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American-Japanese Private International Law, by Albert A. Ehrenzweig, Sueo Ikehara, and Norman Jensen (1964)

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tional law) are written in the analysis-of-doctrine fashion that characterizes the typical American law review article. Others, such as Procurator Haruo Abe's discussion of the "Therapeutic and Preventive Aspects of Criminal Justice in Japan" are descriptive of practices of the Japanese judicial system. All are extremely interesting reading, particularly for the American who seeks to learn of the effects of the Occupation on Japanese law.

Editor von Mehren has done a fine job of arranging the papers in an orderly fashion, and providing a commentary at the end of each group of articles in which he summarizes the remarks of the Japanese and American scholars attending the conference. Credit should also be given to the sixteen American editorial collaborators who assisted the seventeen Japanese authors, and to Dr. David F. Cavers, Fessenden Professor of Law at the Harvard Law School, who has provided a description of "The Japanese American Program for Cooperation in Legal Studies." (pp. xv-xxxviii) Finally, the book contains a complete index, a table of cases, and a table of statutes, and is very beautifully bound.

HAROLD G. WREN*

AMERICAN-JAPANESE PRIVATE INTERNATIONAL LAW. By Albert A. Ehrenzweig,¹ Sueo Ikehara,² and Norman Jensen.³ (For The Parker School of Foreign & Comparative Law- being Vol. 12 Bilateral Studies) Dobbs Ferry, N.Y.: Oceana Publications Inc., 1964. Pp. 173. \$7.50.

This book proves that Rudyard Kipling was right when he said that east is east and west is west and never the twain shall meet. It also proves that in spite of this they can work together. The second discovery of Japan, following unconditional surrender at the end of World War II, came in a more complex period of history than the first by Commodore Perry. The first was not followed up by the Americans as assiduously as by the Europeans and thus we find that that portion of the Japanese legal system which is westernized is civilian in general and German in this special field. Another thing this book proves,

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however, is that the legal field saw more accommodation than replacement in the merger of indigenous and imported ideas.

Testing the statements made in the introduction against the text, it would seem that the latter is mainly the work of Norman Jensen, competent in both Japanese and United States law. Jensen acted as translator, editor and norm-coordinator for Professor Ikehara since the retirement of his master, Hidebumi Egawa, the leading private international law man in Japan. It is my feeling that Professor Ehrenzweig, with his characteristic modesty, has down-played his role. Certainly he has carefully screened and sifted the Jensen text to make it fit the Ehrenzweig text. He has also made certain that no subversive pro-Restatement points get into print. He has also, happily for his many devotees, finally raised prolixity to the level of charm. This is no mean achievement, and the gloss of Ehrenzweig "bilateral-er" on Ehrenzweig restatement-battler on Ehrenzweig textwriter is invaluable. To have the author's selected guide through the maze is one of the most important parts of this fascinating volume. The last thing this book proves is that the Parker School and Arthur Nussbaum continue to render a signal service to the entire legal profession in knocking down more walls. More than any other series presently in being, this one helps teacher, student, judge and lawyer alike because it handles needful, difficult subjects in a reliable and understandable way.

As I said many years ago when reviewing Hazard's volume on *Law and Social Change in the U.S.S.R.* it is pleasant to review in a field in which one has no special competence. It relieves you of all the normal bookreviewing hazards such as telling (in half the number of pages of the book under review) how it really should have been written; or spending ten pages informing the potential reader of all the manifest and implied errors in fact and judgment committed by the author. To do so in this case would be both pompous and invidious. This book is a thorough, reliable exploration of its subject matter. It conforms to the now-standard outline for bilaterals. It is carefully buttressed with authority on both ends of its bilaterality and admirably equipped with tables and indices. It hoists all the danger signals where Japanese norms seem to fade off into administrative discretion or non-judicial solutions.

Perhaps more affirmative comment on the real authority of judicial precedent, other than the mention on page 18 that it is a source of law,

would have been advisable to offset the possible contrary conclusion drawn from a table of Japanese cases over one-half as long as that for United States cases. Any further detailed criticisms, if justified, must await the reviews by the experts on Japanese law.

In conclusion let me only say that I enjoyed this book enormously, something I can say for few technical legal books. It opened real vistas into an important part of the world previously unknown and unexplored. It will take a high place in a series of continually excellent studies.

DAVID S. STERN*