

6. Labor Law

Academic activities in 1981 in the field of labor law were featured by the continued publication of the “Contemporary Labor Law Series” in Commemoration of the 30th Anniversary of the Founding of *the Japan Labor Law Association*, and two symposia sponsored by the Association.

The 61st general meeting of the Association held a symposium at Chuo University on May 18 under the main theme of “Order of Labor Relations Commission and the Limits of Judicial Review,” while the 62nd general meeting held a symposium at Kansai University on Oct. 15 on “Temporary Workers and the Law.” Reports submitted at the symposia were carried in the annual bulletin of the Association No. 58 and No. 59. Also carried in the bulletin were introductions to the reports in English and French.

The titles and reporters at the 61st general meeting are as follows:

- 1) “Judicial Review of Decisions and Orders Issued by the National Labor Relations Board in U.S.A. — on the so-called Principle of Substantial Evidence,” by Prof. Yozo Hashizume of Chukyo University.
- 2) “The Limitation of Judicial Review to the Order Issued by the Labor Relations Commission,” by Prof. Minoru Kita of Nanzan University.
- 3) “On the Ways How to Recover the Worker’s Right through Decisions and Orders of Labor Relations Commissions in Japan,” by Assoc. Prof. Ryoichi Hirakawa of Gifu Dental College.
- 4) “On Emergency Order,” by Prof. Shizuo Miyazaki of Aichi University.

[Comment]

In view of the fact that there were a number of decisions made recently, annulling orders of the labor relations commission for the recovery of workers’ rights, the judicial review (or interven-

tion) of the commission's orders gave rise to legal problems in connection with its appropriateness and limits.

Discussions and reports were made at the symposium centering on this problem. It was then felt necessary to further promote the argument on the legislative problem dealing with the adoption of "the principle of substantial evidence."

The titles and reporters at the 62nd general meeting were as follows:

- 1) "Introduction to the Problems of the Business for the Supply of Temporary Workers," by Assoc. Prof. Toyochika Komuro of Osaka Prefectural University.
- 2) "Die Festsetzung der Gewerbsmäßigen Arbeitnehmerüberlassungsgesetz und das Arbeitsvermittlungsgesetz," by Assoc. Prof. Kazuo Matsubayashi of Gunma University.
- 3) "Legal Protection of Temporary Worker: A Comparative Study," by Assoc. Prof. Shigeru Wakita of Kyoto Prefectural University.
- 4) "Actual Conditions of the 'Temporary Workers' and the Legal Relationship between Those Workers and the 'User,'" by Attorney Yoshiaki Toyokawa.

[Comment]

The symposium took up the legal aspects of the problems of temporary workers in Japan and in Western countries, especially West Germany and France. Article 44 of the Vocational Introduction Act prohibits labor supply enterprises in this country as a matter of principle. Violations are subject to punishment.

In practice, however, labor supply enterprises or similar enterprises have been increasing in line with increased social needs. This trend, however, has caused a number of problems such as the evasion of the responsibility of employers in connection with poor working conditions and work site accidents.

With the symposium as a turning point, it is believed high time that more in-depth discussions on the issue should be promoted

and that effective legal resolution be made.

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7. Legal History, Sociology of Law and Legal Philosophy

A. Legal History

The 33rd general meeting of *the Japan Legal History Association* was held at Tokyo University from Apr. 1 through Apr. 3, 1981, and the 29th study meeting of the association at Ritsumeikan University for three days from Oct. 10 through 12. The programs of the two meetings were as follows:

The 33rd General Meeting:

The first day reports and reporters.

1. "Downfall of Numidia Kingdom," by Nobuko Kurita, LL.M., of Tokyo University.
2. "Phratia of Athens in the Classical Age — Centering on the Regulations of Entry in the Family Register," by Assoc. Prof. Sadao Ito of Tokyo University.
3. "Savigny's Allgemeine Landrecht," by Ryuichi Noda, LL. M., Kyushu University.
4. "Land · Landrecht · Landfriede — A Clue to Historical Reconstruction of O. Brunner's 'Land Theory,' " by Prof. Takeshi Ishikawa of Hokkaido University.
5. "Meaning of 'Subu'* in the Japanese Legal History — in connection with Division into Periods and Collective Thought," by Prof. Ryosuke Ishii of Soka University.

The Second Day Reports and Reporters.

1. "Introduction of Extinguishment of the Headship of a House

* "Subu" literally means general control and jurisdiction in Japanese.