

Washington International Law Journal

Volume 20 | Number 1

1-1-2011

Contents

anon

Follow this and additional works at: <https://digitalcommons.law.uw.edu/wilj>

Recommended Citation

anon, Table of Contents, *Contents*, 20 Pac. Rim L & Pol'y J. i (2011).
Available at: <https://digitalcommons.law.uw.edu/wilj/vol20/iss1/1>

This Table of Contents is brought to you for free and open access by the Law Reviews and Journals at UW Law Digital Commons. It has been accepted for inclusion in Washington International Law Journal by an authorized editor of UW Law Digital Commons. For more information, please contact cnyberg@uw.edu.

Pacific Rim Law & Policy Journal

VOLUME 20, NUMBER 1

CONTENTS

ARTICLES

- | | | |
|---|---|----|
| Explaining Constitutional Review in New Democracies: The Case of Taiwan | <i>Nuno Garoupa,
Veronica Grembi and
Shirley Ching-ping Lin</i> | 1 |
| China's Compliance with International Law: What Has Been Learned and the Gaps Remaining | <i>Roda Mushkat</i> | 41 |
| Regular Takings or Regulatory Takings?: Land Expropriation in Rural China | <i>Valerie Jaffee
Washburn</i> | 71 |

TRANSLATION

- | | | |
|--|--|-----|
| Patent Protection of Medical Methods—Focusing on Ethical Issues— | <i>Translated by Jiameng
Kathy Liu</i> | 125 |
|--|--|-----|

COMMENTS

- | | | |
|---|---------------------------|-----|
| Death by a Thousand Cuts: Incorporating Cumulative Effects in Australia's Environment Protection and Biodiversity Conservation Act | <i>Jessica T. Dales</i> | 149 |
| Addressing the Overrepresentation of the Maori in New Zealand's Criminal Justice System at the Sentencing Stage: How Australia Can Provide a Model for Change | <i>Joanna Hess</i> | 179 |
| A Lesser-Known Immigration Crisis: Federal Immigration Law in the Commonwealth of the Northern Mariana Islands | <i>Robert J. Misulich</i> | 211 |
| An Alternative to Impact Litigation in China: The Procurator as a Legal Avenue for Cases in the "Private Family Sphere" of Domestic Violence | <i>Hai-Ching Yang</i> | 237 |

ABOUT THE *PACIFIC RIM LAW & POLICY JOURNAL* . . .

THE PACIFIC RIM LAW & POLICY JOURNAL (ISSN 1066-8632) is published three times a year by students of the University of Washington School of Law. Phone (206) 543-6649, Facsimile (206) 685-4457. Address all correspondence to *Pacific Rim Law & Policy Journal*, University of Washington School of Law, William H. Gates Hall, Box 353020, Seattle, WA 98195-3020.

Member, National Conference of Law Reviews.

SUBSCRIPTIONS: Subscriptions in the United States and Canada, covering three issues per volume, are U.S. \$42.50 per year and U.S. \$52.50 elsewhere. Subscription requests should be directed to the address above. Single issues and back volumes are available from William S. Hein Co., Inc., 1285 Main Street, Buffalo, New York 14209. Phone (800) 828-7571, Facsimile (716) 883-8100. Domestic claims for non-receipt of issues should be made within 90 days of the month of publication, overseas claims within 180 days. Thereafter back issue rates will apply. Overseas delivery is not guaranteed.

CITATION: Cite as: PAC. RIM L. & POL'Y J.

MANUSCRIPTS: The *Pacific Rim Law & Policy Journal* welcomes the submission of articles that focus on domestic law or policy in a Pacific Rim nation or an issue of international or comparative law that relates to one or more Pacific Rim nations. Of particular interest to the *Journal* are articles that make use of foreign-language sources otherwise unavailable to English-language readers. The *Journal* also welcomes the submission of English translations of Asian-language legal materials and legal scholarship. If any part of a manuscript has been published previously, or is to be published elsewhere, the author must include this information at the time of submission. Citations should conform to A UNIFORM SYSTEM OF CITATION (18th ed. 2005) unless common sense dictates otherwise. For detailed submissions guidelines, please visit our website at: <http://www.law.washington.edu/PacRim>.

COPYRIGHT: Copyright 2011, Pacific Rim Law & Policy Association. Except as otherwise specifically provided, the author of each article in this issue has granted permission for copies of his or her article to be made for classroom use, provided that (1) copies are distributed at or below cost, (2) the author and the *Pacific Rim Law & Policy Journal* are identified on each copy, (3) proper notice of copyright is affixed to each copy, and (4) the *Pacific Rim Law & Policy Journal* is notified of the use. Requests for reprint permission should be directed to Penny Hazelton, Business Manager, *Pacific Rim Law & Policy Journal*.

LIBRARIANS: Prior to Volume 4, issues are designated as follows:

Winter 1992.....	Intramural Issue	Summer 1993.....	Vol. 2, No. 2
Winter 1992.....	Vol. 1, No. 1	1993.....	Vol. 3 Special Edition
Summer 1992.....	Vol. 1, No. 2	June 1994.....	Vol. 3, No. 1
Winter 1993.....	Vol. 2, No. 1	February 1995.....	Vol. 3, No. 2

Beginning with Volume 4, each issue is designated by a month, year, volume, and number, and is consecutively paginated.

Pacific Rim Law & Policy Journal

EDITORIAL BOARD 2010-2011

Editor-in-Chief
HAI-CHING YANG

Associate Editors-in-Chief
ALBERT BUCHMAN
JOANNA HESS
SARAH JORDAN

Chief Articles Editor
JIHYE KIM

Managing Editors of Production
PATRICK LAVIN
JIAMENG KATHY LIU
AMBER PENN-ROCO
CHARLOTTE SANDERS

Executive Comments Editors
JESSICA DALES
JESSICA RIEKEN

Executive Articles Editors
WYATT GOLDING
RYAN HECK
AURA WEINBAUM

*Executive Translation &
Comments Editor*
HUDSON HAMILTON

Director of Operations
ALERIAN LOCKWOOD

Articles & Comments Editors
MELANIE BECKWITH
CAITLIN IMAKI
HOLLY LANGE
ZIYONG LI
TIP WONHOFF

Managing Web Editor
ROBERT MISULICH

EDITORIAL STAFF

KENJI AMMA
NATHAN BARNES
GREG CHIARELLA
MAREK FALK
MARIKO FOSTER
JOSH ZHIHUA HAN
ERIC HARRISON
KERSTI HARTER KENNEDY

HYUNG JIN KIM
GRANT LEA
EDWIN LINDO
ERIC MAPES
MATTHEW MCCAULEY
MIKE MEREDITH
MARCUS PEARSON
PRIYANKA PRAKASH
LEONARD SANCHEZ

TIA ANEJA SARGENT
ELIZABETH SHER
SARAH SPRINKLE
JOE STOCKTON
LAURA THOM
ANDREW VAN WINKLE
LIBBY WHITTEMORE
ADA KO WONG

EXECUTIVE BOARD

PENNY HAZELTON
MARY HOTCHKISS
LINDA HUME
JOEL NGUGI
KATE O'NEILL

Business Manager
PENNY HAZELTON

Business Office
JONATHAN FRANKLIN
FRAN JOHNSON

Faculty Advisor
JONATHAN KANG

University of Washington School of Law 2010–2011

OFFICERS OF ADMINISTRATION

Phyllis M. Wise, B.A., M.A. Ph.D., Interim President of the University
Kellye Y. Testy, B.A., J.D., Dean, James W. Mifflin University Professor of Law
Samuel A. Donaldson, B.A., J.D., LL.M., Associate Dean
Elizabeth Ford, Assistant Dean
Stephanie Cox, B.A., Assistant Dean for Advancement
Penny A. Hazelton, B.A., J.D., M.L.L., Associate Dean for Library & Computing Services, Professor
of Law
Mary Hotchkiss, B.A., M.S.L.S., J.D., Associate Dean, Senior Law Lecturer
Naomi Sanchez, B.S., M.S.W., Ed.D., Assistant Dean, Center for Career and Leadership Development
Marnae Schmidt, B.A., Director, Finance and Business
Michelle Storms, Executive Director, Gates Public Service Law Scholarship Program
Bill Thornton, A.A., B.A., Director, Finance and Administration

FACULTY EMERITI

William R. Andersen, B.S.L., LL.B., LL.M.
William T. Burke, B.S., J.D., J.S.D.
G. Meade Emory, B.A., J.D., LL.M.
Robert L. Fletcher, A.B., LL.B.
John Huston, B.A., J.D., LL.M.
John M. Junker, B.A., J.D.
John R. Price, A.B., LL.B.
Roy L. Prosterman, A.B., LL.B.
Marjorie D. Rombauer, B.A., J.D.
Charles Z. Smith, B.S., J.D.
Frank W. Smith, Jr., B.A., J.D., LL.M.
William B. Stoebuck, B.A., M.A., J.D., S.J.D.
Philip A. Trautman, B.A., J.D.

FACULTY OF LAW

Craig H. Allen, B.S., J.D., Judson Falknor Professor of Law
Kimberly Ambrose, B.A., J.D., Lecturer
Helen A. Anderson, B.A., J.D., Assistant Professor of Law
Robert T. Anderson, B.A., J.D., Associate Professor of Law, Director of Native American Law Center
Thomas R. Andrews, B.A., M.A., J.D., Professor of Law
Robert H. Aronson, B.A., J.D., Betts, Patterson & Mines Professor of Law
Karen Boxx, B.A., J.D., Associate Professor of Law
Steve P. Calandrillo, B.A., J.D., Professor of Law
Thomas Cobb, B.A., M.A., M.A., J.D., Senior Lecturer
Molly Cohan, B.A., J.D., Lecturer
Ronald K.L. Collins, Harold S. Shefelman Scholar
William Covington, B.A., J.D., Assistant Professor of Law, Director of Technology Law & Public
Policy Clinic
Samuel A. Donaldson, B.A., J.D., LL.M., Professor of Law, Director of Graduate Program in Taxation
Signe Dortch, B.A., J.D., Lecturer
Dwight J. Drake, B.S., J.D., Associate Professor of Law
Jonathan A. Eddy, B.A., J.D., Professor of Law, Manager of Afghanistan Legal Educators Project
Mary D. Fan, B.A., J.D., Assistant Professor of Law
Julia Gold, B.A., J.D., Senior Lecturer, Director of Mediation Clinic
Robert W. Gomulkiewicz, B.A., M.A., J.D., Professor of Law, Director of Graduate Program of
Intellectual Property Law & Policy
James H. Hardisty, A.B., LL.B., Professor of Law
Penny A. Hazelton, B.A., J.D., M.L.L., Professor of Law
Gregory A. Hicks, B.A., J.D., Professor of Law

Roland L. Hjorth, A.B., LL.B., Dean Emeritus, Garvey, Schubert & Barer Professor of Law
 Mary A. Hotchkiss, B.A., M.S.L.S., J.D., LL.M., Senior Lecturer, Director of Academic Advising
 Maureen Howard, B.A., J.D., Assistant Professor, Director of Trial Advocacy Program
 Linda S. Hume, B.A., J.D., Professor of Law
 Stewart M. Jay, A.B., J.D., William L. Dwyer Professor of Law
 Sarah Kaltsounis, B.S., M.Ed., J.D., Lecturer
 Yong-Sung (Jonathan) Kang, B.A., J.D., Assistant Professor of Law
 Sylvia Kang'ara, LL.B., LL.M., Assistant Professor of Law
 Lisa Kelly, B.A., J.D., Bobbe & Jonathan Bridge Professor of Law, Director of Children & Youth
 Advocacy Clinic
 Alan Kirtley, B.A., J.D., Associate Professor of Law
 Anita K. Krug, B.A., M.A., J.D., Ph.D., Assistant Professor of Law
 Richard O. Kummert, B.S., M.B.A., LL.B., D. Wayne & Anne Gittinger Professor of Law
 Patricia C. Kuszler, M.D., J.D., Charles I. Stone Professor of Law, Director of Multidisciplinary
 Initiatives
 Clark B. Lombardi, B.A., J.D., Ph.D., Associate Professor of Law
 Deborah Maranville, B.A., J.D., Professor of Law, Director of Clinical Law Program, Director of
 Unemployment Compensation Clinic
 Anna Mastroianni, B.S./B.A., J.D., M.P.H., Associate Professor of Law
 Kathleen M. McGinnis, B.A., J.D., Senior Lecturer
 Jacqueline McMurtrie, B.G.S., J.D., Associate Professor of Law, Director of Innocence Project
 Northwest
 Paul Steven Miller, B.A., J.D., Henry M. Jackson Professor of Law, Director of University of
 Washington Disability Studies Program
 Theodore Myhre, B.A., M.A., M.A., J.D., Lecturer
 Joel M. Ngugi, LL.B., LL.M., S.J.D., Associate Professor of Law
 Peter Nicolas, B.A., M.P.P., J.D., Jeffrey & Susan Brotman Professor of Law
 Sean O'Connor, B.A., M.A., J.D., Associate Professor of Law, Co-Director of Graduate Program in
 Intellectual Property Law & Policy, Director of Entrepreneurial Law Clinic
 Kathleen O'Neill, B.A., J.D., Associate Professor of Law
 Rafael Pardo, B.A., J.D., Professor of Law
 Elizabeth Porter, Visiting Assistant Professor
 Anita Ramasastry, B.A., M.A., J.D., Professor of Law, Director of Shidler Center for Law, Commerce
 & Technology
 Beth Rivin, B.A., M.D., M.P.H., Research Associate Professor of Law, Director of Global Health &
 Justice Project
 William H. Rodgers, Jr., B.A., LL.B., Stimson Bullitt Professor of Environmental Law
 Sallie Thieme Sanford, B.A., J.D., Acting Assistant Professor of Law
 Eric Schnapper, B.A., M.A., B.Phil., LL.B., Pendleton Miller Professor of Law
 Scott A. Schumacher, B.A., J.D., Assistant Professor of Law, Director of Federal Tax Clinic
 Toshiko Takenaka, B.A., LL.M., Ph.D., W. Hunter Simpson Professor of Technology Law, Director of
 CASRIP
 Michael E. Townsend, B.A., M.A., Ph.D., J.D., Associate Professor of Law
 Lea B. Vaughn, A.B., J.D., Professor of Law
 Walter J. Walsh, B.C.L., LL.M., S.J.D., Associate Professor of Law
 Kathryn Watts, B.S., J.D., Assistant Professor of Law
 Ron J. Whitener, B.A., J.D., Assistant Professor of Law, Director of Tribal Court Criminal Defense
 Clinic
 Brenda Williams, B.A., M.P.A., J.D., Senior Lecturer
 Jane K. Winn, B.Sc., J.D., Charles I. Stone Professor of Law, Director of Shidler Center for Law,
 Commerce & Technology
 Louis E. Wolcher, B.A., J.D., Charles I. Stone Professor of Law
 Dongsheng Zang, LL.B., LL.M., LL.M., S.J.D., Assistant Professor of Law

ADJUNCT AND AFFILIATE FACULTY

Gad Barzilai, B.A., LL.S., LL.B., M.A., Ph.D., Adjunct Professor of Law
David Bledsoe, B.A., J.D., LL.M., Affiliate Assistant Professor of Law
Daniel M. Bodansky, A.B., M.Phil., J.D., Affiliate Professor of Law
Sharan E. Brown, B.A., M.A., J.D., Ed.D., Adjunct Research Associate Professor of Law
Mark Cammack, B.A., J.D., Affiliate Professor of Law
Donald Clarke, A.B., M.Sc., J.D., Affiliate Professor of Law
Daniel H. Foote, A.B., J.D., Affiliate Professor of Law
John O. Haley, A.B., LL.B., LL.M., Affiliate Professor of Law
Tim Hanstad, B.A., J.D., LL.M., Affiliate Associate Professor of Law
Nancy S. Jecker, B.A., M.A., M.A., Ph.D., Adjunct Professor of Law
Roberta S. Karmel, B.A., LL.B., Harry M. Cross Distinguished Professor of Law
David M. Keepnews, B.S., M.P.H., J.D., Ph.D., Affiliate Associate Professor of Law
Daniel Laster, B.A., J.D., Affiliate Professor of Law
Elizabeth F. Loftus, B.A., M.A., Ph.D., Affiliate Professor of Law
Michael McCann, B.A., M.A., Ph.D., Adjunct Professor of Law
Robert Mitchell, B.A., J.D., LL.M., Affiliate Assistant Professor of Law
Steven G. Olswang, B.A., J.D., Ph.D., Adjunct Professor of Law
Saadia Pekkanen, B.A., M.I.A., Ph.D., M.S.L., Adjunct Associate Professor of Law
Lawrence Repeta, B.A., J.D., Garvey Schubert Barer Visiting Professor in Asian Law
Leonard Rolfes, Jr., B.A., J.D., Affiliate Assistant Professor of Law
Yasunobu Sato, B.A., LL.M., Ph.D., Affiliate Professor of Law
Hugh D. Spitzer, B.A., J.D., LL.M., Affiliate Professor of Law
Susan Whiting, B.A., Ph.D., Adjunct Associate Professor of Law
Richard O. Zerbe, Jr., A.B., Ph.D., Adjunct Professor of Law