
ACTIVITIES OF ACADEMIC SOCIETIES

Jan. 1985 – Dec. 1986

1. Constitutional and Administrative Law

[Activities in 1985]

1. *The Japan Association of Public Laws* held its general meeting at Ryukoku University on October 12 and 13. During the two-day annual meeting, the following reports were made:

Section 1: Reevaluation of Constitutional Cases

(1) Casual Thoughts about the Judgment, by Yoshitaka Watanabe (Professor, Toyo University).

(2) The Vicissitudes and Problems of Constitutional Case Law Doctrines, by Nobuyoshi Ashibe (Professor, Gakushuin University).

(3) Recent Tendencies of Court Decisions on Freedom of Expression, by Kazuhide Yamaguchi (Professor, Okayama University).

(4) Religious Liberty — A Case Study of Religious Liberty Decided by the Japanese Supreme Court, by Norikatsu Sasagawa (Professor, Hokusei Gakuen University).

(5) Lehre und Rechtsprechung in den Prozessen um das verfassungsrechtliche Recht auf menschenwürdiges Dasein, by Koji Tonami (Associate Professor, Tsukuba University).

(6) Judicial Decisions on Constitutional Law and Parliamentary Legislation, by Takeshi Kobayashi (Associate Professor, Nanzan University).

Section 2: Reevaluation of Administrative Law Cases

(1) The Development and Problems of Judicial Decisions in Administrative Law, by Naohiko Harada (Professor, Tokyo University).

(2) Rechtsprechung und Lehre auf dem Gebiet des öffentlichen Rechts, by Tsutomu Muroi (Professor, Nagoya University).

(3) Der Zugang zum Verwaltungsprozeß und seine Probleme, by Yoshiaki Akiyama (Professor, Otaru University of Commerce).

(4) Ermessenskontrolle, by Saburo Miyata (Professor, Chiba University).

(5) Die Staatshaftung in den Japanischen Urteilen seit 1947, by Ichiro Hokimoto (Professor, Kokugakuin University).

(6) The Suit under §242.2 of the Local Government Act (*Jumin Sosho*) and the Court, by Yayoi Isono (Associate Professor, Tokyo University of Economics).

2. The All-Japan Constitution Study Association held its spring meeting at Meiji University on May 12 under the unified theme of "The Protection of the Constitution of Japan and Studies of Constitutional Law — Analysis of the Actual Situation." There were the following reports:

(1) The Constitution of Japan and the U.S.-Japan Security Treaty, by Masayasu Hasegawa (Professor, Nagoya University).

(2) The Ruling Structure in Japan and the State of the Constitution, by Naoki Kobayashi (Professor, Senshu University).

(3) The System of Judicial Review and the Securing of Human Rights, by Shiro Okubo (Professor, Ritsumeikan Univer-

sity).

The autumn meeting of the Association was held at Ritsumeikan University on October 11 under the theme of "The Protection of the Constitution of Japan and Studies of Constitutional Law — Constitutional Theories in Postwar Japan." There were the following reports:

(1) Constitutional Theories in Postwar Japan and the All-Japan Constitution Study Association, by Hideo Wada (Professor, Meiji University).

(2) Pacifism and Constitutional Theories in Postwar Japan, by Toshihiro Yamauchi (Professor, Dokkyo University).

(3) Theories on Constitutional Litigation and Theories on Human Rights, by Noriho Urabe (Professor, Kobe University).

3. *The Society for the Study of Constitutional Theory* held its annual meeting at Senshu University on May 13 under the theme of "Constitutional Theories and Constitutional History at the Time of the Meiji Constitution." There were the following reports:

(1) Fascism in Japan and Constitutional Theories of "*Kokutai*" (the Fundamental Character of the State), by Seikichi Hariu (Professor, Tokyo Metropolitan University).

(2) Belief in the "Written Constitution" in the Constitutional Theory of Tatsukichi Minobe, by Takashi Ebashi (Professor, Hosei University).

(3) Marxist Theories of the Constitution and Their Circumstances, by Hideki Mori (Professor, Nagoya University).

4. *The Law Section of the Association of Democratic Scientists* held its general meeting at Ritsumeikan University on October 14 and 15 under the unified theme of "Justice and Democratic Legal Theories." There were the following two reports by scholars of the Constitution:

(1) The Present Situation of the Judiciary and the "Right of Access to Courts of Law," by Sadao Morone (Associate Professor, Ehime University).

(2) Current Trends in Constitutional Litigation, by Takeshi Kobayashi (Associate Professor, Nanzan University).

[Activities in 1986]

1. *The Japan Association of Public Laws* held its general meeting at Tohoku University on October 11 and 12. There were the following reports:

Section 1: Cabinet in Contemporary Constitution

(1) Constitution and Executive Power, by Go Nakagawa (Professor, Hiroshima University).

(2) The Development of the Cabinet of Japan, by Yasuro Kikui (Professor, Sophia University).

(3) Some Interpretative Problems of Constitutional Rules on the Cabinet, by Takeru Imai (Professor, Seinan Gakuin University).

(4) The Functions of the British Cabinet, by Shigeo Okochi (Associate Professor, Sophia University).

(5) Die Bundesregierung und der Bundeskanzler in der Bundesrepublik Deutschland, by Nozomu Shimizu (Professor, Waseda University).

(6) Le régime présidentiel et le gouvernement en France, by Ryoji Watanabe (Professor, Kansei Gakuin University).

Section 2: Methods Used by Contemporary Administration

(1) Administrative Means (*Gyosei-Shuho*) Used in Contemporary Public Administration, by Tsuyoshi Kotaka (Professor, Osaka Municipal University).

(2) Policy Making and Statistical Survey — Legal Problems, by Tsuneo Suzuki (Associate Professor, Chiba University).

(3) Planning and Policy-Realization — In Case of Waste Disposal Administration, by Katsumi Yorimoto (Professor, Waseda University).

(4) Some Problems of “Efficient Utilization of Vitality of Private Sector (*Minkatsu*),” by Kazuho Hareyama (Associate Professor, Fukushima University).

(5) Förderungsmittel der Verwaltung, by Junichiro Fujiwara

(Associate Professor, Keio Gijuku University).

(6) *Instrumente zum effektiven Vollzug*, by Hikaru Takagi (Associate Professor, Kobe University).

2. *The All-Japan Constitution Study Association* held its spring meeting at the Hall for Officials of Ishikawa Prefecture on May 9 under the theme "Reorganization of the Political System and the Constitution." There were the following reports:

(1) *Social Changes and the Legal Culture*, by Masaaki Ikeda (Professor, Rikkyo University).

(2) *The Actual Circumstances and the Principle of Law Concerning the Collective Right to Self-Defense*, by Yutaka Kubota (Associate Professor, Tokyo Agricultural and Industrial University).

(3) *Foreign Relations and Human Rights in the Age of the Internationalization*, by Yoshio Hagino (Professor, Nanzan University).

(4) 1986 — *An Inquiry from the Viewpoint of the Constitutional Theory*, by Yoichi Higuchi (Professor, Tokyo University).

The autumn meeting of the Association was held at Tohoku Gakuin University on October 10 under the theme "1980's — Structure of the Government and the State of the Study of the Constitution." There were the following reports:

(1) *Parliament and Cabinet in 1980's*, by Yoshiaki Yoshida (Professor, Meiji University).

(2) *Recent Development in the Judiciary and the Constitutional Theory*, by Shigenori Matsui (Associate Professor, Osaka University).

(3) *Pathos and Logos in the Movement to Defend Constitutional Law*, by Katsutoshi Takami (Professor, Kyushu University).

3. *The Society for the Study of the Constitutional Theory* held its annual meeting at the Cultural Hall of Kanazawa City on May 13 under the theme "Circumstances Surrounding Pacifism." There were the following reports:

(1) To Escape from the Tendency toward Expansion in Armaments, by Suguru Takemura (Student, Master's Program, Waseda University).

(2) Pacifism in the Constitution and "Civil Defense," by Asaho Mizushima (Associate Professor, Sapporo Gakuin University).

(3) The State of Peace Consciousness and Its Possibilities, by Atsushi Furukawa (Professor, Tokyo University of Economics).

4. *The Law Section of the Association of Democratic Scientists* held its general meeting at Meiji University on October 8 and 9 under the unified theme "Comparative Studies on the Present Situations of the Judiciary." There were the following three reports by scholars of the Constitution:

(1) A Perspective for the Judicial Performance in Japan, by Yutaka Kubota (Associate Professor, Tokyo Agricultural and Industrial University).

(2) Political Functions of the Constitutional Court (*Verfassungsgericht*) in the Federal Republic of Germany (BRD), by Hideki Nagata (Associate Professor, Oita University).

(3) "Constitutional Justice" in France, by Yoshihide Kitagawa (Associate Professor, Yokohama National University).

By Prof. HIDE TAKE SATO
KIYONOBU MIYAI

2. Law of Property and Obligations

1. The 1985 general meeting of *the Japan Association of Private Law* was held at Kansei Gakuin University on Oct. 12 and 13 with the following agenda:

The First Day: Reports