

**CENTER FOR JAPANESE LEGAL STUDIES  
FALL 2020 SPEAKER SERIES  
“LAW AND CONTEMPORARY SOCIETY IN JAPAN”**

**September 28, 2020**

*“Marriage Equality, Individual Rights and the Law”*

Frank K. Upham, Wilf Family Professor of Property Law, NYU School of Law

Professor Upham, widely recognized for his leading scholarship on Japanese law and its social and political role in contemporary Japan, will discuss his current research at the intersection of law and social justice in Japan, focusing specifically on the country’s legal approach and judicial responses to marriage equality, gay rights and the individual’s relationship to society. In doing so he will draw on his current comparative study of the interaction of legal doctrine, social and economic structure, and culture in gender discrimination in France, Japan and the United States.

**About the Speaker**



**Frank Upham** is the Wilf Family Professor of Property Law at New York University School of Law where he teaches the basic property course, as well as courses on advanced property topics, law and development, and comparative law and society with an emphasis on East Asia and the developing world. His scholarship focuses on Japan and China, and his book *Law and Social Change in Postwar Japan* received the Thomas J. Wilson Prize from Harvard University Press.

Recent scholarship includes “Japanese Same Sex Marriage: Prospects for Change,” “Resistible Force Meets Malleable Object: The Story of the ‘Introduction’ of Norms of Gender Equality into Japanese Employment Practice”, and “The Great Property Fallacy: Theory, Reality, and Growth in Developing Countries” (2018, Columbia University Press). He graduated from Princeton University and Harvard Law School. In addition to having taught at NYU School of Law since 1994, he has taught at Ohio State, Harvard, Boston College, and UCLA law schools in the United States, and Tsinghua University in China, Tunghai University in Taiwan, and Kobe University in Japan

**October 12, 2020**

*“Criminal Justice in Japan – A Comparative Perspective”*

David T. Johnson, Professor, University of Hawaii

Professor Johnson, a prominent scholar on the criminal justice system in Japan and comparative law and society, will discuss the fundamental differences in approach to criminal justice in Japan and the U.S. Focusing on the role of state and society in regulating and monitoring individual accountability, as demonstrated by differences in the exercise of prosecutorial discretion and the role of admission of guilt, he will draw on his extensive research to challenge us to re-examine basic assumptions about our own system of administering criminal justice.

#### **About the Speaker**



David T. Johnson is professor of sociology at the University of Hawaii Manoa and the author of many works on criminal justice, including “The Japanese Way of Justice: Prosecuting Crime in Japan,” which received awards from the American Sociological Association and the American Society of Criminology. Professor Johnson’s teaching and research focus on criminal justice (police, prosecutors, and punishment, mainly in Japan and the US), comparative law and

society, and the death penalty. He was an Advanced Research Fellow in the Program on U.S.-Japan Relations at Harvard University's Center for International Affairs and received a PhD in Jurisprudence and Social Policy from Boalt Hall School of Law at University of California at Berkeley.

### **Date to be Confirmed**

*"Intoxication Culture and Personal Responsibility in Japan"*

Mark D. West, Dean and Nippon Life Professor of Law, Michigan Law School

Dean West, a well-known authority on Japanese law and a leader in Japanese legal studies, will discuss the findings of his new book, which provides a rich description of Japanese alcohol consumption, drinking culture, and intoxication based on a unique dataset: thousands of published Japanese court opinions. The opinions illuminate legal concepts of individual responsibility to society and in doing so, what, where, and why people drink in Japan, and the weight given by courts to social status (occupation, wealth, gender and education).

### **About the Speaker**



Mark West is the Nippon Life Professor of Law and the 17th dean of the University of Michigan Law School, where teaches Japanese Law, Criminal Law, and Enterprise Organization. He is the author or coauthor of five books, including *Law in Everyday Japan* and the casebook *The Japanese Legal System*. His publications explore such diverse topics as shareholder derivative suits, the evolution of corporate law, the education and career development of Japanese lawyers, and the ways in which Japanese court opinions frame love, sex, and marriage.

Dean West served as director of the University's Center for Japanese Studies from 2003 to 2007. He has been an Abe Fellow at the University of Tokyo and a Fulbright Scholar and Fellow of the Japan Society for the Promotion of Science at Kyoto University. He has a BA from Rhodes College and a JD from Columbia Law School.