

GERALD PAUL MCALINN (ed.),
Japanese Business Law

Kluwer Law International, Austin et al., 2007, 725 pp. + xlv;
EUR 150,-; ISBN 978-90-411-2659-7

It is a pleasure to introduce a book long awaited by everyone with a practical interest in Japanese law. The editor, Gerald Paul McAlinn, professor of law at Tokyo's Keio Law School and with experience in private practice and as a general counsel in Japan, has assembled a group of nearly 30 contributors from Japan, the U.S.A., and Australia. Many of the authors are based in Tokyo as practicing attorneys (Japanese or foreign lawyers [*gaikoku-hô jimu bengoshi*]). Others come from academia in Japan and Australia. All have long practical experience with Japanese law.

The volume provides a reliable introduction into Japanese business law and gives a concise overview of more or less all aspects that are of interest for everyone doing business with or in Japan. The book is divided into 17 chapters of some 30 to 60 pages each. It fills a niche between two well-known comprehensive loose-leaf series also dealing with Japanese business law.¹ In comparison to these, it takes a fresh look at many issues and appears more focused. It is also by virtue of its different design more readable than the former. The mix of Japanese and foreign contributors with practical experience ensures that the law in action is presented rather than black letter law.

Throughout the volume, the institutional setting in which the law operates in present-day Japan is taken into account. This is especially true for the excellent introductory chapter by the editor, aptly titled "Introduction: Japan". Here McAlinn not only presents a brief overview of the country's legal history, but also a short and most useful discussion of some essential features of modern Japan. The chapter is supplemented by an equally competent and informative analysis of the recent major reforms of the judicial system and the legal profession by S. Miyazawa.

The substantive part of the volume contains all the major subjects one would expect to find in a book like this, along with some additional rather unexpected ones. Among the expected topics are chapters on corporations (K. Hashimoto, K. Natori, and J.C. Roebuck), corporate governance and M&A (S. Givens), contracts and tort (M.C. Chino, N. Kashiwagi, and A. Okada), intellectual property and licensing (E.S. Johnson, Jr.), employment and labor (G.P. McAlinn), competition and fair trade (J. Tamura and

¹ Z. KITAGAWA (ed.), *Doing Business in Japan*, 7 Vols, Mathew Bender, New York (1980 ff); LUKE R. NOTTAGE (consultant editor), *Japan Business Law Guide*, 2 Vols, CCH International, North Ryde (1988 ff).

A. Chen), taxation (E. Roose, T. Mizutani, and M. Shikuna), corporate and project finance (R.F. Grondine and B. Strawn), financial services and regulation (C.P. Wells), and reorganization and bankruptcy (K. Anderson and T. Ryan). All the chapters are rich in practical information. Somewhat beside the beaten path but all the more informational are chapters on product liability and safety regulation (L.R. Nottage), real property and securitization (K.K. Suzuka and J. Mikami), media and telecommunications (D. Rosen), and corporate crime (S. Kifuji and C.P.A. Jones).

The final chapter on all possible aspects of litigation and alternative dispute resolution including arbitration by O. Inoue and T. Nakamura is a prime example of the treatise's double aim of supplying concise but comprehensive information.

It goes without saying that all contributions to the volume are absolutely up to date – no small achievement given Japan's recent plethora of reforms. In sum, the book is a big hit that provides for very rewarding reading!

Harald Baum