

## Style Guide 2020 for the Journal of Japanese Law

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### A. Quick Reference Guide

1. The transcription of Japanese names and terms is based on the modified *Hepburn*-system. Long vowels are indicated by a long vowel mark above the vowel; example: *Tōkyō*.
2. Japanese terms in the text should in principle be indicated as follows:  
弁護士 *bengo-shi* [attorney at law]  
alternative: *bengo-shi* [attorney at law]
3. Please indicate bibliographical references in the footnotes as follows:
  - *Books*  
T. KAWASHIMA [川島武宜], ある法学者の軌跡 [The Way of a Legal Scholar] (1978) 118.  
alternative: T. KAWASHIMA, *Aru hōgaku-sha no kiseki* [The Way of a Legal Scholar] (1978) 118.  
KAWASHIMA, *supra* note 2, 28.  
N. KOBAYASHI, Insurance Law in Japan (3<sup>rd</sup> ed., 2016) 25.
  - *Publications in Edited Volumes*  
J. O. HALEY, The Japanese Judiciary, in: Foote (ed.), Law in Japan. A Turning Point (2007) 99, 101.  
HALEY, *supra* note 5, 100.
  - *Journal Articles*  
M. SHISEKI [始関正光], 平成 14 年商法改正の概要 [An Outline of the 2002 Reform of the Commercial Code], *ジュリスト Jurisuto* 1229 (2002) 7, 8–10.  
SHISEKI, *supra* note 4, 12.  
Y. HIRAI, Japanese Tort Law in Comparative Perspective, *Japanese Annual of International Law* 1990, 91, 93.
  - *Laws*  
電子消費者契約に関する民法の特例に関する法律 *Denshi shōhi-sha keiyaku ni kansuru Minpō no tokurei ni kansuru hōritsu* [Act on Special Provisions to the Civil Code Concerning Electronic Consumer Contracts], Law No. 95/2001.
  - *Cases*  
Supreme Court, 15 April 1969, 民集 Minshū 23, 755.

# Style Guide 2020 for the Journal of Japanese Law

## B. Complete Style Guide

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### I. GENERAL REMARKS

#### 1. *Indication of Author Names, Acknowledgements and Internet Links*

The name of the author follows the title of the contribution and is accompanied by an asterisk (\*) footnote indicating their professional affiliation.

Acknowledgements etc. follow in a second paragraph in the footnote.

In a third paragraph, the status of all internet links is indicated (status: date of submission of the contribution; reviewing the accuracy of the link is the responsibility of the author): “The links given were last checked on 3 May 2020.”

#### 2. *Names and Titles*

Japanese names are cited in the western order, i.e. the given name is followed by the family name. Regardless of nationality, family names must be written in small caps (*not* capital letters). Transcribed names of persons and institutions start with capital letters; in the case of titles of laws and publications, this refers only to the first word.

#### 3. *Use of the Japanese Language and Transcription*

The use of *kanji* and *kana* to denote Japanese terms and when citing Japanese literature and Japanese laws is strongly encouraged whenever possible. Alternatively, instead of *kanji/kana*, a *rōma-ji* transcription (romanization) can be used for the same purposes. Please note, while the use of *kanji/kana* is generally recommended, it should not be used in the title and subtitle of the contribution.

If *kanji/kana* are used, the *rōma-ji* transcription and a translation must be added in the running text for technical terms, laws and proper nouns (if possible for proper nouns) alongside the *kanji/kana* phrasing; example:

弁護士 <i>bengo-shi</i> [attorney at law] alternative: <i>bengo-shi</i> [attorney at law]
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In the footnotes, this also applies to technical terms, laws and proper names. For bibliographical references, on the other hand, only a translation and *no* romanization is to be given in addition to *kanji/kana*. See also the examples sorted by text type in II. below.

For romanization, please note the following: The transcription of Japanese names and terms is based on the modified *Hepburn*-system. Long vowels are indicated by a long vowel mark above the vowel; example: *Tōkyō*.

#### 4. *Headings and Subdivisions*

The texts should be subdivided by headings using the numbering I., 1., a). Further subdivisions should be avoided.

#### 5. *Editorial Changes*

The editors reserve the right to edit the text if necessary and to make adaptations regarding the form of citation.

#### 6. *Gender-sensitive and Inclusive Language*

The use of gender-sensitive and inclusive language is welcomed.

#### 7. *Currencies*

Currency denominations are spelt out and prefixed in English texts; examples: Euro 960.50; Yen 20,000; USD 2,700.

## II. LITERATURE

### 1. *First Citation of a Title*

#### a) *Books in Languages with Latin Script*

AUTHOR {first name {{initials only}} LAST NAME} / if necessary further NAMES (if edited volume “ed./eds.”), title of book. subtitle (if applicable edition, year of publication) if applicable cited page.

N. KOBAYASHI, *Insurance Law in Japan* (3<sup>rd</sup> ed., 2016) 25.

#### b) *Books in Japanese*

The names of the authors/editors are to be given first in romanized version and then with *kanji/kana*:

AUTHOR {first name {{initials only}} LAST NAME} {[full name in *kanji/kana*]/if necessary further NAMES (if edited volume “ed./eds.”), title of book. subtitle {in *kanji/kana* [English translation]} (if applicable edition, year of publication) if applicable cited page.

T. KAWASHIMA [川島武宜], ある法学者の軌跡 [The Way of a Legal Scholar] (1978) 118.

alternative:

T. KAWASHIMA, *Aru hōgaku-sha no kiseki* [The Way of a Legal Scholar] (1978) 118.

S. TAMURA [田村重信] / K. TAKAHASHI [高橋憲一] / K. SHIMADA [島田和久], 日本の防衛法制 [Japan’s Defense Law] (2<sup>nd</sup> ed., 2012) 25.

#### c) *Articles in Languages with Latin Script*

AUTHOR {first name {{initials only}} LAST NAME}, title of article, full name of the periodical/journal, number of issue or volume and (year) or year only {depending on usage}, first page, if applicable cited page.

Y. HIRAI, Japanese Tort Law in Comparative Perspective, *Japanese Annual of International Law* 1990, 91, 93.

#### d) *Articles in Japanese*

AUTHOR {first name {{initials only}} LAST NAME} {[full name in *kanji/kana*], title in *kanji/kana* [English translation], full name of the periodical/journal in *kanji/kana* as well as *rōma-ji*, number of issue {if numbered consecutively or within one year} or volume and (year) first page, if applicable cited page.

M. SHISEKI [始関正光], 平成 14 年商法改正の概要 [An Outline of the 2002 Reform of the Commercial Code], *ジュリスト Jurisuto* 1229 (2002) 7, 8.

P. OSTEN [オステン・フィリップ]/T. KUBOTA [久保田隆], 侵略犯罪と国内法化—ドイツにおける近時の立法動向を素材に— [The Crime of Aggression and Domestic Legislation – Recent Legislative Developments in Germany], *慶應法学 Keiō Hōgaku* 37 (2017) 269.

e) *Publications in Languages with Latin Script in Edited Volumes*

AUTHOR {first name {{initials only}} LAST NAME}, title of contribution, in: editor {last name only} (ed.), book title. subtitle (if applicable edition, year of publication) first page, if applicable cited page.

J. O. HALEY, The Japanese Judiciary, in: Foote (ed.), *Law in Japan. A Turning Point* (2007) 99, 101.

f) *Publications in Japanese in Edited Volumes*

AUTHOR {first name {{initials only}} LAST NAME as well as [full name in *kanji/kana*]}, title of contribution in *kanji/kana* [English translation], in: editor {last name only as well as [last name in *kanji/kana*] (ed.), book title. subtitle in *kanji/kana* [English translation] (if applicable edition, year of publication) first page, if applicable cited page.

N. SEGAWA [瀬川信久], 消費社会の構造と製造物責任法 [The Structure of the Consumer Society and Product Liability Law], in: Kamata [鎌田] et al. (eds.), *消費生活と法 [Consumer Life and the Law]* (1997) 187, 195.

S. SHIBAZAKI [柴崎暁]/C. MARUYAMA [丸山千賀子], 欧州における集団的救済手続の状況—オランダ WCAM 手続と渉外関係事件を巡って— [The State of Collective Redress Procedures in Europe. The Dutch WCAM Procedures and Cross Border Cases], in: Chiba [千葉]/Hasebe [長谷部]/Suzuki [鈴木] (eds.), *集団的消費者利益の実現と法の役割 [Realizing Collective Consumer Interests and the Role of the Law]* (2014) 457.

g) *Signed Newspaper Articles*

AUTHOR {first name {{initials only}} LAST NAME}, title of contribution, full name of the newspaper, date, page.

L. NOTTAGE, Newest Trends in Product Liability in Japan, *New York Times*, 19 January 2005, 4.

h) *Newspaper Articles – Anonymous Reporter*

“Title of Article”, full name of the newspaper, date, page number.

“Asbestos Law Passed”, *Sydney Morning Herald*, 1 June 2006, 6.

2. *Subsequent Citation of a Title*

For subsequent references to a publication in a footnote, only the name in *rōma-ji* is used:

AUTHOR {only LAST NAME in *rōma-ji*}, *supra* note {footnote of the first citation}, if applicable cited page.

KAWASHIMA, *supra* note 2, 28.

3. *Additional Notes*

- (1) Please do *not* use *any* periodical abbreviations (other than ZJapanR/J.Japan.L.) out of consideration for our international readership.
- (2) When citing more than one page, give the precise page range (for instance: “23–25”). Please use the en dash to indicate page ranges (“–”).

### III. JAPANESE LAWS, ORDINANCES, REGULATIONS, ETC.

#### 1. *First Citation of Legislation*

##### a) *Either*

The usual Japanese abbreviation in *kanji/kana* (*rōma-ji* transcription and English translation – possibly followed by any commonly used English abbreviation); in a footnote: number of the law/year of enactment.

In the text:

民法 (*Minpō*, Civil Code, hereinafter: CivC)<sup>24</sup>

In the footnote:

<sup>24</sup> Law No. 89/1896.

##### b) *Or (especially in case of Japanese laws with long titles)*

Short English translation; in a footnote: full name of the Japanese law in *kanji/kana* {as well as italicized transcription} [long English translation], number of the law/year of enactment.

In the text:

Electronic Consumer Contracts Law<sup>24</sup>

In the footnote:

<sup>24</sup> 電子消費者契約に関する民法の特例に関する法律 *Denshi shōhi-sha keiyaku ni kansuru Minpō no tokurei ni kansuru hōritsu* [Act on Special Provisions to the Civil Code Concerning Electronic Consumer Contracts], Law No. 95/2001.

##### c) *Subsequent Citation of Legislation*

For subsequent citations, legislation can be referred to either with its transcribed name or with the English translation or the preestablished abbreviation:

*Minpō*  
Civil Code  
CivC

*Note:*

When translating the name of a Japanese law, please try to avoid any confusion with existing laws of other countries, such as the U.S., the U.K., etc. This is of particular importance with regard to the choice of English abbreviations.

#### 2. *Citing Ordinances*

English translation, followed by any appropriate abbreviation in parenthesis; in a footnote: full Japanese name of the ordinance {in *kanji/kana* as well as italicized transcription}, if possible the name of the issuing authority, number/year of the ordinance.

In the text:

Implementing Ordinance Referring to the Installment Sales Act (Ord. Inst. Sales Act)<sup>32</sup>

In the footnote:

<sup>32</sup> 割賦販売法施行令 *Kappu hanbai-hō shikō-rei*, Ordinance No. 341/1961.

#### 3. *Citing other Regulations*

Other regulations such as ministerial regulations (規則 *kisoku*), municipal regulations (条例 *jōrei*) or internal administrative guidelines (通達 *tsūtatsu*) and the like should be cited in a way similar to the examples

given above for citing ordinances. If possible, the name of the issuing authority, the number and the year of issue of the ordinance should be given.

In the text:

Implementation regulations for the Act on Specified Commercial Transactions<sup>18</sup>

In the footnote:

<sup>18</sup> 特定商取引に関する法律施行規則 *Tokutei shō-torihiki ni kansuru hōritsu shikō kisoku*, Ordinance of the Ministry of International Trade and Industry No. 89/1976.

#### 4. Citing Provisions of a Law, Ordinance, etc.

Art. 13 para. 1 no. 1 CivC

Provisions inserted later should be numbered by adding a hyphen:

Art. 859-2 para. 3 CivC

#### IV. JAPANESE CASES

Official Law Reports: Court name, date of the judgment, abbreviation of the name of the law report in *kanji/kana* as well as *rōma-ji* and volume {not number of the issue}, first page, if applicable cited page.

Periodicals: Court name, date of the judgment, name of the periodical in *kanji/kana* as well as *rōma-ji* and number of the issue (year) first page, if applicable cited page.

Supreme Court, 15 April 1969, 民集 *Minshū* 23, 755.

Tōkyō District Court, 13 December 1961, 判例時報 *Hanrei Jihō* 286 (1962) 25.

The abbreviations listed below may be used instead of the English translation of the name of the court.

##### *Court Names*

Name of the Court	English Translation	Abbreviation
最高裁判所 <i>Saikō Saiban-sho</i>	Supreme Court	SC
高等裁判所 <i>Kōtō Saiban-sho</i>	High Court	HC
地方裁判所 <i>Chihō Saiban-sho</i>	District Court	DC
簡易裁判所 <i>Kan'i Saiban-sho</i>	Summary Court	SumC
大審院 <i>Daishin-in</i>	Imperial Court	ImpC