesenfeld Professor of Law and History

**CONFERENCE ADMINISTRATOR**

Karen Chin

**CONFERENCE ASSISTANTS**

Toni Mendicino  
Takeshi Akiba  
Benjamin Jones

Cover photo of untitled full-color woodblock print by Tsutsumi Torin, 1780s, Berkeley Art Museum, gift of the Estate of William Dallam Armes.

SHO SATO PROGRAM ON JAPANESE AND U.S. LAW  
SCHOOL OF LAW, UNIVERSITY OF CALIFORNIA, BERKELEY

THE 2008 SHO SATO CONFERENCE ON JAPANESE LAW

**JAPANESE FAMILY LAW  
IN COMPARATIVE PERSPECTIVE**

**SOCIAL PROGRAM  
MARCH 6-8, 2008**

**THURSDAY, MARCH 6**

**Reception – 6:00-8:00 pm**

Howard Room, Faculty Club, UC Berkeley

**FRIDAY, MARCH 7**

**Banquet – 7:00-10:00 pm**

Dining Room, Women's Faculty Club, UC Berkeley

Reception – 7:00-7:30 pm

Dinner – 7:30-10:00 pm

Speaker: Mary Ann Mason, UC Berkeley

“Children's Rights in American Law”

**SATURDAY, MARCH 8**

**Dinner – 6:00-8:00pm**

Mandarin Garden, 2025 Shattuck Avenue, Berkeley

## **PUBLICATIONS FROM PREVIOUS SHO SATO CONFERENCES**

### Books

*Emerging Concepts of Rights in Japanese Law*, edited by Harry N. Scheiber and Laurent Mayali, The Robbins Collection, School of Law, UC Berkeley (2007)

*The Japanese Adversary System in Context*, edited by Malcolm M. Feeley and Setsuo Miyazawa, International Political Science Association and Palgrave Macmillan (2002)

### Journals

Law of the Sea Symposium: Multilateralism and International Ocean-Resources Law, *San Diego International Law Journal*, Volume 6, Number 1 (Fall 2004)

Symposium Issue on “Japanese Law,” *American Journal of Comparative Law*, Volume 49, Number 4 (Fall 2001)

Symposium Issue on “Regulation in Japan and the United States,” *Law and Policy*, Volume 22, Numbers 3-4 (October 2000)

Symposium Issue on “Japan, the United States, and Pacific Ocean Resources,” *Ecology Law Quarterly*, Volume 16, Number 1 (1989)

### Publications from recent conferences partially supported by the Sho Sato Program

*Earl Warren and the Warren Court: Their Legacy in National and Foreign Law*, edited by Harry N. Scheiber, Lexington Books (2007)

*Bringing New Law to Ocean Waters*, edited by David D. Caron and Harry N. Scheiber, Brill/Kluwer International Publishers (2004)