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## *Preface*

This book commenced when I disembarked in Tokyo from a long, wearying flight from Moscow on August 30, 1975, and was greeted warmly at Haneda Airport by Professor Kichiemon Ishikawa of the University of Tokyo Law Faculty. He and his graduate student Akira Okuyama took me to my hotel. That evening I joined them and Mrs. Ishikawa for my first Japanese dinner. Professor Ishikawa's generosity and solicitude led to two months of hectic and stimulating interviews and conversations in Tokyo and most of Japan's major cities and industrial areas. Professor Ishikawa also kindly arranged for me to serve my first of two stints as a visiting scholar at the University of Tokyo Law Faculty during the fall of 1975. I was assisted financially through my appointment as a Rockefeller Foundation Conflict in International Relations Fellow.

Japan's mystique and resilience, the seeming similarity of its labor law to that of the United States, and the impact of my whirlwind 1975 visit made me long to return. Return I did, first in 1976 and then on five other occasions. The most lengthy and important of these visits took place in 1978 when I was a Guggenheim Fellow and, for a second time, a visiting scholar at the University of Tokyo Law Faculty. I am grateful to the John Simon Guggenheim Memorial Foundation, the University of Tokyo, the Social Science Research Council of the Rockefeller Foundation, and the Japan Society for Promotion of Science for helping to finance my 1978 visit. The assistance arranged by Professor Ishikawa was particularly valuable, as the dollar declined rapidly against the yen and it became clear that Japanese agricultural policy had tripled the California food bill for our family's three healthy and frequently ravenous young men.

In 1978, as before, Professor Ishikawa arranged for numer-

ous interviews and discussions with representatives of trade unions, employers, and government, as well as with academics. He gave unstintingly of his own time in answering my many questions. Among the many others who contributed through responding to my questions, identifying appropriate cases, portions of books, and articles for translation from Japanese into English, and the like were Professor Kazuo Sugeno of the University of Tokyo Law Faculty, Dean Tadashi Hanami of Sophia Law School, Professor Koichiro Yamaguchi of Sophia Law School, Professor Yasuhiko Matsuda of the Yokohama National University Study Center for American Law and Economy, and Professor Eiji Takemae of Tokyo Keizai University. Professor Matsuda even translated articles and cases for me. Rexford Coleman, formerly with Baker & McKenzie in Tokyo, arranged for that firm to assist me with my inquiries and to provide translations throughout much of 1978.

The opportunity to participate as Distinguished Lecturer in the Kyoto American Studies Seminar, with Professor Sugeno acting as interpreter and with the support of a Fulbright award, helped focus my thinking.

I am grateful to Mrs. Kiyoko Fujii and Mrs. Mitsu Kimata, both of the International Labor Affairs Division of the Ministry of Labor; Osamu Hirota of the Japan Institute of Labor; Ichiro Seto of the International Metalworkers Federation; his Assistant Director, Seigo Kojima; Robert Immerman, former Labor Attaché of the U.S. Embassy in Tokyo; and Kazuo Adachi, Managing Director of Hoechst Japan Ltd.

In order to complete a project like this, it was necessary to communicate with many who could not speak English. In 1975, Stephen Marsland, a student at the Industrial Labor Relations School at Cornell University, provided excellent interpreting service and traveled throughout Japan with me. I was able to give talks under the auspices of the U.S. International Communications Agency, and their interpreters, most particularly Kenji Nadoyama, were helpful in my interviews. I gained insights through discussions with Tomio Fukui and Katsuhiko Takaike, two knowledgeable Japanese attorneys.

For translating cases and articles I thank Beth Cary, Michael Lewis, Andrew Goble, Hitomi Tonomura, David Groth, Kent Gilbert, Donna Jean Albright, Roderick Seeman, Thomas Nevins, and Conan Grames. Mr. Grames organized the Baker & McKenzie translating team.

Research assistants who contributed to this work were Karen Snell, Betty Meshack, Thomas Duffy, Marcella Davison-Aviles, and Pamela Krop of Stanford Law School. Papers written by Bruce Hironaka of Stanford and Alvin Nagao of the University of Hawaii Law School were helpful to me. Mark Askanas of the University of California at Davis performed the very difficult task of constructing and filling in the notes. Mr. Duffy's work was financed in large part through a grant by the U.S. Department of Labor.

I am also grateful to Clarie Kuball, Toni Dakan, Nancy Cooper, and Jan Watanabe for typing the manuscript.

The book was completed by virtue of a leave of absence from Stanford Law School in the fall of 1982 and my acceptance of an offer by my former colleague Victor Li to become a Fellow at the East-West Center in Honolulu.

I am particularly indebted to Professor William Simon of the Stanford Law School, who read the entire manuscript and provided me with many valuable comments and criticisms. John K. Emmerson of Stanford's Hoover Institution and Professor Nobutaka Ike of the Stanford Political Science Department also provided helpful comments.

This is but the first of what surely will be many books in English dealing with Japanese and American labor law and drawing comparisons between America and Japan. Perhaps it will forge some breakthrough to a badly needed understanding between these two great nations, the United States and Japan.