The Clarke Program in East Asian Law and Culture

Presents

Techniques of Hope:
How Professionals and Professionalism can Stabilize the Markets and Change the World

March 26, 2010

The Levin Institute
116 East 55th Street
New York, NY 10022

With generous support from The Japan Foundation Center for Global Partnership
The Conference Schedule

Session 1

8:30-9:10am

Welcome remarks and introduction of guests:

Stewart J. Schwab, Allan R. Tessler Dean and Professor of Law, Cornell University Law School

How can Markets be Reformed (and What is Wrong with Existing Answers)?

Speakers:

Yuji Genda, Professor, Institute of Social Science, University of Tokyo

Professor Yuji Genda is a labor economist and a noted public commentator on the problems facing Japanese youth. A recipient of the Suntory Prize for Social Sciences and Humanities for his work A Nagging Sense of Job Insecurity (in Japanese), he is the author of numerous books and articles on youth, work, and the Japanese labor markets. He is the editor of four edited volumes of essays entitled Social Scientific Studies of Hope (希望の社会科学) (University of Tokyo Press) and of an edited volume entitled Hope Studies (希望学) (Chuo Koron Shinsha 2006). Professor Genda directs the Hope Studies project at ISS.

Annelise Riles, Jack G. Clarke Professor of Far East Legal Studies and Professor of Anthropology, Director of Clarke Program in East Asian Law and Culture, Cornell Law School


Hirokazu Miyazaki, Associate Professor of Anthropology, Cornell University

Professor Hirokazu Miyazaki is an anthropologist specializing in the culture of financial trading. He is the author of The Method of Hope (Stanford University Press 2004) and a forthcoming book, Arbitraging Japan: Traders as Critics of Capitalism (University of
California Press). He is also the co-editor (with Richard Swedberg) of a forthcoming collection of essays entitled *Hope in the Economy*.

**Session 2**

9:10-10:30am

**Some Unlikely Sources of Inspiration: Anti-Racism, Pro-Democracy, Cause-Lawyering Movements, and Japanese Youth**

Hirokazu Miyazaki, Chair

*Speakers:*

Kathryn Abrams, Herma Hill Kay Distinguished Professor of Law, Boalt Law School, University of California at Berkeley

Professor Abrams is one of the nation’s most prominent feminist legal theorists, and has co-authored the first prominent article in U.S. legal studies on the role of law in fostering hope (*"Law in the Cultivation of Hope",* Abrams and Keren 2007). Her current research, based on interviews with lawyers specializing in capital cases, focuses on how lawyers representing clients on death row manage their own hope, and the hope of their clients.

Amanda Snellinger, Department of Anthropology, Cornell University

Dr. Snellinger recently completed a doctoral dissertation in anthropology based on several years of fieldwork among the young democracy activists in Nepal. Her work focuses on the role of hope in youth politics.

Ghassan Hage, Future Generation Professor of Anthropology and Social Theory, University of Melbourne

Professor Hage is a prominent public intellectual who publishes widely in English and French on the role of hope in conditions of ethnic violence. He is the author of *Against Paranoid Nationalism: Searching for Hope in a Shrinking Society*, for which he received the New South Wales Premier’s Literary Prize.

Yuji Genda, Professor of Economics, University of Tokyo

Break 10:30-11:00am

11:00 am - 12:00pm Comments and Discussion

12:00-1:00pm Lunch Break
Session 3
1:00-2:00pm

What Role for Legal Tools?

Annelise Riles, Chair

Speakers:

1:00-1:10pm Joel Haims, Partner, Morrison & Foerster New York

Joel Haims specializes in securities and complex commercial litigation, primarily representing public companies and their officers and directors in securities class actions, shareholder derivative suits, SEC investigations and internal investigations. Mr. Haims has extensive experience with arbitration and mediation. He also has experience drafting SEC filings, running corporate and securities transactions, and negotiating commercial contracts. Mr. Haims' clients are from a broad range of industries, including financial services, real estate, life sciences, technology, and consumer products, and many are foreign-based, including in China and Israel.

1:10-1:20pm Masatake Yone, Partner, Mori Hamada & Matsumoto Tokyo

Masatake Yone specializes in mergers, acquisitions and bankruptcy law. He is a leading practitioner in M&A in Tokyo and a frequent commentator in public and policy debates on these subjects.

1:20-1:40pm Follow-up Discussion

1:40-1:50pm Amr Shalakany, Associate Professor of Law, American University in Cairo

Before joining AUC, Shalakany was the Jeremiah Smith Junior Visiting Assistant Professor at Harvard Law School, where he taught Comparative Law and Islamic Law. Earlier, he served as legal advisor to the PLO Negotiations Support Unit in Ramallah during the Israeli-Palestinian Peace Process, and also taught at Birzeit University and helped set up the Law Clinic at the Law Institute. He has also worked as a securities lawyer with the law firm of Baker & McKenzie in London. He is currently on research leave as Carnegie Scholar 2008-10. His next book is entitled Restless Jurists Compared: The Critique and Reconstruction of Contract Law Theory in the US, France and Egypt 1900-1942 (forthcoming from Brill 2010).

1:50-2:10pm Comments and Follow-up Discussion
Toru Yamada advises companies in a broad range of industries, including pharmaceutical companies, tire manufacturers, securities firms, private equity firms, asset management firms, and financial advisers. His areas of practice include mergers and acquisitions, joint ventures, structured finance, securities regulations, fund formations, real estate securitizations, labor, corporate restructurings, and corporate counseling. Toru served as the lead counsel in acquisition transactions of various listed and nonlisted companies in Japan. He also served as the lead counsel in a number of real estate securitization transactions and fund formations.

2:20-3:00pm Commentary and Follow-up Discussion

3:00-3:20pm Break

Session 4

3:20-3:40pm Re-Tooling

Yuji Genda, Hirokazu Miyazaki and Annelise Riles

3:40-4:00pm Open Discussion