

J. T. Chen (Taiwan National University, Taiwan)

P. Woodland (Council of EC)

[Session 4]: “Dispute Resolution Systems and Legal Culture”

Chairmen: M. Cappelletti (European University, Italy)

Y. Taniguchi (Kyoto University, Japan)

Main Reports:

M. Rosenberg (Columbia University, U.S.A.)

G. Bergholtz (Lund University, Sweden)

T. Kojima (Chuo University, Japan)

National Reports from:

S. H. Song (Seoul National University, Korea)

F. Carpi (University di Bologna, Italy)

P. Gilles (University Frankfurt a.M., Germany)

P. Stein (Cambridge University, U.K.)

V. Vindelöv (University Copenhagen, Denmark)

E. Blankenburg (Vrije University, Netherlands)

Prof. TETSUO KATO

KEN YAMAMOTO

TAKASHI KONDO

5. Criminal Law and Procedure

The Criminal Law Society of Japan held its 70th General Meeting at Dokkyo University on May 16 and 17, 1992. The titles of the reports and the reporters are as follows:

1. Reports of Individual Studies

(1) Anencephalic Infants as Organ Donors and Problems in Criminal Law, by Kazuyoshi Oshima (Professor, Iwate University).

(2) The Function of the Culpability Principle in Criminal Law—From the Vantage Point of the Functional System Theory, by Hiromi

Tsuzuki (Professor, Tokyo Denki University).

(3) On “Weber’s *dolus generalis*”, by Rikizo Kuzuhara (Lecturer, Kansai University).

(4) “Tatherrschaftstheorie” towards the Problems in the Theory of Principal/Complicity, by Masahiro Hashimoto (Associate Professor, Hitotsubashi University).

(5) The Current Situation and Problems of “Duty Attorney System,” by Hideo Niwayama (Professor, Senshu University).

(6) Findings of Fact and the Jury System, by Satoshi Okubo (Associate Professor, Tikushi Women’s College).

(7) Alternative Findings in Criminal Procedure, by Yutaka Osawa (Associate Professor, Nagoya University).

(8) On the Theory of Constitutional Condition of Prosecution, by Yoshihiro Terasaki (Associate Professor, Yamagata University).

2. *Reports of Joint Studies*

(1) Problems of the Concept of Danger in Criminal Law.

* Introduction, by Takehiko Sone (Professor, Waseda University).

* Causation and the Concept of Danger, by Yoichi Hayashi (Associate Professor, Chiba University).

* Criminal Negligence and the Concept of Danger, by Hiroshi Otsuka (Associate Professor, Maritime Safety University).

* Criminal Attempt and the Concept of Danger, by Masao Okumura (Associate Professor, Tokushima Bunri University).

* Complicity and the Concept of Danger, by Norio Takahashi (Associate Professor, Toyo University).

* Criminal Danger and the Concept of Danger, by Ken Matsuike (Associate Professor, Maritime Safety University).

(2) The Comprehensive Study of the Juvenile Justice

* Introduction, by Ikuzo Maeno (Professor, Kansei Gakuin University) and Toshikuni Murai (Professor, Hitotsubashi University).

* The Structure of Hearings and Due Process of Law, by Toyoji Saito (Professor, Konan University), Hideo Kajita (Judge, Osaka Family Court), and Akitoshi Nishigaki (Attorney).

- * Practical Guidelines for Juvenile Cases, by Akira Hattori (Associate Professor, Aichi Gakuin University).
- * Challenge to Judges in the Juvenile Courts, by Akimasa Takada (Professor, Osaka Municipal University).
- * Access to Juvenile Records, by Tadahiro Maeda (Associate Professor, Ehime University).
- * Care for Juveniles, by Masato Noda (Associate Professor, Hanazono University).

3. *Workshops*

Participants in the Meeting actively took part in discussions on following ten themes:

(1) The Theory of Mistake; (2) Criminal Negligence; (3) The Realization of Due Process of Law in Investigation; (4) Pre-sentencing Detention; (5) The Function of Counts; (6) Boryokudan-Narcotic; (7) Foreign Criminals and the Justice System in Japan; (8) The Jury System; (9) Punishment of Juristic Persons; (10) Criminal Adjudication and the Mass Media.

Prof. MINORU NOMURA
FUJIIHIKO KATSUMATA

6. **Commercial Law**

The Japan Association of Private Law held its 56th Congress at Waseda University on October 10 and 11, 1992. In the Commercial Law Division, a symposium entitled, "Corporate Auditing Systems" was held.

Discussions were held on the basis of reports made by Professor Toshio Sakamaki of Waseda University, Professor Masaatsu Takada of Kobe University, Professor Yasuichiro Kurasawa of Keio Gijuku University, Professor Takayasu Okushima of Waseda University and