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Ties Across the Sea

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TIES ACROSS THE SEA

— BY MARK D. WEST

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A FRIEND OF MINE WHO TEACHES

JAPANESE LAW at another law school once recounted to me his academic job-search story. When he was “on the market” in the mid-1970s, several schools expressed interest, thanks at least in part to his unique Japan-flavored resume. Other schools didn’t quite know what to do with him. At one prominent school, he was flatly rejected on the grounds that the school’s need was not for a specialist in Japanese law, but for a specialist in comparative law. I think at that time they must have thought him to be somewhere between quaint and alien.

Much has changed in the past 25 years. Many more lawyers deal regularly with Japan, scholars are more interested in learning lessons from the comparative study of Japanese legal institutions, and students realize the value, both in the academic sense and in the real-world employment sense, of formal study of Japanese law. The University of Michigan Law School has embraced this change. Thanks in large part to a faculty exchange program with the University of Tokyo, most of my colleagues have taught in one capacity or another in Japan. Many others make regular visits to do research, lecture, and consult. Such faculty experience is one reason why I believe that outside of Japan, the best place in the world to study Japanese law is Ann Arbor, Michigan.

The following three articles reflect some of my colleagues’ recent activities in Japan. The first, by Rob Howse, discusses the Japan-U.S. whaling dispute from a World Trade Organization perspective. The second, by Rick Lempert, a frequent commentator and author on Japanese lay participation, discusses costs and benefits of citizen participation in the legal system, focusing particularly on juries. The third, by Ronald Mann, is a comparative institutional analysis of the differences in credit card use in Japan and the United States.

In these three articles, the authors bring to bear their formidable skills as scholars of U.S. and international law to analyze issues and problems that affect Japan. None of them claims expertise in Japanese law, but such expertise is not always required. Both Japanese and American audiences have much to gain from hearing the opinions of experts trained with the type of legal and analytical skills that are so highly valued and cultivated in the United States.

For me, as a teacher and student of Japanese law, there are additional advantages to being surrounded by people like Howse, Lempert, and Mann. Unlike my friend who sought a law school teaching job 25 years ago, my colleagues “get it.” Most of my colleagues not only understand the value of studying law and legal institutions in Japan, but, as the following articles show, they also share the curiosity that motivates me to do it. Some may nevertheless find me unusual, but I’m pretty sure it’s not solely because I study Japanese law.

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