

## 10. Comparative Law

1. *Japan Society of Comparative Law* held its 52nd General Congress at Tokyo University on June 3 and 4, 1989.

### *[The First Day]*

#### 1. Anglo-American Law Division

##### Reports:

(1) Foundation of the Crown Prosecution Service in the United Kingdom, by Rikizo Uchida (Professor, Souka University).

(2) Conciliation in the United Kingdom, by Seiichi Isono (Professor Emeritus, Tokyo Teachers' College) and Satoshi Minamikata (Associate Professor, Ibaraki University).

(3) Human Rights of Aliens and Refugees in American Law, by Shigeo Miyagawa (Professor, Doshisha Women's University).

#### 2. Continental Law Division

##### Reports:

(1) "Astreinte" in French Law, by Shinobu Ohama (Lecturer, Otsuki Junior College).

(2) Vertragsauslegung und Parteiwille in BRD, by Nahoko Kano (Associate Professor, Tokyo Mercantile Marine College).

(3) Carl Schmitt and Modern Study of the West Germany Constitution, by Yasuyuki Watanabe (Associate Professor, Kanazawa University).

#### 3. Socialist Law Division

##### Reports:

(1) Reformation of Local Soviet Elections in the USSR, by Yoshinori Miyaji (Hiroshima Women's University).

(2) Legislation of Enterprises and Several Problems in the People's Republic of China, by Satoshi Kuniya (Japan-China Center of Economics and Law).

(3) Merger Law in Socialist Countries, by Teruji Suzuki (Professor, Kagawa University).

*[The Second Day]*

Symposium: Legal Responses to Mass Torts

(1) The United States, by Koichiro Fujikura (Professor, Tokyo University).

(2) The Federal Republic of Germany, by Yoshihisa Nomi (Professor, Tokyo University).

(3) France, by Takehisa Awaji (Professor, Rikkyo University).

(4) The Soviet Union, by Katsuya Ichihashi (Associate Professor, Nagoya University).

(5) Eastern Europe, by Hiroshi Oda (Associate Professor, Tokyo University).

(6) Japan, by Masanobu Kato (Professor, Nagoya University).

(7) Comments, by Zentaro Kitagawa (Professor, Kyoto University).

For further details, see *Hikakuhō Kenkyū* (Comparative Law Journal) No. 51, 1989, Tokyo.

2. *The Japanese American Society for Legal Studies* held its 26th General Congress at Tokyo University on June 5, 1989.

1. Reports:

(1) Certiorari in the Courts of the United States — The Meaning of Certiorari, by Masako Kamiya (Associate Professor, Hokkaido University).

(2) Recent Trends Concerning the Affirmative Action in the Federal Supreme Court of the United States, by Hiromi Nishimura (Professor, Osaka Prefectural University).

2. Lectures:

(1) The 25 Years' Course of the Japanese American Society for Legal Studies, by Hideo Tanaka (Professor, Seikei University).

(2) The Most Notable Achievement of American Law: the 200th Anniversary of the American Constitution by Sanford H. Kadish (Professor of Law, Former Dean, University of California, Berkeley).

3. Study Meeting — Case Study:

The First Division

(1) *Patricia E. Brophy v. New England Sinai Hospital, Inc.*,

497 N.E.2d 626 (1986), by Katsunori Kai (Associate Professor, Maritime Safety Academy).

(2) *Morrison v. Olson*, 108 S.Ct. 2597 (1988), by Makoto Yokofujita (Fellow, Hiroshima University).

The Second Division

(1) *Clark v. Jeter*, 108 S.Ct. 1910 (1988), by Taeko Miki (Professor, Waseda University).

(2) *Gulfstream Aerospace Corp. v. Mayacamas Corp.*, 108 S.Ct. 1133 (1988), by Kichimoto Asaka (Lecturer, Tokyo University).

The Society also held its 40th Study Meeting at Tokyo University on November 25, 1989.

Case Study:

(1) *Steinberg v. Amplica, Inc.*, 729 P. 2d 683 (1986), by Koji Kondo (Professor, Hokkaido University).

(2) *Urland v. Merrell — Dow Pharmaceuticals, Inc.*, 822 F. 2d 1268 (1987); *Vispiano v. Ashland Chemical Co.*, 527 A. 2d 66 (1987), by Makitaro Hotta (Professor, Ritsumeikan University).

(3) *Windmere, Inc. v. Int'l Insurance Co.*, 522 A. 2d 405 (1987), by Hideyuki Kobayashi (Professor, Sophia University).

The Society also held its 41st Study Meeting at Osaka Municipal University on December 2, 1989.

Case Study:

The First Division

(1) *Gay Rights Coalition v. Georgetown Univ.*, 536 A. 2d 1 (1987), by Koji Aoki (Professor, Kochi University).

(2) *United Paperworkers Int'l Union v. Misco, Inc.*, 108 S. Ct. 364 (1987), by Noriaki Kojima (Associate Professor, Toyama University).

The Second Division

(1) *Fazzolari v. Portland School Dist.*, 734 P. 2d 1326 (1987), by Atsushi Kinami (Associate Professor, Kyoto University).

(2) *In the matter of Jobes*, 108 N.J. 394, 529 A. 2d 434 (1987); *In the matter of Farrell*, 108 N.J. 335, 529 A. 2d 404 (1987), by Hiroyuki Takai (Lecturer, Kyoto Sangyo University).

(3) *Taylor v. Ledbetter*, 818 F. 2d 791 (1987), by Fumio Tokotani (Associate Professor, Osaka University).

For further details, see [1989] *America Hō* (American Law Journal), 1989—1990, Tokyo.

3. *Japanisch-Deutsche Gesellschaft für Rechtswissenschaft* held its 1989 General Congress at Deutsches Kulturzentrum in Tokyo on October 3, 1989. Michael Streiß (Professor, Universität Frankfurt) gave a lecture on “Trends of Dogma in Administrative Law in times of Industrialization”.

For further details, see *Nichi-Doku Hōgaku* (Jahrbuch der Japanisch-Deutschen Gesellschaft für Rechtswissenschaft), No. 14, Tokyo.

4. *La Société franco-japonaise de Science juridique* held its 29th General Meeting at Tokyo University on March 18, 1989. Naoki Kanayama (Associate Professor, Himeji Dokkyo University) gave a lecture on “19th Century Civil Law Theory and Natural Law — In Relation to Prescription Theory”, and Ryuichi Ida (Professor, Kyoto University) gave a lecture on “‘The International Law of Development’ Theory — Some Ideas of International Law Theory in France”.

For further details, see *Nichi-Futsu Hōgaku* (Franco-Japanese Law Journal) No. 17, 1990, Tokyo.

5. *The Japan Association of EC Studies* held its 10th Annual Conference at Ritsumeikan University on November 11 and 12, 1989. Unified Theme: The Community’s Market Integration in 1992 and Japan.

### *[The First Day]*

(1) Technical Barriers in the EC’s Internal Market, by Norio Komuro (Professor, National Defence Academy).

(2) Recent Precedents of the EC Court on the Equal Treatment for Men and Women, by Tsuyoshi Ogi (Associate Professor, Takushoku University).

(3) The Euro-Japanese Perception Gap Surrounding Project 1992, by Margarete Sawada (Yachiyo International University).

(4) The European Community: the Political Significance and Tasks in Completing the Internal Market, by Takehiko Kamo (Professor, Tokyo University).

Special Lecture: The Prospects for Europe — 1992 and After, by Emile Noel (President, Europe University).

*[The Second Day]*

(1) The Changes in the EC's Trade Structures as an Indicator of the Industrial Competitiveness of the EC, by Tatsuo Kuroiwa (International Economy Institute).

(2) The Community's Market Integration in 1992 and Japanese Direct Investment in Europe, by Masumi Hakogi (Professor, Fukushima University).

(3) The European Community's Internal Market and Japan's Response, by Ali M. El-Agraa (Fukushima University).

For further details, see *Nippon EC Gakkai Nempō* (Annual of EC Studies in Japan), No. 10, 1990, Tokyo.

6. *The Japanese Association of Socialist Law Study* held its 2nd Study Meeting at Tokyo University on June 2, 1989.

Symposium: Enterprises and Law in Modern Socialism.

(1) Introduction, by Taiichiro Oe (Professor, Shizuoka University).

(2) The Present Stage of Union Labor Law in Yugoslavia, by Yoshiyuki Amiya (Professor, Kagoshima Prefectural Junior College).

(3) The Enterprise seen from the Viewpoint of the Dispute of Civil Law and Economic Law in the People's Republic of China, by Masaru Suzuki (Assistant, Hokkaido University).

(4) The Local Soviet and the Enterprise in the Soviet Union, by Shigeru Kodama (Lecturer, Mie University).

(5) Theoretical Problems of Enterprise Law in East European Countries, by Hiroshi Shimamura (Lecturer, Meiji University).

(6) The Standpoint of the Specialist in Enterprise Law, by Hiroyuki Ikeshima (Professor, Waseda University).

The Association also held the following Study Meetings in 1989: January Sharia Court in Dagestan, by Suekichi Kosugi (Profes-

sor, Chuo University).

March Pursuit of the Socialist Constitution, by Hiromichi Hayakawa (Professor, Waseda University).

May The Formation and Structure of the Principle of Education Law in the Early Stages of the Soviet, by Hiroshi Sasanuma (LL.M., Waseda University).

June Martial Law in the People's Republic of China, by Kojiro Nishimura (Professor, Osaka University).

July Perestroika and the Lawyer System in the Soviet Union — Organization of the Soviet Lawyers' Union, by Kazutaka Sugiura (Professor, Osaka University of Economics and Law).

September Strike Law in the Soviet Union, by Yoshiyuki Amiya (Professor, Kagoshima Prefectural Junior College).

October The 1979 Cuban Criminal Law, by Minoru Yoshida (Lecturer, Waseda University).

December The Present and Future of Socialist Law, by Valeri Mikhailovitch Savitsky (Professor of Institute of State and Law, Academy of Sciences, U.S.S.R.).

For further details, see *Shakai Shugi Hō Kenkyū* (Report of Japanese Association of Socialist Law Study), No. 11, 1990, Tokyo.

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