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## Bibliography of Recently Published Japanese Law Books [Part 3]

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## Bibliography of Recently Published Japanese Law Books

Prepared and Annotated by Masao Fukushima, Librarian  
Attorney-General's Office Library  
Branch of the National Diet Library  
Tokyo

*(Continued from August issue)*

Odaka, Tomoo (Professor, Tokyo University) *Hō no kyūkyoku ni aru mono* (That which exists in the finality of the law). Tokyo Yuhikaku, 1948. Pp. 321. 270 yen.

CS-t-H, WaU-L

Ono, Seiichiro (Attorney, ex-professor, Tokyo University). *Keiji Hanrei* (Criminal cases). 6th ed. Tokyo Yuhikaku, 1949. Pp. 1290. 1000 yen.

A collection and classification of criminal law and procedure cases from 1892 to 1941. Convenient and authoritative.

IEN-L, WaU-L

————— *Keiho kōgi soron* (Lecture on the criminal law; general provisions). Tokyo Yuhikaku, 1948. Pp. 322. Detailed Provisions, 1949. Pp. 288. 300 yen.

The author is an advocate of the theory of objective-retaliation in the academic world of criminal jurisprudence. This is a systematic textbook on the ethical responsibility theory, and is authoritative.

MiU-L, WaU-L

————— *Shin keiji soshō* (New law of criminal procedure) Tokyo Hobunsha, 1948. Pp. 351. 380 yen.

WaU-L

Sayeki, Senzin (ex-professor, Kyoto University). *Keihō ni okeru kitaikanosei no shisō* (The thought of "Zumutbarkeit" [That which is expected] in the criminal law). Tokyo Yuhikaku, 1949. Pp. 628. 530 yen.

"Zumutbarkeit" is commonly accepted by Japanese criminal lawyers and by the courts since about 1933. The author here studies the theory in relation to legal history and comparative law. This is the best book on the theory

WaU-L

Sasaki, Soichu (Honorary professor, Kyoto University). *Nihonkoku kenpon* (On the Japanese constitutional law). Tokyo Yuhikaku, 1949. Pp. 540. 480 yen.

WaU-L

Takigawa, Koshin (Professor, Kyoto University) *Hanzai ron josetsu* (Outline of criminology) 1st ed. Tokyo Yūhikaku, 1947 Pp. 274. 280 yen.  
WaU-L

Taniguchi, Tomohei (Professor, Osaka University) *Futo ritoku no kenkyu* (Studies in unjust enrichment). Tokyo Yūhikaku, 1949 Pp. 593. 650 yen.  
Article 703 of Japanese civil code, "A person who without any legal ground derives a benefit from the property or services of another and thereby causes loss to the other is bound to return such benefit to that extent that it still exists," is thoroughly studied in this book from the standpoint of comparative jurisprudence.

WaU-L

————— *Fuhogenin kyufu no kenkyu* (A study on the act of performance on the illegal grounds) Tokyo Yūhikaku, 1949 Pp. 320. 330 yen.

Section 708 of the Civil Code prescribes that "A person who effects an act of performance on any illegal ground cannot demand the return of the subject matter of such an act of performance." This book is an excellent monograph concerned with concrete application of the "clean hands" theory to fact situations.

WaU-L

Wada, Kojiro (Professor, Waseda University) *Hōgaku genron* (Principles of jurisprudence) Tokyo Keibundō, 1948. Pp. 254. 130 yen.

IEN-L, WaU-L

Wagatsuma, Sakaye, Comp. (Professor, Tokyo University, Ex-Dean thereof) *Shin-horei no kenkyu* (Studies in newly enacted laws and ordinances). Tokyo Yūhikaku, 1946-1948. 10 vols. 1298 yen.

These are commentaries on new laws and ordinances, written jointly by faculty members of Tokyo University

WaU-L

————— *Minpo kōgi* (Lectures on the civil law of Japan) Tokyo Iwanami Shoten, 1932-1940. Vol. 1 (General rules), pp. 479. Vol. 2 (Property), pp. 354. Vol. 3 (Real rights granted by security), pp. 348. Vol. 4 (Obligations), pp. 267 The set, 2150 yen.

The author is the greatest authority on Japanese civil jurisprudence, and these works are said to be the best on civil law to date. Social functions of the cases and statutes are elaborately analyzed, complete reference is made to the governing cases.

CLL, CtY-L (vs. 1, 3, 4), MnU-L (v 1 only), WaU-L

————— Keizai saiken to tosei rippō (Economic reconstruction and economic legislation). Tokyo Yūhikaku, 1948. Pp. 344. 180 yen.

A study of the development of war-time economic control legislation in Japan, with some reference to economic democracy in foreign countries.  
CSt-H, WaU-L

Yamanaka, Yasuo (Professor, Kyushu University). Shumin shakai to minpo (Civil society and civil law). Tokyo Nihon Hyoronsha, 1948. Pp. 298. 200 yen.

The author pictures the civil law as a huge system evolving from the lower and simpler to the higher and more complicated concepts.  
CSt-H, WaU-L

Yokota, Kisaburo (Professor of International Law, Tokyo University). Sensō hanzai ron (Treatise on war-crime). Tokyo Yūhikaku, 1947 Pp. 307 85 yen.

The author was persecuted during the war because he was a liberal, he is an authority in Japan on international law; he was actively engaged as adviser for translation in the Tokyo Tribunal. In this book, he studies the various war-crimes.  
CSt-H, IEN-L, WaU-L

Yoshimasu, Nobuo (Assistant Professor of the medical department, Tokyo University). Hanzainin (An offender). Tokyo Tōyōshokan, 1948. Pp. 291. 300 yen.

A collection of essays treating such problems as the psychology of parricides, the criminological meaning of taboo, the social aspects of crimes, etc.  
WaU-L