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HARALD HOHMANN

Modern Japanese Law: Legal History and Concept of Law, Public Law and Economic Law of Japan

A REVIEW ESSAY OF THE 16 MOST IMPORTANT OF
THE MORE RECENT BOOKS

Because of their well-conserved cultural tradition and social norms which still have a large impact on Japanese law, not only lawyers may regard Japan as one of the most interesting countries in the world. Due to the reception of especially German and American Law in Japan, the exchange of views among lawyers of Japan, Germany and the U.S. is very important for a better understanding. This might also prevent unnecessary tensions among the main trading partners of the world in the long run. Since Japan is nearly “unknown” to most German and American lawyers, literature about Japanese law and culture written in an European language is of central importance; therefore, we should appreciate that recently, especially since 1990, a few books have been published in English or German. The sixteen most important ones of them will be reviewed here.¹ Part One of the

HAROLD HOHMANN is Ph.D. (Dr. jur., J.W. Goethe University Frankfurt/Main, 1992), two J.D. (Westf.Wilhelms-University Münster/Westphalie, 1983 and 1988), former Research Associate at the J.W. Goethe University Frankfurt/Main (1988-93), now Research Fellow (*Habilitand*) at Frankfurt (and visiting scholar at the Universities of Michigan, Berkeley, Kobe (Japan), Tokyo, Georgetown)—writing a post-doctoral thesis on the export law of Germany/EU, USA and Japan—Lecturer at the European Business School and member of the Water Resources Committee of the International Law Association (Chair of the Working Group Cross-Media Pollution). This review essay is dedicated to my hosts at the University of Kobe, University of Tokyo, Osaka City University, Seikei University, Seinan Gakuin University, Niigata University, Waseda University and at the University of Washington (at Seattle), who spent some time for discussions with me. Note: The name of Japanese authors is written in the European way (surname after the first name).

1. These sixteen books are:

- Harald Baum & Ulrich Drobnig (eds.), *Japanisches Handels- und Wirtschaftsrecht*. Berlin/New York: de Gruyter 1994. Pp. LIV, 796.
- Harald Baum & Tatjana Stiege (eds.), *Japan - Kultur und Recht. Eine Einführung* (Symposium der e la Bayreuth 1993). Hamburg: Deutsch-Japanische Juristenvereinigung (DJJV). 1993. Pp. VII. 194.

- Lawrence W. Beer & Hiroshi Itoh (eds.), *The Constitutional Case Law of Japan, 1971 Through 1990*. Seattle/London: University of Washington Press, forthcoming 1996. Pp. 800.
- Helmut Coing & Ryuichi Hirano, et al. (eds.), *Staat und Unternehmen aus der Sicht des Rechts* (Deutsch-japanisches Symposium in Kyoto 1992). Tübingen: J.C.B.Mohr (P. Siebeck), 1994. Pp. VI, 394.

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