

Symposium: “The Renaissance of Utilitarianism as a Philosophy of Government”

11. Comparative Law

I. The *Japan Society of Comparative Law* held its 74th General Meeting at Hosei University on June 4 and 5, 2011.

First Day

1. Anglo-American Law Section:

- (1) “Hadley v Baxendale revisited: its origins and recent development in England and Wales”
Omi Hatashin (Lecturer, Waseda University)
- (2) “Transformation for New Products Liability Law in U.S.”
Chiaki Sato (Project Assistant Professor, The University of Tokyo)
- (3) “Promotion of Shared Parenting after Separation under the Australian Family Law Act 1975: Focusing on the 2006 Family Law Reforms”
Ayako Komamura (Doctoral Course, Keio University / Research Fellow of Japan Society for the Promotion of Science)

2. Continental Law Section Part 1:

- (1) “Actual Function of the ‘Action for Confirmation of False Representation’ in France — From the Viewpoint of the Relationship to Right to Avoid the Fraudulent Act”
Fusa Nakayama (Associate Professor, the University of Kitakyushu)
- (2) “Establishment of Foundations through Testaments — Focusing on the Theory of *fondation post-mortem* in France”
Chul Kwon (Associate Professor, Sungkyunkwan University)
- (3) “Abuse of circumstances in the law of the Netherlands”
Toshikazu Uchiyama (Associate Professor, Hokkai-Gakuen University)

3. Continental Law Section Part 2:

“A Possibility of Parentage and Financial Support in French Law”

Kaori Habu (Associate Professor, Tokyo Keizai University)

4. Socialist Law and Asian Law Section:

- (1) “Review of Gram Nyayalaya Act, 2008 in India: Comparison with Nyaya Panchayat”

Noriyuki Asano (Associate Professor, Osaka Ohtani University)

- (2) “The Role of Court Cases in Chinese Law”

Xing Xu (Assistant Professor, Hokkaido University)

5. Mini-Symposium A:

“Child Representative”

- (1) “Introduction”

Atsushi Motoyama (Professor, Ritsumeikan University)

- (2) “Germany”

Takeshi Sasaki (Associate Professor, Sapporo Gakuin University)

- (3) “U.S.”

Ryoko Yamaguchi (Professor, Kyoto Sangyo University)

- (4) “N.Z.”

Aya Umezawa (Lecturer, Setsunan University)

- (5) “Japan”

Katsuhisa Masuda (Attorney)

6. Mini-Symposium B:

“Role of Constitutional Courts and the European Court of Human Rights in the Protection of Human Rights”

- (1) “Introduction”

Hiroko Tateishi (Professor, Hosei University)

- (2) “Germany”

Takashi Monden (Professor, Hiroshima University)

- (3) “France”

Hiroko Tateishi (Professor, Hosei University)

- (4) “Russia”

Kazutaka Sugiura (Professor, Nagoya University)

(5) “Turkey”

Yasushi Hazama (Director, Middle Eastern Studies Group, Area Studies Center, Institute of Developing Economies, Japan External Trade Organization)

7. Mini-Symposium C:

“The Systemic Transformation and the Broadcast Media: a Comparative Legal Study of Poland, Russia and China”

(1) “Introduction”

Akio Komorida (Professor, Kanagawa University)

(2) “Poland”

Akio Komorida (Professor, Kanagawa University)

(3) “Russia”

Masahiro Aso (Associate Professor, Kitami Institute of Technology)

(4) “China”

Ken Suzuki (Professor, Hokkaido University)

Second Day

Symposium:

“Professional Legal Education and Training in the Academic Environment: International Trends and the Japanese Law School System”

(1) “Introduction”

Shigeo Miyagawa (Professor, Waseda University)

(2) “U.S.: The Change from Lawyer’s Apprenticed Training into Education in the Academic Environment”

Shigeo Miyagawa (Professor, Waseda University)

(3) “U.K.: The Role of the University Education and the Professional Training Provided by the Bar and the Law Society”

Itsuhiko Namazugoshi (Professor, Niigata University)

(4) “Professional Legal Education and Training in Germany — University and Theoretical Education”

Kozo Ogawa (Professor, Toin University of Yokohama)

(5) “France: The Role of Self-governing Professional Legal Training of Law Practitioners and of Basic Education of Universities”

Ichiro Kitamura (Professor, The University of Tokyo)

- (6) “Jurisprudence Education and Professional Legal Education and Training in China”

Guanghai Hu (Lecturer, Hokuriku University)

- (7) “The Korean New Professional Legal Training System — the Details and Present Situation of the Introduction of the Law School System”

Young-Sung Min (Professor, Pusan National University)

- (8) “Issues and Prospect of Law School Education in the Japanese Process of Professional Legal Education and Training”

Shiro Kawashima (Professor, Doshisha University)

- (9) “Japan: Position of the Practical Education in the New System of Professional Legal Education and Training”

Takuo Yamaguchi (Visit Professor, University of Tsukuba)

- (10) “Comments”

Nobuhisa Segawa (Professor, Waseda University)

Noboru Kashiwagi (Professor, Chuo University)

Shunsuke Marushima (Attorney)

II. The *Japanese American Society for Legal Studies* held its 48th General Meeting at Osaka City University on September 10 and 11, 2011.

First Day

Seminar of Judicial Precedents:

- (1) “Mayo Foundation for Medical Education and Research v. United States, 562 U.S. ___, 131 S. Ct. 704 (2011)”

Keigo Fuchi (Professor, Gakushuin University)

- (2) “Williamson v. Mazda Motor of America, Inc., 562 U.S. ___, 131 S. Ct. 1131 (2011)”, “Bruesewitz v. Wyeth LLC, 562 U.S. ___, 131 S. Ct. 1068 (2011)”

Chiaki Sato (Project Assistant Professor, The University of Tokyo)

- (3) “Arizona Christian School Tuition Organization v. Winn, 563 U.S. ___, 131 S. Ct. 1436 (2011)”

Yutaka Aoyama (Lecturer, Waseda University)

- (4) “Cartoon Network LP, LLLP v. CSC Holdings, Inc., 536 F.3d 121 (2d Cir. 2008)”

Koji Okumura (Associate Professor, Kanagawa University)

- (5) “Thompson v. North American Stainless, LP, 562 U.S. ___, 131 S. Ct. 863 (2011)”
Masaki Imura (Professor, Okinawa International University)
- (6) “Authors Guild v. Google Inc., 2011 U.S. Dist. LEXIS 29126 (No. 05 Civ. 8136 (DC), March 22, 2011)”
Iwao Kidokoro (Visit Professor, GLOCOM, International University of Japan)
- (7) “Snyder v. Phelps, 562 U.S. ___, 131 S. Ct. 1207 (2011)”
Koji Higashikawa (Professor, Kanazawa University)

Second Day

Symposium: “Fundamental Values and Enforcement of Information Law in the Ubiquitous Network Age”

- (1) “Underlying Report: Anonymity in the Information Revolution”
Jed Rubinfeld (Professor, Yale University)
- (2) “Freedom of Expression in the Ubiquitous Network Age”
Norikazu Kawagishi (Professor, Waseda University)
- (3) “Injury Owing to Dissemination of Anonymous Information and the Relief”
Yoichiro Yamakawa (Attorney, Koga Law Office)
- (4) “Defamation and Freedom of Expression in Cyber-Space”
Masato Ichikawa (Professor, Ritsumeikan University)
- (5) “Defamation by Personal Users on the Internet — Based on the Judicial Decision of the Supreme Court on May 15, 2010”
Hidemi Suzuki (Professor, Osaka University)
- (6) “Justifying and Embedding Privacy Values in Smart Surveillance Environments”
Itsuko Yamaguchi (Associate Professor, The University of Tokyo)
- (7) “Privacy in the Age of Ubiquitous Computing”
Yasuo Hasebe (Professor, The University of Tokyo)

III. *La Société franco-japonaise de Science Juridique* held its 51st General Meeting at The University of Tokyo, on February 19, 2011.

- (1) “The Current Situation of the Decentralization Reform in France and the Concept of Constitutional Law in a Decentralized State”

Hiroshi Otsu (Professor, Seijo University)

(2) “Trust and Fiducie”

Yoshiaki Kohari (Professor, Hiroshima University)

IV. The *Association for “Societal System & Law” Studies* held its 2011 General Meeting at The University of Tokyo on June 3, 2011.

“The Role of Judges in Action — Adversary System and Inquisitorial System”

(1) “Introduction”

Tomoyoshi Ito (Professor, Chuo University)

(2) “The Model of Criminal Procedure in China”

Arinori Kawamura (Associate Professor, Japan Coast Guard Academy)

(3) “The Role of Courts in Chinese Civil Proceeding — The Relationship between the Adversary System and Inquisitorial System.”

Yukinori Udagawa (Professor, Nagoya University)

(4) “The Adversary System and Inquisitorial System in Russian Civil Procedure”

Tomoyoshi Ito (Professor, Chuo University)

(5) “Comments”

Isamu Mori (Professor, Chuo University)

V. The *Japanese Association of Asian Law* held its 2011 Conference at University of Toyama on June 18 and 19, 2011, and its 2011 General Meeting at Nihon University on November 19, 2011.

2011 Conference

First Day

Mini-Symposium:

“The Achievement and Remaining Problems of Chiba’s Theory”

Chaired by Nobuo Kochu (Professor, Kansai University)

(1) “Introduction”

Takeshi Tsunoda (Professor, Kansai University)

(2) “Chiba’s Theory of Legal Culture and Asia”

Junzo Iida (Professor, Soka University)

- (3) “Chiba’s Theory of Legal Culture and Identity Postulate of a Legal Culture”

Shin-ichiro Ishida (Associate Professor, Tokyo Metropolitan University)

- (4) “Chiba’s Theory of Legal Culture and ‘Comprehensive Comparative Jurisprudence’”

Takeshi Tsunoda (Professor, Kansai University)

Second Day

Symposium:

“Diversification and Deepening of Law and Development — Consideration of the Trends and Influence in Asia”

- (1) “Introduction: The Aspect of Diversification of Technical Legal Assistance”

Yuzuru Shimada (Associate Professor, Nagoya University)

- (2) “Process and Change of Ideology of ‘Law and Development’— Focusing on the Meaning and the Position of the ‘Rule of Law’”

Hiroshi Matsuo (Professor, Keio University)

- (3) “Critical Consideration of Technical Legal Assistance under the Post-Washington Consensus — Harmonization and Compatibility of Economic Development and Poverty Reduction”

Yuka Kaneko (Professor, Kobe University)

- (4) “The Securitization of the Rule of Law Promotion”

Veronica L. Taylor (Professor, Australian National University)

- (5) “Initiative and Opposition in the Host Country in Technical Legal Assistance: Based on the Technical Legal Assistance of Uzbekistan”

Naoko Kuwahara (Professor, Kochi Junior College)

2011 General Meeting

1. Mini-Symposium:

“Protection of Human Rights in Hong Kong after the Handover”

Chaired by Masayuki Kobayashi (Senior Researcher, Inter-disciplinary Studies Center, Institute of Developing Economies, Japan External Trade

Organization)

- (1) “The Influence of the International Human Rights Law upon the Interpretation of Hong Kong Basic Law”
Noriko Hiroe (Associate Professor, Daito Bunka University)
- (2) “Discrimination Ordinance in Hong Kong: Focusing on the Practice of Human Rights Institutions and Courts”
Yasutaka Okawara (Amnesty Shizuoka Group)

2. Symposium:

“Chinese Criminal Law”

Commentated by Ken Suzuki (Professor, Hokkaido University)

- (1) “Introduction”
Osamu Takamizawa (Professor, The University of Tokyo)
- (2) “Present Situation and Remaining Problems of the Chinese Schoffen System in Criminal Action”
Shoji Tohriyama (Professor, Kyushu International University)
- (3) “False Charge and Legitimacy of Criminal Action in China”
Kazushige Sakaguchi (Associate Professor, Hyogo University of Teacher Education)
- (4) “Exclusionary Rule in China”
Arinori Kawamura (Associate Professor, Japan Coast Guard Academy)

VI. The *European Union Studies Association-Japan* held its 32nd Annual Conference at Matuyama University on November 5 and 6, 2011.

Topics: “Globalization and European Integration Reviewed: Approaching the 20th Anniversary of the Internal Market”

1. Plenary Session I:

Chaired by Toshiro Tanaka (Professor, Keio University) ((1),(2)) and Kenji Iwata (Professor, Kyushu University) ((3))

- (1) “Keynote Speech: Market Integration and Competition Law in EU”
Akira Negishi (Professor, Konan University)
- (2) “The European Single Market: Before and After the Market Integration and Present Challenges”
Sokou Tanaka (Professor, Chuo University)
- (3) “The Curse of Ordoliberalismus?: Collectivity and Individual in EU

Social and Employment Policy”

Ryosuke Amiya-Nakada (Professor, Tsuda College)

2. Plenary Session II :

- (1) “European Union and Sovereign Debt Crisis: Between Solidarity and Panic”

Ivo Šlosarčík (Professor, Charles University)

Chaired by Machiko Hachiya (Professor, Kyushu University)

- (2) “Recent Developments in EU-Japan Relations”

Hans Dietmar Schweisgut (Delegation of the European Union to Japan)

Chaired by Hiromasa Kubo (Professor, Kobe University)

Second Day

1. Group Session A:

“Panel: EU Competition Law”

Chaired by Kimio Mariko (Professor, Teikyo University)

- (1) “Constitutional Analysis on EU Competition Law — Constitutional Pluralism and the Modernisation of EU Competition Law —”

Takao Suami (Professor, Waseda University)

- (2) “EU Competition Law, Market Integration and Intellectual Property Rights”

Hiroko Yamane (Professor, Teikyo University)

- (3) “Panel Discussion”

Akira Negishi (Professor, Konan University)

Takao Suami (Professor Waseda University)

Hiroko Yamane (Professor, Teikyo University)

2. Group Sessions B:

“Economic Governance”

Chaired by Kaoru Hoshino (Professor, Ritsumeikan University)

- (1) “The Chance and Risk of Co-determination by EWC and SE in Germany”

Hao Chen (Doctoral Course, Ritsumeikan University)

- (2) “EU New Member States in Financial Crisis -Localization of

Multinational Banks and Exchange Rate Regimes”

Kazuya Takahashi (Doctoral Course, Chuo University)

- (3) “EU Economic Governance under the Economic Turmoils in EU”

Sadayoshi Takaya (Professor, Kansai University)

3. Group Sessions C:

Chaired by Koji Fukuda (Professor, Waseda University)

- (1) “Enlargement of Non-Common Part of the Common Agricultural Policy”

Yoshiaki Yutaka (Associate Professor, Yamaguchi University)

- (2) “Present situation and prospects of EU counterterrorism policy and policy of R&D in the security field”

Hironobu Nakabayashi (Researcher, Research Center for Crisis and Contingency Management, Meiji University)

- (3) “Euro-Japanese Relations in the ‘Year of Europe’, 1973-4”

Takeshi Yamamoto (Associate Professor, Nagoya University of Commerce and Business)

4. Plenary Session III:

Chaired by Noriko Yasue (Professor, Ritsumeikan University)

- (1) “From Trade Conflict to ‘Made in EC/EU’: the negotiation history of the Japan-EC trade conflict”

Hitoshi Suzuki (Lecturer, University of Niigata Prefecture)

- (2) “Domestic Tax Law and European Treaty”

Yasuyuki Kawabata (Professor, Yokohama National University)

- (3) “The Current State of the Union Citizenship Case Law: 20 years since its introduction”

Tamio Nakamura (Professor, Waseda University)

12. International Law and Organizations

I. The *Japanese Society of International Law* held its 2011 Spring Session at Meiji University on May 14, 2011.

- (1) “Evolution of the Norm on the Prohibition of the Use of Chemical