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ARTICLES

- The Rights of Newspaper Reporters
and the Public Welfare Standard in Japan**
Elliott J. Hahn 189

The Japanese Constitution is recognized as one of the most liberal in the world. Embodied in that document is a clause guaranteeing freedom of the press, a freedom that is not absolute. Freedom of the press must be exercised for and within the limits of the "public welfare." The Japanese Supreme Court has consistently found this public welfare standard superior to the rights of newspaper reporters. The author asserts this ranking of rights is consonant with the social, legal, and historical development of Japan. Overall, the author concludes, the Japanese Supreme Court has done well in allowing the rights of reporters to be expanded while at the same time tempering them so as to maintain traditional Japanese values.

- The Background and Significance of
Minute 261 of the International Boundary
and Water Commission**
Stephen P. Mumme 223

Growing concern over the quantity and variety of pollutants affecting the international waters between Mexico and the United States has prompted passage of a new resolution (Minute 261) of the International Boundary and Water Commission. The Commission, an international organization composed of Mexican and United States Sections, was created and granted its powers by the 1944 Water Treaty. The author of this article argues that the new Minute increases the Commission's apolitical nature, and hence its effectiveness, by expanding the Commission's powers and jurisdiction beyond those granted to it by the Water Treaty. The implications of this new Minute are discussed in light of the Commission's past practice and defined role under the Water Treaty.

- A Comparative Study of Foreign Investment Laws
in Taiwan and China**
Timothy Haosen Wan 236

Foreign investment can be an expedient aid to the development of a host nation, and attendant laws are a fundamental element of that process. The foreign investment laws of Taiwan are well established while those of China are just emerging. China has recently enacted a law on joint ventures and regulations on special economic zones, both of which are aimed at accomodating for-

eign investment irrespective of national origin. Against an historical and ideological background, the author analyses the development of China's foreign investment laws, asserting that a solid legal framework is indispensable if foreign investment is to benefit a developing economy. With Taiwan as a successful example, incentives and assurances within a legal system are discussed as being necessary to attract foreign investment. Although the development of China's foreign investment law is confronted by difficulties, such as valuation of realty in a socialist economy, the author concludes that the potential benefit to both China and foreign concerns is likely to induce an attractive investment climate in China.

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