

JAPANESE LEGAL CULTURE: THE STOCK MARKET SCANDAL AND WORKERS' PARTICIPATION

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Japan has recently emerged as one of the most efficient economic states, but with cultural uniqueness in the globalized world. Foreigners involved in business with Japan might sometimes consider the reasons for Japan's uniqueness and discover ways to prevent disputes arising out of misunderstanding about Japanese culture and society.

This paper will try to explain some of the reasons for the cultural and sociological aspects of business transactions and labour relations in Japan by drawing examples from the recent stock markets scandal and the rooted labour-management consultation practices in Japan. The intention is to look for ways to prevent disputes.

I THE 1991 STOCK MARKET SCANDAL IN JAPAN: REALITY AND PREVENTION OF UNFAIR TRADE

1 "ON", "GIRI", "KAO" and "MOCHITSU MOTARETSU" which have supported the Closed Society.

The big four securities companies have revealed to the public, under strong administrative guidance from the Finance Ministry, approximately two hundred names of the favoured institutions and individuals who were paid a total of ¥128.3 billion in compensation for investment losses⁽¹⁾. "The reality of Japan's economic power was that the strong never lost, it was the weak who suffered, and this social injustice was not challenged"⁽²⁾. Since the revelations, the unique nature of the Japanese securities industry has been identified as being derived from traditional Japanese culture and society.

The first problem in this scandal regarding Japanese culture and

society is that only favoured institutions and individuals were reimbursed for the losses caused by the fluctuation of stocks in the market. Therefore, neither the Japanese stockholders, in general, nor foreign investors, who were not favoured by the brokerage firms received compensation.

Favouritism in this case, comes from the securities companies personal business connections with the institutions or individuals depositing stocks with them. These connections have been formed by economic interdependence with each other. The securities companies wanted to gain certain commission fees according to the amount of stocks deposited with them by the client institutions or individuals who had deposited a lot of money with them. Because of heated competition among securities companies, they did not want to lose their clients. Therefore, they offered various extra benefits when the stock prices fell. However, these payoffs were neither fair to the general stockholders, nor to the foreign investors at all.

This relationship between the brokerage firms and the favoured clients can be explained by a Japanese saying: "mochitsu motaretus" or "amae no kouzoh", which means an interdependence relationship exists between them based upon the Japanese mentality, which permits even unfair behavior to some extent. The relationship between brokerage firms and clients has been cemented by special interests where a sort of generosity among persons concerned is accepted implicitly. As a result, only a limited number of clients who had been in such relationships were paid off, though it was unfair. The fact that the parties knew each other well through stock dealings assisted them in doing these irregularities. This is explained in Japan by the expression "kao o taturu" or that companys' reputations are to be respected.

However, both the brokerage firms and the favoured clients went beyond the permissible limit, judging from the standards which guarantee a healthy stock market and secure sound international economic activities.

Many Japanese still maintain the mentality of a farming village type of relationship or a family type of groupism, originating from the era of the traditional agricultural society. These features are supposed to remain among the persons involved even in their business activities. Under this notion persons who have been acquainted with each other

share common interests, so that they sometimes regard even unfair practices as permissible so far as no one knows the facts except the persons concerned. They tend to evade third party criticism.

Another explanation of this relationship can be given by referring to the concept of "giri" and "on". "Giri" means "just or right" and "reason or reasonable behavior": "the manner of behavior required of one person to others in consequence of his social status"⁽³⁾. The brokerage firms felt "giri" to their favoured clients who deposited substantial amounts of money with the expectation of earning a guaranteed rate of return after certain commission fees. "Giri" comes into play if the brokerage firms feel they have let their clients down. Compensation for trading losses is given in return for continuing the trader-client relationship. "On" is, in all its uses, a load, an indebtedness, or a burden, which one carries as best one may"⁽⁴⁾.

A lesson from this recent stock market scandal for foreigners dealing with Japanese companies, is that a closer personal relationship with Japanese will bring benefits, but too close relationship, without sound fairness, will lead to conspiracy. It is said that "the key person is the key"⁽⁵⁾, which means that because of the importance of personal human relations in the Japanese society, to find out right persons in the right places in business transactions is very effective to achieve business objectives. The concept of "giri" and "on" are also important for foreigners to understand in doing business with Japanese⁽⁶⁾. However, because these concepts are subjunctive morality between the parties regardless of objective social rules, foreigners involved in a "giri" or "on" relationship with Japanese need to stop and think whether their relations are violating social norms.

2 "Giyohsei Shidoh" and "Amakudari" which have supported "Japanese Companies"

The second issue is administrative guidance which has been given by the Finance Ministry to securities companies. Administrative guidance is defined in following way: administrative organs responsible for specific fields exercise influence over the parties concerned through expectations and wishes by making use of not only coercive measures, but also of voluntary actions, such as advice, suggestion, recommendation, or

others, some of which are not based on statutory grounds⁽⁷⁾.

The original objective of the administrative guidance to securities companies was the protection of investors, but in reality they functioned as protection for the securities companies. It was in 1965 during a recession in the securities industry that the Finance Ministry inaugurated the registration system of securities companies and the regulation of stock trade commission fees. To guide securities companies, many retired officials from the Finance Ministry have been hired by these securities companies, as well as by the Japan Securities Association. Nobody denies that an established close network between the Finance Ministry and the securities industry has existed.

The Ministry's administrative guidance could be used, for example, when the registration forms are sent to the ministry, or when the registration of a certain company is in danger of being cancelled by the Finance Ministry which has the authority to judge if securities companies are eligible for registration.

The Finance Ministry has been granted the administrative discretionary authority to decide stock exchange commission fees by which securities companies gain their profits. Therefore, the securities companies have been placed in a weak position in relation to the Finance Ministry. The commission fee rates were decided by the Finance Ministry according to the amount of money deposited with the securities companies varying from a high of 1.150% for the sum less than ¥1 million to a low of 0.075% for the sum more than ¥1 billion. These rates were set by the Finance Ministry to protect investors from being exploited by securities companies, but as a result, this rate system has guaranteed securities companies a certain amount of profit out of commission fees, resulting in a lack of fair competition among them⁽⁸⁾. These rates have been decided with the Finance Ministry's administrative discretion, so that the securities industry, which wants the Ministry to maintain this system at higher rate, has been suspected of following the Finance Ministry's administrative guidance. We know this to be true when we consider the fact that many retired officials from the Ministry have been taken on the important roles in the industry.

The president of the Japan Federation of Economic Organizations (Keidanren) criticized administrative guidance to the securities companies at their three-day conference held on July 21, 1991. He said that,

to make the marketplace more effective and fair, the government should make public such guidance, which is viewed as a closed practices to many foreigners⁽⁹⁾. The effective solutions will be to open the Japanese stock market to foreign securities houses, to make share prices in cash markets affected through trading in stock-price-index futures⁽¹⁰⁾, and to give the authority to supervise the securities companies to a third party organization similar to the Securities Exchange Commission in the U. S.

It will be helpful for foreigners to understand that Japanese institutions, including trading companies, are supervised by administrative organs' administrative guidance which is based on the Ministry's administrative discretion. However, when it turns out to be one of the trade barriers or trade disputes, the problem is that some of the guidance are not based on statutory grounds so that there will be no contestability at the courts. In the worst cases, even Japanese can not comprehend in there is any actual administrative guidance when an administrative staff suggests something to the person concerned in dealing with business. Therefore, for the prevention of misunderstanding and disputes with Japanese trading partners, foreigners who are suspicious about their behaviour should be advised, among other things, to confirm if there was any administrative guidance on the disputed trade action, and then, if so, to try to publicize such disagreeable administrative guidance with foreigners. To my regret, it is true that any external pressures sometimes bring about the domestic reforms of unfair closed practices in Japan⁽¹¹⁾, even though a government committee has recently published a report recommending the government to clarify and simplify administrative guidance.

- (1) THE JAPAN TIMES, 26 July, 1991.
- (2) Kenzo Uchida, "There is no time to waste", *id.*, 2 August, 1991.
- (3) Yosiyuki Noda, INTRODUCTION TO JAPANESE LAW 173, University of Tokyo, 1976.
- (4) Ruth Benedict, THE CHRYSANTHEMUM AND THE SWORD 99, Charles E. Tuttle Co., 1976.
- (5) Helene Thian, SETTING UP & OPERATING A BUSINESS IN JAPAN 23, Charles E. Tuttle Co., 1988.
- (6) Mark Zimmerman, HOW TO DO BUSINESS WITH THE JAPANESE: A TRADEGY FOR SUCCESS 67, Random House, 1985.
- (7) Yoriaki Narita, Administrative Guidance, 2 LAW IN JAPAN 45 (1968).

- (8) The Chairperson Broaden of the US Security Exchange Commission criticized the Japan's Stock Scandal as cited "one of the reasons for the irregularity is the fixed commission fees". THE ASAHI SHINBUN, 4 August, 1991.
- (9) THE JAPAN TIMES, 22 July, 1991.
- (10) Naoki Tanaka, "Face the Problem Squarely", THE JAPAN TIMES, 1 August, 1991.
- (11) Hajime Ohta, "Parting with vested interests: External pressure may give impetus to domestic reform", THE JAPAN TIMES, 4 August, 1991.

II WORKERS' PARTICIPATION IN MANAGEMENT DECISION-MAKING IN JAPAN: A METHOD TO PREVENT AND RESOLVE LABOUR DISPUTES

1 The Perspectives: the Japanese Features

In some Japanese companies operating in Enaland, such as the Nissan Motors United Kingdom and the Toshiba Consumer Products have agreed with trade unions concerned to provide joint consultation clauses which provided for under their collective bargaining agreements the "company advisory board" or the "company council" where broad issues such as production plans, the number of employees and the like are discussed. And also wages, working hours and other working conditions could explained by the employer or consulted with trade unions. These collective agreements include non-strike clauses. This is an example of the adoption of the Japanese type of workers' participation in management decision-making. However, workers in the United Kingdom, due to cultural and ideological factors have, by and large refused to participate in management decision-making. These factors have also created a situation in which workers have historically been discouraged from direct competition among themselves by the regulation of terms and conditions of employment by the trade union movement and labor legislation⁽¹⁾. Whether the Japanese type of workers' participation in management decision-making could be applied to the enterprises in foreign countries is the issue in question.

In Japan, more than half of the private enterprise have set up labour management consultation committee, and the majority of them

have activated shop floor meetings, productivity proposal practices, quality control activities, and self evaluation reporting practices. These devices have been functioning to prevent and resolve labour disputes in Japan because these devices have, if nothing else, provided opportunities for communication between employers and workers. It is important to point out that these devices have never been based on any legislation, but based on collective bargaining agreements and managerial policies which are grounded by the industrial culture. A problem here is whether these devices could have protected the quality of life of workers by guaranteeing reasonable terms and conditions of employment at shop floors in addition to securing industrial peace and stability.

This paper will examine the concepts, the reason for existence, the current situation, and the evaluation of the Japanese type of workers' participation in management decision-making with certain international perspectives.

2 Definition, the Statistics, the Areas of Discussion, and the Institutional Arrangements

The concept of workers' participation in management decision-making is broad enough to cover the areas from collective bargaining to workers' director, however, this paper will put the emphasis on the Japanese system.

The following list clarifies the types of workers' participation in management decision-making in the Japanese industrial relations. The survey was carried out by the Department of Labour in June 1989 at 4,000 enterprises, plants and offices which employed 50 or more employees on a continuous basis⁽²⁾.

(A) Labour Management Consultation Committees (Rohshi Kyohgi Kikan). These are the standing committees set up in enterprises to consult the following: (a) the management matters (the basic policy of the enterprises, production and sales, the reorganization of the enterprises, the introduction of new technological machines and devices, the rationalization of production and services). (b) The personnel management matters (general standards of hiring, placement, transfer, lay-off, firing and mass-discharge). (c) The terms and conditions of employment matters (shift, working hours, holidays, breaks, safety and health, mandatory re-

tirement age, wage and salary scales, and remuneration and pension standards). (d) The miscellaneous matters (job training, fringe benefits, recreation).

The 58.1% of the enterprises surveyed set up these committees. In the case of large scale enterprises which employ 100 or more, the number was 69.4%.

(B) Labour Management Consultation Sub-committees (Senmon Inkaikai). These are the committees attached to labour management consultation committees. The matters handled by these committees are (a) occupational safety and health, (b) productivity raising issues.

(C) Shop Floor Meetings (Shokuba Kondankai). These are the meetings organized by the forepersons or supervisors to talk with workers on the shop floor about the following matters. (a) management policies, the plans of production and sales, (b) how to carry out routine work, (c) safety and health, (d) fringe benefits, (e) job training, (f) miscellaneous.

The 66.7% of the enterprises surveyed set up these meetings.

(D) Productivity Proposal Practices (Teian Seido). These are the practices in which individual workers could submit suggestions on an individual basis by writing letters to their forepersons or supervisors concerning; (a) the efficiency of production or services, (b) ideas for new types of goods or services, (c) the reorganization of production on shop floors, (d) safety and health, (e) fringe benefits, (f) job training, (g) miscellaneous.

The 62.0% of the enterprises surveyed set up these practices.

(E) Quality Control Circle Activities (Shohshuhdan Katsudoh). These are regarded as voluntary activities by workers at each shop floor organized by workers themselves in small numbers to plan (a) to raise productivity of their own shop floors by setting up production targets, (b) to check the quality of goods or services which they produce, (c) to secure the safety and health of their shop floors, (d) to develop their abilities and skills, (e) to bring up the level of cooperation among them, (f) miscellaneous. The meetings are held at lunch time, after daily work, with or without overtime pay.

The 59.1% of the enterprises surveyed set up these activities.

(F) Self Evaluation Reporting Practices (Jiko Hohkoku Seido). These are the practices in which all workers are required to evaluate (a) their own abilities, skills, and job performance, (b) the types of jobs and

training they want to do in the future at their enterprises. They are required to submit these reports to their supervisors.

The 50.9% of the enterprises surveyed set up these practices.

(G) Grievance Committees (Kujoh Shori Iinkai). These are the committees to accept and consider the grievances submitted by workers on (a) wages and salaries, (b) promotion, (c) placement and transfer, (d) the routine work, (e) fringe benefits, (f) working environment, (g) mandatory retirement age, (h) job training, (i) human relations on their own shop floors. The committees are comprised of equal numbers of representatives from workers and management.

The 33.6% of the enterprises set up these committees.

(H) As to the institutional arrangements of these devices of workers' participation in management decision-making is concerned, there are no relevant laws. Collective bargaining agreements set up Labour Management Joint Consultation Committees and their Sub-committees, as well as Grievance Committees. Devices other than these are set up by employers' management policies, including quality control activities.

3 The Reasons for Existence, Some International Perspectives and Future Development

The climate of Japanese industrial relations had been unstable until the end of 1960. But partly because of the advent of an affluent society in Japan, and partly because of the weakening of the militant trade unionism based on the Marxism-Leninism doctrine, the business trade unionism has overwhelmed the trade union movement recently. As a result, increasing productivity was emphasized at the expense of workers' rights in Japanese industrial society. Higher productivity with strong competitiveness with the purpose of expanding the company's market share not only inside Japan, but also outside of Japan became the top priority. It seems clear to me that many employers and employees in Japan currently believe that economic power should be regarded as the first priority to be achieved. These are the main reasons that cooperative industrial relations with the government assistance now prevails among Japanese organizations. The workers participation in management decision-making in Japan is based on the economic value of increased productivity⁽³⁾ and the cultural value of belonging to a group or family⁽⁴⁾.

In these circumstances traditional philosophies have been revived for explaining the situations.

The Japanese value system in the area of human relations, some part of which is still supported by the spirit of "wa" (harmony and stability), and "Kyoryoku" (cooperation to achieve the same objectives) prevails among industrial relations, though the diversity of value criteria has recently been acknowledged especially among young workers. This harmony has its basis in each individual's sense of community which is supported by emotional warm feelings which avoid adversarial relationships as long as possible. This value based on the traditional moral called "wa" and "kyohryoku" in workers' minds must have prevented adversarial or confrontational relationships between employers and workers, and in some occasion trade unions. This philosophy might be one of the contributing factors of the Japanese ways of workers' participation in management decision-making, resulting in a fewer number of days lost due to labour disputes⁽⁵⁾.

The Japanese features of workers' participation in management decision-making in terms of preventing labour disputes will be supported partly by another facet of the Japanese culture, such as the value system brought up the paddy cultivation tradition where people used to live in small villages where seasonal rice farming required cooperative and stable human relations to the farmers living in the vicinity. These traditionals still remain subconsciously in the parties' minds of Japanese industrial relations⁽⁶⁾.

The religion-based philosophy, Confucianism, which has been built up in the Japanese rice farming society under the governmental policy of seclusion for hundreds years by the Meiji revolution of 1868, will be another cultural basis of Japanese workers' participation in management decision-making because Confucianism valued harmony above all else. The influence of Confucianism is used to explain the Japanese preference of consultation between the conflicting parties with time spent as a cooling off period or mediation to judicial methods to solve disputes⁽⁷⁾.

The general doctrine of harmony in nature described by Confucianism, which has created group-oriented cultural sensitivities⁽⁸⁾, subsumes sometimes the notion of western countries to assert individual rights by the emphasis on duty to others which is called "giri"⁽⁹⁾. This happens in many occasions at even bargaining tables where when trade union repre-

sentatives feel the employer to have conceded beyond his of her capacity at the previous bargaining session will restrict their legitimate demand if the employer asks them to do so.

The Japanese type of "groupism" rooted in the society is another reason for explaining the Japanese ways of preventing adversarial or conflicting industrial relations found in various methods of workers' participation in management decision-making. For employees as well as managerial staffs of organizations including government agencies, to say nothing of private enterprises, their organizations will be conceived as their own possessions though there are degrees of differences among them. Group solidarity, mutual dependency, and concord⁽¹⁰⁾ are the key for them unless their industrial relations would have broken down. This groupism comes partly from Buddhism which stresses the temporal nature of the individual ego who can only find his or her true self through their identification with a universal oneness⁽¹¹⁾: a sense of harmonious mutually dependent community. Therefore, the ego of the individual is realized by the relationship of all persons⁽¹²⁾. This groupism is seen in a comparative survey on the workers' trust on their management which shows that 23.6% of Japanese workers surveyed answered affirmatively, while 4.6% of American workers answered in the same way. Therefore, the number of Japanese workers who trust their management is five times more than American workers. In the same survey only 3.9% of Japanese workers answered that they do not trust their management, while 12.8% of American workers did not. Therefore, 3 times as many American workers distrust their management. Even though generalization from a few survey may be misleading, it is safe to say that one fourth of the Japanese workers will feel comfortable in belonging to their companies or have the sense of attachment to their companies⁽¹³⁾.

The new interpretation on the Japanese devices of workers' participation is emphasizing the fact that the joint consultation system has functioned as an important tool for communication between management and workers. Not collective bargaining, but joint labour-management consultation is used for discussion to aid flow of information from the management on managerial matters to the workers concerned with assumption that they will cooperate with the company's policy at the final stage after raising questions to the management because their common goal is presumed to raise their productivity, the result of which will

be shared with the workers to some extent. The matters discussed at joint consultation cover a broad range of issues from company's policy for reorganization of the company to family allowance. What enables the Japanese management to do so with workers is due to internal training on the jobs within the companies which provided them the capacity to share information on management issues⁽¹⁴⁾.

The technical aspect of workers' participation in management, which is the communication flow function, can be transferrable to other countries. However, the philosophy supporting the Japanese devices, which is different from other countries, is difficult to transfer. However, as far as the maintenance of peacefulness and stability of industrial relations is the common desire of the management in many countries, the Japanese ways of workers' participation in management decision-making will be useful if they will fit to the other countries. The critical issue arising out of the Japanese devices is whether they have weakened the workers' right to protect their working conditions and benefits.

One of the realities is that, with the exception of collective bargaining, through the Japanese type of workers' participation in management, trade unions have maintained a mainly consultative role within the establishments or factories. The consultative role does not necessarily mean that trade unions' opinion against employers' proposals on managerial matters or working conditions would be accepted by the employers. Or in many occasions this role means that trade unions will simply listen to the employers' explanation on the companies' proposals without saying anything about them. The employers' preference to joint consultation with trade unions has the tendency that the employers prefer cooperative unions organizing the majority of the workers in an establishment or plant to militant unions organizing the minority of the workers at the same plant. When there is a situation where a militant union takes the position against the employers proposal on working conditions, such as speed-up of the production line and implicitly forced overtime, but the cooperative union agrees, then the employer will take advantage of consultation machineries by advocating that the employer has agreed with the cooperative union and thus put the employer's policy of speed-up and overtime into practice. In these cases, the employer could weaken the militant unions' bargaining power or the cooperative union would play a role of mediator by persuading workers to follow the employer's

policy, rather than advocator by insisting workers' desire to work at slower speed of the production and fewer opportunities of overtime. After the procedures of joint consultation are exhausted, the cooperative union would become a spearhead or an oppressor to workers who oppose the employer's policy.

Where no organized trade union exists, workers' participation in management devises such as quality circle activities will be used as opportunities to explain the employers' policy and to make workers cooperate with policies such as speed-up or overtime.

The future development of the Japanese type of workers' participation in management decision-making is not easy to predict. However, so far as the Japanese economy is expanding, the rate will be increasing because the economy will create the conditions necessary to guarantee the improvement of quality of life, and both workers and employers will recognize the merits of the stability of industrial relations through these devices, with the exception of collective bargaining, which would lead to an adversarial relationship.

However, even during the expansion period of the Japanese economy, the rationalization or efficiency of labour will be sought by employers. Therefore, workers who will suffer from inhumane working conditions as a result of this rationalization or efficiency will cause workers, supported by trade unions, in some cases to oppose the employers' management policy in spite of these devices. It is important to note that, if a recession comes to Japan, the economic environment which has supported these devices will be changed. Therefore, no one can predict whether these devices will survive. Strike actions as the means of bargaining power will likely increase in number as the right to strike is provided for in the Trade Union Act under the legal framework of Constitution Art. 28 which provides the rights of workers' collective actions as fundamental human rights.

- (1) MAKOTO KUMAZAWA, *NIHONTEKI KEIEI NO MEIAN (THE BRIGHT AND DARK SIDE OF THE JAPANESE MANAGEMENT)* 130, (1989), Toku-
ma Shoboh.
- (2) ROHDOH SHOH (Department of Labour), *NIHON NO ROHSHI KOMU-
NIKEISHON NO GENJOH (THE PRESENT SITUATION OF COMMUNICA-
TION BETWEEN WORKERS AND EMPLOYERS IN JAPAN)*, 1990, Govern-

ment Printing Office.

- (3) S. J. Park, "Covering Trends of Industrial Relations at Shop-Level: A Comparative Between Japan and Germany", Occasional paper, No. 33, (1983) Free University of Berlin, at 13, in which Park wrote that the workers' participation in West Germany is expected to result in equal distribution of power and influence in the whole society. Cited in Johannes Schregle, "Workers' Participation in the Federal Republic of Germany in an International Perspective", (1989), in ed. ALAN GLADSTONE etc. CURRENT ISSUES IN LABOUR RELATIONS: AN INTERNATIONAL PERSPECTIVES 109.
- (4) Schregle, *id.* at 109 wrote that workers' participation in the Federal Republic of Germany has its roots in the political history of the country: in ideas about changing the power structure of society at large.
- (5) Keizai Centre, Japan 1990: An International Comparison, p. 71, chart 8-8 shows the days lost in labour disputes from 1987 in Japan as 256,000 mandays, while Italy, 4, 481, U. K. 3,546,000, France 501,000, but Germany F. R., 33,000.
- (6) SHUJI HAYASHI, translated by Frank Baldwin, CULTURE AND MANAGEMENT IN JAPAN, p. 104, 1988, University of Tokyo Press.
- (7) Kenzoh Takayanagi, "A Century of Innovation: The Development of Japanese Law", 1868-1961, in VON MEHREN ed. LAW IN JAPAN, p. 39, 1963.
- (8) H. See, "The Judiciary and Dispute Resolution In Japan: A Survey" (1982) 10 FLORIDA STATE UNIVERSITY LAW REVIEW, 339, at 342, Yvon Seveny, "Consciousness of the Self in Japanese and Western Society" (unpublished), at 6.
- (9) See, *ibid.*, at 341, Yvon, *ibid.*
- (10) T. Fujimoto & W. K. Park, "Substantive Criminal Law and Crime Problem in Japan: A Cross-cultural Perspective" (1989) 23 COMPARATIVE LAW REV. 1, at 20, Yvon, *id.*, at 2.
- (11) J. C. Smith, "Aias & Oedipus: Ideas of the Self in Japanese and Western Legal Consciousness" (1986) 20 UNIV. OF BRITISH COLUMBIA LAW REV. 341, at 355, Yvon, *id.*, at 7.
- (12) *Id.*, at 359.
- (13) KOMAI YOU, NIHONTEKI KEIEI TO IBUNKA NO ROHDOHSHA (JAPANESE MANAGEMENT AND WORKERS UNDER THE DIFFERENT CULTURE) 62, at Chart 3-25, p. 62.
- (14) Haruo Shimada, "The Perceptions and the Reality of Japanese Industrial Relations", in LESTER C. THUROW, ed. THE MANAGEMENT CHALLENGE 42, at 60, and 63. (1985).

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