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Note on the microfilm of the Gustave Émile Boissonade de Fontarabie manuscript

The microfilm entitled “Oeuvres Choiesies” reproduces some notes taken down in French by the student TEZUKA Tarō (1862-1932) during the lessons given by the French legal advisor Gustave Émile Boissonade de Fontarabie (1825-1910), the author of a *Projet révisé de code pénal pour l'Empire du Japon* published in Tokyo in 1886. The manuscript was microfilmed in 1972 during my stay at the University of Tokyo. The news on this manuscript published by me upon my return to Italy reads as follows:

“As regards Boissonade, we still have an accurate testimony of the teaching method adopted by him to teach criminal law to Japanese students. One of his students, Taro Tezuka, took down highly ordered notes of his lessons in French. These notes, which are gathered together in five manuscript volumes, were kept by the Tezuka family until 14 August 1961, when Osamu Tezuka donated them to the library of the Tokyo University Law Department, where they are currently kept. This rather late donation saved the manuscript from the fire which devastated the University of Tokyo’s central library in September 1923. They are in an outstanding state of conservation, however, the first pages of the manuscript are missing in two volumes, since the binding dates back to the time of donation. This could explain why the page numbering does not start with “1”. Fortunately, the manuscript on criminal law is intact. The manuscript was catalogued by the Law Department Library of the University of Tokyo in the following order:

1. *Du droit administratif (y compris le droit constitutif)*, pp. 13-656;
2. [*Droit civil*], pp. 3-340;
3. *De la procédure civile*, pp. 1-348;
4. *Du droit commercial*, pp. 1-286 [48 blank pages], [pp. 1-208 not numbered]. The blank pages probably refer to an absence from lessons, as the first part of the notes end on 18 December (1883?) and they start up again after 48 blank pages on 14 February 1884;
5. *Code criminel*, pp. 1-348.

Every page measures 327x207 mm and contains 33 lines with paragraph indents and some notes on the ample margins. Taking this data into account and the large number of manuscript pages, one can get an accurate idea of the large amount of work done by Taro Tezuka.”

(translated from: Mario G. Losano, *Tre consiglieri giuridici europei e la nascita del Giappone moderno*, “Materiali per una storia della cultura giuridica”, III, 1, 1973, pp. 563-564; on Boissonade in general, pp. 559-585).

The original manuscript is also described in Japanese at the website:

<http://www.lib.u-tokyo.ac.jp/tenjikai/tenjikai97/fontara.html>

BIBLIOGRAPHY. – On Gustave Émile Boissonade de Fontarabie (1825-1910) – apart from my essay *Tre consiglieri giuridici europei e la nascita del Giappone moderno*, “Materiali per una storia della

cultura giuridica”, III, 1, 1973, pp. 517-667, where he is dealt along with Hermann Roesler and Alessandro Paternostro – cf. entry on Nader Hakim in Patrick Arabeyre et al., *Dictionnaire historique des juristes français. XII^e-XX^e siècle*, PUF, Paris 2008, pp. 100-101; Rafael Domingo (ed.), *Juristas Universales*, Vol. 3: *Juristas del siglo XIX*, Marcial Pons, Madrid – Barcelona 2004, on *Boissonade*, pp. 347-349; id., *Estudio preliminar*, in Rafael Domingo – Nobuo Hayashi, *Código civil japonés*, Marcial Pons, Madrid 2000, 323 pp.; Michael Stolleis (Hrsg), *Juristen. Ein biographisches Lexikon*, Beck, München 2001, pp. 95-96; Guy Antonetti (ed.), *Boissonade et la réception du droit français au Japon*. Colloque organisé par l’Université Panthéon-Assas (Paris II) et la Maison du Japon [...], Paris, 22 novembre 1990, Société de Législation Comparée, Paris 1991, 104 pp.; id., *La faculté de droit de Paris à l’époque où Boissonade y faisait ses études*, “Revue internationale de droit comparé”, 1991, pp. 333-356; Jean Carbonnier, *Boissonade et la réception du droit français au Japon*, “Revue internationale de droit comparé”, 43, 1991, pp. 327-424; Hoshino E., *L’héritage de G. Boissonade dans le code civil et dans la doctrine du droit civil au Japon*, “Revue internationale de droit comparé”, 1991, pp. 407-422; Chr. Jasmin, *Le vieux rêve de Saleilles et Lambert revisité. À propos du centenaire du Congrès international de droit comparé de Paris*, “Revue internationale de droit comparé”, 2000, pp. 747-748; id., *Boissonade et son temps*, “Archives de philosophie du droit”, (44) 2000, pp. 285-312; Kobayashi Ikeda, Masako, *French Legal Advisor in Meiji Japan (1873-1895): Gustave Émile Boissonade de Fontarabie*, VI-293 pp. (Diss. Ann Arbor, Michigan, UMI Dissertation Services, 1997); id., *La réception du droit français au Japon*, “Revue de droit comparé”, 1963, pp. 543-556; Matsukawa T., *Le voyage de Monsieur Boissonade*, in Philippe Boucher (ed.), *La révolution de la justice. Des lois du roi au droit moderne*, de Monza, Paris 1989, pp. 255-266; Okubo Yoshiko, *La querelle sur le premier code civil japonais et l’ajournement de sa mise en œuvre: le refus du législateur étranger?*, “Revue internationale de droit comparé”, 1991, pp. 389-405; Okubo, *Père français du droit japonais moderne (1825-1910)*, “Revue Historique de Droit Français et Étranger”, 1981, pp. 29-54 (and the work with the same title in Japanese, Tokyo 1977); H. Sasamoto-Collins, *Japan’s first Western-style Criminal Law. A Translation of the General Provisions of the Boissonade Draft of 1877*, University of Durham 2007, 41 pp.; Jean-Louis Sourieux, *La pensée juridique de G. Boissonade: aspects de droit civil*, “Revue internationale de droit comparé”, 1991, pp. 357-366; Yoshiyuki Noda, *Gustave Boissonade comparatiste ignoré*, Université Chuo, Tokyo 1962 (extract from *Problèmes contemporains de droit comparé. Recueil d’études de droit comparé en commémoration du 10^e anniversaire de la fondation de l’Institut japonais de droit comparé*, Tokyo 1962, Vol. 2, pp. 233-256); *Note des correspondances avec Monsieur Boissonade. Premier cahier pour les questions*, Université Hosei, Tokyo 1978, pp. 89-124 (Bilingual French – Japanese edition).