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# ACTIVITIES OF ACADEMIC SOCIETIES

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Jan. — Dec., 1996

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## 1. Constitutional and Administrative Law

1. *The Japan Association of Public Law* held its 61st General Meeting at Tokyo University on October 12 and 13, 1996. During the two-day meeting, the following presentations were made under the general topic, “Five Decades of the Constitution of Japan”.

*[The First Day]*

(1) Some Reflections on the Human Rights Theories in the Past Fifty Years, by Nobuyoshi Ashibe (Professor Emeritus, Tokyo University).

(2) Constitutional Theory and Constitutional Litigation, by Masami Ito (Professor Emeritus, Tokyo University).

(3) Five Decades of the Japanese Constitution and Its Constitutionalism, by Yasuo Sugihara (Professor, Surugadai University).

(4) Some Observations on the “General Theory of Human Rights”, by Yasuhiro Okudaira (Professor, International Christian University).

*[The Second Day]*

## Section 1: Pacifism

(1) Retrospect and Prospect of Pacifism during Fifty Years - "Light" and "Shade" of the Peace Constitution, by Atsushi Furukawa (Professor, Senshu University).

(2) Le pacifisme dans la communauté internationale, by Ichiro Urata (Professor, Hitotsubashi University).

(3) Rechtsstaat (Prinzip der gesetzmäßigen Verwaltung) und Wehrrechtswesen in Japan, by Tsukasa Kobari (Professor, Morioka Prefectural Junior College, Iwate).

## Section 2: Political System

(1) L'élection ou "la formation de la volonté générale par les citoyens", by Miyoko Tsujimura (Professor, Seijo University).

(2) The Diet: The Highest Decision-making and Government-Controlling Organ of State Power, by Nobuo Kochu (Professor, Kansai University).

(3) Cabinet and Administrative Organization under the Constitution of Japan, by Kaoru Inaba (Professor, Hosei University).

## Section 3: Judicial Control of Governmental Activities

(1) The Supreme Court and the Constitutional Court, by Hideyuki Ohsawa (Professor, Keio Gijuku University).

(2) Comment on Professor Ohsawa's Report, by Eiji Sasada (Professor, Kanazawa University).

(3) La protection des droits des administrés par le contentieux administratif, by Hiroyuki Oonuki (Associate Professor, Tohoku Gakuin University).

(4) Die Kommentare zum Bericht von Professor Oonuki, by Takeshi Hitomi (Associate Professor, Tokyo Metropolitan University).

## Section 4: Freedom of Mental Activities

(1) Freedom of Thought in Japan, by Tsunemasa Arikawa (Associate Professor, Tohoku University).

(2) Ein Rück- und Ausblick auf das Problem der Religionsfreiheit und der Trennung von Staat und Kirche in der Japanischen Verfassung, by Masanori Shiyake (Professor, Kyoto University).

(3) Five Decades of Theories on Freedom of Expression, by Masato Ichikawa (Professor, Ritsumeikan University).

Section 5: Economic Liberties

(1) Freedom of Business or Trade, by Jun'ichiro Fujiwara (Professor, Keio Gijuku University).

(2) The Economic Freedom and the Constitution, by Toshio Fujii (Professor, Chiba University).

(3) Essai sur la possibilité de clarifier les garanties supralégislatives du droit de propriété foncière, by Tadasu Watari (Professor, Kanazawa University).

(4) Raum und Eigentum -Bespprechung, by Kenji Ishikawa (Associate Professor, Tokyo Metropolitan University).

Section 6: Social Rights

(1) Realization of the Article Guaranteeing the Right to Live: Examination from the Angle of Administrative Law on Article 25 of the Constitution of Japan, by Shinji Yokoyama (Professor, Matsuyama University).

(2) Der verfassungsrechtlich verbürgte Anspruch auf sozio-kulturelles Existenzminimum, by Masako Maeda (Associate Professor, Osaka Prefectural University).

(3) Das Verwirklichungssystem des Arbeiterschutzes, by Yuzo Nakanishi (Professor, Chuo University).

(4) Theories on Constitutional Rights of Article 27 and Article 28, by Shiro Okubo (Professor, Ritsumeikan University).

2. *The Japan Association for the Studies of Constitutional Law* held its Spring Meeting at Osaka University of Economics and Law on May 11, 1996 and its Autumn Meeting at Sophia University on October 11, 1996 under the general theme: "The Japanese Constitution: Fifty Years of History and Problems". The following presentations were made:

*[The Spring Meeting]*

(1) Japanese Constitutional Thought in the Formulating Process of the 1947 Constitution, by Shoichi Koseki (Professor, Dokkyo University).

(2) Reexamination of the Peace Negotiations, by Narahiko Toyoshita (Professor, Kyoto University).

(3) How Did the Constitutional Law "Take Root" While "Losing Substance" during the High Economic Growth Period?, by Toru Nagaoka (Professor, Kansei Gakuin University).

(4) The Collapse of the Grand Theory and the Constitution, by Koichi Yokota (Professor, Kyushu University).

***[The Autumn Meeting]***

(1) Today's Phases of "Values" of the Modern Constitutionalism, by Mutsumi Shimizu (Professor, Chuo University).

(2) Post-War Constitutional Theories and Marxism in Japan, by Masataka Takemori (Professor, Tokyo Metropolitan Junior College).

(3) Zwischen Zwangstrieb zur Avantgardist und Austritt aus Legitimität, by Kenji Ishikawa (Associate Professor, Tokyo Metropolitan 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 60th General Meeting at Aoyama Gakuin University on October 12 and 13, 1996

**Symposium:** Unlawful Acts in Trade Relationships and Their Legal Treatment — from the Perspective of Institutional Concurrence. Chaired by Masamichi Okuda (Professor, Suzuka International University) and Masaaki Yasunaga (Professor, Kobe University).

(1) Introduction, by Masamichi Okuda.

(2) From the Theory of Concurrence of Claims to the Theory of Concurrence of Institutions, by Hiroto Dogauchi (Associate