

Boundary, by Shintaro Hayashi (Associate Professor, Tohoku Gakuin University).

(9) Small Claims Court System and Installment · Moratorium Judgment System of Scotland, by Satoshi Miyagawa (Associate Professor, Setsunan University).

(10) Trends in Corporate Reorganization Cases and the Practical Uses of Corporate Reorganization Procedure, by Takuya Miyama (Judge, Tokyo District Court).

[Symposium]

Theme: Problems of Shareholders' Derivative Actions under Procedural Law

(1) The Aims of the System and the Present State of Shareholders' Derivative Actions, by Hiromasa Nakajima (Professor, Tokyo Metropolitan University).

(2) The Position of the Shareholder Plaintiff in a Shareholders' Derivative Action, by Hiroshige Takata (Professor, Kobe University).

(3) The Position of the Corporation in a Shareholders' Derivative Action, by Kazuyuki Tokuda (Professor, Nagoya University).

Prof. TETSUO KATO
Assist. JUNKO SHIBATA

5. Criminal Law and Procedure

The Criminal Law Society of Japan held its 73rd General Meeting at Kansai University on June 3 and 4, 1995. The topics of the General Meeting are outlined as follows:

1. Reports of Individual Studies

(1) The Modern Significance of the Principle of Prohibition of *Ex Post Facto* Law, by Koichi Kawaguchi (Associate Professor, Nara Industrial University).

(2) The Structure of Legally Protected Interests of Society, by Shinya Umezaki (Lecturer, Kurume University).

(3) Criminal Liability of Corporations in France, by Tetsuro Kawamoto (Associate Professor, Kyoto Gakuen University).

(4) The Establishment of the Crown Prosecution Service and the Private Prosecution System, by Masaki Koyama (Professor, Seinan Gakuin University).

(5) Reassessment concerning the Perspective of the Preliminary Examination — Investigation from the Viewpoint of Evidentiary Rules, by Hisao Takauchi (Lecturer, Hakuho University).

2. Special Report

Rewriting the Penal Code in Modern and Plain Language, by Mitsuhiro Aso (Ministry of Justice).

3. Reports of the International Congress

(1) The Fifteenth International Congress of Penal Law, by Tokuo Kogure (Professor, Chiba University).

(2) The Ninth United Nations Congress on the Prevention of Crimes and the Treatment of Offenders, by Saku Machino (Professor, Sophia University).

4. Reports of Joint Studies

(1) Self-Defense and Excessive Self-Defense — The Rationale, Requirement and Boundary

- * Introduction, by Hiroshi Kawabata (Professor, Meiji University).

- * The Rationale Based on the Principle of Lesser Evils and the Socioethical Restriction, by Teruyuki Yamamoto (Associate Professor, Teikyo University).

- * The Rationale Based on the Principle of “*Rechtsbewährung*” and the Legal Nature of Self-Defense or Excessive Self-Defense, by Shinji Saito (Professor, Chuo University).

- * The Rationale in the Anglo-American Criminal Law and the Intent of Self-Defense, Mitsue Kimura (Professor, Tokyo Metropolitan University).

- * The Theory of the Requirements Mainly Found in the Precedents of the Supreme Court and the Limitation on Excessive Self-Defense, by Humio Yasuhiro (Judge, Tokyo District Court).
- (2) Arrest and Detention of Suspects — Present and Future
 - * Introduction, by Osamu Watanabe (Professor, Kobe Gakuin University).
 - * Problems Related to the Practice of Arrest and Detention, by Sadato Goto (Attorney).
 - * Arrest and Detention; “Inequality in Information Gathering”, by Shuichi Takami (Attorney).
 - * Arrest, Detention and Guarantee of the Accused’s Right to Defend Him/Herself — A Theoretical Study, by Itaru Fukushima (Professor, Ryukoku University).
- (3) Victims of Crime and Criminal Justice
 - * Introduction, by Koichi Miyazawa (Professor, Keio Gijuku University).
 - * Criminal Procedure and Protection of Victims, by Takayuki Shiibashi (Professor, Chuo University).
 - * Criminal Procedure and Participation of Victims, by Morikazu Taguchi (Professor, Waseda University).
 - * Criminal Justice and Out-of-Court Settlement, by Toshio Yoshida (Professor, Hokkai Gakuen University).
 - * Objectives of the Criminal Justice System, by Norio Takahashi (Professor, Toyo University).

5. Workshops

The participants at the meeting divided into the following nine theme groups and discussed each problem actively. The themes and the organizers of these groups are as follows:

- (1) The Significance and Method of Historical Study in Criminal Law, organized by Hirofumi Uchida (Professor, Kyushu University).
- (2) Criminal Liability of Corporations, organized by Kensuke Ito (Professor, Nagoya University).
- (3) *Actio Libera in Causa*, organized by Kenji Ueda (Professor,

Doshisha University).

(4) Theories and Practices in Sentencing, organized by Kazuhiko Tokoro (Professor, St. Paul's University).

(5) Political Corruption and Criminal Law, organized by Katsuyoshi Ikuta (Professor, Ritsumeikan University).

(6) Several Questions about Prosecution, organized by Mitsuru Shinokura (Associate Professor, Kumamoto University).

(7) Reopening of the Proceedings and the Structural Analysis of Evidence, organized by Akimasa Takada (Professor, Osaka City University).

(8) Juvenile Court Procedure, organized by Nobuyoshi Araki (Professor, St. Paul's University).

(9) Foreign Criminals, organized by Tetsuo Nawa (Professor, Shizuoka University).

Prof. MINORU NOMURA

Lect. (Meiji Gakuin University)

FUJIIHIKO KATSUMATA

6. Labor Law

The Japan Labor Law Association held its General Meeting on May 14, 1995 (the 89th Meeting) on the topic "Legal Problems of Industrial Physicians in Japan", and on October 15, 1995 (the 90th Meeting) on the topic "Labor Law Problems concerning the Changes in the Japanese Employment System". The 89th Meeting was held at Hiroshima University, and the 90th Meeting at Rissho University. The reports and discussions of each of the meetings appeared in the *Journal of Labor Law*, Nos. 86 and 87.

1. The 89th Meeting: Legal Problems of the Industrial Physician

(1) Legal Problems of the Industrial Physician in Japan, by Kishio Hobara (Professor, Hokkaido University).