

(2) Staatliche Parteienfinanzierung und Verfassung, by Hideki Nagata (Professor, Oita University).

(3) A Realignment of Party System and Representation without Civil Liberties, by Takashi Miwa (Professor, Saitama University).

***[The Autumn Meeting]***

(1) Modern Values and the Protection of the Japanese Constitution, by Masayuki Uchino (Professor, Tsukuba University).

(2) Proto and Current Theories of Constitutionalism in Japan, by Hideki Mori (Professor, Nagoya University).

(3) The Constitution of Japan under 1955 System, by Satoshi Kinoshita (Associate Professor, Kobe Gakuin University).

**Prof. KENJI URATA**  
**Assoc. Prof. (Aichi University of Education)**  
**SATOSHI KOTAKE**

## **2. Law of Property and Obligations**

1. *The Japan Association of Private Law* held its 58th General Meeting at St. Paul's University on October 9 and 10, 1994.

Symposium: Professional Liability, chaired by Takeshi Kawai (Professor, Teikyo University) and Umeji Nishijima (Professor, Hosei University).

(1) Problems, by Takeshi Kawai (Professor, Teikyo University).

(2) Comparative Law

America, by Masao Yanaga (Associate Professor, Tsukuba University).

Germany and France, by Michitaro Urakawa (Professor, Waseda University).

(3) The Current Situation in Japan, by Kaoru Kamata (Professor, Waseda University).

(4) Attorney Liability, by Hideyuki Kobayashi (Professor, Sophia University).

(5) Architect Liability, by Akio Morishima (Professor, Nagoya University).

(6) Theory and Proof of Professional Liability, by Sadamu Shitamori (President, Hosei University).

(7) Professional Liability Insurance, by Seiichi Ochiai (Professor, Tokyo University).

(8) Conclusion, by Umeji Nishijima (Professor, Hosei University).

### Workshop

(1) Der Mißbrauch der Vertretungsmacht, by Reiji Fukunaga (Associate Professor, Tokyo Gakugei University).

(2) Über die Bedeutung der Pfändung von §304 Abs.1, by Nagayuki Ikuma (Professor, Osaka City University).

(3) Zur Eheschließung als Rechtsgeschäft, by Yoshihiko Sato (Professor, Doshisha University).

Other individual reports delivered on the Law of Property and Obligations are listed below;

### Section 1

(1) Movement toward Market Economy and Improvement of Contract in China, by Tao Qu (Lecturer, Meijo University).

(2) Anfechtbarkeit von Haustürgeschäften und ähnlichen Geschäften, by Norio Tanaka (Associate Professor, Kagawa University).

(3) La Transmission de la Situation de Partie Contractuelle, by Masamichi Nozawa (Lecturer, St. Paul's University).

(4) Vertragsübernahme und Zustimmung der verleibenden Vertragspartei, insbesondere bei dem Übergang der Käuferstellung, by Makoto Okubo (Associate Professor, Morioka Junior College).

(5) Der Komplexe Langzeitvertrag, by Yasuhiro Hashimoto (Professor, Meiji Junior College).

(6) Die Anspruchskonkurrenz, by Kunihiro Okubo (Lecturer, Kobe Gakuin University).

## Section 2

(1) On an Apparent Agency as a Meta-norm, by Yoshimichi Tsuji (Professor, Hannan University).

(2) On Abuse of Agency, by Shuji Nakashima (Associate Professor, Tokai University).

(3) Une Étude sur les Rapports entre L'hypothèque et la Publicité Foncière, by Yoichi Imamura (Associate Professor, Okayama University).

(4) The Framework of Remedies for Breach of Contract, by Tatsunori Watanabe (Associate Professor, Otaru University of Commerce).

(5) La Faute de la Victime et L'indemnisation D'accident de la Circulation, by Akira Matsubara (Associate Professor, Takaoka College of Law).

(6) Der Schutz vermögensrechtlicher Interessen und der Schutz persönlicher in der Dogmatik vom zivilem Unrecht, by Hiroya Ushio (Associate Professor, Ryukoku University).

2. *The Japan Association of Land Law* held its 20th Anniversary International Symposium of Land Law Problems from October 29 to November 4 1994.

Theme 1: Protection of Land (Japan, Germany)

October 29 and 30, at Hakone Seiuinso.

Memorial Lecture

Kenichi Miyamoto (Professor, Ritsumeikan University).

Reports

(1) Legal Problem (1): Prevention; Compensation; Restitution, by Tetsu Ueki (Professor, Kansai University); W. Bückmann (Prof. Dr., Berlin Technische Universität).

(2) Legal Problem (2): Legislation; Policy, by Naoshi Otsuka (Professor, Gakushuin University).

(3) Relation to the Structure of the Japanese Economy, by Kazuhiro Ueda (Associate Professor, Kyoto University); A. Janicke (Prof. Dr., Berlin Freie Universität).

(4) Reality of Pollution, by Norihiro Goto (National Institute

for Environmental Studies); I. Yamamoto (Second Research Manager, Sumitomo Marine Insurance Risk General Study Institute); A. Bechmann (Prof. Dr., Berlin Technische Universität).

(5) Preventive Environmental Assessment and Environmental Planning, by H. G. Barth (Prof. Dr., Hannover Universität).

(6) Conclusion, by Shoji Shinozuka (Professor, Waseda University); H. Jenkis (Prof. Dr., Dortmund Universität).

## Theme 2: Reality of Japanese Land Law

November 1, at Co-op Inn Kyoto.

### Memorial Lectures

Principle of Estate Agency Contracts, by Saburo Akashi (Former President, Kansai University).

The City Image of Kyoto in 1200 Years, by Senichi Koyama (Urban Planning Manager, Kyoto City).

### Reports

(1) Landlord and Tenant Act, by Motohiko Higashikawa (Japan Real Estate Institute).

(2) The Legal Structure of Undergrounds, by Hiromitsu Hiramatsu (Condemnation Committee of Tokyo District).

(3) Copyrights of Cadastral Maps etc., by Sensho Narisawa (Former President, Middle Real Estate Researchers Association).

(4) Citizens' Participation and Town Development, by Shohei Sakawa (Attorney).

## Theme 3: Perspectives of Agriculture in the 21st Century

November 2, at Co-op Inn Kyoto.

### Memorial Lecture

Jiro Iinuma (Honorary Professor, Kyoto University).

### Reports

(1) Japan: by Toshiyuki Miyazaki (Professor, Asahi University).

(2) Korea: by Whang Ju In (President of Korean Civil Law Association; Professor, Seoul University).

(3) Germany: by Friedlich Quadflieg (Direktor des Flurbehörde im Landwirtschaftsministerium).

(4) Russia: by Michael Marchenko (Vice President, Moscow

University).

Theme 4: Transfer Land to Public Domain or Privatize ? (Japan, England, China, Korea, Germany, France and Russia)

November 3, at Co-op Inn Kyoto

Memorial Lecture

Historical Study of Land Law and Land Ownership in Japan, by Ryoji Igeta (Professor, Doshisha University).

Reports

(1) Japan: (Modern) Limitation of Transferring Land to Public Domain, by Shoji Shinozuka (Professor, Waseda University).

(2) England: Historical Study of the Present State and Problem of Owning Great Quality of Land, by Michiatsu Kainou (Professor, Nagoya University).

(3) China: Does the Right to Use Translate to Ownership? by Chin (Assistant Manager, Shanghai Social Science School, Legal Institute).

(4) Korea: Success and Failure of Public Land Act, by Jung Kweon Sub (Chairman of Korean Land Law Association; Professor, Dong I University).

(5) Germany: The Process of Land Privatization in Former East Germany, by Friedrich Quadflieg (Direktor des Flurbehörde im Landwirtschaftsministerium).

(6) France: The Success and Failure of Land Law Amendment in the 1970s, by Natacha Aveline (Centre National de la Recherche Scientifique).

(7) Russia: New Constitution Promulgated in December 1993 and Land Ownership, by Michael Malchenko (Vice President, Moscow University).

(8) Conclusion, by H. Yekins (Prof. Dr., Dortmund Universität); Shoji Shinozuka (Professor, Waseda University); Takeo Honjo (Professor, Meijo University).

Theme 5: Land Reclamation and Fishery Compensation (Japan and Korea)

November 4, at Melpalc Hiroshima

(1) From the View of the Korean Civil Code, by Kim Yung Uk (Professor, Law Department of Pusan University).

(2) From the View of Korean Appraisal Theory and so on, by Lee Sun Yung (Appraiser).

(3) From the View of Japanese Administrative Law, by Takenori Murakami (Professor, Osaka University).

(4) From the View of the Japanese Civil Code, by Katsuki Ishigai (Professor, Hiroshima Shudo University).

**Prof. KATSUICHI UCHIDA**  
**YASUO OKADA**

### **3. Family Law**

The 11th National Conference of *the Socio-Legal Studies on Family Issues* was held at Kansai University in Osaka on November 12, 1994.

Theme: Will; On Analysis of Facts

Presentation of Problems, by Tadahiko Kuki (Professor, Osaka University).

Reports

(1) Intestate Succession and Testate Succession, by Shoji Ito (Professor, Kyushu University).

(2) Formality of Will, by Tadaki Matsukawa (Mie University).

(3) Actual Circumstances of Will

i) Notary Will, by Tomiro Nakagawa (Notary Public).

ii) Holographic Will, by Yaeko Oda (Judge, Osaka Family Court).

iii) Testamentary Trust, by Yoshihiro Amano (Sumitomo Trust Company).

(4) Execution of Will, by Yoko Kishimoto (Attorney at Law).

(5) Will, Legally Secured Portions, and Partition of Estate, by Takeo Ukon (Professor, Osaka Prefecture University)