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YAMAUCHI Yurika, On International Economic Crime Regulation Governed by the Administration: A Review for Studies on Money Laundering Regulation

Increasing regulation on international economic crime (IEC), of which nature is highly functional, does not seem to fit in traditional territorially-based international criminal legal system. Since IEC regulations are lead by administrative branch, it is useful to analyze it from the perspective of administrative governance. Recent years have seen increasing scholarly works of global administrative law (GAL), which attempt to explore the impact of GAL on traditional framework of international law. This article reviews the latest works on IEC regulation and deals with questions such as; (i) how the problem of legitimacy and effectiveness appears when the distinction between international law and domestic law melts down, and, (ii) how non-state actors in IEC regulation systems could be theorized under international legal system. It thus contends the importance of studies on IEC regulation from the standpoint of international criminal law.

SAKAMAKI Shizuka, Non-immunity of States for Serious Violations of Human Rights

From the 1980's, it has been asserted in state practice and in doctrine that immunity of states should not extend to violations of fundamental human rights. This claim departs from the established criteria in that it denies immunity regardless of whether or not the violation is "*acta jure imperii*", which is subject to immunity under customary international law. Writings which deny state immunity can be classified into four approaches according to how they explain their conclusions: by the present international rules of state immunity, by the customary international law, by *jus cogens* and by systemic interpretation. The differences among them have roots not in conflicts between values, but in the understandings on the appropriateness of forum selection, the contents and scope of the state immunity principle and *jus cogens*, and how to interpret conflicting norms in the international law system.

NEGISHI Takehiro, U.S. Welfare Reform in the 1990's

The priority of U.S. welfare policy in the 1990's was for recipients to leave welfare through employment. The priority of the current decade is for welfare leavers and

recipients to achieve independence by getting a full-time job and climbing the career ladder. Consequently, U.S. welfare policy has advanced further in the direction of putting an emphasis on work.

This paper discusses U.S. welfare policy from the viewpoint of state governments. In this paper I focus on the following three points. First, state governments implemented welfare reform as part of a policy framework based on a high productivity work model to fit with the global economy. Second, the 1996 Federal welfare reform responded in a favorable and complementary fashion to State welfare policies introduced around 1990. Third, state-based job training programs that encouraged welfare recipients to climb the career ladder had an impact on the 2006 Federal welfare reform reauthorization.

SAKURAI Taisuke, Enactment process of emission trading under Clean Air Act Amendment of 1990: An examination from State and Federal relationship

Enactment process of emission trading system under Clean Air Act of 1990 is interesting from the perspective of federal and states relationship. The system is realized by solving severe opposition mainly between North Eastern states and Midwest. Both areas insist their interest in the Federal diet. After long argument, it was solved by giving bonus allowance to both areas. States experiences of operating emission trading under Clean Air Act of 1970 also play a important part. The process clearly describes typical character of policy making process in United States, solving states interest conflict in the diet and state's "laboratory effect" to federal policy. With state's experience and flexible conflict solving political system in federal diet, the epoch making emission trading system was realized.

KATO Mihoko, SHIBUYA Hiroshi, American-model Welfare State and Fiscal Discipline

We examine the fiscal discipline of the American-model welfare state. In the congressional hearing on the balanced budget amendment, a conservative witness told that Keynesian's deficits destroy not only the fiscal discipline but also American moral. From the conservative viewpoint, the federal-aids, financed with Keynesian's deficits, have the pro-welfare bias and distort the basic pattern of the American-model welfare state, which is managed under state and local governments as the balanced finance-style "small government".

YOSHIDA Kenzo, Historical Change in the Private Pension Policy in the U.S.: Analysis of the Pension Protection Act of 2006

The private pension system in the U.S. has undergone changes over the years. Participants of defined contribution plans, for example, 401(k) plans, have increased, while those of traditional defined benefit plans have decreased. One of most apparent results of the change was the shift of risks of asset management from employers to employees. Policy makers have discussed several ideas to cope with the problem.

This paper states that the change in private pension system not only created new problems to be managed by policies but also altered the structure for deciding policies to manage the problems, which is from regulation to deregulation. The Pension Protection Act of 2006 was a typical case, which shows that the policies can be changed with nature of subjects under same purposes and backgrounds.

KAWASAKI Nobuki, The Trend of the Foreign Aid by the American Foundation in late years

A problem of this article is to analyze the trend of the foreign aid by the American private sector in late years, mainly on the activity of the foundation. In America, the private sector plays an important part in various fields such as culture/ art, social security. The field of the foreign aid is not an exception, too. The American ODA increased remarkably in the times of G. W. Bush administration, but cannot clarify the perspective of the foreign aid by America only by the analysis of the public sector. In this article, I analyze it how a foreign aid by the private sector of America changed in the change of the international order such as the end of Cold War and the outbreak of '9.11'. In particular, this article focuses on activity after the latter half of 1980's by the Ford Foundation which is the representative foundation in the field of the foreign aid.

John Creighton Campbell, How Policies Differ: Long-Term-Care Insurance in Japan and Germany

Public policies are compared through analysis of decision-making processes. Germany and Japan are similar in having enacted large-scale programs in long-term care, and in adopting a social-insurance model (eventually, in the Japanese case). The programs differ in important ways: the Japanese program is bigger, the German

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program has strict financial limits, Germany offers a cash allowance while Japan provides only formal services. An explanatory model looks to differences in policy problems, in balance of power and other political factors, in historical legacies, and in artifacts such as timing. One finding is that historical legacies can be subtle, as in Japan's tradition of family caregiving working against cash subsidies for family caregivers.