

theory, must be reexamined as must also be the logic of the modern thinking and the unlimited subject theory which supported the social contract notion.

Prof. Mishima discussed Hegel's criticism of the social contract theory. As Hegel criticized the natural law theory, he considered the social contract theory as an obstacle to the true understanding of the State as *die sittliche Allheit*. He said that Hegel, within the framework of the theory of *gegenseitige Anerkennung*, understood the State as *die absolute Sittlichkeit von unten* formed through the struggle for recognition.

Prof. Katsuragi focused on liberalism and on the notion of free competition which would provoke discussion when the law is taken as a means of social control. Calling attention to Hobbes, who took struggle as man's natural state, and to Hume, who claimed that spontaneous order is born from convention, he reconsidered the task of law.

Prof. Inoue reexamined the social contract theory constructed by the natural state model and the contract model by analyzing their relationship and function.

For further details, see *Hōtetsugaku Nenpō* (The annual of Legal Philosophy), 1983, Tokyo.

By Prof. TOKUJI SATO  
NORIIKO TANAKA  
NARUMI HASEGAWA

## 8. International Law

In 1983, the Japanese Association of International Law held its Spring and Fall Congresses in Tokyo and Kyoto respectively with the following agenda:

## SPRING CONGRESS

May 15 at Meiji Gakuin University

Part One, chaired by Shigeki Miyazaki (Professor, Meiji University):

(1) Convergence of International Protection of Human Rights and Japanese Constitution, by Yasuaki Onuma (Associate Professor, Tokyo University).

(2) Contemporary Legal Problems of Refugee Protection, by Atsuhiko Kubo (Professor, Kanagawa University).

Part Two, chaired by Masaru Nishi (Professor, Kobe University):

(1) The International Law of Development and the Status of Developing Countries, by Ryuichi Ida (Associate Professor, Okayama University).

(2) The Application of Foreign Public Law, by Jun Yokoyama (Associate Professor, Dokkyo University).

## FALL CONGRESS

October 15 and 16, at Ritsumeikan University

Part One: The Theories of Grotius and Their Present-day Significance.

“Hugo Grotius — Personality and Theories —”, chaired by Hideo Takabayashi (Professor, Kyushu University):

(1) The Historical Background of Grotius’ Theories, by Kiyoshi Matsukuma (Professor, Yahata University).

(2) The Present State of International Law and Thoughts of Grotius, by Shigeyoshi Ozaki (Professor, Niigata University).

“Basic Concepts of Grotius’ International Law and Their Influences”, chaired by Soji Yamamoto (Professor, Tohoku University):

(1) *Pactum*, by Makoto Kimura (Lecturer, Saitama University of Medicine).

(2) War and *Jus Gentium*, by Naoya Kasai (Associate Professor, Tokyo University of Technology).

(3) *Imperium* and *Dominium*, by Tadashi Tanaka (Associate Professor, Daito Bunka University).

Part Two: Basic Problems of Nationality Law, chaired by Yoshiro Hayata (Professor, Toyo University).

(1) Equality of the Sexes in Nationality Law, by Akitaka Kaku (Professor, Fukuoka University).

(2) The Principle of a Single Nationality Reconsidered, by Kentaro Serita (Professor, Kobe University).

Part Three: Law and Politics in the Falkland (Malvinas) Islands Dispute, chaired by Satomi Hatano (Professor, Gaku-shuin University).

(1) Aspects of a Territorial Dispute, by Nisuke Ando (Professor, Kobe University).

(2) Process of Settlement of the Dispute, by Takekazu Kawamura (Chief, Law Department, Treaty Bureau, Ministry of Foreign Affairs).

(3) Its Significance in International Politics, by Masataka Kosaka (Professor, Kyoto University).

By Prof. TOKUSHIRO OHATA  
TADASHI IMAI

## 9. Comparative Law

1. The 46th Congress of the *Japan Society of Comparative Law* was held at Chuo University, Tokyo, on May 15 and 16, 1983.

### [First Day]

SYMPOSIUM: Comparative Legal Studies on "Planning and the Law in Metropolitan Areas."

1. Introductory Remarks: Topic and Problems of the Symposium, by Eiji Shimoyama (Professor, Tokyo Metropolitan University).

Although planning has been considered more as a matter of "policy" than as one of "law" in Japan, a legal character is