

6. Labor Law

Academic activities in 1980 in the field of labor law were highlighted by two features. One was the lecture meeting as well as the publication of books in commemoration of the 30th anniversary of the founding of *the Japan Labor Law Association*.

The lecture meeting was held on Oct. 14 under the theme “History and Problems in the Study of Labor Law.” The publication of the 15-volume “Contemporary Labor Law Series,” to be contributed by some 220 members of the Association, got under way. As of December, 1982, ten volumes have been published. The “Series” indicate the standard of Japan’s labor law studies and subsequent achievements. The commemorative publication is to be completed in 1983.

Secondly, two symposia were held by the Association. The 59th General Meeting of the Association was held at Osaka Municipal University on May 19 and the 60th General Meeting at Tokyo Metropolitan University on Oct. 13.

The main theme, titles of the reports and names of the reporters are listed below. Reports submitted at the meetings were carried in the *Journal of Labor Law*, Vol. 56 and Vol. 57, with some additions and modifications. Discussions held at the symposia were also carried in the journal.

1. Main Theme at the 59th General Meeting: “Legal Problems of Compulsory Retirement System.”

Reports:

1) Compulsory Retirement System and Labor Relations (General Report)

Prof. Seishi Araki, Kyushu University

2) Legal Aspects of Compulsory Retirement System

Prof. Goro Kimura, Ehime University

3) Public Servants’ Mandatory Retirement Age

Prof. Jun-ichiro Mawatari, Yamaguchi University

4) Age Limit System and Employment Policy – A Study from the Viewpoint of Employment Security Law Theory

Prof. Hiroshi Seisho, Kumamoto University

5) Compulsory Retirement Age and Social Security Law

Lecturer Yataro Yoshinaga, Waseda University

[Comment]

First of all, in most cases there are big gaps between the “compulsory retirement age” in the private sector and the starting year for receiving the old age pension, although the age limit tends to be extended. Secondly, the amount of the pension is generally low. Hence, small pensions and age gaps have come to raise serious problems concerning social and employment security, although there is no age gap problem in the public sector while since 1981 the mandatory retirement age system has been introduced for public servants.

2. The main theme at the 60th General Meeting: “Enterprise-based Trade Union and the Right to Organize.”

Reports:

1) Betriebsgewerkschaft und Koalitionsrecht Die gegenwärtige Aufgabe der gewerkschaftlichen Betätigung im Betrieb

Prof. Kunishige Sumida, Chuo University

2) Der Arbeitsvertrag und die gewerkschaftliche Betätigung im Betrieb

Assoc. Prof. Katsutoshi Kezuka, Shizuoka University

3) Premises Based on Property and Lawfulness of the Activities of the Trade Union

Lecturer Hiroshi Ishibashi, Hosei University

4) Union Activities in the Undertaking and Facilities Afforded to Unions

Nobuo Fukaya, student at Graduate School of Law, Waseda University

5) Comparative Study of Union Activities at the Enterprise Level in Industrialized Countries

Prof. Shigeo Sakamoto, Shizuoka University

[Comment]

The decision by the Third Petty Bench, the Supreme Court, on Oct. 30, 1979, on the case involving the posting of bills by the National Railways Workers' Union in Sapporo marked a turning point in reviving discussions on the legitimacy of union activities in facilities of the enterprises or of the public corporations concerned or using such facilities.

By way of discussion, questions were raised for what reason union activities can be conducted within an enterprise without the permission of the employer and to what extent as well as what kind of activities the unions can conduct.

By Prof. Kazuhisa Nakayama
KUNIYUKI Matsuo

7. Legal History, Sociology of Law and Legal Philosophy

A. Legal History

The 32nd general meeting of *the Legal History Association* was held for two days on Apr. 11 and 12 in 1980 at Waseda University, Tokyo, and the 28th study meeting of the Association for three days from Oct. 10 through 12 at Tohoku University, Sendai.

The 1980 general meeting featured individual study reports based on free subjects. The lack of a unified theme since 1978, however, should be taken up seriously in view of the academic activities of other sciences of proper and semi jurisprudence. On the other hand, this trend indicates the fact that comparatively younger researchers have been steadily dealing with problems in their own respective fields. The contents of the reports in the year under review were indicative of their activities.