

Kouichi Taniguchi (Researcher, Japan Society for the Promotion of Science).

### **Symposium: Libertarianism and Legal Theory**

- (1) “General Comments by the Organizer: The Significance and Problems of Libertarianism”  
Susumu Morimura (Professor, Hitotsubashi University).
- (2) “A Comment on Libertarianism”  
Tutomu Hashimoto (Associate Professor, Hokkaido University).
- (3) “Libertarianism and Community: The Liberty to Comply with Social Norms?”  
Madoka Torisawa (Lecturer, Hiroshima City University).
- (4) “Liberty Cannot Support Libertarianism”  
Shinya Tateiwa (Professor, Ritsumeikan University).
- (5) “A Comment”  
Itaru Shimazu (Professor, Chiba University).
- (6) “A Legal Theory of Libertarianism”  
Yuko Hashimoto (COE Researcher, Kobe University).
- (7) “Why Cannot Scholars of Constitutional Law Take Libertarianism Seriously?”  
Kouji Aikyo (Professor, Nagoya University).
- (8) “The Structure of the Libertarian ‘Liberty’ in Private Law”  
Yachiko Yamada (Associate Professor, Chuo University).
- (9) “A Comment: Libertarian and Commutative Justice”  
Yuki Asano (Associate Professor, Kinki University).

## **11. Comparative Law**

**I.** *The Japan Society of Comparative Law* held its 67th General Meeting at Kanazawa University on June 5 and 6, 2004.

### **Symposium: Bioethics and Law**

Chaired by Toyohiro Nomura (Professor, Gakushuin University) and

Yu Kamiya (Professor, Hiroshima University)

(1) “General”

Toyohiro Nomura (Ibid.).

(2) “The United States”

Eiji Maruyama (Professor, Kobe University).

(3) “The United Kingdom”

Katsunori Kai (Professor, Waseda University).

(4) “Germany, Switzerland, Austria”

Fumio Tokotani (Professor, Osaka University).

(5) “France”

Atsushi Motoyama (Associate Professor, Ritsumeikan University).

(6) “Korea”

Hong Hyunsoo (Researcher, Center of Life Science and Society).

(7) “Taiwan”

Chang Chiungfang (Researcher, Center of Life Science and Society).

(8) “Japan”

Tadahiro Mitsuishi (Lawyer).

Commented on by Hiroyuki Furukawa (Associate Professor, Kanazawa University) and concluded by Toyohiro Nomura (Ibid.).

### Mini-Symposium:

#### 1. Human Rights Act 1998 and the Change of Common Law

Chaired by Michiatsu Kaino (Professor, Waseda University).

(1) “Human Rights Act in Historical Context”

Akihiro Okada (Associate Professor, Kobe University).

(2) “From the Political Constitution to the Legal Constitution?”

Koji Kuramochi (Professor, Konan University).

(3) “Abolition of the Office of Lord Chancellor and Judicial Independence”

Hidenori Sakakibara (Professor, Nanzan University).

(4) “The Impact of Human Rights Act on Judicial Review”

Ryuichiro Fukazawa (Associate Professor, Kyoto University).

(5) “Introduction of Human Rights Act 1998 and a New Equity?”

Michiatsu Kaino (ibid.).

## **2. Deux cents ans du Code civil français**

(Joint Project with Societe Franco-Japonaise de Science Juridique)

(1) “General”

Ichiro Kitamura (Professor, The University of Tokyo).

(2) “Family”

Noriko Mizuno (Professor, Tohoku University).

(3) “Property”

Mika Yokoyama (Professor, Kyoto University).

(4) “Contract”

Hiroki Morita (Professor, The University of Tokyo).

## **3. Agenda and Approach for Comparative Law Studies in the 21st Century**

(Joint Project with the Association of Asian Law)

(2) “Asian Values’ and Human Rights”

Kerstin Steiner (Graduate Student, University of Melbourne).

(3) “Islam and Human Rights in a Comparative Perspective”

Martin Law (Lecturer, University of London).

### **Study Group: Anglo-American Law**

(1) “Takings Issue and Judicial Review in the United States”

Chaired by Keikichi Ohama (Professor, Waseda University) and Minoru Fukunaga (Research Associate, Waseda University).

(2) “Affirmative Action and Equal Protection”

Chaired by Satoru Osanai (Professor, Chuo University) and Hitomi Yoshida (Associate Professor, Kanto Gakuin University).

### **Study Group: Continental Law**

(1) “A Comparative Study on Indirect Administrative Enforcement in Japan, Germany and France”

Chaired by Wataru Osanai (Professor, Chuo University) and Masanobu Nishitsu (Graduate Student, Chuo University).

(2) “Förderung der außergerichtlichen Streitbeilegung”

Chaired by Osamu Kato (Professor, Keio University) and Kimimasa Hata (Associate Professor, University of East Asia).

**Study Group: Socialist Law**

- (1) “Law and Policy of the State Enterprise Reform in Vietnam”

Chaired by Ken Suzuki (Professor, Hokkaido University) and Yuka Kaneko (Professor, Kobe University).

- (2) “Positioning of the Civil Code in Uzbekistan”

Chaired by Akio Komorida (Professor, the University of Tokyo) and Tomoyoshi Ito (Professor, Hokkai-Gakuen University).

**II.** *The Japanese American Society for Legal Studies* held its 41st General Meeting at Seikei University on September 11 and 12, 2004.

**Symposium: Statutory Reform of the Administrative Process: The American Experience and the Role of the Bar**

This symposium studied what system was effective for the continuous reform of Administrative Law by reference to the experience of the United States. Focused on Administrative Conference of the United States that was once operated and now discussed for re-construction and on Section of Administrative Law and Regulatory Practice that was still active in the American Bar Association, there were discussions how those proposals for the reform worked in the enactment process of the Federal government. Secondly, the theoretical standpoints were given what kind of reform was done in the administrative and how. The collaboration with citizens and the government is a key issue. Finally, the big gap between the United States and Japan were discussed in terms of administrative procedures and lawsuits.

Chaired by Takehisa Nakagawa (Professor, Kobe University)

- (1) “Remarks”

Ronald M. Levin (Professor, UCLA School of Law) and Jody Freeman Professor, UCLA School of Law).

- (2) “Response”

Jeffrey Lubbers (Fellow, American University Washington College of Law).

- (3) “Issues on the Enactment Process of Administrative Law—A Comparative Study Between the United States and Japan”

Takayoshi Tuneoka (Gakushuin University).

- (4) “A Comparative Study of Administrative Lawsuits in the United

States and Japan”

Takehisa Nakagawa (ibid.).

### **Lecture:**

“Globalization of the Big Law Firm Based on the United Kingdom—  
Its History and Prospects”

Naoki Konami (Lawyer, Freshfields Bruckhaus Deringer).

### **Case Studies:**

- (1) “Epilepsy Foundation of Northeast Ohio v. National Labor Relations Board, 268 F.3d 1095 (D. C. Cir. 2001)”  
Hisashi Okuno (Lecturer, Rikkyo University).
- (2) “Goodridge v. Department of Public Health, 798 N.E.2d 941(2003) and Opinions of the Justices to the Senate, 802 N.E.2d 565(2004)”  
Masako Kamiya (Professor, Gakushuin University).
- (3) “Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, Ltd., 259 F.Supp.2d 1029, 2003 WL 1989129 (C.D. Cal, April 25, 2003)”  
Iwao Kidokoro (Professor, Seikei University).
- (4) “Rene v. MGM Grand Hotel, Inc., 305 F.3d 1061 (9th Cir. 2002), cert. denied 538 U.S. 922”  
Eiichiro Yoshikawa (Associate Professor, Osaka Gakuin University).
- (5) “McConnell v. Federal Election Commission, 540 U.S. ; 124 S. Ct. 619 (2003)”  
Koji Higashikawa (Associate Professor, Kanazawa University).
- (6) “Ullonoa Flores v. S. Peru Copper Corp., 343 F. 3d 140 (2d Cir. 2003)”  
Fumihiko Konuma (Adjunct Lecturer, Seikei University).

**III.** *Die Japanisch-Deutsche Gesellschaft für Rechtswissenschaft* held its Symposium at Osaka City University on October 2, 2004.

### **Symposium:**

“Der Gefahrbegriff: Einheit oder Vielgestaltigkeit im deutschen Recht?”

Frank Zieschang (Professor and Doctor, University of Würzburg).

**IV.** *La Société franco-japonaise de Science Juridique* held its General Meeting at Gakushi Kaikan on March 13, 2005.

### **Special Lectures for 200 Years Since Code Civil Français**

- (1) “Civil Code and Administrative Law”  
Tadashi Takizawa (Professor, Sophia University).
- (2) “Civil Code and Social Law”  
Masahiko Iwamura (Professor, The University of Tokyo).
- (3) “Civil Code and Constitutional Law”  
Yuishichi Higuchi (Professor, Waseda University).

**V.** *The Association for “Societal Systems & Law Studies”* held its 6th General Meeting at Kanazawa University on June 4, 2004.

### **Sessions:**

#### **1. Modern Experience and Law for Colonies in Asia**

- (1) “The Colonial Rule and Modernization in Indonesia”  
Yuzuru Shimada (Research Fellow, Japan Society for the Promotion of Science).
- (2) “Modernization and the Idea of the Korean Constitution”  
Noriko Kokubun (Professor, Aichi Prefectural University).

#### **2. The Direction for Societal Systems and Law**

- (1) “Historical Perspective on Modern Experience and the Change of Social Structure”  
Takeshi Mizubayashi (Professor, Tokyo Metropolitan University).
- (2) “Comments”  
Akio Komorida (Professor, Tokyo University) and Masanori Akikyo (Professor, Nagoya University).
- (3) “Conclusion”  
Osamu Takamizawa (Professor, Tokyo University).

**VI.** *The Japanese Association of Asian Law* held its Study Meeting at Meiji University on June 20 and on November 20, 2004

June 20

**Study Group 1: The New Current of Constitutionalism in Asian Countries**

- (1) “The Turning Point of the Taiwanese Constitution—A Challenge of National Votes in 2003”  
Wu Yu Tsung (Assistant Professor, Shin Hsin University).
- (2) “The Characteristics of the Early Constitutional Debate in Korea—Its Position in Comparative Law”  
Noriko Kokubun (Aichi Prefectural University).

**Study Group 2: Civil Law and Commercial Law in Cambodia**

- (1) “The Development of Laws in Cambodia at Present”  
Yoshiko Yasuda (Lawyer, Former Expert of JICA for the Developments of Laws in Cambodia).
- (2) “The Administrative Regulation of the Standard Contracts in China”  
Xu Hui (Graduate Student, Osaka University).

**General Meeting:**

- (1) “Adopted Laws and the Original Ground in China”  
Ken Suzuki (Professor, Hokkaido University).
- (2) “Gender Law and Japan”  
Machiko Kamio (Professor, Syobi Gakuen University).
- (3) “A Transcivilizational Perspective on Global Problems in the Twenty-First Century—A Way to Overcome West-Centric Discourses on World Affairs”  
Yasuaki Omura (Professor, The University of Tokyo).

November 20

**The Morning Session:**

Chaired by Ken Suzuki.

- (1) “The Wealth and the Poverty in India”  
Noriyuki Asano (Professor, Seibo Jogakuin Junior College).
- (2) “Cases of Capital Punishment in China”  
Yukinori Utagawa (Professor, Nagoya University).

**The Afternoon Session:**

Chaired by Junzo Iida (Professor, Soka University).

- (1) “Trilaminar Structure in Law: The Framework of Asian Legal Perception”

Nobuyuki Yasuda (Professor, Nagoya University).

- (2) “The Function and Prospect of the Human Rights Committee in Asia”

Masaki Ina (Professor, Omiya Law School).

- (3) “Cases of The Lease Interest in Thailand—The Guarantee of Residence and Development”

Kikuo Nishizawa (Lecturer, Kochi Junior College).

**VII.** *The European Union Studies Association-Japan* held its 25th Annual Conference at Waseda University on November 13 and 14, 2004.

First Day:**Morning Session:**

Chaired by Hiroshi Okuma (Professor Seijo University).

- (1) “From the Convention through the IGC to the European Constitution”

Toshiro Tanaka (Professor, Keio University).

- (2) “The Constitutional Treaty as a Turning Point of European Integration—Interwinning of Supranationalism and Inter-governmental in the Institutional Architecture”

Tutomu Hashida (Graduate Student, CERIS).

**Afternoon Session:**

(1) & (2) Chaired by Takao Suami (Professor, Waseda University) (3) by Toshiro Tanaka and (4) by Soko Tanaka (Professor, Chuo University).

- (1) “Legal Issues of ‘Unity in Diversity’ in European Multilevel Constitutional Order”

Tamio Nakamura (Associate Professor, the University of Tokyo).

- (2) “The Issue of Economic Governance in the Constitution for Europe and Its Future Agenda : Primarily in View of International Monetary Policy of the Euro Area”

Eiji Yamashita (Professor, Osaka City University).

- (3) "The New Constitution for Europe: the European Union as a Global Actor" Michael Reiterer (Minister, the Delegation of the European Commission to Japan)
- (4) "The European Economy Today: Opportunities and Challenges" Hans-Eckart Scharrer (Senior Adviser, Hamburg Institute of International Economics).

### Second Day

#### **Morning Session A:**

Chaired by Yasunobu Tanaike (Professor, Kinki University)

- (1) "The Industrial Relations in the Central and Eastern European Countries, and the European Union"  
Kaoru Hoshino (Professor, Kokugakuin University).
- (2) "Labour Movement in the Enlarged European Union"  
Mariusz K. Krawczyk (Professor, Fukuoka University).
- (3) "The Location of European Industries in the Enlarged EU"  
Hiromasa Kubo (Professor, Kobe University).

#### **Morning Session B:**

Chaired by Hisao Mitsuyu (Professor, Nihon University).

- (1) "A Study on EU and Northern East Asian Community"  
Shigetada Kawanishi (Guest Professor, Obirin University).
- (2) "Monetary Integration and Bargaining Power in International Monetary Politics: A Politico-Economic Aspect of the Euro"  
Hideyuki Iwamura (Research Associate, the University of Tokyo).
- (3) "Anglo-American 'Special Relationship' and Britain's First Application to the EEC, 1955-61"  
Hiroyuki Ogawa (Research Associate, Kyoto University).

#### **Morning Session C:**

Chaired by Yasuyuki Kokubo (Professor, University of Shizuoka).

- (1) "Transition in Movement of the French Agricultural Interest Group in the Development of European Common Agricultural Policy"  
Aiko Noma (Graduate Student, the University of Tokyo).

- (2) “Standardization of Environmental Administration Law between EU and Member States”  
Yukio Konishi, (Adjunct Lecturer, Konan University).
- (3) “European Union and Democratic Citizenship”  
Takeshi Tsuchiya (Graduate Student, Waseda University).

### Afternoon Session

Chaired by Takao Sasaki (Professor, Hokkaido University), (2) and (3) by Soichi Enkyo (Professor, Nihon University).

- (1) “The Free Trade Agreements under the European Agreements and Development of the Trade between the European Union and the CEECs—In Relation with the Economic Development of the CEECs after the Enlargement of the Union”  
Soko Tanaka (ibid.).
- (2) “The Economic Aspects of the Fifth Enlargement of the EU—The Stability and Growth Pact: Limitations and Implications”  
Sahoko Kaji (Professor, Keio University).
- (3) “The Economic Aspects of the Fifth Enlargement of the EU—Focused on Finance”  
Hideki Hayashi (Global Strategist, Mizuho Financial Group / Shinko Securities Co., Ltd.).

## 12. International Law and Organizations

I. *The Japanese Society of International Law*<sup>(1)</sup> held its 2004 Spring Session at Hiroshima University on May 9.

- (1) “Jurisdiction over Crimes under International Law and Fair Trial”  
Mitsue Inazumi (Associate Professor, Kanazawa University).
- (2) “The Support of Families Across National Borders”  
Shinichiro Hayakawa (Professor, Tohoku University).

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<sup>(1)</sup> The official English translation of KOKUSAIHO GAKKAI has been changed from *Japanese Association of International Law* to *Japanese Society of International Law*.