

PROGETTO DI SEA.GUAL.

DEVELOPING AN INTERNATIONAL STRATEGY IN THE EUROMEDITERRANEAN AREA ON THE GOODS FOR AN UPDATED ANTHROPIC LOOP CORSO DI LEZIONI

Sustainability and Climate Justice: From Comparative Administrative Law Perspective

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Course Description

This course provides a comprehensive examination of environmental sustainability and climate justice through the lens of comparative legal theory and institutional analysis. The course investigates fundamental questions about how legal systems conceptualize the relationship between humans and nature, allocate environmental resources across generations, and organize collective action for climate protection.

The course begins with three introductory sessions dedicated to the comparative study of administrative and environmental law in Japan, Italy, and selected other jurisdictions. These sessions provide students with foundational understanding of how diverse legal systems conceptualize the environment, regulate public spaces and environmental resources, and structure administrative authority.

Building on this comparative foundation, the course proceeds through three analytical blocks: philosophical foundations, environmental law theory and practice, and emerging innovations in environmental and climate law. First, we examine the philosophical underpinnings of environmental law, questioning basic legal categories such as the subject-object distinction and exploring how legal systems might accommodate non-anthropocentric perspectives. Second, we investigate the institutional mechanisms through which societies organize environmental governance, with particular attention to the management of common pool resources and public spaces. Third, we analyze emerging legal developments that challenge traditional legal frameworks, including rights of nature movements and climate litigation.

Course Structure (12 Sessions)

Note Topics

Please note that the topics outlined above are subject to change depending on current legal developments (especially in climate law), and the pace of class discussion. Any adjustments will be communicated in advance. Students are encouraged to follow environmental and administrative law updates throughout the course.

Session 1: Introduction to Sustainability, Climate Justice, and Administrative Law

05.03.2026, Aula 3, 9-12

- Understanding Sustainability and Climate Justice
- Role of Administrative Law in Environmental Governance
- Comparative Legal Traditions
- Course Scope and Method

Session 2: Foundations of Japanese Administrative Law – A Comparative Perspective

06.03.2026, Aula 4, 14-17

- Origins and Structure of Japanese Administrative Law
- Administrative Organization and Decision-Making
- Public Participation and Transparency
- Judicial Review and Remedies

Session 3: Japanese Administrative Law in Environmental Governance

12.03.2026, Aula 5, 9-12

- Japan's Environmental Regulatory Framework
- Environmental Impact Assessment Process
- Principles in Japanese Environmental Law
- Citizen Enforcement and Civil Society

Session 4: Core Environmental Law Principles (Comparative View)

13.03.2026, Aula 4, 14-17

- Precautionary Principle
- Polluter Pays Principle
- Sustainable Development
- Public Participation and Access to Justice

Session 5: Intergenerational Justice and Future Generations' Rights

19.03.2026, Aula 5, 9-12

- Concept of Intergenerational Equity
- Comparative Examples
- Guardians for Future Generations

Session 6: Commons Theory and Resource Stewardship

20.03.2026, Aula 4, 14-17

- Tragedy of the Commons
- Traditional Commons in Japan – *Iriai* Forests
- Commons in Italian Legal Thought
- Global Commons and Climate

Session 7: Public Space Governance and Urban Sustainability

26.03.2026, Aula 5, 9-12

- The City as a Commons – Collaborative Urban Management
- Public Trust and Public Space
- Governance Challenges

Session 8: Legal Personhood for Nature – Rethinking “Who” Can Have Rights

27.03.2026, Aula 4, 14-17

- Challenging the Person/Property Divide
- Implications for Administrative Law or Western Legal System

Session 9: Rights of Nature – Constitutional and Global Perspectives

25.05.2026, Aula 5, 9-12

- Rights of Nature Movement
- Some Examples of the Rights of Nature
- Prospects and Challenges

Session 10: Climate Change Litigation and the Courts’ Role in Climate Justice

27.05.2026, Aula 4, 9-12

- Overview of Climate Litigation
- Landmark Cases – Global Examples
- Climate Litigation in Japan
- Judicial Impact and Separation of Powers

Session 11: Administrative Strategies for Climate Action – Comparative Policies,

28.05.2026, Aula 4, 15-18

- National Climate Policy Frameworks
- Regulatory and Economic Tools
- Multilevel Climate Governance

- Public Engagement and Climate Justice

Session 12: Conclusion – Integrating Comparative Insights and Future Directions,

29.05.2026, Aula 4, 9-12

- Comparative Lessons Learned
- Emerging Global Trends
- Challenges and Opportunities
- The Role of Comparative Law

Course Materials / Readings

There is no single designated textbook for this course. Instead, a curated set of readings will be provided for each session, including:

- Scholarly articles (in English, Japanese, or Italian where appropriate)
- Selected case law and legal documents
- Excerpts from relevant books or policy reports

The reading list and any supplementary materials will be shared in advance of each class. Students are expected to complete the assigned readings beforehand and come prepared to discuss them in group discussions.

Grading Criteria

Final Paper / Research Report (80%)

Students are required to submit a final paper (approximately 3,000–5,000 words) on a topic related to the themes of sustainability, climate justice, and/or comparative administrative law, with a focus on at least one jurisdiction (Japan, Italy, or another of their choice). The paper should demonstrate:

- Understanding of key concepts and legal principles discussed in class
- Analytical use of comparative legal reasoning
- Engagement with relevant legal sources (e.g. statutes, case law, academic commentary)

Class Participation (20%)

Active engagement in peer discussions and group activities is essential. Students are expected to:

- Contribute thoughtfully to small-group discussions held during class
- Listen respectfully and respond to others' viewpoints
- Bring relevant insights from readings or prior sessions into the discussion
- Collaborate to deepen shared understanding of legal topics

Students who complete the entire course will earn 6 credits recognised as “Attività formativa a scelta dello studente”. Attendance will be recorded by signing in and out, and students may be absent for up to 25% of the total course hours. Students will also have the option of attending individual lessons and earning 0.25 credits, which can be used as "crediti liberi". The course activities are also open to PhD students.