

(1) The Social Welfare Perspective, by Miyoko Motozawa (Professor, Osaka Prefectural University);

(2) The Perspective of French Law, by Sadashi Yamawaki (Professor, Shizuoka University);

(3) The Perspective of French Law, by Teruaki Tayama (Professor, Waseda University);

(4) The Perspective of English Law, by Satoshi Minamikata (Professor, Niigata University);

(5) The Perspective of Chinese Law, by Mihoko Kato (Professor, Hakuho University);

(6) The Perspective of Family Court Practice and Notary Practice, by Yoshihiro Ikemura (Probation Officer, Tokyo Family Court) and Takeshi Ochiai (Asakusa Public Notary Office);

(7) Problems in Interpretation of the Law; by Masakazu Ueno (Professor, Okayama Commerce College);

Discussion, moderators: Nobuyoshi Toshitani, Taichi Kajimura (Judge, Tokyo Family Court)

4. Law of Civil Procedure and Bankruptcy

The 67th General Meeting of *the Japanese Association of the Law of Civil Procedure* was held at Keio University on May 31 and June 1, 1997. Six reporters presented papers on the first day, and a symposium was held on the second day.

On the first day, a lecture was also given by Prof. Geoffrey C. Hazard, Jr. from the University of Pennsylvania. It was financed by the B-fund established in 1995. Prof. Hazard is also Director of the American Law Institute. He has been working for the clarification and improvement of Law ever since he was teaching at Yale University, and has played a very active part in international organizations or international academic meetings. He is one of the most renowned jurists in today's world.

The theme of his lecture was "Harmonization of Procedural Law". The American Law Institute made the "Transnational Rules of Civil

Procedure” and has taken an increasing interest in the harmonization of procedural law. The restatements and model acts provided by the Institute greatly influence academic theories, judgments and legislation.

In Japan, it has been realized recently that participation in global formation of law and improvement of the process of reforming law are of urgent necessity. The lecture gave the audience useful suggestions of what law should be in the 21st century.

[Individual reports]

The titles of individual reports were:

(1) Limits to “Relaxed Burden of Proof” in Non-litigious Procedure, by Masahiro Takada (Professor, Waseda University)

(2) Reconsideration of the Way to Start Insolvent Proceedings for Business Corporations, by Shōichi Tagashira (Associate Professor, Okayama University)

(3) Examination of Substantive Rights in the Process of Execution, by Yoshihiro Wada (Associate Professor, Meiji Gakuin University)

(4) Function of Provisional Disposition and Examination of Preserved Right, by Masashi Hagiya (Associate Professor, Ryukoku University)

(5) Effect of Setting Parties based on Provisional Disposition by Executive Officers, by Tatsuhiko Hagiwara (Associate Professor, Chuo University)

(6) Experimentation in Disposing of People’s Disputes in Tokyo Summary Court, by Tomomi Wakō (Judge, Tokyo Summary Court)

[Symposium]

The title of the symposium was “Effect of Security Interest and Execution of Real Estate”. The coordinator was Aritoshi Fukunaga, Professor, Kobe University. The following six presentations were given:

(1) Theory and Reality of the Procedure of Compulsory Sale of Real Estate; Some Practical Problems of the Procedure as a System of Selling Collateral, by Toshimitsu Yamazaki (Judge, Tokyo District Court)

(2) Status of the Right of Retention in Compulsory Sale of Real Estate, by Tetsuo Katō (Professor, Waseda University)

(3) Re-construction of a Building and Statutory Superficies, by Nagayuki Ikuma (Professor, Osaka City University)

(4) Disposition of Over-burdened Real Estate by Extinguishing Security Interest and Protection of a Security Interest Holder, by Takashi Kurita (Professor, Kansai University)

(5) Effect of Hypothec, and Possession and Use of Collateral, by Hiroshi Yamamoto (Professor, Hosei University)

(6) Subrogation based on Hypothec, Focusing on Subrogation against Lessor's Future Right Claim, by Katsumi Yamamoto (Professor, Kyoto University)

Prof. TETSUO KATO
MAYUMI NISHIZAWA

5. Criminal Law and Procedure

The Criminal Law Society of Japan held its 75th General Meeting at Senshu University on May 24 and 25, 1997.

A summary of the topics presented at the General Meeting follows:

1. Report of Individual Studies

(1) Consciousness of Illegality, by Kaneko Takayama (Lecturer, Seijo University)

(2) "Organized Crime" and Complicity, by Hirofumi Shitara (Associate Professor, Nihon University)

(3) Adequacy for Self-defense Action, by Hisashi Hasida (Lecturer, Kyoto Sangyo University)

(4) About Materialization of the Principle of *nulla poena sine lege*, by Shigeru Hagiwara (Associate Professor, Aichi University)

(5) Certiorari and the Role of the Supreme Court, by Keiko Miyagi (Associate Professor, Seijo University)