

the United States. While it is always a risky business to predict the future, one thing is quite certain – the need for the Asian Law Center to continue its objective of promoting mutual understanding will not go away. In 1985, nearly thirty years ago, at a conference hosted by ALC under Professor Dan Henderson, William P. Alford, then a young scholar on Chinese law, called for an “obligation to be vigilant” against unwarranted assumptions. To fulfill that obligation is the long-term mission of the ALC. This book is another effort in that direction.

Introduction

John O. Haley and Toshiko Takenaka

Celebration is both the aim and underlying theme of this volume. With its publication we commemorate the 50th anniversary of the founding of the Asian Law Center of the University of Washington School of Law. The volume comprises representative chapters by distinguished graduates that reflect their subsequent work as legal scholars in their respective countries and fields. Combined with those by present and former faculty and colleagues, their contributions exemplify the achievements of the Center – formerly Program – as its second half-century begins.

We commence with three chapters by three of the Center’s past directors – all of whom were students at different times in what was then the Asian Law Program. They detail the history, achievements, and challenges of the Asian Law Center during its first half-century. The first chapter is by John Haley, who entered the Program as a student in 1969, joined the faculty in 1974, and served as director upon Dan Henderson’s retirement in 1991 until 2000. Haley’s recollections of the first decades are followed by those of Veronica Taylor, who received her master of laws degree in 1992 and served as director from 2000 to 2012. Upon her departure for a position at Australian National University, Jon Eddy assumed the directorship. Eddy, a 1969 J.D. graduate, served for one year when Professor Dongsheng Zang was appointed to fill the position.

These introductory chapters on the history of the Center are followed by a series of chapters by a remarkable group of scholars from four continents. They include eight of the Center’s most distinguished graduates currently teaching in East Asia and the Pacific today – Vai Io (Farfalla) Lo, Tay-Sheng Wang, Kon Sik Kim, Kurnia Toha, Kyoko Ishida, Orakanoke Phanraska, Tomi Suryo Utomo, and Ryuichi Yamakawa – as well as six current or former members of the Center’s faculty. This latter group is comprised of Dongsheng Zang, the current Center director, Clark Lombardi, a prominent Islamic law scholar, Donald Clarke, a former member of the Center’s faculty who has long

played a leading role in Chinese legal studies in the United States, and Dan Foote, a former member of the Center faculty who, it is hoped, will soon rejoin it as co-director. They are joined by two colleagues and close friends of the Center: Harald Baum, the Head of the Japan Law Department at the Max Planck Institute for Comparative and International Private Law in Hamburg, Germany, and Shigenori Matsui of the University of British Columbia. Completing the list of contributors are the editors – John Haley and Toshiko Takenaka, both of whom are also Asian Law Center graduates.

Harald Baum provides an overview of the Roman origins of Western law and the processes of its transplantation in Japan, with appropriate emphasis on the influence of modern German law in Japan. His contribution is a telling reminder of the universality of western law today, which is in no small measure a result of the Japanese experience – a theme that is taken up in a cluster of chapters on the influence of Japanese law.

Following Baum is a series of chapters on the role of courts in East Asia, commencing with a “dialogue” between John Haley and Dan Foote on law-making and norm creation by Japanese courts. Drawing on a January 2013 decision allowing online sales of over-the-counter drugs, Shigenori Matsui adds to the dialogue a “View from the East.” Together they put to rest any notion that Japan’s judiciary has been passive or merely the agent of political principals.

Dongsheng Zang and Vai Io (Farfalla) Lo continue the discussion with their companion studies of judicial law-making in China, followed by Clark Lombardi with a parallel examination of the role of courts in making law in Indonesia and other parts of Islamic Asia. Concluding the section are two further chapters. The first is Ryuichi Yamakawa’s discussion of Japanese labor law. The second, by Kyoko Ishida, focuses on *pro se* litigation.

The discussion continues in a section on legal transplants and the influence Japanese law has had in Asia. Tay-Sheng Wang begins by detailing its influence in Taiwan. Three chapters continue the theme with discussions on the influence of Japanese as well as U.S. law in other legal systems in East Asia – Kon Sik Kim on Korean law, Donald Clarke on Chinese Law, and Kurnia Toha on Indonesian law.

The volume concludes with four chapters on legal innovations by judicial law-making in intellectual property. All are authored by Center Ph.D. graduates, one of whom – Toshiko Takenaka – has long served as Director of the University of Washington Law School Center for Advanced Study and Research on Intellectual Property (CASRIP). She begins the section with her chapter on Japan and is followed by Hyung

Doo Nam on Korea, Otakanoke Phamaska on Thailand, and Tomi Sulyo Utomo on health law and intellectual property in Indonesia.

These chapters individually and collectively exemplify the quality of the scholars and the scholarship that has been the hallmark of the Asian Law Center for the past half-century.