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Dictionary Developments: Book Review

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Dictionary Developments

DANIEL H. FOOTE

Dictionary of Anglo-American Law [Eibeihō jiten], Tokyo: The University of Tokyo Press, 1991. xiv + 1025. (Hideo Tanaka, Chair of Editorial Committee).

Hōritsu yōgo taiyaku shū (Eigo hen) [Side-by-Side Translations of Legal Terms (English edition)], Shōji Hōmu Kenkyūkai, 1990. ii + 229. (Ministry of Justice, Criminal Affairs Bureau, Foreign Law Study Group, ed.).

In the fall of 1990 I was interviewed by the editor of a newsletter for professional translators of Japanese. He reported that his readers frequently voiced concerns over legal translations. Not surprisingly, he asked if I could recommend any dictionaries or other comprehensive materials containing accurate translations for legal terms.

I could not give him any easy answers for his readers. Instead, I had to tell him that I knew of no such dictionary or other set of materials to which I could refer him with complete confidence. From its title, one dictionary would appear to have been the natural choice: the Anglo-American Law Dictionary published by Yuhikaku. But that dictionary was nearly forty years old, having first been issued in 1952, and it clearly showed its age. Numerous word equivalency lists also had appeared over the years; but every such list I had seen provided one or at most a few equivalents with no additional explanation, and thus could easily give rise to confusion over terms having several possible meanings. These word lists, moreover, typically were not comprehensive. In short, I could not honestly recommend any dictionary, either from English to Japanese or from Japanese to English, in the legal field.

I am delighted to be able to report that that is no longer the case. A superb dictionary of legal terms is now available on the English to Japanese side, and there is also a promising new addition to the field of Japanese-English equivalency lists for legal terms.

English-Japanese: The Dictionary of Anglo-American Law, published by the University of Tokyo Press, represents a tremendous achievement. Its publication in 1991 culminated a seven-year effort in which more than fifty leading Japanese scholars actively participated. These included specialists in a wide range of fields, not just professors of Anglo-American law. The effort was overseen—and a heavy share of the work borne by—a seven-member Editorial Committee, which held more than 150 meetings in the process of preparing the dictionary. Based on accounts I have received from many of the professors who participated in the project, however, it is clear that the completion of the dictionary is in very large part the direct result of the dedication and efforts of one man: the late Professor Hideo Tanaka, the chair of the Editorial Committee.

This dictionary will stand as yet another of Professor Tanaka's great legacies; it is a work in which all the participants can take pride. I have now used the dictionary on several occasions in preparing papers and speeches; and from time to time I take the dictionary down from the shelf and browse through entries at random. Based on that personal use, as well as conversations with Japanese scholars and attorneys who have used the dictionary, I can confidently report that it is both comprehensive and accurate. The comprehensiveness lies not just in the number of entries—some 13,000—but in the detail. For many entries the dictionary provides multiple definitions (with ten or more definitions for some words), and it typically also provides an explanation of when the different definitions apply. And, to date at least, I have not found a definition that I think is wrong.

The title 'dictionary' does not really do this book justice. Well over half the entries include annotations, which frequently provide historical background or some other explanation of the significance of the particular term. In the foreword to the dictionary, the editors disclaim any intention of creating an 'encyclopedia' of Anglo-American law, but many of the annotations serve just such a function. For the American user, these annotations may not be necessary (although I must confess that on occasion they have enabled me to appear more knowledgeable than I deserve); for the Japanese user, the annotations are likely to prove invaluable.

The dictionary also includes a number of appendices and supplementary materials, one of which may be of particular interest to the non-Japanese user: a Japanese to English index of legal terms, containing nearly 3000 terms. As with other such word lists, this index simply lists the English equivalents for the Japanese legal terms, without providing any of the rich explanatory detail contained in the main dictionary.

The dictionary's price—¥15,000 in Japan, pre-tax—may give some potential purchasers pause. Yet given the scope of this work and the care that went into it, this dictionary is well worth the price; it is certain to stand as the preeminent English-Japanese dictionary of legal terms for many years to come.

Japanese-English: As mentioned above, the Dictionary of Anglo-American Law contains a fairly extensive Japanese-English index of equivalents. On the Japanese to English front, though, I find another recent development even more exciting: publication of a new set of translations of legal terms, compiled by the Ministry of Justice.

In part as a result of concerns over increasing numbers of foreigners involved in legal proceedings in Japan and the need for interpreters able to handle these matters, the Criminal Affairs Bureau of the Ministry of Justice has undertaken a major project of compiling manuals setting forth the equivalents for key Japanese legal terms in several different languages. To date four such manuals have been completed, for English, Chinese, Korean, and Spanish. Manuals for German and Tagalog are to be published soon; and work is proceeding on similar manuals for French and Urdu. Each bears the main title: *Hōritsu yōgo taiyaku shū* [*Side-by-Side Translations of Legal Terms*]; all are being published and sold through Shōji Hōmu Kenkyūkai in Tokyo (at only ¥1500 each, tax included).

These manuals are by no means in the class of the Dictionary of Anglo-American Law, nor do they purport to be. As their title reflects, the manuals do no more than set out lists of equivalents for Japanese legal terms. Moreover, given the

history of the manuals it is not surprising to find that they contain a fairly high proportion of criminal law terms. But the approximately 4000 entries in the Japanese-English manual are not limited to that field. Many of the terms, for example, relate to the Constitution and the Civil, Commercial and Civil Procedure Codes. In addition, the manual contains separate lists of the English names for many Japanese governmental bodies and the English titles of many Japanese statutes.

I only recently learned of these manuals and have not yet had occasion to use one under real translating conditions. Based on a quick review, the definitions look accurate (although, as English goes, some do not sound very natural). The Ministry of Justice regards this as an ongoing project, however, so the manuals are likely to be revised and updated in the future. Given their nature as mere lists of equivalents, these manuals will never take the place of a true Japanese-English dictionary of legal terms, but they seem certain to become a valuable resource for translating legal Japanese.