

Mondialisation Origines Évolutions Loi Cultures juridiques japonaise Relation Défis Allemagne
 Développement juridique Préoccupations Réforme Innovations mutuelles Construire
 Droit français Modernisation Obligations Be
 Nouveauté Science juridique Changement Jap

The conference is devoted to international dialogue on law, between Japanese, French and German jurists, from the standpoint of legal reform.

Japan and France have introduced a codified legal system, whose stability represents one of its major assets. However, codified law may also tend to inflexibility toward social change so that its perpetuation depends on legal reform. Yet, poorly conducted legal reform may cause distrust toward law and toward its suitability as a social regulator, leading, in the end, to social instability

This brings up numerous questions: Who? How? Why? Who shall reform? How to reform while preserving fundamental rules? How to adapt legislation without misrepresenting law? How to set goals for a legal reform? How to meet social needs? Which methods are appropriate? How to evaluate the results of legal reforms? Etc

In national as well as in international law, legal reform is pervasive in private substantive law, for instance in the law of obligations, of personal status, business, labor law and so on.. A major characteristic of contemporary legal reforms shall will also be addressed as it is substantially interconnected with legal globalization.

Japanese Law, French Law What are the Lessons for Legal Reform ?

FREE ADMISSION

Informations:
<http://droitjaponais.wordpress.com/>
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With support from:
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 // Max Planck Institute for comparative and international Private Law
 // Goethe Universität de Frankfurt

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Japanese Law, French Law What are the Lessons for Legal Reform ?

March 17th 2017

Sciences-po Lyon
 14 av. Berthelot - 69007 Lyon

March 18th 2017

ENS de Lyon
 15 parvis René Descartes - 69007 Lyon

March 17th 2017

Sciences-po Lyon – salle du conseil

8h45 Welcome - Participants Registration

9h15 Opening Remarks from Renaud PAYRE, *Director of Sciences-po Lyon*
Opening Remarks from Gilles LE CHATELIER, *lawyer, Chairman of the Administration Board of Sciences-po Lyon*
Welcome Adress from M. KOBAYASHI Ryuichirō, *Consul of Japon in Lyon*

Day 1 Legal Reform - Fundamental Issues and Models; Methods and Processes

9h45 **Session 1. Core Questions and Models**

// Part 1. A Few Patterns from Legal History
Session chairman: Jean-Pierre DEDIEU (CNRS)

Béatrice JALUZOT (IAO, *Lyon's Institute for Political Sciences*)
What is a Legal Reform ?
Some Remarks Based on the Example of Japanese Contemporary Legal History

Jérôme BOURGON (CNRS)
Legal Reform in Continental China Pre-Communist China

Catherine FILLON (*Jean Monnet - St Etienne Univ.*)
*About the Governemental Art of Dialog and Concertation:
the Restructuring of Higher Education during the French 3rd Republic*

11h15 Pause

11h15 // Part 2. Examples from the Reform of the Law of Obligations
Session chairman: Pascale DEUMIER (Lyon 3 Univ.)

NOZAWA Masamichi (*Rikkyo Univ.*)
*The Rejected Adages by the Japanese Reform of the Law of Obligations:
«Impossibilium nulla obligatio est» and "Res perit domino"*

TAKENAKA Satoru (*Gakushuin Univ.*)
The Function of Abstract Concepts in the Reform of Contract Law

Stéphanie PORCHY-SIMON (*Lyon 3 Univ.*)
The Role of legal doctrine within the Future Reform of Civil Liability

Debates

13h00 - 14h00 Lunch (on invitation)

14h00 **Session 2. Models, Methods and Processes**
Session chairman: George CAVALIER (*Univ. Lyon 3*)

// Part 1. Models, Methods and Processes in National Legal Reforms

OKA Takashi (*Gakushuin Univ.*)
*The Reform or the Potential Reform of the Guardianship of Protected Adults
in Japanese Law*

HAYAKAWA Shinichirō (*Tokyo Univ.*)
The Characteristics of Legal Reforms in Japanese Family Law

ERI Kasagi (CNRS, *Comptrasec*)
The Silent Reforms of Social Welfare

Christophe CHABROT (*Lyon 2 Univ.*)
*The Idea of Legal Reform as seen through the Recent Territorial Law Reform
in France*

Debates

16h00 Pause

16h15 // Part 2. Legal Cooperation and National Legal Reforms

Mandjou TRAORE (*Lyon 3 Univ.*)
*The Reform of Business Law in Africa, the example of Dispute Settlement within
the Ohada Rules*

KAWASHIMA Shirō (*Doshisha Univ.*)
Some Aspects of Civil Procedure Law Reforms in Asia

AKANISHI Yoshifumi (*Kinki Univ.*) - MUROI Sachihiko (*Kobe Univ.*)
A comparative Approach to Civil Execution Law of Myanmar and Japan

KANEKO Yuka (*Kobe Univ.*)
*Civil Law Reforms in ASEAN countries:
from a Perspective of Asian Comparative Law*

Debates

Concluding Remarks

March 18th 2017

Site Descartes - salle du conseil

Day 2 Legal Reform - Results, Assessment, Globalisation

9h30 **Session 1. Reform and International Pressure**
Session chairman: Frédéric ZÉNATI-CASTAING (*Univ. Lyon 3*)

// Part 1. The Uniformisation of the Law

Edouard TREPPOZ (*Lyon 3 Univ.*)
Copyright Law in Crisis or the Impossible Reform of International Copyright Law

Jean Sylvestre BERGE (*Lyon 3 Univ.*)
Legal Unification in a European Perspective : the Failure of the Uniform Sales Act

KOZUKA Souichirou (*Gakushuin Univ.*)
The Acceptance of Uniform Law in Japan and Asia

Debates

11h15 Pause

11h30 // Part 2. Globalization and National Legal Reform

NISHITANI Yuko (*Kyōtō Univ.*)
The Future of the Principle of Nationality in International Family Law

HARA Megumi (*Gakushuin Univ.*)
*International Legal Instruments and their Impact on Legal Reform,
Their Role within Legal Intergration*

Harald BAUM (*Max Planck Institute for Comparative and International Private Law*)
The Role of International Legal "Fashions" in Reforming National Corporate Laws

Debates

13h00 Diner

14h15 **Session 2. Results and Assessment: a Success or a Failure?**
Session chairman: Olivier GOUT (*Univ. Lyon 3*)

OMURA Atsushi (*Tokyo Univ.*)
*The Role of Legal Doctrine within Law Reform : the Japanese Reform of the Law
of Obligations, a Success or a Failure ?*

Blandine MALLET-BRICOUT (*Lyon 3 Univ.*)
The French Reform of the Law of Contracts, Success and Shortcomings

Moritz BÄLZ (*Francfort Univ.*)
Reform of the Law of Obligations - The German Experience 15 Years On

Debates

16h30 **Closing Remarks: KOZUKA Souichirou**
Diner (on invitation)