

**Report on the Conference  
“War of the Worlds in Japanese Law”,**

organised by the Australian Network for Japanese Law (ANJeL)  
at the University of New South Wales, Sydney, 28 February 2006

*Christoph Antons*

The Australian Network for Japanese Law (ANJeL) was established in 2002 by the law faculties at the University of Sydney, the University of New South Wales and the Australian National University to promote scholarly exchanges between the Australian and Japanese legal communities. On 28 February 2006, ANJeL held its fourth international conference at the University of New South Wales in Sydney on the topic of “War of the Worlds in Japanese Law – Implications for Business Law Harmonisation in an FTA Era”. The conference dealt with the many different approaches to and perceptions of Japanese law around the world and the implications this may have for Japan’s negotiations of Free Trade Agreements (FTAs).

The conference began with a paper by Associate Professor Craig Freedman (Macquarie University, Sydney) and Dr. Luke Nottage (University of Sydney) on “The Chicago School of Economics and (Japanese) Law: Resisting the Invasions by Stigler and Ramseyer”, which was commented upon by Dr. Harald Baum (Max Planck Institute for Foreign and International Private Law, Hamburg) from the perspective of a leading German expert on Japanese law and by Associate Professor Teilee Kuong (Nagoya University) from the perspective of a Cambodian scholar currently teaching at a Japanese law school. A second session brought a detailed analysis of Japanese FTA negotiations with Southeast Asian countries. Professor Kitti Prasirtsuk (Thammasat University, Bangkok) spoke on “Japan–South-East Asia Free Trade Agreements: When Economics and Law Meet Politics”, followed by Professor Teilee Kuong’s paper on “Bilateral and Multilateral FTAs linking Japan and South-East Asia: Aligning Regulatory Regimes”.

The Hon JJ Spigelman AC, the Chief Justice of New South Wales, delivered the lunchtime address. The Chief Justice spoke about the negotiations that led to the 1976 Basic Treaty of Friendship and Cooperation between Australia and Japan and he stressed the potential for increased legal cooperation between the two countries.

Various aspects of business law harmonisation were on the agenda of the first afternoon session. Dr. Harald Baum presented the first paper in this session on “Corporate Governance Discourse and Reality in Japan, Germany and the US” followed by comments from Professor Sôichirô Kozuka (Sophia University, Tokyo) and Dr. Leon Wolff (University of New South Wales). This was followed by papers on “Harmonising

Product Safety Regulation in Australia, Japan and Beyond: Similar Problems, Similar Solutions?" presented by Dr. Luke Nottage and on "Complying with Japan's Privacy Laws: Special Issues for Telecommunications Operators" by Professor Colin Jones (Doshisha University, Kyoto). A further afternoon session brought papers by Professor Tam Mito (Chinese University of Hong Kong) on the "Contending Views of Security Held by the Framers of Japan's Postwar Constitution", by Joel Rheuben (University of Sydney) on "A Presidential Prime Minister: Japan and the Direct Election Debate" and by Hitoshi Nasu (University of Sydney) on "Globalising Elections: A Proposal for Reforms Creating New Overseas Electoral Constituencies for Japanese Nationals Abroad". A lively discussion on FTAs in the Asia-Pacific region followed during the final "wrapping up" session.

The conference was recognised as an official event for the Australia-Japan Year of Exchange, commemorating the 30<sup>th</sup> anniversary of the 1976 Basic Treaty of Friendship and Cooperation, and was sponsored by the Japan Foundation Sydney. Several presentations from the conference will be published in the December issue of the *Journal of Japanese Law*, which celebrates its 10<sup>th</sup> Anniversary.