

2020 Activities Report



Institute of Comparative Law, Waseda University



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Greetings from the Director



Welcome to Waseda University Institute of Comparative Law

Masanori Okata Professor of Law 21st and current Director of the Institute of Comparative Law Waseda University September 2020-Present

The Institute of Comparative Law (ICL) at Waseda University was established in 1958. The purpose of the Institute is to conduct comparative research on the legal systems of Japan and other countries, and to contribute to research and education in the field of Japanese legal studies. Working towards these goals, the Institute has been systematically collecting material on the legal systems of other countries, including their statutes, case reports, and law journals, to build one of Japan's most impressive law libraries. With the development of Japan's social and economic systems and the evolution of its legal system, our mission has expanded. We aim to disseminate information on the development of contemporary Japanese law and Japan's legal system, and to raise critical legal questions of universal importance for discussion from a Japanese perspective.

At present, the Institute has more than 110 research members who are full-time faculty members at Waseda University, and over 150 research affiliates from outside the university. In addition, agreements have been concluded with the Institute of Law, Chinese Academy of Social Sciences; School of Law, Tsinghua University; Institute for Comparative and International Law, University of Melbourne; School of Law, Duke University; the Max Planck Institute for Foreign and International Criminal Law; the Korea Legislation Research Institute; and University College London (UCL). Exchange researchers from these institutions are welcome to work with us at the Institute. Scholars and researchers from other countries can arrange to visit the Institute through such channels as the International Affairs Division of Waseda University.

The Institute conducts three different programs: specific or individual events, group research projects, and multi-annual research that is carried out by the Institute as a whole.

- In terms of specific events, the Institute holds public lectures on a semi-monthly basis for which it
 invites legal academics from around the world who are at the forefront of research in various fields of
 law. In addition, our research affiliates contribute articles to our annual journal, the *Waseda Bulletin of Comparative Law*, or to our online publication, *Topics of Japanese Law*. Both publish articles in
 English for readers worldwide, and the topics are related to the contemporary Japanese legal system,
 such as recent Japanese legislation and important Japanese court judgments.
- 2. Concerning group research, 24 joint research projects are being conducted by our research affiliates and adjunct researchers, who are working together on comparative legal studies.
- 3. Since 2013, the Institute has been conducting a research project on law and sustainability, with emphasis on the Asian region. As a result, *Law for Our Sustainable World: Promoting "Law and Sustainability"*, edited by Tamio Nakamura, was published in August 2020. The research project is based on a critical view of modern states and their societies, the rapid economic development of which is considered the premise of social development. However, the economic development has accelerated the depletion of natural resources and environmental deterioration. Thus, the project aims to determine a new role for law and legal studies that will be instrumental in bringing about a balance between the economy, society, and the environment, to achieve a transition to a sustainable society that protects the interests of future generations. Economic activities go beyond nation-states, and the social problems that result from these activities inevitably extend beyond national borders. Thus, an effective legal response to the problem would require legal measures and/or regimes at national, macro-regional, and

global levels to work in a mutually reinforcing and complementary manner. In this research project, we have tried to conceptualize an Asian regional law/regime that will respond to some of the major cross-border problems. Since there is a lack of research on macro-regional legal responses in Asia, we will keep on studying the experiences of the European Union for lessons and inspirations.

The results of our various research projects are published regularly, in print and online. The print versions include our journal, *Hikaku Hogaku (Comparative Law Review)*, our comparative law book series, *Hikakuho Kenkyujo Sosho*, and our annual journal in English, the *Waseda Bulletin of Comparative Law*. We also publish online articles in English in *Topics of Japanese Law*. In addition, in 2016, we started two new online publications, *Waseda ICL Online Journal* and *Waseda ICL Online Forum*.

The ICL aspires to be a unique forum that will strengthen ties between legal scholars in Japan and other countries through its diverse research activities. We welcome research proposals and initiatives, as well as academic professionals, from all over the world.

Institute Research Project

Promoting the Study of Law and Sustainability (Fiscal year 2017-2020)

The ICL developed the four-year research project "Promoting the Study of Law and Sustainability" from fiscal year 2017 to 2020, expanding on the institute's previous project, "The Role of Law and Jurisprudence at the Turning Point of Sustainable Society: Prospects for Asian Regional Law", which was conducted from fiscal year 2013 to 2016.



The common concern of this project is to conduct a critical review of modern law, which has contributed to, or at least quietly condoned, results that threaten the survival of humankind and Earth itself. Research into individual issues is carried out by joint research groups bearing that common concern in mind.

This project collects and organizes empirical knowledge by broadly categorizing research groups into three sections. Empirical knowledge is conveyed to the research group specializing in theory; in exchange, that research group introduces a theoretical perspective to other research groups. In this way, the project as a whole conducts empirical research from a critical perspective on real phenomena that endanger the sustainability of the planet and humankind, looking at the merits, demerits, and possible reforms of modern law. We also aim to theorize this academic process.

This Institute-wide research project is an ambitious one that merits the creation of a new academic field, one which will encompass a critical review of modern law, along with direct efforts to address urgent contemporary issues, and is organized as follows:

- The research group on distortions in Japanese society: this research group chiefly focuses on domestic issues which threaten sustainability, and, maintaining a critical stance towards modern law, considers possible reforms to address these issues. (Research activities may also extend to relevant cross-border issues.)
- 2) The research group on cross-border distortions: this research group chiefly focuses on cross-border issues which threaten sustainability and, maintaining a critical stance towards modern law, considers possible reforms to address these issues. (Research activities may also extend to relevant domestic issues.)
- 3) The research group on legal theory relevant to law and sustainability: complementing the activities of research groups 1 and 2 above, this research group governs relations among research groups as a whole by analyzing each group's results, and by coordinating the direction of research from the perspectives of legal philosophy and legal history.

In 2018, cluster seminars were held regularly, and the research outcomes were presented in the ICL's 60th anniversary symposium held at Ono Auditorium on 29th and 30th September 2018. The symposium attracted an audience of about 130, and lively discussions between reporters and commentators took place.

The research moved into the second round in October 2018, and the results were reported at the summary symposium held on October 30, 2019 and published in August 2020 as the comparative law book series *Law for Our Sustainable World: Promoting "Law and Sustainability"*. In addition, on Saturday, July 18, 2020, a seminar commemorating the publication of the book was held online to prevent the spread of

the new coronavirus infection. In the future, the research outcomes will be sequentially returned to the education of undergraduate and graduate students (including LL.M. students). This Institute-wide research project will allow the participation of doctoral students and others, who will engage in research and education through joint research activities.

Sustainable Technology and Law (2019~)

The institute-wide research and education project "Sustainable Technology and Law" began full-fledged activities in 2019 as an extension of "AI/Robotics and Law", which began as a research group in 2018 in collaboration with the Faculty of Science and Engineering.

At present, attention is focused merely on the technical aspects of advanced technology, but it cannot be said that the legal system has necessarily kept pace with technological progress. In this project, we will examine the legal issues that need to be resolved and the legal system that should be developed when introducing advanced technology into society, from the perspective of both science and engineering and law.

In 2019, we first held a symposium in Tokyo on "Current Status and Challenges of Laws concerning AI and IT from the Perspectives of Civil Law, Criminal Law, Procedural Law and Financial Law", followed by an international symposium in Beijing with the Institute of Law of the Chinese Academy of Social Sciences on "New Technology and Law", in which Japanese and Chinese legal scholars discussed new technologies from the perspectives of civil law (auto-driving technology, auto-driving accidents and law), commercial law (virtual currency, fintech and law), criminal law (development, operation and utilization of AI and law), and procedural law (the introduction of IT in legal procedure). And in 2020, we were preparing to hold the second part of the symposium on "New Technology and Law" in Tokyo, but unfortunately, due to the global spread of the new coronavirus infection, the symposium had to be postponed.

We sincerely hope that the new coronavirus infection will be brought under control as soon as possible so that the interactions among researchers can be reinvigorated and deeper research would be viable again.

Туре	Title	Date and Location	Rapporteur	
Symposium	Current Status and	6 June 2019, at	YAMAGUCHI, Nariaki (Research Staff, Professor,	
	Challenges of Laws	Waseda	Faculty of Law, Waseda University)	
	concerning AI and	University	ENDO, Sota (Research Staff, Associate Professor,	
	IT from the	(Tokyo, Japan)	Faculty of Law, Waseda University)	
	Perspectives of Civil		UCHIDA, Yoshiatsu (Research Staff, Professor,	
	Law, Criminal Law,		Faculty of Law, Waseda University)	
	Procedural Law and		KURONUMA, Etsuro (Research Staff, Professor,	
	Financial Law		Faculty of Law, Waseda University)	
Symposium	New Technology	4 September	[Japanese Side]	
	and Law	2019, at Institute	KURONUMA, Etsuro (Research Staff, Professor,	
		of Law of the	Faculty of Law, Waseda University)	
		Chinese Academy	YAMAGUCHI, Nariaki (Research Staff, Professor,	
		of Social Sciences	s Faculty of Law, Waseda University)	
		(Beijing, China)	ENDO, Sota (Research Staff, Associate Professor,	
			Faculty of Law, Waseda University)	
			KURONUMA, Etsuro (Research Staff, Professor,	
			Faculty of Law, Waseda University)	
			[Chinese Side]	
			ZHAO, Lei (Research Staff, Institute of Law,	

Past Events

	Chinese Academy of Social Sciences)
	GAO, Simin (Associate Professor, Tsinghua
	University)
	LIU, Renwen (Research Staff, Institute of Law,
	Chinese Academy of Social Sciences)
	JIANG, Su (Associate Professor, Peking University)
	FENG, Jue (Associate Research Staff, Institute of
	Law, Chinese Academy of Social Sciences)
	XIONG, Bingwan (Associate Professor, Renmin
	University)
	LU, Yanbin (Research Staff, Institute of Law,
	Chinese Academy of Social Sciences)
	YANG, Yanchao (Associate Research Staff, Institute
	of Law, Chinese Academy of Social Sciences)

A Symposium for Celebrating the Publication of "Law for Our Sustainable World: Promoting 'Law and Sustainability' (Waseda University Comparative Law Study Series 48)" (event report)

In July 18, 2020, the symposium "Law for Our Sustainable World: Promoting Law and Sustainability" was held on online.

Part I: General Introduction

(1) "Law for Our Sustainable World: Promoting 'Law and Sustainability'"

NAKAMURA, Tamio (Director, Institute of Comparative Law)

At the symposium, Nakamura gave opening remarks and explained what the Study of Law and Sustainability means. According to his report, the earth is likely to become much more difficult for future generations to live on than it is for present generations, due to global warming, widening economic disparity, concentration of population in cities, and the collapse of local communities in rural areas. So, we need to think of ways to solve this problem from perspective of Legal Studies. This is the purpose of the Study of Law and Sustainability.

(2) "Anthropocentrism in Law and Sustainability"

KAKU, Shun (Professor of the Faculty of Law)

Kaku presented a paper on "Sustainability and Anthropocentrism in Law" from the standpoint of philosophy of law. He analyzed the following four points: 1) the significance of sustainability from the perspective of the concept of "human development," 2) the inevitability of anthropocentrism in a weak sense, 3) the legitimacy of promoting the value of nature through public policy making, and 4) the possibilities and limitations of the framework of legal rights. He concluded that "sustainability is a matter of human well-being that can be promoted through public policy making from the perspective of justice".

Part II: Land

(3) "Metabolism and Law: A Perspective for 'Law and Sustainability'"

YUDUZAWA, Yoshio (Professor of the Faculty of Law)

In the second part of the lecture, Yuduzawa discussed the following question: how should law as a linguistic world accept the providence of the non-linguistic world as a norm? He argued that the concept of ownership in agricultural land law could help in reconstructing the whole concept of ownership.

(4) "Urban Development and Sustainability"

KAMANO, Kuniki (Professor of the Faculty of Law)

Next, Kamano considered the legal issues of the urban redevelopment projects around Shibuya Station and the land readjustment project in Matsuo City from the perspective of Law and Sustainability. He doubted that huge structures in cities will become a negative legacy because of a declining and aging population. Then he argued that we should reexamine legal regulation of urban redevelopment.

(5) "Urban Land Use (for Residence and Commerce) and 'Law and Sustainability'"

AOKI, Noriyuki (Professor of the Faculty of Law)

Aoki pointed out that urban development policies grounded on sustainability might be tension with zoning laws that focus on controlling population density and regulate land uses As the solution of this tension, he argued for "smart codes".

Part III: The Environment (6) "Climate Litigation: Its Potential and Obstacles" OTSUKA, Tadashi

Otsuka reviewed the contents of the Paris Agreement and the IPCC Fifth Assessment Report on climate change goals, and considered climate litigation in Japan, the United States, the Netherlands, and Germany. Finally, he pointed out issues related to climate litigation in Japan.

(7) "Designing Institutional Agencies for Future Generations" SHINDO, Mahito (Junior Researcher of the Faculty of Law)

Shindo explained about sustainability and intergenerational equity, and argued that we should build "a system to incorporate the interests of future generations into current decision-making." He also explained a conception of a future generation institution and discussed the issues involved in introducing such an institution in Japan.

Part IV: The Economic Market

(8) "'Law and Sustainability' and Corporate Law"

UEMURA, Tatsuo (Professor Emeritus of the Faculty of Law)

Uemura examined the contents of "Law and Sustainability and Corporate Legislation" from the perspective of whether humanitarianism is at the root of the basic theory of corporate legislation. He argued that, from the perspective of this theory, Covid 19 crisis "makes human activities difficult", but "favors acts inimical to humanity".

(9) "Global Sustainability and Capital Markets: the Potential and Limits of ESG Investments" KURONUMA, Etsuro (Professor of the Faculty of Law)

Kuronuma defined ESG investment as "investing in companies that excel in environmental, social, and corporate governance" and explained that its purpose is "to ensure the sustainability of the earth by indirectly controlling corporate activities. However, he argued that it is difficult to make investments that aim to increase public value as well as profits. He then analyzed the reality of ESG investment in Japan.

Part V: Social Care

(10) "Ontological Ethics of the Care of Others: Vulnerability, Responsibility and Hospitality" MORINAKA, Takaaki (Professor of the Faculty of Law)

Morinaka pointed out that "the social practices of care makes everyone a party to them" and that "care must be given". And he discussed vulnerability, responsibility, and hospitality from three following perspectives: 1) when responsibility for care begins, 2) the inevitability of de-subjectification in caring relationships, and 3) the universalization of hospitality.

(11) "Social Inclusion of People with Mental Illness: From the Perspective of 'Law and Sustainability'"

HASHIMOTO, Yuki (Associate Professor of the Faculty of Law)

Hashimoto focused on the ways that the Convention on the Rights of Persons with Disabilities dealt with the compulsory hospitalization for persons with mental disabilities, and argued that the law in many countries, including Japan, is problematic in that it grants liberties only to "rational" and "reasonable" persons.

(12) "Toward a Sustainable Local Community: From a viewpoint of Legal System for Sharing Care-related Informaton"

OKADA, Masanori (Professor of the Faculty of Law), and NAKATSUKA, Fujio (Senior Fellow of Nikkei Financial Technology Research Institute, Inc.)

Okada examined the sustainability of local communities as the foundation of our daily lives. He stated that in order to make communities sustainable, care with routine and expertise is essential. According to his argument, in order to make care with routine and expertise possible, it is necessary to: 1) make the

intentions of care recipients public through expertise, 2) create a mechanism to mutually open up the roles and responsibilities of the entities and institutions involved in care, and 3) develop a network infrastructure to share care information in a multilayered manner.

Nakatsuka reported on systems for sharing care information, comparing cases in Japan and Europe. In particular, he introduced examples of ICT use for team management and council-style activities, focusing on sharing of information, know-how and data.

Finally, Nakamura asked all the presenters what they thought the future challenges would be. The presenters' responses were as follows. (1) In Japan, not only climate change but also budget deficits will have a serious impact on future generations. We should explore ways to bring people together to solve this issue. (2) We should consider how the future generation institutions respond to international issues. (3) The traditional role of local communities has been to manage property, etc. In the future, local communities should be reconstructed from the perspective of how to make a large number of care groups work together.

Joint Research Projects

ICL has joint research projects conducted by research members (faculty members of Waseda University) and research affiliates. The following shows our research activities in 2020.

Subject / Representation	2020 Research Activities
Research on Civil Procedure in Foreign Countries Kazuhiko Teshigahara	Conducted comparative research on civil procedure in Europe, the US, and Asian countries; research published in academic journals including <i>Comparative Law Review</i> (ICL, Waseda University) and external journals.
Change and Development of the Constitutional Law toward the 21 st Century Katsuyuki Ehara	Conducted comprehensive research on the change and development of constitutional law towards the 21 st century, mainly from the perspective of comparison with Germany and
Analysis of the Latest Trend of the French Law	published research. Weekly research seminars through zoom; translation of revised
for the Purpose of Making a Database Asaya Ohashi	<i>Furansu Hōritsu Yōgo Jiten</i> , [<i>Dictionary of French Legal Terms</i>] 3 rd ed. (Sanseidō, 2012); research on recent important legislation in France.
Comparative Studies on Intellectual Property Law and International Trade Law Yusuke Tanemura	3 online research seminars.
Research Project on the United States Supreme	Research report overseas and 7 research seminars held online;
Court Shigeo Miyagawa	online joint research seminar with Doshisha University; published research in <i>Comparative Law Review</i> .
Studies in Anglo-American Criminal Law Yoshiki Ogawa	Reviewed criminal related decisions of the Supreme Court of the United States and published research in <i>Comparative Law</i> <i>Review</i> .
	Organized a content review meeting for the Japan-China joint symposium on public law.
Research on Anglo-American Juvenile Law Tokikazu Konishi	Held online research seminars every Saturday; translation of "Balancing Juvenile Justice" (continuing since 2015).
Comparative Legal Research on Economic Administrative Law and Theory Masanori Okada	Published research in internal and external journals. A research group based on this joint research was selected for the Grant-in-Aid for Scientific Research C.
Study on Recent Court Cases in China Yoshiki Kurumisawa	Published research; made online academic communication with Chinese scholars.
Synthetic Study on Medical Law Katsunori Kai	International workshop postponed due to COVID-19; published research.
Studies on the Supreme Court of the UnitedKingdomTamio Nakamura	3 online seminars; published research.
Studies of Current Development of EuropeanLawTamio Nakamura	3 online seminars; published research.

Subject / Representation	2020 Research Activities
Study on Scandinavian Law	Organized issues and conducted additional research based on
Shin Matsuzawa	research findings in 2019; published research in ICL online
	journal and other law journals.
Law and Sustainability	Collected materials and made research surveys; published
Yoshiki Kurumisawa	research in bulletins.
Comprehensive Research of Social Law in a	Routinely held research seminars online.
Society with a Declining Population	
Yoshimi Kikuchi	
Study on Fragmentation of International law	Made paper review and exchange of opinions on the
Hiroyuki Banzai	fragmentation of international law; discussed international
	human rights law, law of state responsibility, law of sea and
	the applicability of the Liberal Approach to environmental law.
Basic Research on Modifying Tort Law	Held seminars.
Tadashi Otsuka	
	Online seminars (once a month) and publication of research
Civil Procedural Law System	outcomes. Made preparation for the publication of ICL book
Kazunori Matsumura	
Analysis of the problems and the future	Preparation for joint research; publication of research
amendment on the Basic Law of Environment	outcomes.
Tadashi Otsuka	
AI (Artificial Intelligence) and Law	Organized online seminar in preparation for the Japan-China
	joint symposium.
Development of Free Trade Agreements and	Published research.
Economic Partnership Agreements and the Legal	
System of Japan Mariko Kawano	Dublished area and
Comparative Study on Company and Financial	rublished research.
Market Laws of the Commonwealth Countries Izumi Kawashima	
	Discussed on the article.
Law and Politics in Japan-Korea Relationship Hiroyuki Banzai	
Hiroyuki Banzai	

Academic Exchange

ICL has signed academic exchange agreements with various institutions including the Institute of Law, Chinese Academy of Social Sciences; School of Law, Duke University; Institute for Comparative and International Law, University of Melbourne, the Max Planck Institute for Foreign and International Criminal Law; School of Law, Tsinghua University; the Korea Legislation Research Institute; and University College London.

ICL has regularly held joint symposia in Tokyo and in Beijing with the Institute of Law, Chinese Academy of Social Sciences, since 1993. Following "New Technology and Law" held in Beijing in September 2019, "New Technology and Law II" was scheduled to be held in Tokyo in September 2020, but unfortunately, due to the spread of the new coronavirus infection, it has been postponed to 2021.

(For your reference)

(For your reference)
Japan-China Comparative Law Symposium "New Technology and Law"
Wednesday, 4 September 2019
the Institute of Law, Chinese Academy of Social Sciences (Beijing)
Opening remarks
KURONUMA, Etsuro (Vice Director, Institute of Comparative Law, Waseda University)
Chen, Su (Professor, Director of Institute of Law, Chinese Academy of Social Sciences)
Japan
KURONUMA, Etsuro (Professor, Research Staff, Institute of Comparative Law, Waseda University)
YAMAGUCHI, Nariaki (Professor, Research Staff, Faculty of Law, Waseda University)
ENDO, Sota (Associate Professor, Research Staff, Faculty of Law, Waseda University)
UCHIDA, Yoshiatsu (Professor, Reserch Staff, Faculty of Law, Waseda University)
China
Zhao, Lei (Professor, Institute of Law, Chinese Academy of Social Sciences)
Gao, Simin (Associate Professor, Tsinghua University)
Liu, Renwen (Professor, Institute of Law, Chinese Academy of Social Sciences)
Jiang, Su (Associate Professor, Peking University)
Feng, Jue (Associate Research Fellow, Institute of Law, Chinese Academy of Social Sciences)
Xiong, Bingwan (Associate Professor, Renmin University of China Law School)
Lyu, Yanbin (Associate Professor, Institute of Law, Chinese Academy of Social Sciences)
Yang, Yanchao (Associate Research Fellow, Institute of Law, Chinese Academy of Social Sciences)
Commentator
Xia, Xiaoxiong (Associate Research Fellow, Institute of Law, Chinese Academy of Social Sciences)
Dou, Haiyang (Associate Research Fellow, Institute of Law, Chinese Academy of Social Sciences)
Zhou, Hui (Assistant Research Fellow, Institute of Law, Chinese Academy of Social Sciences)
Hu, Changming (Assistant Research Fellow, Institute of Law, Chinese Academy of Social Sciences)
Closing remarks
KURONUMA, Etsuro (Vice Director, Institute of Comparative Law, Waseda University)
Zhou, Hanhua (Associate Director, Institute of Law, Chinese Academy of Social Sciences)

Research News



The Institute of Comparative Law has published the results of its research both in print and online.

Comparative Law Review and Waseda Bulletin of Comparative Law were issued regularly.

In 2020, *Comparative Law Review*, Vol. 54, No. 1, 2 and 3, and *Waseda Bulletin of Comparative Law*, Vol. 39 (2019) were published.

In addition, in our Comparative Law Studies series, Law for Our Sustainable World: Promoting "Law and Sustainability" was published.

Our online publications, *Topics of Japanese Law, Waseda ICL Online Journal* and *Waseda ICL Online Forum* have been routinely issued.

ICL also dispatched newsletters to researchers in other countries 3 times in 2020.



▲ The ICL website top page



▲ Publications and E-library



▲ ICL's news



▲ Waseda ICL Online Forum

Comparative Law Studies Series (book publications) [Those marked **★** are out of print]

	1	Harold Cooke Gutteridge, trans. Yoshio Mizuta, Comparative Law, 1964.
★	2	Teruzo Katsuragi, Igirisu Senpaku Hoken Keiyaku Ron, 1962.
★	3	Masajiro Takigawa, Nijo Jinya Kenkyu: Kuji-yado no Kenkyu, 1962.
	4	Helmut Rumpf, Ryokichi Arikura and Chigetoshi Takeuchi, Regierungsakte im Rechtsstaat, 1964.
	5	Tatsuo Sato, Igirisu Gyosei Sosyo hou no Kenkyu, 1968.
	6	Masao Fukushima et. al. (eds.), Ono Azusa's "Kokken Ronkou: Roma Ritsuyou", 1974.
★	7	Atsushi Saito, <i>LEX XII TABULARUM</i> , 1969.
★	8	Keishiro Irie, Kaihatsu Tojokoku ni okeru Kokuyuka, 1974.
★	9	A.A. Tille trans. Seizo Tadagawa, Socialist Comparative Jurisprudence, 1979.
	10	Karl Petels, trans. Ichiro Uchida, Collection of Articles on Contemporary West German Law of Criminal Procedure, 1980.
	11	Tatsuo Sato, Great Scholars who built up Contemporary German Public Laws, 1982.
	12	trans. Kojiro Nishimura, Controversy on Continuity of Law in China, 1983.
	13	Saburo Kuroki, Study of Comparative Sociology of Law, 1984.
	14	Haruyasu Sugiyama et. al., The Japanese Penal Code Drafts Amended by the Review Board (1877-1879), 1984.
	15	trans. Teruaki Tayama, Neues Landpachtrecht in der Bundesrepublik Deutchland, 1986
*	16	Allan Wilbur, trans. Ichiro Uchida, Supreme Court of the United States: Guarantee of Due Process of Law, 1986.
	17	Toshiya Yato, Studies of Anglo-American Tort Cases, 1988.
	18	Haruyasu Sugiyama et. al., Keihou Kaisei Shinsa Iinkai Ketugiroku Keihou Souan, 1989.
	19	Teruo Doi, Intellectual property protection and management: law and practice in Japan, 1992.
	20	Toshiya Yato (ed.), English Law and European Community Law, 1992.
	21	Atsushi Sato, LEX XII TABULARUM (2nd ed.), 1993.
★	22	Stein Ekkehart, trans. Kenji Urata et. al., The German Constitution, 1993
	23	Volker Jacobi, trans. Teruaki Tayama, Der Geistigbehinderte und sein Recht, Lambertus Verlag, 1996.
	24	Teruo Doi, International business transactions: contract and dispute resolution, 1996.
	25	Hikota Koguchi (ed.), Economic Development and Law in P.R.C., 1998.
	26	Waseda University Study Group on Civil Procedure (ed.), <i>Theories of Civil Procedure in Europe</i> , 1999
	27	John Burroughs, trans. Kenji Urata, <i>Legality of Threat or Use of Nuclear Weapons</i> , 2001.
	28	Akira Osuka (ed.), State Legal Intervention and Freedom, 2001.
	29 30	Minoru Nomura and Zhang Ling, <i>China's Amended Criminal Law: Annotations</i> . 2002. Waseda University Institute of Comparative Law (ed.), <i>A Next Stage of Studies of Comparative Law: For Theories of Reception of Law and Legal Transplants</i> , 2003.
	31	Kenji Urata, <i>Reflections on global constitutionalism: perspectives based on the Constitution of Japan</i> , 2005.
	32	Waseda University Institute of Comparative Law (ed.), International Context of Japanese Law: Index of Linkage with the West and Asia, 2006.
	33	Waseda University Institute of Comparative Law (ed.), Japanese Law in an International Context: Law in its Origin and Law in its Global Context, 2006.
	34	Waseda University Institute of Comparative Law (ed.), Japanese Legal Studies in Comparative and Historical Context: from the Perspective of Comparative Law, 2008.
	35	Shin Matsuzawa, The Danish Administration of Justice Act's Historical Context: Its Perspective of Comparative Law, 2008.
	36	Shigeo Miyagawa (ed.), The Rehnquist Court and the American Judicial Tradition, 2009.
	37	Institute of Comparative Law 50th Anniversary Lecture Series, Comparative Law and Legal Science, 2010.
	38	Hans-Joachim Koch (Hrsg.) [Masanori Okada (trans.)], Umweltrecht, 2012.
	39	Ulrich Sieber, [Katsunori Kai and Morikazu Taguchi (trans.)] Die Herausforderungen an die Strafrechtswissenschaft im 21. Jahrhundert: Globalisierung, Informationgesellschaft

und Risikogesellschaft, 2012.

40	Shoichi Kidana (ed.), Study on Principles of Private International Law on Intellectual Property: The Joint Proposal by Japan and Korea as a Proposal from East Asia, 2012.				
41	Institute of Comparative Law (ed.), <i>Exploring Foreign Laws as a Part of Japanese Law:</i> <i>Comparative Analysis of the Main Codes of Japan</i> , 2014.				
42	Katsumi Yoshida and Mathilde Boutonnet (eds.), L'environnement et le contrat: regards croisés franco-japonais.				
43	Yoshiki Kurumisawa (ed.), Law and Legal Studies for Sustainable Society, 2016.				
44	Deborah L. Rhode [Kyoko Ishida (trans.)], Pro Bono in Principle and in Practice, 2018.				
45	Tamio Nakamura (ed.), The Role of Constitutional Principles in the Interpretation and Application of Private Law: A Comparison between Japan and China at the Time of the Codification of the Chinese Civil Code, 2018.				
46	Darryl E. Flaherty [Hiroshi Asako (trans.)], <i>Public Law, Private Practice: Politics, Profit, and the Legal Profession in Nineteenth-Century Japan</i> , 2019.				
47	James R. Silkenat, James E. Hickey Jr., Peter D. Barenboim [OKADA Masanori, KAMINO Kenji, TAKAHASHI Akio (trans.)], The Legal Doctrines of the Rule of Law and the Legal State (Rechtsstaat)				
48	Tamio Nakamura (ed.), <i>Law for Our Sustainable World: Promoting "Law and Sustainability"</i> , 2020.				

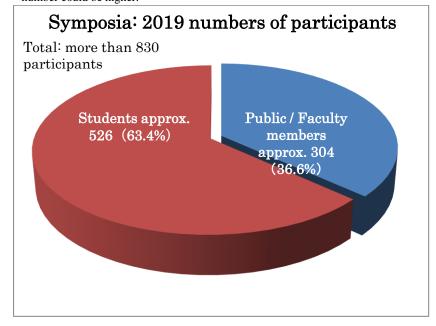
Note: Please contact the ICL office for purchase of our books in the list above. ★: These books are out of print.

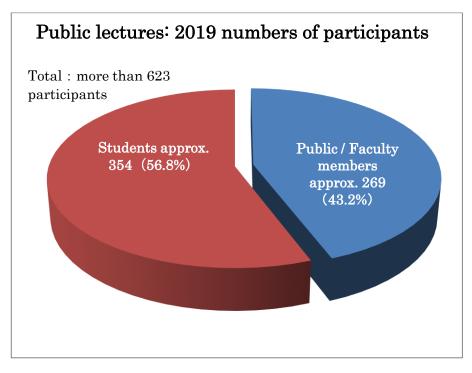
Symposia and Lectures

ICL disseminated the results of its research to relevant researchers, and more widely to students and the general public through symposia and public lectures. ICL continued to deepen its exchanges with interested parties both within and outside Waseda University.

In 2020, due to the spread of the new coronavirus infection, only one online seminar was held, and we were unable to hold any symposia of public lectures. The following charts show the participants of our symposia and public lectures in 2019 for your reference*. In, 2019, more than 830 people (including more than 526 students) participated in ICL's 13 symposia; more than 623 people (including more than 354 students) participated in 29 public lectures. We plan to resume symposia and seminars after taking effective measures to prevent the spread of new coronavirus infections.

*: The statistics includes only part of the symposia that we were able to determine the attendees. The actual participants number could be higher.





(1) International Symposia (1)

For the prevention of the spread of the new coronavirus infection, we postponed all the symposia except the seminar commemorating the publication of the book *Law for Our Sustainable World: Promoting "Law and Sustainability"*.

(\bigstar denotes non-legal expert.)

2020	July 18						
July	Seminar to Commemorate the Publication of the ICL's 60th Anniversary Project Series Law						
	for Our Sustainable World: Promoting "Law and Sustainability"						
	Host: Institute of Comparative Law (ICL)						
	Speakers: NAKAMURA, Tamio (Research Staff, Professor, Faculty of Law, Waseda University)						
	KAKU, Shun (Research Staff, Professor, Faculty of Law, Waseda University)						
	KURUMISAWA, Yoshiki (Research Staff, Professor, Faculty of Law, Waseda						
	University)						
	KAMANO, Kuniki (Research Staff, Professor, Faculty of Law, Waseda University)						
	AOKI, Noriyuki (Research Staff, Professor, Faculty of Law, Waseda University)						
	OTSUKA, Tadashi (Research Staff, Professor, Faculty of Law, Waseda University)						
	SHINDO, Mahito (Junior Researcher)						
	UEMURA, Tatsuo (Emeritus Professor, WASEDA University)						
	KURONUMA, Etsuro(Research Staff, Professor, Faculty of Law, Waseda University)						
	★MORINAKA, Takaaki (Professor, Faculty of Law, Waseda University)						
	HASHIMOTO, Yuki (Research Staff, Associate Professor, Faculty of Law, Waseda						
	University)						
	OKADA, Masanori (Research Staff, Professor, Faculty of Law, Waseda University)						
	★NAKATSUKA, Fujiio (Senior Fellow, Nikkei Institute for Financial Engineering)						
	Organizer: NAKAMURA, Tamio (Director)						
	24 participants (including 2 students)						

(2) Public Lectures (not held)

All activities have been cancelled to prevent the spread of the new coronavirus infection.

(3) Interdisciplinary public events (not held)

All activities have been cancelled to prevent the spread of the new coronavirus infection.

(4) Theme seminar (not held)

All activities have been cancelled to prevent the spread of the new coronavirus infection.

Although all interdisciplinary events in 2020 have been cancelled, we are re-posting a report on the 2019 symposium, "The 3rd ICL's Event of Film Screening and Discussion 'Discuss food loss (Film title: Wastecooking)" to illustrate the view of the event.

Symposium (event report)

The 3rd ICL's Event of Film Screening and Discussion "Discuss food loss (Film title: Wastecooking)"

June 20, 2019 (Thursday), 16:30-19:00

Multipurpose Lecture Room B1, Bldg.26, Waseda University 48 participants (including 41 students)

Coordinator

NAKAMURA, Tamio (Director, ICL, Professor, Research Staff, Faculty of Law, Waseda University)

Comments

KATAGAI, Toshio (Ministry of Agriculture, Forestry and Fisheries) MIURA, Hiroko (Ministry of Agriculture, Forestry and Fisheries)

On June 20, 2019 (Thursday), the ICL's Event of Film Screening and Discussion "Discuss food loss (Film title: Wastecooking)" was held at Waseda Campus.



▲NAKAMURA Tamio, Director, ICL

NAKAMURA Tamio explained the purpose of this film screening that he would like to make this event an opportunity to think about "food loss" as there were increasing interests in and efforts towards "food loss" in Japan and overseas.

In the film, a man, by driving a car which uses waste oil as fuel, visits various countries of Europe (e.g., Austria, Germany, the Netherlands, and Belgium), and tackles "food loss" (e.g., cooking ingredients left in the refrigerator at home, collecting wild grass in the city, insect food, and reuse of uncooked food in the cafeteria).

MIURA Hiroko introduced the following points regarding the current status and attempts for reducing "food loss".

- Awareness of "food loss" is rising internationally as is shown in the 2030 Agenda for Sustainable Development (SDGs) adopted at the 2015 UN Summit.

- In Japan, there are laws related to food loss, which aims to curb the generation of food waste and promote recycling (an act on promotion of reduction of food loss (*Shokuhin rosu no sakugen no suishin ni kansuru horitsu*), and food recycling law (*Shokuhin risaikuru-ho*)).

- One of the factors that causes "food loss" would be business practices in the food manufacturing industry, and wholesale/retail industry.

- The Ministry of Agriculture, Forestry and Fisheries has taken steps to reduce food waste ahead of the Ehomaki season this year.

- We are promoting measures to reduce "food loss" toward the Tokyo Olympics and Paralympics.

At the QA session, students and faculty staffs presented following views and actively discussed "food loss".

- In the film, there was a scene of collecting groceries which were no longer used as commodities or foodstuffs discarded in the trash. Would there be any legal challenge if we tried to collect waste food in Japan?

- Waste recycling is expensive. Companies are interested in "food loss" and are engaging with environmentally friendly efforts while the food



▲ MIURA, Hiroko

▲KATAGAI Toshio

recycling law and ESG investment have been attracting attention.

- Companies would tend to over-produce commodities in order not to lose business opportunities. Against these trends, corporate social responsibility (corporate ethics) has come to be asked at the general meetings of shareholders.

- Changing the modern lifestyle and consumption behavior is a great social experiment. In the past, there was no "food loss" in Japan when food could be purchased at any time. Key points to solve challenges might be how to change the attitude of companies which prioritize profit pursuit and economic efficiency (including the food manufacturing process); and how consumers think and act on "food loss" (e.g., expiration date).

- There was a scene in the film where insects were cooked as ingredients. Could eating insects be a solution to the "food loss"? Is there any resistance to eating insects?

- I do not think that resistance to eating insects could be easily dispelled. Is there any possibility that eating insects might lead to social prejudice in areas without insect-eating habits? I do not think that insect food could be realized in near future.

- Locust Tsukudani (*Inago no tsukudani*) and bee cubs have been eaten in some parts of Japan. Traditional food culture remains in Japan. I think resistance to insect food could be changed by the business sectors' efforts. Insect-based diets could be an effective way to solve the problem of the low food self-sufficiency rate in Japan.

- The idea of effectively using natural products such as tree nuts to eliminate waste might have some potential as a means of solving the problem of "food loss". This might be an implication of the film "Wastecooking".

- "Food loss" due to the disposal of non-standard products is considered to be one of the important issues facing modern agriculture, including Japan.

The event was very successful with several opinions from the participants, including a comment that the event gave good opportunity to think about "food loss".



Interdisciplinary Collaboration

The ICL is working to promote academic exchanges with some non-legal academic fields, collaboration with the school of law, graduate school of law and law school, and strengthening collaboration with other affiliated and external institutions.

Although we had to postpone all activities in prevention for the spread of new coronavirus infection, we can introduce some of the events held in 2019.

1. Interdisciplinary events and public lectures



Events of film screening and discussion have been held since FY 2017. In FY 2019, "Discuss food loss (Film title: Wastecooking)" and "RBG – Discuss the roles of Supreme Court in Japan and US (Film title: RBG)" were held.

In the event of the film screening ("Wastecooking"), there was a scene that a man visited various countries of Europe (e.g., Austria, Germany, the Netherlands, and Belgium), and tackled "food loss"

Film title: Wastecooking

(e.g., cooking ingredients left in the refrigerator at home, collecting wild grass in the city, insect food, and reuse of uncooked food in the cafeteria).

After the film screening, MAFF staffs introduced their efforts toward food loss, and lively discussions were held on what we could do with the food loss problems.

In the event of the film screening ("RGB"), the U.S. Supreme Court's female judge Ruth Bader Ginsburg's documentary film "RBG" (depicting resolute behavior as a lawyer and a judge to eliminate sex discrimination) and the case of discrimination-related lawsuits were introduced as discussions topics.

There were discussions comparing Japan and the US as to the elections of the supreme court's judges, their compositions, the roles of dissenting opinions, and the relationship between public opinion and democratic deliberation. Students presented several views and they made active discussions.

2. Thematic seminars

The thematic seminars have been held every year since FY 2017 as academic projects comparatively examining a theme selected among contemporary cutting-edge topics.

In FY2019, sports and law (6 seminars) were co-held with Yokogawa Toshio Kinen Kōkai Koza, at the timing of Rugby World Cup on September and Tokyo 2020 Olympic and Paralympic Games in 2020, following the "Scandinavia and Law" (FY2017) and "Fintech" (FY2018).

The themes included 1) responsibility and prevention in sports accidents, 2) current status and challenges of sports arbitration, 3) developments and trends of sports law in EU, 4) eliminating harassment, corporal punishment and violence in sports, 5) regulations on sports business and antitrust law and 6) developments of anti-doping system and challenges.



1 Responsibility and prevention in sports accidents (2019. 6. 1)



▲ 3 Developments and trends of sports law in EU (2019. 6.15)

Organization of the Institute of Comparative Law (as of 1 March 2021)

Director

OKADA, Masanori (Professor, Faculty of Law)

Deputy Director

OHASHI, Asaya (Professor, Faculty of Law)

Committee members

AOKI, Noriyuki	BANZAI, Hiroyuki	EHARA, Katsuyuki	ENDO, Sota	FUKUSHIMA, Hironao
FURUYA, Shuichi	HAKOI, Takashi	HASEBE, Yasuo	HASHIMOTO, Yuki	HIEDA, Masahiro
HITOMI, Takeshi	IWAHARA, Shinsaku	KAKU, Shun	KAWANO, Mariko	KURONUMA, Etsuro
MATSUBARA, Yoshihiro	MATSUMURA, Kazunori	MATSUZAWA, MIYAGAWA Shin Shigeo		NAKAJIMA, Toru
OGATA, Sho	OHKI, Masatoshi	OSAKI, Yasuhiro	OTSUKA, Tadashi	TANAHASHI, Yohei
TANEMURA, Yusuke	TAYAMA, Satomi	UENO, Tatsuhiro	WAKABAYASHI, Yasunobu	WANI, Kaya
WEN, Yuan Chun	YAMANOME, Akio			

(in alphabetical order)

Members (as of 1 March 2021) Research Members

Research Members						
Public Law			Commercial Law			
Faulty of Law	AIKYO, Koji	Constitutional Law	Faculty of Law	FUKUSHIMA, Hironao	Commercial Law Company Law	
Faculty of Law Faculty of Education	EHARA, Katsuyuki	Constitutional Law	Faculty of Law	HAKOI, Takashi	Commercial Law	
and Integrated Arts and Sciences	ENDO, Mina	Constitutional Law	Faculty of Law	IWAHARA, Shinsaku	Commercial Law	
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Political Science and Economics	KAWAGISHI, Norikazu	Constitutional Law	Faculty of Law	OGATA, Sho	Commercial Law	
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Faculty of Law	MIZUNO, Yasutaka	Administrative Law Constitutional	Faculty of Law	OTSUKA, Hideaki	Commercial Law	
Faculty of Law	MIZUSHIMA, Asaho	Law, Law and Policy, Peace Studies	Faculty of Commerce	SHIBAZAKI, Satoru	Commercial Law	
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Faculty of Law	TSUKABAYASHI, Miyako	Constitutional Law	Faculty of Law	WATANABE, Hiroyuki	Commercial Law	
Faculty of Law	WATANABE, Tetsuya	Tax Law				

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Faculty of Law	AKIYAMA, Yasuhiro	Civil Law	Faculty of Law	AKUTAGAWA, Masahiro	Criminal Law
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Faculty of Law	GOTO, Makinori	Civil Law	Faculty of Law	HIEDA, Masahiro	Criminal Procedure Law
Faculty of Law	HASHIMOTO, Yuki	Civil Law	Faculty of Law	ISHIKAWA, Masaoki	Criminal Policy
Faculty of Law	ISOMURA, Tamotsu	Civil Law	Faculty of Law	KAI, Katsunori	Criminal Law
Faculty of Law	KAMANO, Kuniki	Civil Law	Faculty of Law	KITAGAWA, Kayoko	Criminal Law
Faculty of Education and Integrated Arts and Sciences	KITAYAMA, Masaaki	Civil Law	Faculty of Law	KONISHI, Tokikazu	Criminal Policy
Faculty of Law	KOJIMA, Yosuke	Civil Law	Faculty of Law	MATSUBARA, Yoshihiro	Criminal Law
Faculty of Law	NAKATA, Hiroyasu	Civil Law	Faculty of Law	MATSUMONO Yoshifumi	Criminal Law

Faculty of Law	OBA, Hiroyuki	Civil Law	Faculty of Law	MATSUZAWA, Shin	Criminal Law
Faculty of Law	OSAWA, Shintaro	Civil Law	Faculty of Social Sciences	NAKAMICHI, Yuki	Criminal Law
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Faculty of Law	SHIRAISHI, Dai	Civil Law	Faculty of Law	SAKAMAKI, Tadashi	Criminal Procedure Law
Faculty of Law	TANAMURA, Masayuki	Civil Law	Faculty of Law	SUGIMOTO, Kazutoshi	Criminal Law
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Faculty of Law	YAMANOME, Akio	Civil Law	Faculty of Law	TAYAMA, Satomi	Criminal Law
Faculty of Law	YAMASHIRO, Kazuma	Civil Law	Faculty of Law	TERASAKI, Yoshihiro	Criminal Procedure Law
Faculty of Social Sciences	YOSHIDA, Kazuo	Civil Law			

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Faculty of Law	OHKI, Masatoshi	Labor Law	
Faculty of Law	SHIMADA, Yoichi	Labor Law	
Faculty of Social Sciences	SUZUKI, Toshiharu	Labor Law	
Faculty of Law	TAKEUCHI, Hisashi	Labor Law	

Civil Procedure Law				
Faculty of Law	HONMA, Yasunori	Civil Law	Procedure	
Faculty of Law	MATSUMURA, Kazunori	Civil Law	Procedure	
Faculty of Law	SUGAWARA, Ikuo	Civil Law	Procedure	
Faculty of Law	TAKADA, Masahiro	Civil Law	Procedure	
Faculty of Law	TANAHASHI, Yohei	Civil Law	Procedure	
Faculty of Law	TESHIGAHARA, Kazuhiko	Civil Law	Procedure	
Faculty of Law	UCHIDA, Yoshiatsu	Civil Law	Procedure	
Faculty of Law	YAMAMOTO, Ken	Civil Law	Procedure	

International Law

Faculty of Law	BANZAI, Hiroyuki	International Law
Faculty of Law	DOGAUCHI, Masato	Private International Law
Faculty of Law	FURUYA, Shuichi	International Law
Faculty of Law	KAWANO, Mariko	International Law
Faculty of Law	KUBOTA, Takashi	International Finance Law
Faculty of Law	SHIMIZU, Akio	International Law
Faculty of Law	SUAMI, Takao	International Business Transactions
Faculty of Law	TANEMURA, Yusuke	Private International Law

Legal Practitioners

Faculty of Law	KOBAYASHI, Joji	Labor Law
Faculty of Law	TANAKA, Masato	Civil Procedure Law
Faculty of Law	YOSHIDA, Hideyasu	Criminal Procedure

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Faculty of Law	ISHIDA, Kyoko	Legal Professional Ethics
Faculty of Law	KAKU,Shun	Law philosophy
Faculty of Law	KURUMISAWA, Yoshiki	Sociology of Law•Land Law
Faculty of Law	MIYAGAWA, Shigeo	Anglo-American Law
Faculty of Law	NAKAMURA, Tamio	Anglo-American Law
Faculty of Law	ODA, Hiroshi	Russian Law
Faculty of Law	OHASHI, Asaya	French Law
Faculty of Commerce	UNO, Kazuo	Sociology
Faculty of Law	WADA, Yoshitaka	Sociology of Law, Legal Practice
Faculty of Law	WANI, Kaya	History of Legislation
Faculty of Law	WEN, Yuan Chun	Chinese Law
Faculty of Social Sciences	YOKONO, Megumu	Medical Law, Bioethics

Environmental and Economic Law			
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Faculty of Law	ISHIMAKI, Miho	Environmental Law	
Faculty of Law	MORIMOTO, Hideka	Environmental Law	
Faculty of Law	OKADA, Toshihiro	Economic Law	
Faculty of Law	OTSUKA, Tadashi	Civil Law Environmental law	
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Faculty of Law	SUEMUNE, Tatsuyuki	Intellectual Property Law	
Faculty of Law	TAKABAYASHI, Ryu	Intellectual Property Law	
Faculty of Law	TSUCHIDA, Kazuhiro	Economic Law	
Faculty of Law	UENO, Tatsuhiro	Intellectual Property Law	

Other social sciences			
Faculty of Commerce	IWAMURA, Mitsuru	Finance	
Faculty of Political Science and Economics	NAKAUCHI, Eizo	Western Political History	

Research Affiliates

Research Affiliates	
Research on Civil Procedure in Other Countries	
Rikkyo University	ADACHI, Eiji
Osaka City University	HISASUE, Yayoi
Ritsumeikan University	KAWANAKA, Hiroyoshi
Fukushima University	KIM, Byonghak
Meiji Gakuin University	KONDO, Takashi
Aichi University	NAKAMOTO, Kaori
Meiji University	NAKAYAMA, Koji
Toyo University	SAKAMOTO, Keizo
Hosei University	SUGIMOTO, Kazushi
Ryutsu Keizai University	TAJIRI, Yasuyuki
Daito Bunka University	UTSUNOMIYA, Ryohei
Meijo University	YANAGISAWA, Yuji
Change and Development of Constitutional Law towa	
Iwate Prefectural University	CHIKUNI, Ryosuke
Daito Bunka University	FUJII, Yasuhiro
The University of Tokyo	GIRAUDOU, Isabelle
Fukuoka University	JITSUHARA, Takashi
Nanzan University	KAWAI, Masao
Toyama University of International Studies	KAYA, Tamaki
Rissho University	LEE, Dooyoung
Kyorin University	LIU, Di
Komazawa University	MIYAKE, Yuuhiko
Kanagawa University	NEMORI, Ken
Nara University of Education	OKUDA, Yoshimichi
Nagoya University	SAITO, Kazuhisa
Hitotsubashi University	TAJIMI, Makoto
Kyushu University	TAKAHASHI, Masato
Analysis of the Latest Developments in French Law for the Purpo	se of Making a Database
Rissho University	BABA, Satomi
University of Tsukuba	HINO, Tatsuya
Seigakuin University	ISHIKAWA, Yuichiro
Miyazaki Sangyo-keiei University	KOGA, Shuhei
Miyazaki Sangyo-keiei University Oita University	KOGA, Shuhei KOYAMA, Takaharu
Miyazaki Sangyo-keiei University Oita University Asia University	KOGA, Shuhei KOYAMA, Takaharu OGURA, Kenyu
Miyazaki Sangyo-keiei University Oita University Asia University Hakuoh University	KOGA, Shuhei KOYAMA, Takaharu OGURA, Kenyu SHIRAISHI, Tomonori
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September 2021, Institute of Comparative Law, Waseda University

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