



# **The Rule of Law in Japan: A Comparative Analysis, Third Edition Revised**

*Carl F. Goodman*

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Since publication of the first edition, practitioners who deal with Japanese law have put great store in this major work, which systematically compares U.S. law and Japanese law across all the major fields of legal practice. Japan's legal system has changed dramatically since the publication of the Second Revised Edition as a consequence of Legislation and Supreme Court decisions in such diverse areas as public law (including administrative, election, constitutional and criminal law) as well as private law (including custody, assisted reproduction technology, labor law, discrimination, corporate governance, civil litigation, etc.).

This new edition follows the same comparative structure as formerly, but fully updates the coverage with the many changes currently in place or in process in Japanese law today while adding new chapters on Freedom of Expression and Conflict of Laws. Author Carl Goodman--an internationally known authority with extensive experience in international practice, university teaching in both Japan and the U.S., and U.S. government service--takes expert stock of these new developments, including the following:

- the ongoing liberalization of corporation law;
- the changes in criminal law brought about as a consequence of the system of lay/professional judges;
- the codification and clarification of rules dealing with transnational jurisdiction;
- protection of corporate whistleblowers;
- an evaluation of the revamping of the education system for lawyers;
- the new law governing choice of law questions in international cases;
- the protections extended to the growing temporary work force;
- freedom of religion--shrines on public lands and freedom of conscience, teachers and the National Anthem;
- modified criminal law procedural protections and new rules for judicial evaluation of circumstantial evidence cases;
- communitarianism and Japanese law;
- continuing growth in judicial review including constitutional and administrative cases; and
- family law--surrogacy, adoption, ART, international custody and the Hague Convention, Gender Identity disorder, brain death, organ transplantation etc.

Although the alteration of the legal landscape in Japan is highly visible, the author does not hesitate to raise questions as to how far-reaching the changes really are. In almost every branch of the new Japanese legal practice he uncovers ways in which laws and judicial rulings are closely qualified and are likely to present challenges in any given case. He reminds the reader in each chapter that what you see may not be what you get. For this reason, and for its comprehensive coverage, this third edition is sure to gain new adherents as the best-informed practical guide for lawyers with dealings in Japan.

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