

INTERNATIONAL CONFERENCE
on
CRIMINAL DEFENSE AND LEGAL AID

Hitotsubashi University

July 5, 1997

INTRODUCTION

AKIRA GOTO

Most people have ambivalence to lawyers. While they need and like competent lawyers, they are skeptical to lawyers who, they believe, can manipulate the justice for unjustifiable interest of their clients.

This ambivalence is particularly evident in criminal justice. Although most people know importance of the accused's right to effective counsel, lawyers who provide vigorous representation for their clients can be regarded as friends of criminals. This contradictory situation causes not only frustration in lawyers but also a heavy burden on them and on their clients, because the clients, who are mostly indigent, need financial support from the society. Social reluctance to pay much for criminal legal aid often results in poor or even no representation for the accused and sometimes leads to a gross miscarriage of justice.

Faculty of Law, Hitotsubashi University held an international conference on July 5, 1997 to seek for ideas and schemes to improve the difficult situation that seems almost universal. Five speakers representing three countries presented papers; namely, Ms Liu Nanzheng from the People's Republic of China, Professor Floyd F. Feeney and Professor Mark M. Stavsky both from the U.S.A., Mr Keiichi Muraoka and Professor Itsuhiro Namazugoshi both from Japan. The speakers and the audience experienced lively discussions at the Conference, which focused on two main topics, ethics of criminal defense and an effective system of criminal legal aid. The speakers' revised papers are printed on the following pages.

The readers may find that a serious discussion on these issues can lead to a fundamental question: how can we convince people that vigorous criminal defense by lawyers produces benefits for the whole society?

I, being in charge of planning and coordinating the Conference, would like to thank the speakers and the other participants of the Conference for their intellectual contributions.

HITOTSUBASHI UNIVERSITY