The University of Hawai‘i at Mānoa’s Pacific-Asian Legal Studies (PALS) program was featured in the November 16 issue of The National Law Journal. The article “Pacific-Asian Legal Studies Get Boost from University of Hawai‘i” discusses the translation of the 150-page Nibutani Dam decision from Japanese into English by Mark Levin, assistant professor and expert in Japanese law at UHM Williams S. Richardson School of Law.

The decision addresses the ownership rights of a broad area of land in Hokkaido, Japan, which includes several places considered sacred by Japan’s indigenous Ainu. The local government appropriated the land for the construction of a dam. In 1993, the owners sued, claiming that the land seizure violated their rights.

The original decision, issued in March 1997 by the Sapporo District Court, recognized the Ainu as an indigenous minority with legal rights to preserve their culture.

Levin recalls seeing the decision on the Internet and sending an e-mail to a colleague in Hokkaido, who expressed enthusiasm for the decision but concern about finding the means to properly craft an English version.

Levin said he felt any translation of Japanese court documents is a challenge, but he didn’t undertake translation of the Nibutani Dam decision for the challenge.

“I did it owing to the importance of the case,” Levin explained. “I thought it was important to get the case out in English to be available for the world audience. Also, it has to do with living in Hawai‘i. ... Recognizing and studying the law of indigenous peoples is an important pursuit for the state’s university.”

Now Levin will submit the translation for publication. "The decision is important because the court recognized ... the rights of the Ainu as an indigenous people under both the Japanese Constitution and international public law," he explained to The National Law Journal. "I believe the precedent will be asserted in the future by other indigenous peoples worldwide.

With an enrollment of about 240, the William S. Richardson School of Law may be one of the smallest of the 180 law schools accredited by the American Bar Association. But in quality, it ranks among the top 50, according to U.S. News and World Report.

PALS has been an important part of the law school’s mission since its establishment in 1973. Law students must complete 14 designated credits to receive a PALS certificate. Students can take courses such as U.S.-Japan Business Transactions, Law and Society in China and Native Hawaiian Rights. Students can spend a semester with a judge, law firm or U.S. embassy in such places as Thailand, Samoa and Guam or remain on campus, researching such topics as mail-order brides from the Philippines and Guam.

“Our PALS program enjoys tremendous interest among our students, including many who come from the U.S. Mainland because of the program,” said Larry Foster, dean of the William S. Richardson School.

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of Law. "Clearly, they recognize the depth and quality of our PALS faculty. Also, with our physical proximity to the Pacific Islands and Asia, our students have the opportunities to interact here with many visitors and to easily travel to those areas for externships and other career opportunities. In the past month alone, we've hosted a group of Asian journalists, including the head of the People's Daily from China, a delegation of Chinese judges and lawyers and the general counsel of Apple Computers Japan."

For more on PALS, contact Carol Mon Lee, acting dean, at 956-8636.