

## 9. Legal Philosophy

The *Japan Association for Legal Philosophy* held its 2016 General Meeting at Rikkyo University on November 12 and 13, 2016.

**Unifying Theme: “The Law of Care and the Law from the Perspective of Care”**

**Presentations on Each Theme:**

**Section A:**

- (1) “Normative Justification of Patients’ Participation in Medical Studies”  
Yuichi Maru (Associate Professor, Tottori University)
- (2) “Behavioral Economics Analysis of the Citizen Judge System: Validity of Evidence from Neuroscience and Genomics”  
Soichiro Toda (Designated Assistant Professor, Tohoku University)

**Section B:**

- (1) “The System of Obligation in Jean Domat’s ‘Order of Nature’: Focusing on the Theory of Compensation for Damages”  
Mayoko Nakano (Lecturer, Asahi University)
- (2) “‘The Theory of Human Security’ as a Method: Beyond the Duty of Protection”  
Yuki Mochizuki (Designated Associate Professor, Chiba University)

**Workshops:**

**Section A: “Artificial Intelligence (AI) / Robots and Law”**

Directed by Fumiaki Kobayashi (Postdoctoral Research Fellow of Japan Society for Promotion of Science).

- (1) “Explanation on the Purpose of the Project”  
Fumiaki Kobayashi
- (2) “Legal Responsibility of AI/Robots”  
Ryota Akasaka (Senior Researcher, Keio Research Institute at SFC)
- (3) “Effects and Risks of Networking AI / Robots”

Satoshi Narihara (Visiting Researcher, Interfaculty Initiative in Information Studies of Tokyo University)

- (4) “A Study on AI and the System of Government”

Ikuko Kudo (Consultant, Makaira Corporation)

- (5) “Summary Comments”

Fumiaki Kobayashi

### **Section B: “Aging Society and Intergenerational Justice”**

Directed by Takayuki Kira (Lecturer, Utsunomiya Kyowa University).

- (1) “Explanation of the Purpose of the Workshop”

Takayuki Kira

- (2) “Intergenerational Justice and Immigrants”

Anna Nakamura (Lecturer, Japan Women’s College of Physical Education)

- (3) “The Legal System in an Ageing Society with Fewer Children”

Mayu Terada (Associate Professor, International Christian University)

- (4) “Two Possible Types of Intergenerational Justice”

Takayuki Kira

### **Section C: “Law and Politics around the Acts of Government”**

The person in charge of the workshop was Reiko Fukawa (Former Professor of Yamanashi Gakuin University). The chairperson was Kenichi Katada (Professor of Aichi Gakuin University).

- (1) “‘Acte de gouvernement’ and ‘political question’: What is the Essence of the Acts of Government”

Setsu Kobayashi (Emeritus Professor, Keio University)

- (2) “The Acts of Government and a Constitutional Judge”

Manabu Ishizaki (Professor, Ryukoku University)

- (3) “A Comment from my Practical Experience in Constitutional Lawsuits of Sunagawa, Eniwa, Naganuma, Hyakuri and Iraq”

Isao Naito (Lawyer)

- (4) “The Acts of Government and Functions of Jurisdiction”

Reiko Fukawa

- (5) “Summary Comments”

Tatsuo Inoue (Professor, Tokyo University)

**Section D: “The Order of Freedom and Cooperation in Risk Society”**

Directed by Akiko Nozaki (Professor, Kyoto Pharmaceutical University).

- (1) “Patterns of Risk and Risk Control: Clinical Research and Global Justice”  
Takayuki Kawase (Associate Professor, Chiba University)
- (2) “Individual Life and Statistical Life: A Perspective on Risk”  
Akiko Nozaki
- (3) “Risk and Libertarian Paternalism”  
Tsutomu Hashimoto (Professor, Hokkaido University)
- (4) “A Study on Peace of Mind as Distinguished from Security”  
Itaru Shimazu (Emeritus Professor, Chiba University)

**Section E: “Radbruch and Modern Idealistic Legal Philosophy”**

Directed by Toshio Shinohara (Professor, Kokushikan University).

- (1) “Radbruch and Modern Idealistic Legal Philosophy”  
Ichiro Sako (Professor, Kyushu University)
- (2) “Comment 1”  
Ken Takeshita (Professor, Kansai University)
- (3) “Comment 2”  
Hidehiko Adachi (Professor, Kanazawa University)

**Presentations on the Unifying Theme: “The Law of Care and the Law from the Perspective of Care”**

**First Part:**

- (1) “The Law of Care and the Law from the Perspective of Care”  
Takahiro Hattori (Professor, Kyoto University)
- (2) “Passion to Care: From Ethics to Systems”  
Hirono Ikeda (Lecturer, Yamagata University)
- (3) “Comment on Ikeda’s Report”  
Daisuke Odagawa (Professor, Okayama University)
- (4) “Children and Care”  
Hiroshi Oe (Professor, Okayama University)
- (5) “What kind of Entity ‘a Child’ is? : Comment on Oe’s Report”  
Takehiko Yoshioka (Associate Professor, Saga University)
- (6) “Is ‘Support to Decision Making’ Possible?”  
Shoichi Sato (Professor, Kokugakuin University)

- (7) “Towards ‘Care’ as a Basic Idea of Social Conception: Comment on Sato’s Report”  
Masako Inoue (Professor, Kanagawa University)

**Second Part:**

- (1) “The Multilayered Structure of Care: Thinking about Care Insurance and the Hospice”  
Makoto Kawami (Professor, Aoyama Gakuin Women’s Junior College)
- (2) “Justice of Liberalism and Ethics of Care in Care Insurance: Comment on Kawami’s Report”  
Shuzo Tsutsumi (Designated Professor, University of Nagasaki)

**Symposium: “The Law of Care and the Law from the Perspective of Care”**

The chairpersons were Takahiro Hattori and Yoshiki Wakamatsu (Professor of Gakushuin University).

## **10. Comparative Law**

I. The *Japan Society of Comparative Law* held its 79th General Meeting at Kwansei Gakuin University on June 4 and 5, 2016.

### First Day

#### **1. Anglo-American Law Section:**

- (1) “Discovery of Evidence to Defendant’s Advantage in America - with Priority Given to the Argument of the Brady Rule -”  
Sho Miake (Nihon University)  
Chaired by Naoya Yamaguchi (Professor, Ritsumeikan University)
- (2) “Constitutional Inquiry into the Current Value of the Chevron Judgement”  
Yuichiro Tsuji (Associate Professor, Tsukuba University)  
Chaired by Shigeo Miyagawa (Professor, Waseda University)