

The Circumstance and Problems of Grading by Japan Agricultural Standard

Satoru Sasaki

The Japanese Agricultural Standard System of publishing beef's production history information is a system to make sure by a third party that the information of the beef's producing history is correct. That is winning consumer's confidences of beef's safety. But that has following problems.

Firstly, Cattle having bought at the livestock market don't correspond to beefs to have been certified as JAS standard. Secondly, because each of backyards in retail stores should acquire authorization of JAS standard as a cut trader, JAS standard beef that is sold at the retail stage is rare. Thirdly the cost for the JAS grading is high. Therefore the cost will be added to the retail price.

Die Kompetenz von Legislative gegenüber Verwaltung —an Hand von der Theorien des sogenannten Maßnahmegesetzes—

Shinichi Kurokawa, Asahikawa Universität

Zusammenfassung

Für die herrschende Theorie, deren Verfechter in der Regel die sog. doppelten Gesetzesbegriffe und dualistisch begreiften Staatsfunktionenlehre behauptet, kann die Kompetenzverteilungsproblem zwischen Legislative und Vollziehungsgewalt aufgrund von der materiellen Begriffe der ‚Gesetzgebung‘ und ‚Verwaltung‘ gelöst werden. Die materielle Gesetzgebung ist dadurch der Legislative zugesteh, und die materielle Verwaltung ist der Vollziehungsgewalt verteilt.

Nach diese Theorie kann das von Ernst Forsthoff in die Staatsrechtslehre eingebettete ‚Maßnahmegesetz‘, das die ‚Maßnahmen‘ zum Inhalt hat, als eine Überschneidung anerkannt werden, die sich zwischen Legislative und Verwaltungsorgane befindet. Denn die Maßnahmen zu treffen ist als eigentliche materielle Verwaltung und die Vollziehungsgewalt vorbehalten angesehen. Das ‚Maßnahmegesetz‘ ist also als eine Ausnahme behandelt werden.

Aber im modernem Staat gibt es die so große Zahl von Maßnahmegesetze, daß wir diese nunmehr nicht als eine Ausnahme behandelt können. Diese Situation drängt die Staatsrechtslehrern eine neue Staatsfunktionenlehre zu konstruieren.

Diese Arbeit versucht im Anlaß des Maßnahmegesetzes eine neue Theorie von Legislative zu entwickeln. Zuerst soll dieser Beitrag sich über theoretische Situation der deutschen Staatsrechtslehre orientieren, die insbesondere von Hildegard Krüger, Konrad Huber, Christian -Friedrich Menger und Werner Krawietz behauptet werden. Dann die neue Lehre, die Norbert Achterberg und Gerhard Zimmer behauptet, wird angeführt. Insbesondere die auf der Entscheidungstheorie basierte Lehre von G.Zimmer soll ausführlich behandelt. Und letztlich wird die Unhaltbarkeit des Begriffs ‚Maßnahmegesetz‘ und die Notwendigkeit der neue Konstruktion von Staatsfunktionenlehre beweist werden.

Individually Responsive Education: Based on the Idea of Multicultural Education

Saito, Masahiro

Many people have been to school because they firmly believe that they need education for their own benefits. Traditionally, how far they have gone in school determines the quality of individuals. However, it no longer seems just for many students, because they don't regard school as anything important any more. And also especially those from disadvantaged groups believe that it is not fair at all. Education is now on the turning point. Then, what kind of education should we prepare for our students?

We should pay more attention to a fact "so many men, so many minds." For this purpose, we should think of the social structure first, because it is so closely linked with education. The social structure is not fair at all to students who can not adjust themselves to the mainstream. The nation state is the system of inclusion and exclusion. It pushes the homogeneity like the common idea, symbol, and object of loyalty, which is now seen as democracy, parliament, the right to vote, standard language, traditional culture, life style and religion and so on. However, it individualizes "by making it possible to measure gaps, to determine levels, to fix specialties, and to render the differences useful by fitting them to one to another [Rabinow, P., 1984, pp. 20-21]." This means that the more you are close to the "power," the more you get the advantage. This is the foundation of social structure.

In such a society, the traditional education has two aspects: mechanism of socializing for integrating students to mainstream society and occupational placement to obtain the better social status. This simply means that education integrates our students into the unfair society. Therefore, traditional perspective on education overlooks the needs and capacities of individuals. Students not doing well in school are put in the low position and their counter parts in the upper position in this hierarchy.

My sense on education is that it is to bring out each student's personality and latent abilities, and to improve his/her skills to find their own way according to their knowledge, skills, and abilities to pursue his/her own happiness. The most important here is that students can get their own desire to go on learning through their experiences and interactions with other people and things. It is the continuous

and spiral process. The important task of teachers, here is to understand a student and lead the student to his/her better direction. They don't have to be the external bosses or dictators but the leaders with responsibilities.

Individually responsive education should be closely connected with multicultural education. Both are based on the idea of democracy. While the purpose of multicultural education is to raise a citizen to help sustain the democratic society, that of individually responsive education is to give students necessities for their own life and the idea of democracy is just a method. It seems certain that students finding their own way can be a good citizen to support democratic society, but this is the biggest difference between these two educations.

Individually responsive education has the following four aspects: education for reforming school, education for plural society, education to promise the right of learning and anti-discrimination education/human rights studies. Education for reforming school is the one to transform the school to be the democratic sphere in order to assure the equal opportunities to each student. The goal of the education for plural society is for students to examine themselves, learn to respect people including themselves, appreciate cultural diversity, and reduce their prejudice against the others with different backgrounds. In the education to promise the right of learning, the local governments, schools, and teachers should take the comprehensive measures to provide the marginalized students the equal opportunities for basic academic skills and knowledge and assure the fare opportunities. The aim of anti-discrimination education/human rights studies is to prepare students to act as the responsible and matured person to find the way how to overcome ethnocentrism and discrimination, raise the critical thinking abilities and understand the social structure producing inequalities.

Although individually responsive education is based on indispensable ideas, it is just one of the primary ideas and methods in education. As I stated before, every person can be different from the other. Therefore, individually responsive education also should be changed and sophisticated more, and we will never be able to reach the goal of this education. This means it cannot be perfect and never remove any other type of education. This flexibility keeps it alive.

A study on “Matsumushi” written by Arishima Yasuko. (1)

Reiko Katayama

ABSTRACT

The “Matsumushi” of posthumous works was written by Arishima Yasuko. She was Takeo's wife. She had been in hospital at Hiratsuka city from 1914 in January to next year in August.

At that time, she composed tanka, Japanese poems of thirty-one syllables. There are seventy-one tanka in “Matsumushi” .

It's motif is the object of children and her's frame of mind. There were Yasuko's feelings in tanka's presentation.

There are some differences between text of “Matsumushi” and letter's presentation. Those were sent to Asuke Soiti and Suita Junsuke from Arisima Takeo.

This analysis is important theme in study on Arishima Takeo.

This study has been thought these tanka's differences.