Washington International Law Journal

Volume 21 | Number 2

3-1-2012

Contents

anon

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

Recommended Citation

anon, Table of Contents, *Contents*, 21 Pac. Rim L & Pol'y J. i (2012). Available at: https://digitalcommons.law.uw.edu/wilj/vol21/iss2/1

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 lawref@uw.edu.

Pacific Rim Law & Policy Journal

VOLUME 21, NUMBER 2

CONTENTS

Λ.	оті	CI	EC
A	RTI	CL	Ŀ

The Brave New World of Lawyers in Japan
Revisited: Proceedings of a Panel Discussion on
the Japanese Legal Profession After the 2008
Financial Crisis and the 2011 Tōhoku
Earthquake

Bruce E. Aronson

A Battle Between Law and Society in
Micronesia: An Example of Originalism Gone
Awry

Brian Z. Tamanaha
295

255

COMMENTS

Why Land Tenure Reform Is the Key to
Political Stability in Tonga

Kersti Harter Kennedy

327

Separation of Religion and State in Japan: A
Pragmatic Interpretation of Articles 20 and 89
of the Japanese Constitution

Andrew B. Van Winkle

363

Malaysia's World Trade Organization
Challenge to the European Union's Renewable
Energy Directive: An Economic Analysis

Michael W. Meredith

399

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. \$46.54 per year and U.S. \$56.54 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, NY 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 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 (19th ed. 2010) unless common sense dictates otherwise. For detailed submissions guidelines, please visit our website at: http://www.law.washington.edu/PacRim.

COPYRIGHT: Copyright 2012 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 *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 2011-2012

Editor-in-Chief Tia Aneja Sargent

Associate Editors-in-Chief MARCUS PEARSON ELIZABETH SHER JOE STOCKTON

Chief Comments Editor
SARAH SPRINKLE

EDWIN LINDO

Executive Comments Editors
ERIC HARRISON

Director of Operations &
Outreach
LEONARD SANCHEZ

JOSH ZHIHUA HAN GRANT LEA ANDREW VAN WINKLE

AMY BERNARD
RACHEL COOK
SARAH COX
DAVID CROMWELL
ELIZABETH FINDLEY
JUSTIN GLICK
BRANDON GRATIAS
MICHELLE GREGOIRE
JOHANNA GUSMAN

PENNY HAZELTON JOEL NGUGI

Business Manager
PENNY HAZELTON

Chief Articles Editor Gregory M. Chiarella

Executive Articles Editors KENJI AMMA KERSTI HARTER KENNEDY MICHAEL W. MEREDITH

Executive Translation & Comments Editor
MARIKO FOSTER

Articles & Comments Editors MICHELLE HYUNG JIN KIM PRIYANKA PRAKASH

EDITORIAL STAFF

NATHAN HATFIELD
JENNIFER HOWARD
SHAWN KAMINSKY
JOANNE KIM
WILLIAM JIEWOO KIM
JEFFERSON LIN
LAUREN MCELROY
JESSICA MONTGOMERY

EXECUTIVE BOARD

MARY HOTCHKISS

Business Office JONATHAN FRANKLIN FRAN JOHNSON iii Chief Managing Editor
MATTHEW J. MCCAULEY

Executive Managing Editors
MAREK E. FALK
ERIC R. MAPES
ADA KO WONG

Managing Online Editor NATHAN BARNES

LEONID KISSELEV LAURA COX LIBBY WHITTEMORE

ALYSON PALMER
ALEC PAXTON
ANNE PURKEY
SAM SHADDOX
SEAN SISKA
COURTNEY SKILES
MALLORY SULLIVAN
SANJAY WALVEKAR
DANIEL ZAVALA

LINDA HUME KATE O'NEILL

Faculty Advisor
YONG-SUNG (JONATHAN) KANG

University of Washington School of Law 2011-2012

OFFICERS OF ADMINISTRATION

Michael Young, B.A., Ph.D., President of the University, Professor of Law

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 for Faculty

Elizabeth Ford, B.A., J.D., Assistant Dean

Stephanie Cox, B.A., Assistant Dean for Advancement

Michele Gonzalez, B.A., J.D., M.P.A., Assistant Dean, Center for Professional & Leadership Development

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 for Students, Senior Law Lecturer

Marnae Schmidt, B.A., Finance and Business Director

Michele Storms, Executive Director, Gates Public Service Law Scholarship Program

Kathryn Watts, B.S., J.D., Associate Dean of Research & Faculty Development

Paula Johnson, B.S., Human Resources Director

FACULTY EMERITI

William R. Andersen, B.S.L., LL.B., LL.M.

Robert H. Aronson, B.A., J.D.

William T. Burke, B.S., J.D., J.S.D.

Robert L. Fletcher, A.B., LL.B.

Roland L. Hjorth, 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., Associate Professor of Law

Robert T. Anderson, B.A., J.D., Professor of Law, Director, Native American Law Center

Thomas R. Andrews, B.A., M.A., J.D., Professor of Law

William S. Bailey, B.A., J.D., Professor from Practice

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, Technology Law & Public Policy Clinic

Samuel A. Donaldson, B.A., J.D., LL.M., Professor of Law, Director, 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, Afghanistan Legal Educators Project

Mary D. Fan, B.A., J.D., Assistant Professor of Law

Julia Gold, B.A., J.D., Senior Lecturer, Director, Mediation Clinic

Robert W. Gomulkiewicz, B.A., M.A., J.D., Professor of Law, Director, 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

Mary A. Hotchkiss, B.A., M.S.L.S., J.D., LL.M., Senior Lecturer, Director, Academic Advising

Maureen Howard, B.A., J.D., Associate Professor, Director, 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, 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, C.P.A., M.B.A., LL.B., Professor of Law

Patricia C. Kuszler, M.D., J.D., Charles I. Stone Professor of Law, Director, 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, Clinical Law Program, Director, Workers Rights 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, Innocence Project Northwest

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., Professor of Law, Co-Director, Graduate Program in Intellectual Property Law & Policy, Director, 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, Shidler Center for Law, Commerce & Technology

Beth Rivin, B.A., M.D., M.P.H., Research Associate Professor of Law, Director, Global Health & Justice Project

William H. Rodgers, Jr., B.A., LL.B., Stimson Bullitt Professor of Environmental Law

Zahr Said, B.A., J.D., Ph.D., Assistant Professor of Law

Sallie Thieme Sanford, B.A., J.D., 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, Federal Tax Clinic

Toshiko Takenaka, B.A., LL.M., Ph.D., W. Hunter Simpson Professor of Technology Law, Director, Center for Advanced Study & Research on Intellectual Property

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., Associate Professor of Law

Ron J. Whitener, B.A., J.D., Senior Lecturer, Director, 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, 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., Associate Professor of Law

ADJUNCT AND AFFILIATE FACULTY

Melissa A. Austin, M.S., Ph.D., Adjunct Lecturer

Gad Barzilai, B.A., LL.S. [J.D.], 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

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

Saadia Pekkanen, B.A., M.I.A., Ph.D., M.S.L., Adjunct Associate Professor of Law

Clare Ryan, B.S., M.S., Ph.D., Adjunct Lecturer

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