

period. Masaro Shimada presented materials from Mongolian legal history such as the Altan-Khan Code, as well as other historical documents of Qing China.

Shuzo Shiga explained his studies of the penal code of the People's Republic of China promulgated in 1980, pointing out that it embodied the legal elements of traditional China.

c) Legal History of the West

Toshihiko Harada examined the origin and development of the "*vindicatio*" in order to explain the notion of "unified house power" in ancient Roman law. Takuro Wada talked about the codification work undertaken by Kreittmayer (1705–1790) in Bayern as one example of the "*naturrechtliche Kodifikation*" or codification based upon natural law. He also pointed out the significance of Landrecht. Kinya Abe talked about the topic of death from the viewpoint of social history, arguing that the concept of death prevalent in modern Western countries only originated in the Middle Ages. Osamu Naruse talked about the relationship between *la République* and *la famille*. He examined the definition of *citoyen* as "le franc sujet tenant de la souveraineté d'autrui" from "Six livres de la République," a work written by Jean Bodin who was said to be the founder of the modern theory of sovereignty.

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b. Sociology of Law

The Japanese Association of Sociology of Law held the 1983 Congress on May 14 and 15 at Keio University, Tokyo. The first day session was devoted to reports at section meetings and the second day to a symposium on "Study of Law-Consciousness",

which was also the topic of the symposium the previous year.

[First Day]

Section 1:

(1) Abortion Problems and the Individual's Right to Form a Family —A Review of Legalized Abortion in Japan —, by Michiko Ishii (Assistant, Tokyo University).

(2) Sex Roles and the Law — On the Changing Doctrine concerning Child Custody upon Divorce —, by Kiyoko Kinjo (Professor, Tokyo University of Home Economics).

(3) One Aspect of the Development of Thought Regarding Divorce Law in Japan, by Kanyu Uramoto (Professor, Kumamoto University).

Section 2:

(1) The Development of Mediatory Dispute Resolution, by Yasuhiro Wada (Assistant, Tokyo Metropolitan University).

(2) Effectiveness of Law and Social Organization — As Seen in the Dispute Settling Process for Unfair Labor Practice Cases —, by Shiro Kashimura (Associate Professor, Kobe University).

(3) Trade Friction as a Reflection of Differences in the Consciousness of Property in the System, by Minoru Cho (Professor, Takachiho University of Commerce).

Section 3:

(1) Eine Betrachtung über die Bestehungsstruktur des Rechts der bürgerlichen Gesellschaft, Toshio Shinohara (Ex-Assistant, Tokyo Metropolitan University).

(2) A Study of the Methodology of Sociology of Law in West Germany in the 1970's — Manfred Rehbinder's Theory and the Method of Sociology of Law —, by Susumu Sakurai (Lecturer, Tokushima High School of Arts and Sciences).

(3) On the Realistic Thinking of Law — According to the Theories of Scandinavian Legal Realism —, by Tadakatsu Demizu (Associate Professor, Meijo University).

Section 4:

Indigenous Law in Asia: Sri Lankan Indigenous Law: An Interim Report.

1. Significance and Goal of the Study, by Masaji Chiba (Professor, Tokai University).

2. Comparative Characteristics of the Sri Lankan Indigenous Law, by Ryuji Okudaira (Associate Professor, Tokyo University of Foreign Languages).

3. Process and Problems of the Adoption of the European Law.

(1) Characteristics of Adopted European Law, by Takao Yamada (Professor, Yokohama National University).

(2) British Law — Recent Economic Law —, by Nobuyuki Yasuda (Researcher, Institute of Developing Economies).

(3) Socialist Law — the Constitution of 1972 —, by Teruji Suzuki (Professor, Kagawa University).

4. Actual Conditions of Modern Indigenous Law.

(1) Family Law, by Michio Yuasa (Professor, Aichi Gakuin University).

(2) Practice of Agricultural Water Use, by Hisashi Nakamura (Researcher, Institute of Developing Economies).

(3) Dispute Settlement in the Village, by Jin-ich Okuyama (Student, Doctoral Program, Tokyo Metropolitan University).

[Second Day]

SYMPOSIUM: Study of Law-Consciousness

1. Criminal Law and Law-Consciousness

(1) Conflicts of Law-Consciousness in the Criminal Legislative Process, by Masaaki Matsuoka (Professor, Konan University).

(2) Criminal Justice and the Law-Consciousness of the Japanese, by Masaaki Toyokawa (Attorney at Law).

(3) Changes of Attitudes and Policies toward Mentally Disordered Criminals since the 1960's, by Toyoji Saito (Professor, Konan University).

2. Problems of Law-Consciousness

(1) An Essay on Legal Consciousness, by Mitsukuni Yasaki (Professor, Osaka University).

(2) Three Approaches to Study Japanese Legal Consciousness, by Takao Tanase (Associate professor, Kyoto University).

(3) An Actual Case of Historical Formation of Japanese Law-Consciousness, by Kaisaku Kumagai (Professor, Osaka University).

(4) A Note on the Study of Law-Consciousness, by Yozo Watanabe (Professor, Teikyo University).

Prof. Yasaki examined the usage of the term "law-consciousness", the meaning of which may be understood in various ways, and then discussed the purpose of its study.

Prof. Tanase, pointing out the limits of the time-lag model and the situation-determining model, proposed what he calls the model of social grammar as a model of law-consciousness study.

Prof. Kumagai examined the formation of law-consciousness among the Japanese by analyzing civil court cases during the era of the *jiyu minken* (democratic rights) movement in the *Meiji* period. He concluded that it was not quite correct to presuppose "the Japanese hatred of litigation".

Prof. Watanabe, touching on the definition of law-consciousness, inquired into the consciousness about law and rights of the Japanese that was tied with their moral dependency on public authorities.

For further details, see *Ho-Shakaigaku* (Sociology of Law) No. 36, 1984, Tokyo.

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