

(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

— The First Committee —

(1) The Duty of Loyalty of Directors in Transactions between Corporations Having Common Directors, by Taiji Sunada (Lecturer, Fukuoka University).

(2) Vertrag zwischen der Gesellschaft und ihrem Vorstandsmitglied in Frankreich, by Utako Tamura (Associate Professor, Kagawa University).

(3) The Liberalization of the Number of Shareholders' Voting Rights, by Kenichi Koyama (Professor, Iwate University).

(4) An Attempt to Re-constitute the Securities Exchange Law as "a Market Law", by Tatsuo Uemura (Associate Professor, Senshu University).

— The Second Committee —

(1) The Concept of "*Defect*" in Products Liability Theory, by Yukihiro Asami (Lecturer, Fukuoka University).

(2) Reflections on the Tort of Inducing Breach of Contract ("*Forderungsverletzung*"), by Kunihiro Yoshida (Associate Professor, Hosei University).

(3) Psychiatric Malpractice Actions in America, by Hiroyuki Iizuka (Associate Professor, Otaru University of Commerce).

(4) Fürsorgepflicht und Schutzpflicht — im Vergleich mit Deutschem Recht, by Kenzo Miyamoto (Lecturer, Meiji Gakuin University).

(5) L'action paulienne et la renonciation à une succession, by Toshiyuki Oshima (Lecturer, Osaka Prefectural University).

— The Third Committee —

(1) A Note on Conveyances under the Recording System in the United States, by Hiroshi Narita (Lecturer, Tohoku Gakuin University).

(2) Die Grundprobleme über AGB und ihrer richterlichen Kontrolle, by Shoji Kawakami (Associate Professor, Chiba University).

(3) Enforceability of Promises and the Measure of Damages, by Takeshi Kinoshita (Professor, Rikkyo University).

(4) Über Struktur und Funktionen der Geschäftsführung ohne Auftrag, by Kenji Hirota (Associate Professor, Niigata University).

The Second Day

(Civil Law Section)

Symposium:

“Cancellation of Legal Relations and Unjust Enrichment”, chaired by Zentaro Kitagawa (Professor, Kyoto University) and Masamichi Okuda (Professor, Kyoto University).

Reports:

(1) Introduction, by Kikuo Ishida (Professor, Kobe University).

(2) Cancellation of Legal Relations in Unjust Enrichment, by Masanobu Kato (Professor, Nagoya University).

(3) Types of Unjust Enrichment, by Kiyomitsu Yoshimi (Professor, Hitotsubashi University).

(4) The Course of Cancellation of Legal Relations, by Masanobu Kato (Professor, Nagoya University).

(5) Cancellation in Nullity and Avoidance, by Tamotsu Isomura (Associate Professor, Kobe University).

(Commercial Law Section)

Symposium:

“UNCITRAL Draft Convention on International Bills of Exchange and International Promissory Notes”, chaired by Yoshiya Kawamata (Professor, Kyoto University).

Reports:

(1) Outline of the Draft of the Treaty and Its Application, by Yoshiya Kawamata (Professor, Kyoto University).

(2) Status of the Bill Holder to Be Protected, by Masahiro Yamashita (Associate Professor, Shimane University).

(3) Forging of the Bill in the Draft, by Hiroyuki Fukutaki (Professor, Kansai University).

(4) Retroaction, Payment, and Forfeiture of the Bill in the Draft, by Mitsumasa Tanabe (Professor, Kobe Gakuin University).

2. The 1986 general meeting of *the Japan Association of Private Law* was held at Meiji Gakuin University on Oct. 11 and 12 with the following agenda:

The First Day: Reports

— The First Committee —

(1) Über die Entwicklung der scharfen Trennung zwischen Sachenrecht und obligatorischem Recht in Deutschland, by Hidetake Akamatsu (Lecturer, Tokushima Liberal Arts and Science University).

(2) Une étude fondamentale sur la suppression des troubles de voisinage — Entrecroisement du “Negatorische Anspruch” et de la demande fondée sur la responsabilité délictuelle, by Tadashi Otsuka (Associate Professor, Gakushuin University).

(3) Protecting Sellers of Movables upon Buyer’s Bankruptcy, by Hiroto Doguchi (Lecturer, Tsukuba University).

(4) The Cession of an Obligation and the Set-Off, by Shigeo Kosugi (Associate Professor, Seinan Gakuin University).

(5) A Study of Water Reserving Land from the View of Private Law, by Mitsue Kobayashi (Professor, Ibaraki University).

— The Second Committee —

(1) Disclosure of Conflict between Director and Corporation, by Eiichi Yoshikawa (Professor, Hiroshima Shudo University).

(2) On Limited Liability of Shareholders — With Special Interest in Undercapitalization, by Kazuo Namiki (Lecturer, Keio Gijuku University).

(3) Special Interested Common Directors at Board Meetings, by Miwako Matsuyama (Associate Professor, Aichi University).

(4) La comparaison entre le droit japonais et le droit français, relative au principe juridique de la remise en cause de la personnalité juridique de la société commerciale fondée sur la

personnalité juridique de façade, by Akira Inoue (Professor, Seijo University).

(5) Excuse for Nonperformance Due to Unexpected Cost Increase to the Seller, by Hiroyuki Kubo (Lecturer, Kyoto Industrial University).

— The Third Committee —

(1) Über die Kriterien für die Inhaltskontrolle der Freizeichnungsklauseln, by Yutaka Yamamoto (Associate Professor, Sophia University).

(2) L'équivalence des prestations dans la conclusion du contrat, by Atsushi Tamura (Assistant, Tokyo University).

(3) The History of the Assignment of Chose in English Law, by Kiyoe Kado (Associate Professor, Toyama University).

The Second Day

(Civil Law Section)

Symposium:

“The Leasing Transaction and Legal Doctrine in Private Law”, chaired by Ichiro Kato (President, Seijo Gakuen University) and Toshio Tsubaki (Professor, Meiji University).

Reports:

(1) The Specific Character of the Leasing Contract, by Ichiro Kato (President, Seijo Gakuen University).

(2) Problems of Content in Leasing Contract, by Susumu Ito (Professor, Meiji University).

(3) Parties in Leasing Transactions, by Toshio Tsubaki (Professor, Meiji University).

(4) Concerning Mortgaging of Assets in Leasing Transactions, by Toshio Tsubaki (Professor, Meiji University).

(5) Bankruptcy and Leasing Contracts, by Makoto Ito (Professor, Hitotsubashi University).

(6) Positioning of the Leasing Contract, by Katsuro Kanzaki (Professor, Kobe University).

(7) Consumer Leasing, by Susumu Ito (Professor, Meiji Uni-

versity).

(8) Summarization, by Ichiro Kato (President, Seijo Gakuen University).

(Commercial Law Section)

Symposium:

“Draft Amendment of Company Law”, chaired by Akio Takeuchi (Professor, Tokyo University).

Reports:

(1) Establishment and Management Organization, by Hideki Kanda (Associate Professor, Gakushuin University).

(2) Share and Equity, by Shinsaku Iwahara (Associate Professor, Tokyo University).

(3) Account and Public Offering, by Hitoshi Maeda (Associate Professor, Gakushuin University).

(4) Merger, Reorganization, and Others, by Kenjiro Eko (Professor, Tokyo University).

By Prof. TERUAKI TAYAMA
NAOYA SUZUKI

3. Law of Civil Procedure and Bankruptcy

1. The 55th general meeting of *the Japanese Association of the Law of Civil Procedure* was held at Hokkaido University on June 30, 1985. The following reports were made on the respective subjects in the morning, and a symposium entitled “On Conciliation” was held in the afternoon:

[Reports]

(1) “A Comparative Study on the System of Discharge of the Bankrupt”, by Takashi Kurita (Associate Professor, Kansai Uni-