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Book Review: Belli Looks at Life and Law in Japan

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BELLI LOOKS AT LIFE AND LAW IN JAPAN. By Melvin M. Belli¹ and Danny R. Jones.² Indianapolis: The Bobbs-Merrill Company, Inc., 1960. Pp. 311. \$395.

As the title suggests, and unlike other Belli endeavors, this work does not intend to present a documented "how to do it" law book, but is instead a general introduction to Japan, its history, its life, people, sentiments, and law. The book can be enjoyed by layman and lawyer. It is the first "of a series of studies intended to hold the mirror up to man living under his various laws and customs around the globe."

A considerable portion of the book is devoted to the forces of history, religion, customs and folklore that have influenced the development of the Japanese legal system. Japanese law is a mixture of Confucian philosophy, adaptations from Continental Codes, and the influence of the American occupation forces, principally reflected in the McArthur Constitution of 1947. The writ of *habeas corpus*, the privilege against self-incrimination, and other "democratic" safeguards familiar to most Americans, but not usually a part of the Civil Law, have been implemented into Japanese law. Differences in culture and economic conditions have produced laws and attitudes at variance with those that govern lives in America. Combinations (*Zaibatsu*) that would violate the Sherman Act in America are not only permitted in Japan but encouraged. Offenses against *property* are dealt with more severely than offenses against the *person*, there being a greater abundance of life than property in the Orient (Japan's population is approximately 90,000,000 in an area about the size of Wyoming). The Oriental "saving face" attitude is a compelling inducement for litigants to settle a dispute whenever possible to avoid the "embarrassment" of a public trial. The role of the *begoshi* (barrister), *kujishi* (solicitor) and Japanese courts and prisons in Japan's administration of justice is vividly described. An entire chapter is devoted to the recent and controversial Girard trial and another to the case against Tokyo Rose.

Several chapters exclusively treat *life* in Japan—"from kisses to *sukiyaki*"—much to the comfort and enjoyment of any prospective tourist or armchair traveller. A "touristic" atmosphere mindful of a Fodor's guide book is provided by forty-four enjoyable photographs of Japanese scenes and life. The discussion of the *Geisha* (pronounced Gay-sha) will shatter many Western stereotypes regarding her role in Japanese life.

In this world of misunderstanding it is important to let the heads and shoulders of different races and religions touch and be understood if a peaceful solution to world disorder and distrust is to be realized. The authors have taken a commendable stride forward to bring greater insight and ethnic understanding to a gifted nation and its people. Their style of writing is not legalistically dull but is flavored with the necessary tinge of story telling that makes for easy and interesting reading.

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