Essential Tools for Japanese Legal Research

Rob Britt
University of Washington
Marian Gould Gallagher Law Library
Summary of the Presentation

Introduction
- What Do You Know?
- Available Materials
- Starting Points

Goals for Today
- Introduce Major Resources
  - Laws, Cases
  - Monographs, Journal Articles
  - Non-law Resources
  - Print vs. Electronic, Online
  - Japanese vs. English
- Learn Where to find Materials
- Learn about Citation and Language Issues
- Learn what to do if you need help
- Keep up on new developments in Japanese Legal Research

Exercises
Introduction: What do you know? (three questions for you)

- Do you have any experience with Japanese Legal Research?
- What’s your level of Japanese language?
- What do you expect to learn in this workshop?
Introduction:
Types of Available Materials

*Your Library may have, in print and online:*
- Cases
- Laws
- Academic works on/about Japanese law
  - Books
  - Periodicals
- Other materials important for finding and understanding the current law
  - Newspapers
  - Dictionaries
  - Encyclopedias
  - Online Resources
Introduction: Starting Points

Japanese Legal Research Guide
(University of Washington)
http://lib.law.washington.edu/eald/jlr/jres.html
Introduction: Starting Points

Online Database List (at University of Washington)

http://lib.law.washington.edu/eald/OnlineDBsList.htm#Japan
Introduction: Starting Points
The Universe of Japanese Legal Resources

- Laws
- Cases
- Articles and Books
- "Finding Aids"
- Non-Law Resources

Print
- Japanese
- English

Electronic or Online
- Japanese
- English
Notes on Translation of Laws and Cases

Why aren’t more laws and cases translated into English?
- Good translation is still difficult and expensive
- Concerns about accuracy
- Market for translations is small

How about cases?
- The same is true of cases, only more so
- Far more laws are translated than cases
Finding Laws in English

Organizations That Provide Translations

- Japanese Government
- Interest Groups
- Industry, Law Firms
- Commercial Publishers
Finding Laws in English

Use the JLR Guide for suggestions on finding English, Japanese, Print, Online versions of laws
Finding Laws in English: in Print

- EHS Law Bulletin Series
  *The most comprehensive print collection of English translations of Japanese law (REF)*
- EHS Superseded Volumes
- Doing Business in Japan (LexisNexis / Matthew Bender loose-leaf)
- Monographs, Pamphlets etc
- Occupation era “Official Gazette (官報 [Kanpō]), Jan. 1948-Apr. 1952"
Finding Laws in English: in Print
Japanese laws in English: an index to the EHS Law Bulletin Series (2nd ed)

- Print index to EHS
- Published by MGGLL
- Lookup by:
  - English Title
  - Japanese Title
  - Enactment Date
  - Subject
- EHS online Law List
  *Another way to search for English laws
  [https://www.ehs-tokyo.com/](https://www.ehs-tokyo.com/)
Finding Laws in English: Print

National Diet Library’s Index to Print Laws in English

Index to Japanese Laws in English (日本法令英訳書誌)

National Diet Library Index to English Translations of Japanese Laws

- Sold Originally (for $25) by NDL beginning in 1998 on a floppy disk; Updated informally since then via emailed files
- Consists of “csv” files (raw data)
- Must be set up in database or spreadsheet software to be useful
- Indexes over 8,000 English translations of Japanese laws
- Includes wide variety of sources for print translations
  - Occupation era English language government gazette (Kanpo)
  - “Treatises” with translation in appendix
  - Government publications (pamphlets, etc)
  - EHS Law Bulletin Series

Available At the East Asian Law Department, Gallagher Law Library

10/7/2009
Finding Laws in English: Print

National Diet Library’s Index to Print Laws in English

日本法令英訳書誌 Index to Japanese Laws in English

Available in the Gallagher Law Library, EALD

Search Screen in MS Access
Finding Laws in English: Print

National Diet Library’s Index to Print Laws in English
日本法令英訳書誌 Index to Japanese Laws in English

Available at the University of Washington, Marian Gould Gallagher Law Library

Record in MS Access
Finding Laws in English: Online Indexes

Internet Searching
Google, Yahoo, Etc

Search engines can help.
To Improve search results:
• Use original Japanese Law name (“Exact Wording” field)
• Specify language “English”
• Specify region “Japan”
Most comprehensive online collection of translations NEW Interface (2009)

- New interface provides many options
  - Convenient URL for linking provided
  - Download in PDF, Word, XML, TXT formats
  - Laws available in Bilingual, English only, or Japanese only
  - Available in Shift-JIS or UTF-8 (Unicode)
- On 10/6/2009, 186 law translations were available.
- Based on the Japanese Government’s Systematic translation project, using “Standard Bilingual Dictionary” (法令翻訳データ (標準対訳辞書対応)
- Joint Project with Nagoya University and the Cabinet Secretariat (内務省)
- Plan is to translate 200 laws
- Started about April 2006

http://www.japaneselawtranslation.go.jp/
Finding Laws in English: Online Indexes

http://www.mizuho-sc.com/english/ebond/law.html

Mizuho Securities
Page
Links to Online Translations
Finding Laws in Japanese

- U.S. libraries have full runs of major sets, back to mid nineteenth century
- Many commentaries on laws are also available in U.S. libraries
Finding Laws in Japanese

法令データ提供システム [Hōrei dēta teikyō shisutemu]
(Laws and Regulations Online System)
Has full text of most current Japanese laws and regulations
http://law.e-gov.go.jp/cgi-bin/idxsearch.cgi
Finding Laws in Japanese: 
Index to Laws, Drafts, Abolished Laws, etc 
http://hourei.ndl.go.jp/SearchSys/index.jsp

Nihon hōrei sakuin 
[Index to Japanese Law] 
日本法令索引 (Indexes to laws)
- Has full text of most current Japanese laws and regulations
- Includes separate indexes to drafts (bills), treaties, current laws, abolished laws. Also may search all types together
Finding Laws in Japanese:
Draft Legislation

http://www.moj.go.jp/HOUAN/index.html

Ministry of Justice website
“国会提出法案など”
[Kokkai teishutsu hōritsuan]

Has full text in PDF of draft legislation
Finding Laws (in English or Japanese): Citations

The Most Important principle: Make it easy to find the Source

- Law Number, Date
- Amendments listed at beginning, also by Law number, date
- Published in 法令全書 [Hōrei Zensho] chronologically
- "Completely Revised" Laws
  Special Case: Law's content is completely revised; Law is assigned a new law number and date
  Example: 会社更生法 [Kaisha kōseihō] Corporate Reorganization law (Law number 172 of 1952 AND completely revised by Law no. 154 of 2002)
Finding Cases in English: In Print

The Most Important principle: Make it easy to find the Source

There are more constitutional cases available in English than any other topic.

Sources include:

- Series of prominent judgments of the Supreme Court upon questions of constitutionality (1954-1999)
  - One Supreme Court case a year
  - Published by Japanese Supreme Court

- The constitutional case law of Japan by Lawrence W. Beer and Hiroshi Itoh

- Court and Constitution in Japan; selected Supreme Court [constitutional] decisions, 1948-60, by John M. Maki. With translations by Ikeda Masaaki, David C.S. Sissons, and Kurt Steiner

- Occasional Translations in Book Appendices
Finding Cases in English: In Print

JUDGMENT UPON CASE OF CONSTITUTIONALITY
OF THE PROVISIONS OF THE PUBLIC OFFICES
ELECTION LAW ON ELECTORAL DISTRICTS
AND THE APPORTIONMENT OF SEATS

Series of Prominent Judgments
of the Supreme Court
Upon Questions of Constitutionality
No. 27

General Secretariat,
Supreme Court of Japan
1996
Finding Cases in English


Judgments of the Supreme Court

- (Online since 1999)
- Also has many more summaries of cases (over 500).
Finding Cases in English

Judgments of the Supreme Court (Continued)

- Search for keyword “speech”

Some cases in Full text; Some have summaries only
Finding Cases in English
Hanrei.net
(formerly Senrei)

English summaries of Important cases
http://www.senrei.com/
- Constitutional Law
- Civil Law
- Commercial Law
- Supreme Court, High Court, and District Court Cases
Finding Cases in English

Temple University Website; Cases Section
- English translations of Important cases
- Click on the Topics on the Left Side of the screen

The Noda Shoyu Case
Tokyo High Court, December 25, 1957
(Antitrust Law, Art. 2, Art. 3)

Summary of the Facts
1) The general situation of the soy sauce producing industry.

Although the soy sauce industry around 1953 consisted of thousands of producers, most of them were small, regional producers who fulfilled only limited demand. It was rare for a producer to have a nation-wide network. Because it was not easy for quality distinctions to be made between products, it became common some time ago for consumers to consider price as a reflection of quality. If the price of two brands of soy sauce were the same, they were considered to be of the same rank and of the same quality. For brands sold outside of their own region, conventional rankings such as “superb,” “excellent,” and “good” came to be accepted. At that time, the “superb” ranking was confined to four brands: Kikkoman of Noda Shoyu Co., Inc. (hereafter “Noda”), Yamasa of Yamasa Shoyu Co., Inc. (hereafter “Yamasa”), Higeta of Choshi Shoyu Co., Inc. (hereafter “Choshi”), and Marukin of Marukin Shoyu Co. Inc. (hereafter “Marukin”) all of which charged the same price for their products. However, Noda, the largest company in the industry, singly produced 14% of the entire industry output while the other three brands together only produced 9.3%. Even in comparatively unregionalized Tokyo, Noda held market share superiority with 38.7% aggregate share held by the other three.

2) Retail Price Controlling.

Although wholesalers, being few in number, and in a weak position compared to the established superiority of the big four brands followed the direction of the big four regarding price, the small retailers, with their large numbers, could defy the instructions of the big four. In that case, the big four would take measures through their own salespersons or through the wholesalers, to bring the retailers into line.

On December 25, 1953, Noda informed its Tokyo wholesalers that the price of its two liter bottle and five other products it was marketing would be increased. On the same day, Yamasa and Choshi, being aware of this, also announced to their Tokyo wholesalers price increases in their products equal to Noda’s price increase. Marukin followed suit two days later. Based on requests from small retailers, Noda also took steps to ensure that those opposed to the price increase conformed, including halting shipments to those who did not raise their prices.
Finding Cases in Japanese

- Wide range of cases in print and online
- Case commentary widely available
Finding Cases in Japanese (Print)

- Commercial Case collections:
  *The Two Most Important Commercial Case Collections in Japan*
  - 判例タイムズ [Hanrei taimuzu]
  - 判例時報 [Hanrei jihō]
  - Subject Periodicals
    - 商事法務 [Shōji hōmu]
    - 私法判例リマーカス [Shihō hanrei rimākusu]
    - 金融商事判例 [Kinyū shōji hanrei]

- Government Case Collections
  - 最高裁判所判例集 [Saikō Saibansho hanreishū]
  - Most others Ceased publication; Replaced by online
Finding Cases in Japanese


判例検索システム
Hanrei Kensaku Shisutemu

- Full-text Cases, Provided by the Japanese Government
- Replaces Many old “hanreishu” (reporters) previously issued by the government
- PDF files
Finding Cases in Japanese

[Legalbase]
Published by Nihon Hōritsu Jōhō Sentā

- Cases from post WWII to present
- Comes with access to online version
- CD ROM, Online Versions
Finding Cases in Japanese:
Overview of Subscription Japanese Law-Specific Resources

LexisNexis JP
http://legal.lexisnexis.jp/
• 197,000 full-text cases
• 43,000 case commentaries
• 7,200 current laws

LEX/DB
http://www.tkclextjapan.com/
• 180,000 cases back to 1875
• Also special-topic case collections

Westlaw Japan
http://www.westlawjapan.com/
• Includes pre WWII cases
Finding Cases in Japanese: Overview of Subscription Japanese Law-Specific Resources

D1-Law.com
https://www.d1-law.com/d1w2_portal/index.html
• Hanrei taikei
• HHBJ
• Statutes in “Japan Code”

Legalbase
Nihon Hōritsu Jōhō Sentā
(株)日本法律情報センター
• Available in Web edition, Case edition, Statute edition;
• Case edition has 150,569 cases from 1895-
• Has 26,580 commentaries
• Has 7973 Laws
Finding Cases in Japanese

Search Results: CD ROM
Finding Cases in Japanese

リーガルベース [Legalbase] Online Version

LEGALBase 判例・法令検索データベース

結果 95件
1 2 3 つあ 30件

149735 H180623 最:2小/判決(H17受2184)
靖国参拝違憲確認等請求事件

149906 H180525 最:1小/判決(H13受13581等)
損害賠償等請求、合祀絶止等請求、損害賠償等請求事件

Feedback to info@legalbase.co.jp
copyright 2001-2002 (株)日本法律情報センター, all right reserved.
Finding Cases in Japanese

リーガルベース

[Legalbase]

- How to Guide: http://lib.law.washington.edu/eald/jlr/HowToUseLegalbase/HowToUseLegalbase.htm
Finding Cases in Japanese: How Cases are Indexed

Cases are not typically Indexed by names of parties (parties are often not included in case reports)

Case Indexes are Sorted in Many Ways

- by trial date
- by court's docket numbering system (see below)
- by case name
- by keywords (digital resources only)
- by court name
- by reporter or other publication title
- by name of judge

Court's Docket numbering system
Courts use a combination of kanji, katakana and numbers to identify cases
Finding Cases in Japanese: Case Citation Examples

The Most Important principle: Make it easy to find the Source

- H17.10.25 第三小法廷・判決 平成15（行ヒ）320 勧告取消請求事件

  - Romanization:
    [H17.10.25 dai-3 shō hōtei; hanketsu Heisei 15 (gyō hi) 320 Kankoku torikeshi seikyū jiken]

  - Translation:
    10/25/2005. 3rd Petty bench of the Supreme Court, Decision 2003 (Gyō Hi) 320, Request to rescind Advise.

  - Format of entry
    <Year, Month, Date>
    <Court Name, Branch>
    <Type>
    <Era name and year>
    <identifying letter in parenthesis>
    <Incident name>
Finding Cases in Japanese:
Case Citation Examples

The Most Important principle: Make it easy to find the Source

**最高昭56・2・16民集35-1-56**

- Romanization:
  [Saikō 56, 2, 16 Minshū 35-1-56]

- Translation:
  Supreme Court Feb. 16, 1981, Supreme Court Civil Decisions Reporter (= Saikō Saibansho minji hanreishū), vol. 35, p. 1-56

- Format of Entry
  <Court Location (except Supreme Court)>
  <Court name (abbreviated)>
  <Era (abbreviated), year, month, day>
  <Reporter name (abbreviated)>
  <Volume, Issue, Page number>
  Year Case entered system, one character designator, bench, then date of decision
Language and Citation Issues:
Case Citation Examples

*The Most Important principle: Make it easy to find the Source*

- 広島高岡山支判昭33・12・26高民11-10-743
  - Romanization: Hiroshima Kō Okayama shi, hanketsu Shō 33. 12. 26, Kōmin 11-10-743
  - Translation: Hiroshima High Court, Okayama Branch, Decision, Dec. 26, 1958, High Court Civil Decision Reporter (= Kōtō Saibansho Minji hanreishū)

- 大阪高判昭36・10・11判時282-22
  - Romanization: Ōsaka Kō han Shō 36 10 11 Hanji 282-22
  - Translation: Osaka High Court decision, Oct. 11, 1961, Decisions Times (= Hanrei Jihō)
Finding Books and Articles

Examples of Secondary Materials in Print

- Treatises and…
- Commentaries
  - on laws
  - on cases
- Periodicals
  - Commercial
  - Academic
Finding Books and Articles in English or Japanese

University of Washington
Marian Gould Gallagher Law Library

- Over 26,000 volumes of monographs 213 current serial titles,
- Subscriptions to 6 Electronic databases on or related to Japanese law

[Image of library catalog interface]

10/7/2009 Japanese Legal Research / Rob Britt 44
Finding Books and Articles: English

UW Libraries Catalog
http://www.lib.washington.edu/

- Searches UW holdings
- Also Searches UW Law, other Academic Libraries
- Search Results Sorted this way:
  1. UW
  2. UW Law
  3. UW Consortia participating Libraries
  4. Other Libraries
Finding Books and Articles: English

OCLC Worldcat for Gallagher Law Library
http://uwlaw.worldcat.org/advancedsearch
- Click “Worldcat, Advanced Search” on MGGLL homepage
- Search for books, articles
- Worldwide coverage
- Limit by language
- Interlibrary loan available for non-UW items
Finding Books and Articles: English

Databases Available on UW libraries “Articles and Research Databases” page
http://www.lib.washington.edu/types/databases/

- **Dissertations**
  - Doctoral dissertations on Asia
    - [Ann Arbor, Mich.] : Association for Asian Studies, 1975-1993
    - Call # DS5.A1 D62
    - Location Classified Stacks
    - Library has v. 1 (1975)-v. 16 (1993)
  - Proquest Dissertations Database

- **JSTOR**
  - Has full text of some older English language articles

- **PAIS (Public Affairs Information Service) (Proquest)**

- **Bibliography of Asian Studies**

- **Index to Foreign Legal Periodicals (IFLP)**

- **Treaties**
  - Most published in Hörei zensho bilingually
Finding Books and Articles: English

U.S. Periodical Indexes
(Available through the Law Library)

- Legaltrac
- LexisNexis
- Westlaw
- HeinOnline
Finding Books and Articles: English

- University of Washington Law School Student Papers (LLM, JD, PhD)
  - Good source for bibliographies
  - Many on Japanese law
  - To find:
    - In UW Law Library Catalog; [http://marian.law.washington.edu/](http://marian.law.washington.edu/)
    - Search for this title:
      - Student papers University of Washington
    - Then Limit by words in the subject to “Japan”
    - Result should be about 280 “hits”

- Books
  - Your Library Catalog
  - OCLC
Finding Books and Articles: English

English language law journals published in Japan

- Many Japanese law schools publish two journals: one in Japanese, one in English
- Many Japanese language law journals have English tables of contents
- Some “NGOs” (non-governmental organizations) based in Japan, or with offices there publish English language journals, websites, and other publications.
- NOTE: These resources are NOT indexed in the usual legal periodical indexes.
- Search for English Periodicals published in Japan:
  - Keyword Japan AND periodicals
  - Limit language “English”
Finding Books and Articles: Articles in Japanese

How to Guide:
http://lib.law.washington.edu/eald/jlr/HowToUseHHBJ/HowToUseHHBJ1.htm

法律判例文献情報
[HHBJ, Hōritsu hanrei bunken jōhō = Current legal information]
Published by Daiichi Hōki

- Indexes both cases and legal articles
- Begins with about 1980
Finding Books and Articles: Articles in Japanese

Searching:
商法 * 取締役

法律判例文献情報 [HHBJ]
Published by Daiichi Hōki
Finding Books and Articles: Articles in Japanese

RSS Feeds of Japanese Legal Publications

From the National Diet Library

The National Diet Library (NDL / 国会図書館) now provides RSS feeds to its detailed up-to-date indexing of thousands of Japanese periodicals. Many law-related publications are included. Users can choose from a wide variety of law-related (and other) titles, and receive RSS notification as new articles in selected journals come out.

- Instructions in Japanese (How to subscribe to RSS feeds)
  http://www.ndl.go.jp/jp/data/sakuin/about_rss.html
- Journal RSS Feed Selection Page
  http://www.ndl.go.jp/jp/data/sakuin/sakuin_index.html
Finding Books and Articles: Books in Japanese

NII Webcat Plus
http://webcatplus-equal.nii.ac.jp/libportal/equalTop.html
Finding Books and Articles: Books in Japanese

National Diet Library Catalog
http://opac.ndl.go.jp/
- Books
- Articles (雑誌記事索引)

Note: Database is down 3 hours a day, Monday-Saturday and 6 hours on Sunday (during U.S. business hours)
Finding Books and Articles in Japanese

Japanese Online Law Journals
http://lib.law.washington.edu/eald/jlr/JOJOnline.htm

“CiNii” (Citation Information by NII): What is CiNii?:

- Full Text
  - List Compiled at Gallagher Law Library
  - Some Provided by Publication Itself
  - Another Source is “J-Stage” (Japan Science and Technology Information Aggregator, Electronic J-STAGE)
Finding Books and Articles in Japanese
雑誌記事索引 (National Diet Library’s Index to Japanese Periodicals)

National Diet Library Catalog
http://opac.ndl.go.jp/
- Articles (雑誌記事索引)
- Same Data as in “Magazineplus” (Available at some institutions)
(Note: Limited access during U.S. business hours)
Finding Books and Articles in Japanese

**Magazineplus**

*Available at some institutions*

- Index to Japanese periodicals (based on NDL’s “雑誌記事索引” [Zasshi Kiji Sakuin])
- Indexes some legal periodicals
Finding Books and Articles in Japanese or English

Factiva

- Many Japanese language, Japan-published resources included
- Full text database of Japanese, English and other-language general and business-related periodicals, including many Japanese newspapers
  - 朝日新聞 Asahi Shinbun (3/18/1997- )
  - 中日新聞 Chunichi Shinbun (5/1/2003- )
  - 每日新聞 Mainichi Shinbun (10/19/1992- )
  - 産経新聞 (Tokyo HQ Edition) Sankei Shinbun (1/21/1997)
  - 読売新聞 Yomiuri Shinbun (1/1/2002- )


Other full text resources may be available. One example is Factiva.
Finding Books and Articles in Japanese

Asahi Newspaper
[朝日新聞],
1945-current

http://database.asahi.com/library2e/
Finding Books and Articles in Japanese

Nikkei telecom 21
For more information:
http://telecom21.nikkei.co.jp/nt21/service/ (JPN)
http://www.nni.nikkei.co.jp/FR/SERV/help/about_nikkei/database.html (ENG)

- Important full-text newspaper source
- Includes 日本経済新聞 [Nihon Keizai Shinbun]
- Also English full text of major English Language Newspaper (Nikkei Weekly and Nikkei Major Articles)
Finding Books and Articles in Japanese

Online How-to Guide
http://lib.law.washington.edu/eald/jlr/HowToUseYomiuri/index.htm
For more information:
http://www.yomiuri.co.jp/cdrom/

Yomiuri Newspaper Archives
- CD ROM resource
- Historic newspaper in full text for famous laws, cases, etc
Finding Other Resources: Dictionaries

http://www.japaneselawtranslation.go.jp/dict/?re=02

- Japanese Law Translation: Dictionary Search Page
  This Japanese-English legal dictionary is based on the "Standard bilingual dictionary" (法令用語日英標準対訳辞書), created originally in March 2006, and revised periodically by the Japanese government as part of its law translation policy.

- Download the PDF Dictionary
  Click the “download” tab on the Dictionary Search page.
### Finding Other Resources: Encyclopedias

**Japan Knowledge**


- **Wide range of resources (mainly in Japanese) for Japan-related research**
  - 日本大百科全書 [Nihon dai hyakka zensho]
  - 現代用語の基礎知識 [Gendai yōgo no kihon chishiki]
  - 日本人名大辞典 [Nihon jinmei daijiten]
  - 辞書 (和英、英和、日本語) [Japanese-English, English Japanese and Japanese Dictionaries]
  - JK Who's Who

- Includes name and place dictionaries, "who's who" for Japan, bilingual dictionaries, and many other
Locating Materials in the Library

- **Call Numbers**
  - *KNX = Japanese Law Examples*
    - KNX [Japanese Law]
      - 500 [Civil law]
      - M56 [Book identifier]
      - 1965 [Date of publication of 1st volume]
    - KNX [Japanese Law]
      - 6 [General Periodicals]
      - J57 [Book Identifier]
    - KNX [Japanese Law]
      - 2064.51947 [Constitutional law (1946 Const)]
      - S89 [Book Identifier]
      - 1947 [Date of Publication of 1st volume]
Locating Materials in the Library

- **K = Comparative Law Examples**
  - K [Comparative Law]
    - 1060 [Banking]
    - M59 [Book Identifier]
    - 2005 [Date of Publication]

- **Locations in MGGLL**
  - CLAS = Classified Stacks [all materials with a call number ("classification number")]
  - REF = Reference
    - Includes Dictionaries, Encyclopedias, Indexes, English Translations of Laws, and other important materials for quick reference]
Language and Citation Issues: Japanese Era Names

- Four eras since 1867
  - 明治 [Meiji] (1867-1912)
  - 大正 [Taishō] (1912-1926)
  - 昭和 [Shōwa] (1926-1989)
  - 平成 [Heisei] (1989-

- Formulas to convert from Japanese Era years to Western years
  - Meiji: add 67
  - Taishō: add 11
  - Shōwa: add 25
  - Heisei: add 88

- For a conversion chart, see the Japanese Legal Research guide: http://lib.law.washington.edu/eald/jlr/jlrwebresources.htm#JapaneseEraNames

- For more on Japanese eras, see Wikipedia: (http://en.wikipedia.org/wiki/Japanese_era_name#Neng.C5.8D_in_Modern_Japan)
Language and Citation Issues: Japanese Legal Vocabulary

- **Words for Laws**
  - 法律 [hōritsu] a law; the law
  - 法令 [hōrei] a law; an ordinance; laws and ordinances
  - 法規 [hōki] laws and regulations

- **Words for Decisions**
  - 判例 [hanrei] a judicial precedent
  - 判決 [hanketsu] a judicial decision

- **Words for Legal Publications**
  - 論文集 [ronbunshū] a collection of essays; festschriften
  - 六法 [roppō] "six codes" a selection of important statutes, often published annually. Includes general compilations and compilations for specific subjects, such as securities law or labor law. Similar to a desk book
  - 判例集 [hanreishū] a reporter; collection of decisions
  - 法令全書 [Hōrei zensho] Complete Laws (a monthly publication of the Japanese government compiling all the new laws, regulations, and amendments)
Language and Citation Issues: Some Abbreviations used in Citations

**Era names**
- 大 [Tai] = Taishō (Taisho Era, 1912-1925)
- 昭 [Shō] = Shōwa (Showa Era, 1925-1989)
- 平 [Hei] = Heisei (Heisei Era, 1989- )

**Names of Courts (Saihan = Supreme Court)**
- 最 = Sai, for "Saikō Saibansho" (Supreme Court)
- 高 = Kō, for "Kōtō Saibansho" (High Court)
- 大阪高 = Ōsakakō (Ōsaka High Court)
- 名古屋高 Nagoyakō (Nagoya High Court)
- 地 = Chi, for "Chihō Saibansho" (District Court)

**Reporters**
- 判タ = Hanta (Hanrei taimuzu) (Decisions Times)
- 判時 = Hanji (Hanrei jihō) (Decisions Times)
- 刑集 = Keishū (Saikō Saibansho Keiji hanreishū) (Supreme Court Criminal Decisions Reporter)
- 民集 = Minshū (Saikō Saibansho Minji hanreishū) (Supreme Court Civil Decisions Reporter)

**Other Publications**
- ジュリ [Juri] = Jurist (Jurist)
- 別冊判タ [Besatsu hanta] = Bessatsu Hanta Hanrei Taimuzu Supplement
Language and Citation Issues: Standards

- **General Principles for Citation**
  - Citations should allow user to find the cited material easily *(Often citations to East Asian language materials do not)*
  - Providing only an English translation of cited material's title is a bad idea *(Romanization of titles and key reference points (such as some numbering and dates, names of people and organizations, etc.) is vital. Translation can be useful but does not substitute for romanization.)*
  - Following standards is a good idea (see below)

- **Standards In the U.S.**
    *The standard for Japanese citation in the U.S. legal publications is the "Foreign Jurisdictions: Japan" section of the Bluebook, edited by Yukino Nakashima of Columbia University Law Library. The standard is useful, but there are problems with it.*
Language and Citation Issues: Standards

- Problems with Bluebook Format for Japanese Sources
  *Difference between what's cited and what's found in indexes and library catalogs*
  - *Keishū, minshū*
  - *<plaintiff> v. <defendant>*
  - *Include Japanese text in citation?*
  - *Cite to translation or original? (see: Bluebook, p. 289, "When citing a translation…")*
  - *Citation Principle: Make it easy for readers to look up your sources!*
  - *Law in Japan (Use as a model)*
    - Law in Japan
Language and Citation Issues: Standards in Japan

- **Standards In Japan**
  
  *Legal citation standards for academic publications are published online, and also available in print.*

- **法律文献等の出典の表示方法**
  
  [Hōritsu bunken no shutten no hyōji hōhō] (Methods of legal citation)

  - **Online Version**
    
    [http://www.law.kobe-u.ac.jp/citation/mokuji.htm](http://www.law.kobe-u.ac.jp/citation/mokuji.htm)

  - **Print Version**
    
    KNX33.N54 at EALR (East Asian Law Reference)
Asking For Help: Legal Research Guides

List of Guides
http://lib.law.washington.edu/eald/jlr/jlrwebresources.htm#JapanLawGuides

Japanese Legal Research at UW
http://lib.law.washington.edu/eald/jlr/jres.html

GlobaLex: “Japanese Law Via the Internet”
http://www.nyulawglobal.org/globalex/Japan.htm
(Version of Prof. Makoto Ibusuki’s English-language guide to Japanese law)

Law Library of Congress: Japan
Asking for Help: Inter-Library Loan

You can borrow Japanese law-related books from...

- Other U.S. Libraries
- The National Diet Library in Japan

...Ask your Librarian!

The “Global ILL Framework” (GIF) Project. See: http://www.fas.harvard.edu/~ncc/illdd/gifproject.html
RSS Feed on New Developments in Japanese Legal Research

http://lib.law.washington.edu/eald/jlr/news.htm

- Watch the Gallagher Law Library’s Japanese Legal Research news page or subscribe to the RSS feed for new developments in Japanese Legal Resources.
To Summarize…

Japanese Legal Research

- Asking For Help
  - Your Librarian!
  - Research Guides
  - Inter-Library Loan

- Where Resources Live
  - Print
  - Japanese
  - English
  - Electronic/Online
  - Japanese
  - English

- Language and Citation
  - Laws and Statutes
  - Cases

- Finding Laws
  - In English
  - In Japanese

- Finding Books and Articles
  - In English
  - In Japanese

- Finding Cases
  - In English
  - In Japanese

日本の法律研究

10/7/2009
Japanese Legal Research / Rob Britt
That’s all, folks!

Essential Tools for
Japanese Legal Research

For an online version of this Presentation:
http://lib.law.washington.edu/eald/presentations.htm

Rob Britt
University of Washington
Marian Gould Gallagher Law Library
Seattle, Washington
USA
rrbritt@u.washington.edu
http://lib.law.washington.edu/eald/jlr/jres.html