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Alumni Profiles

EASTERN EXPOSURE

Tibor Baranski '87 practices corporate law in Beijing

In a global business environment, it has become cliché to say that players are operating between two worlds. For Tibor Baranski '87, two worlds are not enough. He has a foot in at least five.

Born in Toronto to parents who fled Hungary after that country's 1956 revolution, he is a citizen of Hungary, Canada and the United States. He is also a permanent resident of Yokohama, Japan. But he practices law in Beijing, China, and lives with his family in the suburbs of that fast-growing, cosmopolitan city.

After studying the economic history of Japan and China at Princeton University, and graduating with honors in 1980, Baranski became the first foreigner to formally complete a course of study in law in China after 1949 when he graduated from the Peking University Law School in 1984. He then returned to the States to study at UB Law School (his parents and older brother still live in Western New York). He also has studied at Yale University, the National Taiwan University, Kanazawa University in Japan and Columbia University. He speaks English, Chinese, Japanese, Hungarian and German.

All of which comes in handy at Jun He Law Offices in Beijing, where Baranski has been of counsel since 2002. From his 20th-floor office, he works with business clients looking to invest in China, especially Japanese firms, with extensive experience in merger-and-acquisition projects.

Jun He, he says, was founded in 1989 and is China's first private law firm; previously, lawyers were state employees. "There are about 160,000 registered Chinese lawyers," Baranski says. "But the number of high-quality Chinese lawyers is 2,000, tops. The rest you can forget about for all intents and purposes. Out of this number, the highest concentration by far is in Beijing."

His firm, he says, "has a very strong attitude of fiduciary duty toward the client. In the United States, the practice of law has become overly commercialized. The trust



Tibor Baranski '87 and his wife, Yan-hong, with their young daughter, Aniko.

between persons, or between lawyer and client, has been lost. They talk a lot about fiduciary duty and give lip service to it, but there is no trust." In Beijing's close-knit legal community, "You do not have to look over your shoulder, you do not have to worry about politicking too much. You can just concentrate on getting the work done."

Working on projects including telecommunications, R&D centers, corpo-

rate restructurings, even power plants, Baranski has established himself as a bridge between the Chinese and Japanese business worlds.

"I started in the '80s," he says, "and I have been doing it so long that the Japanese and the Chinese communities know me. I deal with a lot of Japanese at the high end of the business community both in China and in Tokyo. I am in contact with

them all the time. Clients tend to come to Beijing, but I also go to Japan frequently. I am in Tokyo up to 10 times a year. I have a Japanese green card, so I can do everything the Japanese can do.”

It is a rare specialization – “Very few lawyers can do Japan-China legal work,” he says. Part of the challenge is the nuance and the complexities of language, managing complex transactions while bridging the cultural and linguistic divide between Chinese and Japanese.

“Language is the ultimate tool for a lawyer,” Baranski says. “If you do not read or write the language, you are essentially illiterate; you have no business engaging in the work. Knowledge and language are the ultimate tools.

“American lawyers emphasize how important it is to read and write English well, but then they go outside the border and do not recognize that they are illiterate.

“You lose critical nuances along the way that are absolutely fundamental when you are dealing. The details and words are like a chess game, and they are not fixed. Definitions do change; usages change. You can lose really big deals if you are not careful. It is not a mechanical process.”

Complicating the work, he says, is that the concept of separation of powers does not apply in China. “China does not have an independent judiciary. The Supreme Court is beneath the People’s Congress, and the Communist Party is above government. It is modeled on an old ’60s Stalinist structure.” Part of practicing law in China, then, is to network with those in power at all levels of government – central, provincial, municipal and local – in order to more effectively advocate for one’s client.

The Chinese education system, Baranski says, focuses more on rote learning than critical thinking. But Peking University, where he has since endowed a scholarship, is an exception – it emphasizes analytical thinking. In that respect it is like an Ameri-

can law school, including UB Law.

Baranski’s memories of his years in Buffalo include professors such as John Thomas, now dean of UB’s School of Management, and John Spanogle, who now teaches at George Washington University Law School.

Baranski lives with his wife, Yan-hong, and their young daughter, Aniko, in a house outside the city’s northeast corner. The population density is low and the air cleaner than in Beijing, he says – better for raising a family. His drive to work is 42 kilometers, about 40 minutes.

And Aniko herself is growing up trilingual. “I am responsible for the Hungarian, my wife is responsible for the Chinese, and she learns English at school,” Baranski says. “You have to do it systematically. You have to live all three. It makes your life a lot more interesting.”

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