Editor’s Note

The editors of the Asian-Pacific Law & Policy Journal (“APLPJ”), proudly present Volume 19, Issue 1. This issue features one translation and four articles focusing on the intersection between civil society, government, and law, in Japan, China, Korea, and Guam. We are especially excited to be publishing two articles written by our very own peers, and one article by one of our William S. Richardson School of Law professors.

We first present a translation piece entitled *Japan’s Hate Speech Laws: Translations of the Osaka City Ordinance and the National Act to Curb Hate Speech in Japan* by Koji Higashikawa, Professor of Law at Kanazawa University, Japan. The Osaka City Ordinance for Dealing with Hate Speech has been Japan’s first legislative response to a recent rise in hate speech, which subsequently led to the enactment of the National Act to Curb Hate Speech in Japan. After offering a look at the issue of hate speech in Japanese society, Higashikawa provides a translation of both laws and briefly discusses the most recent developments.

The first article we present is *Diversity, Dialogue, and Deliberation: An Empirical Investigation of Age, Gender, and Meaningful Decision-Making in Korean Juries* by Jisuk Woo, Professor at the Graduate School of Public Administration at Seoul National University and Justin D. Levinson, Professor of Law at the University of Hawai‘i at Mānoa William S. Richardson School of Law. Noting that the field of empirical literature on jury diversity has been prominent in America but lacking in East Asia, Woo and Levinson conducted and analyzed the results of an empirical study of shadow jury deliberations in nineteen criminal cases in Korea. The Article examines how gender and age diversity in jury members and speech-related dynamics influence the quality of Korean jury deliberations. Their findings show that, in Korea, the speech dynamics of the deliberation processes play a more significant role on the quality of jury deliberations than age and gender diversity. The authors conclude by discussing the implications of their findings and proposing different avenues for future research.

Our second article is *Community Corrections Programs in China: New Forms of Informal Punishments?*, by Xue Yang, PhD researcher for the Institution for International Research of Criminal Policy at Ghent University, Belgium. In her article, Yang first discusses the history of informal and formal criminal punishments in China. She then takes both a theoretical and empirical approach to examine the nature of community corrections programs in contemporary China. She concludes by stating that the community corrections programs deviate from their original
intended designs and more closely resemble informal punishments.

The third article is *From Independent Lawyer Groups to Civic Opposition: The Case of China's New Citizen Movement*, by Eva Pils, Reader in Transnational Law at King’s College London, Dickson Poon School of Law and non-resident senior research fellow at the NYU US-Asia Law Institute. In her article, Pils analyzes the way human rights advocacy in China has evolved over the last two decades. She notes that advocacy has shifted from being primarily case-focused and lawyer-driven, to becoming cause-focused and encompassing of larger citizen groups. Pils also discusses the implications of this evolution and how it signifies a larger shift in China’s civil society as a whole.

Next, we are proud to present this volume’s first piece by a fellow William S. Richardson School of Law classmate and APLPJ editor, Franklin Fegurgur, entitled “Half an American”: Guam Veterans' Struggle for Voter Equality. The residents of the United States Territories do not participate in the electoral college for presidential elections. In his article, Fegurgur approaches this issue from the perspective of U.S. military veterans in Guam by critically analyzing a 2016 Illinois Federal District Court Case, Segovia v. Board of Election Commissioners. Fegurgur argues that the Federal District Court improperly relied upon the imperialistic precedent of the Insular Cases and the Uniform Overseas Citizen Absentee Voting Act (“UOCAVA”). After analyzing the Insular Cases and the legislative history of UOCAVA, Fegurgur presents a possible solution to amend the UOCAVA and grant voting rights to Guam veterans. The ultimate goal of this amendment is to lay the foundation to further extend voting rights to all citizens of the Insular Territories.

Last, but most certainly not least, we are proud to present another piece by a fellow William S. Richardson School of Law classmate and APLPJ editor, Brandon Marc Higa, entitled *Japan's Anti-Conspiracy Law: Relinquishing Japan’s Civil Liberties in the Name of Global Counterterrorism Efforts*. Higa discusses Prime Minister Shinzo Abe's anti-conspiracy law as part of a legal framework to prepare the country to host the 2020 Olympics and honor Japan's obligations as a signatory state to the United Nations global counterterrorism treaty. Higa explores allegations from U.N. human rights advocates and Japanese legal experts that legal loopholes in the anti-conspiracy law legitimize suppression by Japanese law enforcement of freedom of speech and peaceful assembly of civil society groups (in particular, “anti-base” activists in Okinawa). Higa examines the arrest and detention of Hiroji Yamashiro, a well-known Okinawa peace activist, as an example that reveals the potential for the anti-conspiracy law to extend criminal liability to Japanese citizens, regardless of ties to organized criminal groups.
On behalf of APLPJ, I would like to thank the authors for their patience and dedication to producing quality work. Thank you as well to our returning faculty advisors, Professor Mark Levin, Ronald Brown, and Melody Mackenzie. Thank you also to Professor Avis Poai for joining the APLPJ ‘ohana this year as a faculty advisor and already becoming such a valuable mentor. As always, a warm mahalo to both returning and new members of APLPJ’s hard-working editorial staff. I would like to specially thank Alyssa-Marie Kau for her many contributions to the Journal, working to make this issue a success during her time as both staff editor and co-Editor-in-Chief. APLPJ’s continued success would not be possible if not for you all.

Alicia Fung  
Editor-in-Chief, 2017-2018