

| | |
|------------------|---|
| Title | Structure of the rights for labor strikes under the French law |
| Sub Title | |
| Author | 阿久澤, 亀夫(Akuzawa, Kameo) |
| Publisher | 慶應義塾大学法学研究会 |
| Publication year | 1958 |
| Jtitle | 法學研究 : 法律・政治・社会 (Journal of law, politics, and sociology). Vol.31, No.2/3 (1958. 3) ,p.(2)- (1) |
| JaLC DOI | |
| Abstract | |
| Notes | 日本語本文 「フランス法における爭議權の構造」 あり |
| Genre | Journal Article |
| URL | https://koara.lib.keio.ac.jp/xoonips/modules/xoonips/detail.php?koara_id=AN00224504-19580315-0132 |

慶應義塾大学学術情報リポジトリ(KOARA)に掲載されているコンテンツの著作権は、それぞれの著作者、学会または出版社/発行者に帰属し、その権利は著作権法によって保護されています。引用にあたっては、著作権法を遵守してご利用ください。

The copyrights of content available on the KeiO Associated Repository of Academic resources (KOARA) belong to the respective authors, academic societies, or publishers/issuers, and these rights are protected by the Japanese Copyright Act. When quoting the content, please follow the Japanese copyright act.

STRUCTURE OF THE RIGHTS FOR LABOR STRIKES UNDER THE FRENCH LAW

by Kameo Akuzawa

In the French Labor Law, the Labor Rights to strike has been formed gradually in the Civil Law which is based on the Code Civil

and the Declaration of the Rights of Man. Therefore, in order to study the Labor Right to strike, it will be necessary for us to know its history of development.

Is the strike act same as the act defined in the preamble of the Constitution? If so, the abuse of this right must be questioned. In the course of studying legal responsibilities of the strike act under the civil and criminal cases, we must investigate the presence of abuse of this right. If there is abuse in one case, the case will be considered by the General Law.

Another question which will be considered in this case is the judgement of gross mistake which has great influence on the effect of the act to strike. In the French Strike Act, a political strike is very important. Therefore, whether or not this political strike is included in the strikes in the Constitution is an important matter for consideration.

In order to control the strikes, the compulsory conciliation system is provided and in any kind of strike, it is required that it be applied to the conciliation board beforehand. Does this system restrict greatly the exercising of the strike right?

Thus, the writer tried to investigate the construction of strike right in the French Labor Law from the various sides.

NOTES ON THE GENERAL CHARACTERISTICS OF TOTALITARIAN DICTATORSHIP

by Kazushige Nara

There are many arguments as to whether Communism and Fascism (including Nazism) are considered in the same group of Totalitarianism or Dictatorship. In discussing this problematic situation which concerns the gravity of our urgent world crisis, we often lead to the sharpness of the clash between democracy and totalitarianism, and oversimplify the alternatives as democracy versus totalitarianism. It is here important to clarify what totalitarianism is, although a biased view or normative evaluation is inevitable to deal with.

Dictatorship at present has developed a special form of government