

【Grant-in-Aid for Scientific Research (S)】

Humanities and Social Sciences (Social Sciences)



Title of Project : Research on Disputing Behavior and Judicial Policy in the Super-Aging Society

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Research Project Number : 16H06321 Researcher Number : 80154037

Research Area : Sociology of Law (Socio-Legal Studies)

Keyword : Super-Aging Society, Disputing Behavior, Judicial Policy, Empirical Studies

【Purpose and Background of the Research】

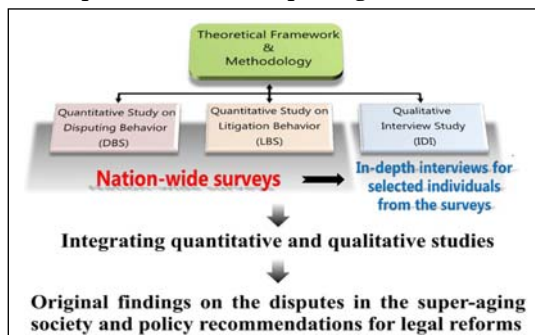
One of the formidable challenges Japan faces now is the imminence of what is called “super-aging society.” As of September 2015, the people who are 65 or older are as high as 26.7% of the population. It is expected that the proportion of aged population exceed 1/3 in 2035. The super-aging society will cause the increase of the number and the complexity of new types of disputes, e.g., inheritance, care/nursing/medicine, housing, family, asset/property management, pension, consumer protection, etc. But little evidence has been gathered about the realities of these problems.

Japan’s judicial system has undergone an extensive overhaul in 2000s, e.g., rapid increase of lawyers, expanded legal aid, etc. The real impacts of these judicial reforms are yet to be studied.

With the special focus on people’s disputing and litigation behavior in the super-aging society, this research project (Civil Justice Research Project: CJRP) aims to produce a comprehensive analysis of the challenges utilizing the wide variety of socio-legal methodologies, while comparing its results with those of the previous studies in Japan and other countries.

【Research Methods】

CJRP is composed of 3 components, 2 consist in the first stage and 1 consists in the second stage. In the first quantitative stage, we conduct 2 nation-wide surveys: Disputing Behavior Study (DBS) and Litigation Behavior Study (LBS). DBS is on people’s dispute experience and disputing behavior in their



everyday life. LBS is on people’s civil litigation behavior. The second qualitative stage consists of in-depth interviews (IDI) to selected individuals from the DBS and LBS. The IDI aims to understand the “symbolic world” of the people’s dispute experiences.

【Expected Research Achievements and Scientific Significance】

CJRP will make an epoch-making impact on the law and social science scholarship. It is also expected to give major impacts on the judicial policy making in Japan. The finding will be utilized in the evidence-based policy making by the legal scholars, legislators, as well as the judicial policy makers. Those impacts are not limited to Japan, for many developed countries will face the problems of aging society sooner or later. Many more countries will share the same or similar challenges as that of Japan in the 21st Century. CJRP will give many invaluable policy suggestions to the global society.

【Publications Relevant to the Project】

- Murayama, M., et al. (eds.), *Civil Justice and Dispute Resolution in Contemporary Japan*, 3 vols., Univ. of Tokyo Press, 2010. [in Japanese]
- Sato, I., et al., “Citizens’ Access to Legal Advice in Contemporary Japan,” Paper presented at the Joint Socio-legal Conference of LSA and RCSL, Berlin, July 2007.
- Sato, I., “Expanding Access to Justice for Labor Disputes,” *Social Science Japan*, No.46, pp.6-10, 2012.

【Term of Project】 FY2016-2020

【Budget Allocation】 127,700 Thousand Yen

【Homepage Address and Other Contact Information】

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