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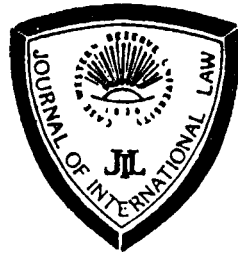
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**International Association of Legal  
Sciences Symposium:  
The Social Role of Lawyers**

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## EDITOR'S NOTES

The following are the proceedings of a Symposium held under the auspices of the International Association of Legal Sciences (IALS) and the Japanese Comparative Law Association. The symposium was held in Tokyo, Japan, in the Fall of 1991. The theme of the symposium was *The Social Role of the Legal Profession*. The *Case Western Reserve Journal of International Law* was particularly interested in publishing the Symposium proceedings due to the number and diversity of legal systems represented, and the unique nature of the subject matter. Departing from tradition, a student note authored by Vincent Brotski has been included due to its close topical relation to the subject matter of the IALS Symposium.

The articles presented here have been compiled from papers submitted to the Symposium. Minimal editing has been performed in order to preserve the spirit of the Symposium, while ensuring clarity of expression. Questions regarding factual assertions and cited materials should be addressed to the authors.

Footnotes have been placed in the format which complies with *A Uniform System of Citation (15th ed.)*. The *Journal* recognizes that some discrepancies exist between the preferred citation system in the United States and the other countries participating in the Symposium.

The views expressed within are those of the authors or symposium participants and do not necessarily reflect the opinions or policies of any organization, government agency, corporation, etc. with which they may be affiliated.

The *Journal* would like to thank these people who have assisted in the publication process, particularly L. John Matthews, who has overseen the editing and production of this symposium edition.

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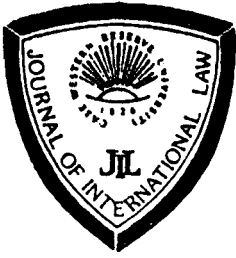
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## Preface

*Mary Ann Glendon\**

The articles in this symposium were first presented as contributions to a conference on "The Social Role of the Legal Profession" held at the University of Tokyo Law Faculty in the Fall of 1991. That meeting, jointly sponsored by the International Association of Legal Science (IALS) and the Japanese Comparative Law Association, was the fortieth annual gathering of comparative lawyers organized by the IALS.

Since the work of the IALS is not as well known as it should be in the United States, a few words may be in order about its origins, purposes, and activities. Headquartered in Paris where it maintains a permanent secretariat, the group was founded in 1950 under the auspices of UNESCO to promote the development of legal studies throughout the world by utilizing the methods of comparative law. Over the past forty-three years, the IALS has sought to fulfil that mission chiefly through annual conferences that bring together experts from different countries to explore topics that seem especially well-suited for cross-national study. As is the case with many UNESCO organizations, the membership of the IALS is not composed of individuals, but of national associations, specifically, the comparative law associations of forty-two countries on five continents. Its annual meetings are usually held in collaboration with one of these national members. The Tokyo meeting, made possible through the efforts of Professor Ryuichi Hirano and the Japanese Comparative Law Committee, marked an especially significant moment in the history of the IALS, for it was the first such conference in Asia.

Over the years, collaborations between the IALS and its national members have produced a distinguished series of publications of which the present volume is the latest and most interdisciplinary. The 1991 Tokyo meeting, by breaking new ground in socio-legal studies, deserves to be counted for that reason alone as one of the most successful symposia in the history of the IALS. The timeliness and importance of the topic aided IALS Scientific Director Petar Sarcevic in securing the participation of the truly extraordinary team of reporters whose contributions are assembled in this volume. Not only are they among the world's experts on various branches of the topic, but many are pioneers in interdisciplinary studies as well as leading comparatists.

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\* President, International Association of Legal Sciences; Professor of Law, Harvard Law School.

The brilliant organizational efforts of the General Reporter, Professor Kahei Rokumoto and his colleague Professor Shozo Ota assured a high degree of coordination among the reporters and maximized the benefits accruing from their face-to-face exchanges of ideas. The results of those discussions have been incorporated in the reports presented here. Professor Rokumoto's preliminary work in defining the topic and sub-topics, his detailed analytical guidelines for reporters, and his skillful coordination of the discussions will set the standard for future IALS meetings. The essays that follow are models of what cross-national cooperation can accomplish in illuminating contemporary legal problems.