

# GRADUATE SCHOOL OF LAW / FACULTY OF LAW

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## GRADUATE SCHOOL OF LAW FACULTY OF LAW

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### OVERVIEW

For over a century, the Faculty of Law, founded in 1899, and the Graduate School of Law have played a central role both in the teaching and research activities of law and political science in Japan. As for teaching, the Faculty/School has been committed to strengthening students' abilities to further their knowledge, opinion, wisdom and logical thinking, as well as to nurture their spirits of intellectual autonomy by inspiring their will to search out and sense of initiatives which derives from their own critical views. In research, the Faculty/School has been devoted to searching for truth through free dialogues and discussions and has successfully made a considerable and unique contribution by engaging with the world and actively dealing with key issues of the society in any given period.

The Graduate School of Law and the Faculty of Law have faced vast changes during the last several years. In April 2004, Kyoto University was incorporated as a National University Corporation. It was at this time, that the Law School Program was added as a new professional school to systematically link legal education at the university, with the National Bar Examination and the following judicial training as the comprehensive process of legal training. The Law School Program has over 200 students enrolled each year. The Legal and Political Studies Program at the Graduate School of Law is designed for those interested in an academic career. Currently the Legal and Political Studies Program admits about 15 students for the Master of Laws (LL.M.) program and about 30 students in the Doctor of Laws (LL.D.) program each year. Bridging these two graduate programs and placing the Law School Program within the Graduate School of Law, the School provides students with opportunities for both advanced research training and practical legal training. As more emphasis has been placed upon the graduate programs, the Faculty of Law program has been streamlined and now focuses on basic scholarship. Currently about 330 new students in law and political science are enrolled for the Bachelor of Laws (LL.B.) program each year.

The Master's program of the International and Public Policy was reorganized and evolved into the Graduate School of Government in April 2006, cooperating with the Graduate School of Economics, to train high-level future professionals in public service who will get involved in designing, execution and assessment of public policy.

To respond to such dynamic organizational change and further strengthen our educational programs, a group of legal practitioners, including judges, prosecutors, lawyers as well as government officials and corporate executives, has joined the faculty along with the research faculty. The educational staff at the Graduate School of Law consists of 57 professors and 12 associate professors, who also teach undergraduate courses in the Faculty of Law.

### ACADAEMIC PROGRAMS

#### GRADUATE DIVISION MASTERS PROGRAM

The Graduate School of Law offers the Legal and Political Studies Program designed for students who wish to pursue academic careers in law and political science. Applicants for the master's degree program must have completed 16 years of education including four years in college or university by the end of March of the current academic year. There are no nationality requirements. Application must be made by early August, and the entrance examination is held in early September. Students must complete at least 30 credits from the subjects offered at the Graduate School, submit a thesis and pass an oral examination on their thesis. There is a minimum residence requirement of two years.

A special entrance examination is held in February for international students. Details on the special examination are available upon request from the Graduate School of Law Office. International students who satisfy certain conditions may be admitted as degree candidates through special admission by the Board of the Graduate School. Non-degree research students may be admitted to research on specific subjects. They may use libraries, attend lectures and seminars but do not obtain any diploma or qualification.

#### DOCTORAL PROGRAM

Those who hold a master's degree may pursue a Doctor of Laws degree by submitting a dissertation within three years after completing the required minimum three years of research in residence. A dissertation must make an original contribution to scholarly research.

#### LAW SCHOOL PROGRAM

The Law School Program is a professional graduate program established in 2004 to educate and train future professionals in legal practice, the judiciary, government and other public services. It provides theoretical knowledge, practical legal skills and professional ethics essential to law practice. This program is geared toward the National Bar Examination. The Program does not offer any research degree nor advanced degree other than a J.D. degree.

#### UNDERGRADUATE DIVISION

Undergraduate students in the Faculty of Law are required to take a minimum of 48 credits from an approved list of general subjects, usually to be taken in the first and second years, and additional 80 credits from law, politics or economics in order to receive a bachelor's degree. There are no required subjects. Four credits are given for each subject, unless otherwise specified. There is a minimum residence requirement of four years. Students may stay be enrolled in the Undergraduate Program for no more than eight years. International students granted a Japanese Government Scholarship

may be admitted and pursue a bachelor's degree.

### RESEARCH PROGRAM

Researchers and visiting scholars from other universities or institutes may be accepted by the admission of the Board of the Faculty.

### LIBRARY

Established in 1899, the Law Library now holds about 660,910 volumes, 285,069 Japanese and 375,841 foreign, including collections of rare books, covering every field of law and political science, and subscribes to more than 1,100 serial titles. Its mission is to provide information resources as well as research and educational services to the faculty members and students.

### CENTERS

#### THE INTERNATIONAL LEGAL AND POLITICAL DOCUMENTATION CENTER

(<http://www.users.kudpc.kyoto-u.ac.jp/~c53851/>)

Established in 1979, the International Legal and Political Documentation Center provides the following services:

- 1) Acquires parliamentary and legislative publications, primary political resources and basic resources related to international law and politics in major countries in Europe and North America.
- 2) Provides a "reference search service" to researchers and students.
- 3) Provides research guides on law and legislative process and maintains the "Political and Legislative Materials (POLEM)" database and a foreign law reference search tool on the web to serve information literacy needs.

#### THE CENTER FOR LAW AND POLICY STUDIES

The Graduate School of Law has strengthened and focused on its graduate program since 1992 and has begun active exchange programs with legal practitioners. In that year, new professorships were established to deal with cross-sectional advanced issue areas and promote the exchange between legal practitioners and researchers. In the same year, the Senshu Course L.L.M. Program was established as part of the master's program to train and reeducate professionals equipped with highly professional knowledge and comprehensive analytical and judgment skills. Through such programs, we have strived to enhance exchange between the university and society and vitalize our graduate programs.

The Center for Law and Policy Studies, affiliated with the Graduate School of Law, was founded in 1998 and aims to contribute to further closer collaboration with legal practitioners and improve research and education of law and political science.

### PUBLICATIONS

*HOGAKURONSO* (Kyoto Law Review) published monthly by the Kyoto University Law Association.

## FACULTY

### Professors:

YOSHIOKA, Kazuo, LL.D. (Kyoto Univ.), Criminology and Criminal Justice  
 MORIMOTO, Shigeru, Corporation Law; Financial Services Law; Negotiable Instruments Law  
 SHIBAIKE, Yoshikazu, Administrative Law  
 TOKUDA, Kazuyuki, Law of Civil Procedure, including Civil Execution and Insolvency Law  
 KAWAKAMI, Rin-itu, LL.D. (Kyoto Univ.), Occidental Legal History and History of Social Thought  
 NISHIGORI, Seishi, Civil Law, in particular the Law of Torts  
 SHIYAKE, Masanori, Constitutional Law including general legal theory of state  
 IDA, Ryuichi, Public International Law; Law of International Organizations; International Law of Bioethics  
 OKAMURA, Shuichi, Administrative Law  
 ONO, Noriaki, LL.D. (Kyoto Univ.), History of Political Thought  
 HAYASHI, Nobuo, Roman Law  
 MATOBA, Toshihiro, LL.D. (Kyoto Univ.), Political Science  
 OHISHI, Makoto, LL.D. (Tohoku Univ.), Constitutional Law; Parliamentary Law  
 ITO, Yukio, Ph.D. (Kyoto Univ.), Political and Diplomatic History of Japan  
 YAMAMOTO, Yutaka, Civil Law  
 TERADA, Hiroaki, Chinese Legal History  
 TAKAGI, Hikaru, Administrative Law  
 KINAMI, Atsushi, LL.D. (Kyoto Univ.), Anglo-American Law  
 MATSUOKA, Hisakazu, Civil Law  
 MABUCHI, Masaru, LL.D. (Kyoto Univ.), Public Administration and Public Policy  
 SHINKAWA, Toshimitsu, Ph.D. (Univ. of Toronto), Comparative Political Economy and Welfare States  
 KAWAHAMA, Noboru, Competition Law  
 MURANAKA, Takashi, Labor Law  
 ASADA, Masahiko, International Law  
 SHIOMI, Yoshio, LL.D. (Kyoto Univ.), Civil Law  
 KAMEMOTO, Hiroshi, Legal Philosophy  
 SAKAMAKI, Tadashi, Law of Criminal Procedure  
 YAMAMOTO, Katsumi, Law of Civil Procedure, including Civil Execution, Insolvency Law  
 OKAMURA, Tadao, Tax Law; International Taxation  
 SUZAKI, Hiroshi, Commercial Law; Insurance Law  
 MAEDA, Masahiro, Corporation law; Securities Regulation  
 SUZUKI, Motoshi, Ph.D. (University of South Carolina), International Political Economy,  
 YAMAMOTO, Keizo, LL.D. (Kyoto Univ.), Civil Law  
 KITAMURA, Masashi, LL.D. (Kyoto Univ.), Commercial Law  
 SHIOMI, Jun, Criminal Law  
 HATTORI, Takahiro, German Law  
 ITO, Takao, LL.D. (Kyoto Univ.), Japanese Legal History  
 AKIZUKI, Kengo, Public Administration  
 YOKOYAMA, Mika, French Law, Civil Law  
 NAKANISHI, Hiroshi, International Politics  
 SAKUMA, Takeshi, LL.D. (Kyoto Univ.), Civil Law  
 KASAI, Masatoshi, Law of Civil Procedure, including Civil Execution, Insolvency Law  
 KARATO, Teruhiro, LL.D. (Kyoto Univ.), Political History  
 SAKAI, Hironobu, International Law  
 DOI, Masakazu, Constitutional Law  
 MORI, Toru, LL.D. (Kyoto Univ.), Constitutional Law  
 YAMADA, Aya, Civil Procedure  
 TAKAYAMA, Kanako, Criminal Law

NAKANISHI, Yasushi, Private International Law  
 HASHIMOTO, Yoshiyuki, LL.D. (Kyoto Univ.), Civil Law  
 MACHIDORI, Satoshi, LL.D. (Kyoto Univ.), Comparative Politics  
 YASUDA, Takuto, LL.D. (Kyoto Univ.), Criminal Law  
 HORIE, Shinji, Law of Criminal procedure

**Associate Professors:**

SHIMADA, Yukinori, Comparative Politics  
 FUKASAWA, Ryuichiro, Administrative Law  
 FUNAKOSHI, Motoaki, LL.D. (Kyoto Univ.), Sociology of Law  
 INAMORI, Kimiyoshi, Social Security Law  
 SOGABE, Masahiro, Constitutional Law  
 SAITO, Maki, Commercial Law; Corporation Law  
 NARAOKA, Sochi, LL.D. (Kyoto Univ.), Political and Diplomatic History  
 MASUDA, Fumiko, Private International Law  
 ECHI, Yasuyuki, Economic Law  
 SASAKI, Takeshi, Roman Law  
 TAKATANI, Chika, Japanese Legal History  
 OTTMAN, Esta Tina,

Following staff are only for the Law School program.

**Professors:**

NAKATA, Akitaka  
 OHYAMA, Takashi  
 MATSUDA, Kazuhiro  
 TAKENAKA, Yukari

**Adjunct Professors:**

NAKAI, Yasuyuki  
 MASUICHI, Toru  
 NAGASE, Takaaki  
 KAWABATA, Masafumi  
 TOYODA, Yukihiro  
 NISHIOKA, Shigeyasu

## COURSES

### GRADUATE DIVISION MASTERS AND DOCTORAL PROGRAMS

#### JAPANESE LEGAL HISTORY

Professor ITO, Takao

This course presents a study of Japanese laws based on historical documents.

#### EUROPEAN LEGAL HISTORY

Professor KAWAKAMI, Rin-itsu

This course examines the growth of interest in the comparative study of law, which arose following the dissolution of the traditional unity of Jus Commune in Europe, and discusses and analyzes various legal cultures of the contemporary world from a historical perspective.

#### ROMAN LAW

Professor HAYASHI, Nobuo

This course examines materials on Roman Law, especially *Corpus juris civilis*.

#### CHINESE LEGAL HISTORY

Professor TERADA, Hiroaki

Readings of the classical Chinese books and documents concerning the law and government of imperial China.

#### LEGAL PHILOSOPHY

Professor KAMEMOTO, Hiroshi

A comparative analysis of the main topics in Continental and Anglo-American legal theories.

#### SOCIOLOGY OF LAW

Associate Professor FUNAKOSHI, Motoaki

The course reviews contemporary socio-legal theories.

#### ANGLO - AMERICAN LAW

Professor KINAMI, Atsushi

This course examines the substantive due process doctrine that has developed under Section 1 of the Fourteenth Amendment to the United States Constitution.

#### GERMAN LAW A / B

Professor HATTORI, Takahiro

This course aims to give a comprehensive or intensive analysis of the problems and topics concerning the modern German legal system.

#### FRENCH LAW A / B

Professor YOKOYAMA, Mika

Topics to be covered here are: historical development of the French legal system, modern sources of law, the court system and the framework of civil law.

#### CONSTITUTIONAL LAW I

Professor DOI, Masakazu

This course examines recent trends in constitutional law theories in the U.S. by studying books and some important law review articles.

#### CONSTITUTIONAL LAW II

Professor MORI, Toru

This course presents a comparative study of German constitutional law through reading books and articles in German.

## CONSTITUTIONAL LAW III

Professor OISHI, Makoto

This seminar examines the theory and practices of legislation on fundamental rights, discussing in particular the French constitutional system.

## SPECIAL LECTURE ON PUBLIC LAW

Professor SHIYAKE, Masanori

This course presents a comparative study of German public law through the reading of articles in German.

## ADMINISTRATIVE LAW I

Professor TAKAGI, Hikaru

## ADMINISTRATIVE LAW II

Professor SHIBAIKE, Yoshikazu

A comparative study of law in public administration. Main topics to be covered are discretion, delegation of powers, hearing rights, interest representation, tort liability of governmental units and judicial review of administrative actions.

## ADMINISTRATIVE LAW III

Professor OKAMURA, Shuichi

This course deals with the various aspects of public administration. The following topics are studied: business regulation; environmental protection; land and city planning; social security; immigration control; and freedom of information and data protection.

## TAX LAW

Professor OKAMURA, Tadao

This course offers a comparative study of income taxation in Japan, the United States of America, and European countries. Topics to be discussed are concepts of taxable income, the scope of deductible expenses, the treatment of capital gains and losses, the integration of corporation and individual income taxes, and international aspects of income taxation.

## INTERNATIONAL LAW I

Professor SAKAI, Hironobu

This course offers an intensive study of major problems in Law of the Treaties.

## INTERNATIONAL LAW II

Professor ASADA, Masahiko

This course offers an intensive study of contemporary issues relative to international law.

## LAW OF INTERNATIONAL ORGANIZATIONS

Professor IDA, Ryuichi

This course deals with the legal aspects of international organizations, including their history, principles, structures, functions and activities. Special emphasis will be given to the United Nations.

## CIVIL LAW I

Professor NISHIGORI, Seishi

This course offers a survey of Japanese civil law from a historical perspective.

## CIVIL LAW II

Professor MATSUOKA, Hisakazu

This course offers a survey of new German Property Law (Sachenrecht) through leading textbook of German Civil Code.

## CIVIL LAW III

Professor SHIOMI, Yoshio

This course offers a comparative study of Japanese and Anglo-American law of unjust enrichment.

## CIVIL LAW IV

Professor YAMAMOTO, Keizo

This course offers a comparative study of Japanese Law and European contract laws.

## CIVIL LAW V

Professor SAKUMA, Takeshi

This course deals with recent trends in the studies of civil law from the perspectives of both the content and the method of study, by reading important papers which have appeared during the past ten years.

## COMMERCIAL LAW I

Professor KITAMURA, Masashi

This course offers a study of modernizing company law and securities regulation.

## COMMERCIAL LAW II

Professor SUZAKI, Hiroshi

This course offers a study of German corporation law.

## COMMERCIAL LAW III

Professor MAEDA, Masahiro

A comparative analysis of important topics in American and Japanese corporation laws.

## LAW OF BUSINESS ORGANIZATIONS

Professor MORIMOTO, Shigeru

## ECONOMIC LAW A / B

Professor KAWAHAMA, Noboru

This course offers a comparative analysis of important topics in the antimonopoly regulations of Japan and the United States.

## SOCIAL LAW A / B

Professor MURANAKA, Takashi

This course covers labor law and its border areas. The topics to be covered vary from year to year. This year's topics will be some aspects of labor law in Germany.

## SOCIAL SECURITY LAW

Associate Professor INAMORI, Kimiyoshi

This course deals with selected topics in social security law: social insurance, family allowances, social welfare services, public assistance and industrial injury schemes.

## LAW OF CIVIL PROCEDURE I

Professor TOKUDA, Kazuyuki

This course deals with selected topics in civil procedure, insolvency law and arbitration from a comparative point of view.

## LAW OF CIVIL PROCEDURE II A / B

Professor YAMAMOTO, Katsumi

This course deals with important topics in Japanese civil procedure.

## LAW OF CIVIL PROCEDURE III

Professor KASAI, Masatoshi

This course deals with important topics in Japanese civil procedure.

## PRIVATE INTERNATIONAL LAW

Professor NAKANISHI, Yasushi

A comparative study of private international law and international civil procedural law.

## CIVIL LAW SPECIAL SEMINAR (for LL.D candidates only)

Professor YAMAMOTO, Yutaka

This course deals with selected topics of modern contract law.

## CRIMINAL LAW I

Professor TAKAYAMA, Kanako

This course offers a comparative study of substantive criminal law in Germany, the U.S.A. and Japan.

## CRIMINAL LAW II

Professor SHIOMI, Jun

This course offers a comparative study of substantive criminal law in Germany, the U.S.A. and Japan.

## CRIMINAL PROCEDURE

Professor SAKAMAKI, Tadashi

This course offers a comparative study of criminal procedure in Japan and the U.S.

## CRIMINOLOGY

Professor YOSHIOKA, Kazuo

This course deals with the new trends in crime theories and the criminal justice system.

## POLITICAL SCIENCE

Professor MATOBA, Toshihiro

This course presents a comparative study of party politics in modern democratic countries.

## HISTORY OF POLITICAL THOUGHT

Professor ONO, Noriaki

This course offers readings of English language texts on the history of political thought.

## POLITICAL HISTORY

Professor KARATO, Teruhiro

This seminar examines suitable topics of modern European history, using texts in the original languages.

## POLITICAL AND DIPLOMATIC HISTORY OF JAPAN

Professor ITO, Yukio

This seminar course deals with Japanese politics in the Meiji era, and includes practice in the reading of hand written papers by modern Japanese politicians.

## INTERNATIONAL POLITICS

Professor NAKANISHI, Hiroshi

In recent years this course has examined the following

topics: the machinery of foreign policies; the image of international relations; peace; foreign policy in different ages; international relations between the wars; and the two world wars and their impacts.

## INTERNATIONAL POLITICAL ECONOMY

Professor SUZUKI, Motoshi

This course provides both theoretical and analytical perspectives on the nature and dynamics of international political economy. It reviews major theories of the field—realism, institutionalism, and constructivism—and also examines the standard methodological tools such as game theory and statistics. It concerns how power, preferences, and institutions operate in the construction of international politico-economic orders and how changes in such orders affect state behavior and the distribution of benefits across states.

## COMPARATIVE POLITICS

Associate Professor SHIMADA, Yukinori

This course offers comparative-historical analysis on the state formation and development of modern European countries.

## AMERICAN POLITICS

Professor MACHIDORI, Satoshi

This course deals with major subjects of American politics from theoretical viewpoints.

## POLITICAL PROCESS

Professor SHINKAWA, Toshimitsu

A comparative study of Western and Japanese politics with a special focus on the interface and interplay between politics and markets.

## PUBLIC ADMINISTRATION

Professor AKIZUKI, Kengo

This course introduces graduate students to a wide variety of topics in public administration, but primary focus this year is upon “trust” between governmental authorities and the general public. After reading some of the social capital literature, we will try to build a tentative survey questionnaire directed to residents to assess how trustful they are to their local government. Issues such as public ethics, corruption and democratic values will also be included in our discussion.

## PUBLIC POLICY

Professor MABUCHI, Masaru

The aim of this course is to look comparatively at the causes of and the responses to the recent Japanese and Asian financial/economic crises.

## ACADEMIC WRITING

Associate Professor OTTMAN, Esta Tina

This course will focus on improving English academic writing, particularly in the legal and political science fields. Goals include the production of academic research papers, dissertations and related writing skills such as research proposals and applications for graduate studies (depending on student needs).

**LAW SCHOOL PROGRAM****BASIC COURSES**

The courses in this group are designed for students to learn the basic principles of law and framework of the legal system, which all lawyers are required to master. Law faculty graduates are exempted from taking the courses.

## FRAME OF GOVERNMENT

Professor OHISHI, Makoto

## BASIC THEORY OF FUNDAMENTAL RIGHTS

Professor MORI, Toru

## ADMINISTRATIVE LAW (BASIC)

Professor TAKAGI, Hikaru

## CRIMINAL LAW (BASIC) I

Professor SHIOMI, Jun

## CRIMINAL LAW (BASIC) II

Professor SHIOMI, Jun

## CRIMINAL PROCEDURE (BASIC)

Professor HORIE, Shinji

## CIVIL LAW (BASIC) I

Professor SHIOMI, Yoshio

## CIVIL LAW (BASIC) II

Professor MATSUOKA, Hisakazu

## FAMILY LAW (BASIC)

Part-time Lecturer KAMITANI, Yuu

## COMMERCIAL AND CORPORATION LAW (BASIC)

Associate Professor SAITO, Maki

## CIVIL PROCEDURE (BASIC)

Professor YAMAMOTO, Katsumi

**CORE COURSES**

This group of courses is intended to help students develop capacities for "thinking like a lawyer": analyzing legal problems and applying legal principles and rules appropriately to actual cases. Students, at the same time, are expected to acquire basic practical skills and a sense of ethics essential for the legal profession.

## PUBLIC LAW (ADVANCED) I

Professors SHIBAIKE, Yoshikazu  
OKAMURA, Shuichi  
TAKAGI, Hikaru

## PUBLIC LAW (ADVANCED) II

Professors SHIYAKE, Masanori  
OKAMURA, Shuichi  
TAKAGI, Hikaru  
DOI, Masakazu  
MORI, Toru  
Associate Professor FUKASAWA, Ryuichiro

## PUBLIC LAW (ADVANCED) III

Professors DOI, Masakazu  
MORI, Toru

## CRIMINAL LAW AND PROCEDURE I

Professors SHIOMI, Jun  
TAKAYAMA, Kanako  
YASUDA, Takuto

## CRIMINAL LAW AND PROCEDURE II

Professor SAKAMAKI, Tadashi

## CRIMINAL LAW AND PROCEDURE III

Professor HORIE, Shinji

## CIVIL LAW (ADVANCED) I

Professors YAMAMOTO, Keizo  
SAKUMA, Takeshi

## CIVIL LAW (ADVANCED) II

Professors YAMAMOTO, Yutaka  
SHIOMI, Yoshio

## CIVIL LAW (ADVANCED) III

Professors MATSUOKA, Hisakazu  
YOKOYAMA, Mika

## CORPORATION LAW (ADVANCED) I

Professors MORIMOTO, Shigeru  
KITAMURA, Masashi

## CORPORATION LAW (ADVANCED) II

Professors SUZAKI, Hiroshi  
MAEDA, Masahiro

## CIVIL PROCEDURE (ADVANCED) I

Professors TOKUDA, Kazuyuki  
YAMAMOTO, Katsumi  
KASAI, Masatoshi  
YAMADA, Aya

## CIVIL PROCEDURE (ADVANCED) II

Professors TOKUDA, Kazuyuki  
YAMAMOTO, Katsumi  
KASAI, Masatoshi  
YAMADA, Aya

## CIVIL LEGAL WRITING

Professors SAKUMA, Takeshi  
YAMADA, Aya  
HASHIMOTO, Yoshiyuki  
Associate Professor SAITO, Maki

## CRIMINAL PROCEDURE IN PRACTICE

Professors OHYAMA, Takashi  
TAKENAKA, Yukari  
Adjunct Professor NAGASE, Takaaki

## CIVIL PROCEDURE IN PRACTICE

Professors NAKATA, Akitaka  
KASAI, Masatoshi  
Adjunct Professor KAWABATA, Masafumi

## PROFESSIONAL RESPONSIBILITY

Professor YAMADA, Aya  
Adjunct Professor MASUICHI, Toru  
Visiting Professor NISHIMURA, Takeshi  
Part-time Lecturer MATSUDA, Shigemitsu

TORIYAMA, Hanroku

**ELECTIVE COURSES ON LAW PRACTICE**

These courses are for students to understand how law really works in practice and to prepare themselves for a smooth transition into legal practice, through on-the-job training at lawyers' offices and simulation exercises.

**LAWYERING I**

Adjunct Professor NAKAI, Yasuyuki  
Part-time Lecturers KUBOI, Toshiaki  
NAKATSUKASA, Masahiro

**LAWYERING II**

Adjunct Professor TOYODA, Yukihiro  
Part-time Lecturers FUJII, Masao  
ITO, Tomoyuki

**SEMINAR ON LAWYERING**

Adjunct Professors NAKAI, Yasuyuki  
TOYODA, Yukihiro  
MASUICHI, Toru  
Visiting Professor SHIMIZU, Masanori  
Part-time Lecturers FUJII, Tsukasa  
TAKAHASHI, Tsukasa  
IIJIMA, Nae  
NAKATSUKASA, Naoko  
SANADA, Naomi

**SEMINAR ON CRIMINAL TRIAL**

Professor OHYAMA, Takashi  
Adjunct Professor NAGASE, Takaaki

**SEMINAR ON CIVIL TRIAL**

Professor NAKATA, Akitaka  
Adjunct Professor KAWABATA, Masafumi

**MOOT COURT**

Adjunct Professor KAWABATA, Masafumi

**LEGAL CLINIC**

Professors YAMAMOTO, Yutaka  
SHIOMI, Yoshio  
YOKOYAMA, Mika  
Part-time Lecturers IKEGAMI, Tetsuro  
YOSHIDA, Seiji  
KATO, Shinichiro  
HIRAO, Yoshiaki  
FUNAHASHI, Keiko  
UEDA, Atsushi

**EXTERNSHIP**

Professors SHIOMI, Yoshio  
SAKAMAKI, Tadashi  
MAEDA, Masahiro  
YAMADA, Aya

**ELECTIVE COURSES I**

These courses are designed for students to deepen insight into humanity and society, and to reflect on the significance of law and roles of the legal profession, from the various viewpoints of philosophy, history, sociology, political science and comparative law.

**CONTEMPORARY THEORY OF JUSTICE**

Professor KAMEMOTO, Hiroshi

**AN INTRODUCTION TO ECONOMICS FOR LAWYERS**

Part-time Lecturer TSUNEKI, Atsushi

**ECONOMIC ANALYSIS OF LAW**

Part-time Lecturer TSUNEKI, Atsushi

**PERSPECTIVES ON LAW**

Associate Professor FUNAKOSHI, Motoaki

**LAW AND SOCIAL CHANGE IN MODERN JAPAN I**

Professor ITO, Takao

**LAW AND SOCIAL CHANGE IN MODERN JAPAN II**

Professor ITO, Takao

**EUROPEAN LEGAL HISTORY**

Part-time Lecturer MIMINO, Kenji

**HISTORY OF LEGAL PROFESSION**

Professor HAYASHI, Nobuo

**LAW AND JUSTICE IN TRADITIONAL CHINA**

Professor TERADA, Hiroaki

**AMERICAN LAW - B**

Professor KINAMI, Atsushi

**LAW AND POLITICS IN CONTEMPORARY GERMANY**

Professor HATTORI, Takahiro

**FRENCH LAW**

Professor YOKOYAMA, Mika

**POLITICAL AND DIPLOMATIC HISTORY OF MODERN JAPAN**

Professor ITO, Yukio

**AMERICAN POLITICS AND CONSTITUTIONAL CASES**

Professor MACHIDORI, Satoshi

**CITY AND REGIONAL PLANNING**

Visiting Professor KOKURA, Muneharu

**ELECTIVE COURSES II**

Students taking these courses will enhance their understanding of more specific legal fields and develop advanced practical legal capacities through challenging themselves to the most up-to-date or highly complex legal problems.

**BIOETHICS AND LAW**

Professor HATTORI, Takahiro

**INFORMATION LAW**

Professor MORI, Toru

**FREEDOM OF INFORMATION AND DATA PROTECTION**

Visiting Professor KOKAI, Nobunari

**CONTEMPORARY ISSUES ON GOVERNMENT INSTITUTIONS**

Professor DOI, Masakazu

CONSTITUTIONAL THEORY AND HISTORY Professor DOI, Masakazu	Adjunct Professor NISHIOKA, Shigeyasu
LEGISLATION Part-time Lecturer KAWASAKI, Masaji	CONSUMER LAW Visiting Professor ABO, Yoshihiro
LOCAL GOVERNMENT Adjunct Professor, School of Government IMANAKA, Yasuyuki	CONTEMPORARY CONTRACT LAW Professor YOKOYAMA, Mika
ENVIRONMENTAL POLICY AND LAW Part-time Lecturer OHKUBO, Noriko	HEALTH LAW Professor NISHIGORI, Seishi
ENVIRONMENTAL LAW Part-time Lecturer YOSHIMURA, Ryoichi	COMMERCIAL TRANSACTIONS Professor KITAMURA, Masashi
CONTEMPORARY ISSUES IN THE LAW OF PUBLIC REMEDIES Professor TAKAGI, Hikaru	INSURANCE LAW Professor SUZAKI, Hiroshi
TAXATION I Professor OKAMURA, Tadao	SECURITIES REGULATION Professor MORIMOTO, Shigeru
TAXATION II Professor OKAMURA, Tadao	FINANCIAL SERVICES REGULATION Part-time Lecturers MORISHITA, Kunihiko TOTSUKA, Takaharu
INTERNATIONAL LAW I Professor SAKAI, Hironobu	COMPETITION LAW I Professor KAWAHAMA, Noboru
INTERNATIONAL LAW II Professor SAKAI, Hironobu	COMPETITION LAW II Professor KAWAHAMA, Noboru
INTERNATIONAL LAW - SPECIAL LECTURE Part-time Lecturers MURAKAMI, Masanao KOTERA, Akira	COMPETITION POLICY AND LAW Professor KAWAHAMA, Noboru
BUSINESS CRIME Professor TAKENAKA, Yukari	INTELLECTUAL PROPERTY LAW I Professor MATSUDA, Kazuhiro
SELECTED CRIMINAL CASES ON SELF-DEFENSE AND JUSTIFICATION Adjunct Professor NAGASE, Takaaki	INTELLECTUAL PROPERTY LAW II Part-time Lecturer UENO, Tatsuhiro
CONTEMPORARY ISSUES IN CRIMINAL PROCEDURE I Professor TAKENAKA, Yukari	ADVANCED PATENT LAW Professor MATSUDA, Kazuhiro
CONTEMPORARY ISSUES IN CRIMINAL PROCEDURE II Professor OHYAMA, Takashi	INSOLVENCY LAW I Professor YAMAMOTO, Katsumi
STUDIES ON LATEST CRIMINAL CASES I Professor YASUDA, Takuto	INSOLVENCY LAW II Professor TOKUDA, Kazuyuki
STUDIES ON LATEST CRIMINAL CASES II Professor TAKAYAMA, Kanako	CIVIL EXECUTION AND PROVISIONAL REMEDIES Professor KASAI, Masatoshi
CRIMINAL JUSTICE AND PENAL SYSTEM Professor YOSHIOKA, Kazuo	ALTERNATIVE DISPUTE RESOLUTIONS Professor YAMADA, Aya
CRIMINAL DEFENSE Part-time Lecturers IWASA, Yoshihiko AKITA, Masashi	PRIVATE INTERNATIONAL LAW I Professor NAKANISHI, Yasushi
STUDIES ON SELECTED CIVIL CASES	PRIVATE INTERNATIONAL LAW II Professor NAKANISHI, Yasushi
	INTERNATIONAL CIVIL LITIGATION Professor NAKANISHI, Yasushi
	INTERNATIONAL BUSINESS TRANSACTIONS Part-time Lecturer TAKASUGI, Naoshi

LABOR LAW I	Professor MURANAKA, Takashi
LABOR LAW II	Professor MURANAKA, Takashi
SOCIAL SECURITIES LAW	Associate Professor INAMORI, Kimiyoshi
BUSINESS LAW AND PRACTICE I	Part-time Lecturers KOJIMA, Youtaro SAITO, Norimichi
BUSINESS LAW AND PRACTICE II	Part-time Lecturer ODA, Takaaki
DOING BUSINESS IN CHINA	Part-time Lecturer MORIKAWA, Shingo
LAW AND THEORY OF FINANCIAL TRANSACTIONS	Part-time Lecturers TAKEI, Kazuhiro KOHRIYA, Daisuke
MERGERS AND ACQUISITIONS	Part-time Lecturers TANAHASHI, Hajime ISHIWATA, Gaku
LAW OF TRUSTS	Part-time Lecturer AMANO, Yoshihiro
SEMINAR ON ENVIRONMENTAL LAW	Visiting Professor MURAMATSU, Akio
SEMINAR ON CRIMINAL PROCEDURE	Professor OHYAMA, Takashi
SEMINAR ON TAXATION	Part-time Lecturer MIYAZAKI, Yuko
SEMINAR ON INTELLECTUAL PROPERTY	Part-time Lecturers HIRANO, Shigetoshi FUJIKAWA, Yoshito
SEMINAR ON PATENT LAW	Professor MATSUDA, Kazuhiro
SEMINAR ON COMMERCIAL TRANSACTIONS	Part-time Lecturers NAKAJIMA, Toru SUGINO, Yoshikazu
SEMINAR ON INSOLVENCY LAW	Adjunct Professors NAKAI, Yasuyuki MASUICHI, Toru Part-time Lecturer MASUDA, Katsuhisa
SEMINAR ON LABOR LAW	Part-time Lecturers KAMADA, Yukio YOSHIDA, Hajime YUKINAGA, Yumi TAKEBAYASHI, Ryutaro
SEMINAR ON COMPETITION LAW	Part-time Lecturer NAGASAWA, Tetsuya

SEMINAR ON FINANCIAL TRANSACTIONS  
Part-time Lecturer AMANO, Katsusuke

SEMINAR ON CIVIL PROCEDURE THEORY  
Professor YAMAMOTO, Katsumi

SEMINAR ON COMPETITION LAW THEORY  
Professor KAWAHAMA, Noboru

SEMINAR ON LABOR LAW THEORY  
Professor MURANAKA, Takashi

## UNDERGRADUATE DIVISION

CONSTITUTIONAL LAW I  
Professor OHISHI, Makoto  
The main theme of this course is the constitutional framework government of Japan. Some of the topics to be covered here are: theory, structure and principles of Constitutional Democracy, constitutional history of Japan, Electorate, and semi-direct democracy, the Parliamentary System of government (Emperor-Diet-Cabinet), the Judiciary, Public Finance and Local Government.

CONSTITUTIONAL LAW II  
Professor SHIYAKE, Masanori  
The main theme of this course is the essentials of the Bill of Rights of the Constitution of Japan. This course attempts to present a comprehensive account of the living constitution of Japan.

ADMINISTRATIVE LAW I  
Professor OKAMURA, Shuichi  
The course concerns the law relating to administrative process. The central topics include the rule of law; the distinction between public and private law; the organization of the administration; administrative discretion; delegated legislation; effects of administrative acts; unlawful administrative acts and their annulment; administrative guidance (gyosei shido) and administrative procedure.

ADMINISTRATIVE LAW II  
Professor SHIBAIKE, Yoshikazu  
This course concerns remedies for unjust or unlawful administrative actions and laws of various activities of public administration. The central topics include the tort liability of government; judicial review of administrative action; administrative complaint procedure.

TAX LAW  
Professor OKAMURA, Tadao  
This course offers an overview of the corporate income taxation. It attempts to provide a working understanding of the tax concepts and statutory provisions dealing with gross income, deductions, assets, capital contribution, distribution, liquidation, and reorganization. The course is designed as important background for those planning to engage in the business sector.

SOCIAL SECURITY LAW  
Associate Professor INAMORI, Kimiyoshi  
Topics to be covered in this course include the following: social insurance, family allowances, social welfare services, public assistance and industrial injury compensation.

## INTERNATIONAL LAW I

Professor SAKAI, Hironobu

Topics to be covered in this course include the following: the nature and basis of international law; the relation between international law and municipal law; sources of international law; the law of treaties; states as subjects of international law (recognition of states and governments, succession of states, and rights and duties of states); territorial jurisdiction of states; and the law of the sea and outer space.

## INTERNATIONAL LAW II

Professor ASADA, Masahiko

This course deals with those topics of public international law which relate to personal jurisdiction of States and international disputes. Thus, it examines diplomatic and consular relations law, status of individuals in international law, issues of State responsibility, peaceful settlement of disputes, international security including the United Nations system, and the laws of armed conflicts.

## LAW OF INTERNATIONAL ORGANIZATIONS

Professor IDA, Ryuichi

This course deals with the legal aspects of international organizations, including their history, principles, structures, functions and activities. Special emphasis will be given to the United Nations.

## CRIMINAL LAW I

Professor TAKAYAMA, Kanako

This course deals with the general theory of crime and punishment. Topics to be covered here are: social control by criminal law; the principle of legality; actus reus and mens rea; justification and excuse; attempt; complicity; concurrence of criminal acts; and penalties.

## CRIMINAL LAW II

Professor YASUDA, Takuto

This course is commonly called the "Special Part of Criminal Law". Lectures are given on the definition and elements of each offense provided in the Penal Code and some other important statutes. Offenses covered here are, for example, homicide, assault, abortion, false imprisonment, kidnapping, rape, libel, theft, robbery, fraud, embezzlement, riot, arson, forgery, and bribery.

## CRIMINAL PROCEDURE

Professor SAKAMAKI, Tadashi

Topics to be covered in this course are the following: criminal investigation (including arrest, interrogation, search and seizure), assistance of counsel, criminal court and prosecution system, trial process, criminal evidence law, sentencing, appeals and new trial.

## CRIMINOLOGY

Professor YOSHIOKA, Kazuo

Lectures are given on such topics as the history of theories on crime and punishment; analysis of crime problems and criminal behavior; criminal statistics; structure and activities of the criminal justice system; criticism of decision making in prosecution and sentencing; new trends of correction and prisoners' rights; reform of the Prison Act; the juvenile justice system and its reform.

## CIVIL LAW I

Professor SAKUMA, Takeshi

This Course covers Book I and IV of the Japanese Civil Code. Book I deals with the General Provisions. Topics to be discussed here are: introduction to Civil Law; the natural and judicial person; the subject-matter of private rights; the judicial act (which deals not only with contracts, but also includes any voluntary acts bringing about legal effects); the law of agency; acquisitive and extinctive prescription. The latter covers family law which deals with marriage and divorce, parents and children (including adoption), guardianship and family support.

## CIVIL LAW II

Professor YAMAMOTO, Keizo

This course covers Book II of the Civil Code, dealing with the law of real rights. Topics are divided into: the meaning and function of real rights; the transfer of real rights; the legal effects arising from interference with real rights; the extinction of real rights; ownership rights, possessory rights; superficies and other real rights in connection with land use and hypothetical and other real rights as security devices.

## CIVIL LAW III

Professor YAMAMOTO, Yutaka

This course covers the General Theory of the Law Obligation as well as the Law of Succession. Topics of the General Theory of the Law Obligation are divided into: the meaning and function of obligation; the subject of obligation; effect of obligation; obligation with a plurality of parties; assignment of claim and extinction of obligation. The lectures on the Law of Succession deal with successors; effect of succession; acceptance and renunciation of succession; separation of property; will and legally secured portions.

## CIVIL LAW IV

Professor HASHIMOTO, Yoshiyuki

This Course covers Section 2 to 5 of Book III of the Japanese Civil Code. These parts deal with the grounds of civil obligation. Topics to be discussed here are: General Principles of Contracts, Types of Contracts (Sales, Donatio, Loan, Lease, Construction, Bailment, Partnership etc. including new atypical Contracts), negotiorum gestio, unjust enrichment and Torts.

## COMMERCIAL LAW I

Professor MORIMOTO, Shigeru

This course consists of three parts. First, it deals with the historical development and characteristics of commercial law, especially in relation to civil law. Then it proceeds to the explanation of the general provisions of the commercial registry, trade name, merchant's bookkeeping, and merchant's agents. Third, more time will be spent in explaining laws on commercial papers, i.e., promissory notes, bills of exchange and checks in connection with the banking law.

## COMMERCIAL LAW II

Professor MAEDA, Masahiro

This is a study of corporation law based mainly on "Company Law (2005)". Major topics are as follows: formation; shares and shareholders; corporate governance; corporate finance; and structural changes.

## ECONOMIC LAW

Professor KAWAHAMA, Noboru

This course deals with important topics in antimonopoly

law, such as "private monopoly" and "unfair transactions".

#### LAW OF CIVIL PROCEDURE I

Professor TOKUDA, Kazuyuki

This course deals with the organization of civil courts and the process of civil litigation (the procedure in the first instance).

#### PRIVATE INTERNATIONAL LAW

Professor NAKANISHI, Yasushi

Topics to be covered here are: nationality law, international jurisdiction, the recognition and enforcement of foreign judgments, the nature, scope, origin, and development of private international law, the structure of conflicts rules, nationality and domicile, the problem of classification, the doctrine of renvoi, proof of foreign law, law of natural and juristic persons, law of property, law of obligations, and family law.

#### INTERNATIONAL TRADE LAW

Part-time Lecturer MORISHITA, Tetsuo

This course will examine the mechanisms of international trade which is regulated by private and public laws. The topics will include: international trade laws and regulations, treaties and rules, such as laws and regulations relating to international sales and purchase of goods, international payment, transportation and insurance. The topics also include international arbitration and litigation.

#### LABOR LAW

Professor MURANAKA, Takashi

This course covers both "collective labor law" (trade union law) and "individual labor law" (law of employment contract). Main topics are: principles of labor law; fundamental rights of workers; trade unions; unfair labor practices; collective bargaining; collective agreement; trade disputes; employment contracts; rules of employment; wages; working hours, recesses, holidays and annual vacation with pay; safety and sanitation and accident compensation.

#### LEGAL PHILOSOPHY

Professor KAMEMOTO, Hiroshi

The topics to be covered here are the historical development and main topics of legal philosophy: natural law theory vs. legal positivism; the structure of legal order; justice and human rights; judicial process and legal reasoning.

#### SOCIOLOGY OF LAW

Associate Professor FUNAKOSHI, Motoaki

The topics to be covered are, among others, the theory of law, judiciary, legal professions, and the legal culture.

#### JAPANESE LEGAL HISTORY

Professor ITO, Takao

Topics to be covered here are: the nature of Japanese pre-modern legal systems, the making of modern Japanese law, and the development of modern legal systems.

#### EUROPEAN LEGAL HISTORY

Part-time Lecturer MIMINO, Kenji

This course will discuss the formation and development of the academic study of law in Europe from the days of Bologna to the present, including the following areas: the historical role of the medieval law schools and the jurists as a social class; and the transformation of legal studies during the 19th century in the rise of the historical jurisprudence and the free

law movement.

#### ROMAN LAW

Professor HAYASHI, Nobuo

This course consists of seven chapters, taking each historical background into consideration: constitutions, sources of law and jurists, law of Procedures, law of Persons, law of Property (inclusive of Inheritance), law of Obligations and Public Law (especially Criminal Law).

#### CHINESE LEGAL HISTORY

Professor TERADA, Hiroaki

This course gives an overview of the legal system and the legal culture in late imperial China. The following topics are included: family law, land law, civil justice, criminal justice and the nature of traditional Chinese law.

#### INTRODUCTION TO ANGLO-AMERICAN LEGAL SYSTEMS

Professor KINAMI, Atsushi

This course aims at providing an overview of the legal system in the United States with focus of the common law origins of the system, the government structure, the interstate relations, and the guarantee of equality.

#### INTRODUCTION TO LAW

Professor YASUDA, Takuto

This introductory course provides students with an overview of the basic structure and functions of the legal system using various topics and theories of law.

#### FAMILY AND LAW

Professor NISHIGORI, Seishi

This introductory course provides students with the basic structure of family law and social and legal functions of families.

#### GERMAN LAW

Professor HATTORI, Takahiro

This course provides students with an overview of the German legal system especially focusing on the public laws.

#### FRENCH LAW

Professor YOKOYAMA, Mika

Topics to be covered here are: the historical development of the French legal system, modern sources of law, the court system, the framework of civil law.

#### PRINCIPLES OF POLITICAL SCIENCE

Professor MATOBA, Toshihiro

The political institutions of the major countries have undergone remarkable changes, and today therefore differ both structurally and functionally from those of the last century. In this course of lectures, the process of these changes will be traced and the nature of the differences will be elucidated from the viewpoint of comparative politics.

#### POLITICAL PROCESS

Professor SHINKAWA, Toshimitsu

This course provides an examination of empirical political theories with reference to post-war Japanese politics, including group theory, pluralism, corporatism, new institutionalism and statism.

**COMPARATIVE POLITICS**

Associate Professor SHIMADA, Yukinori

This course offers a comparative-historical study of the state formation and political modernisation in Western European countries, especially Britain and Germany.

**AMERICAN POLITICS**

Professor MACHIDORI, Satoshi

This is a lecture course on American political history, institutional structure, and interactions among actors in policy-making process.

**INTERNATIONAL POLITICS**

Professor NAKANISHI, Hiroshi

The lecture will deal with the following problems: basic power concepts; national interests; international systems; historical development; relations between foreign policy and domestic politics; decision making processes; the several forms of security policy; the effects of interdependence and its problems; and the foreign policy styles of the major powers. As far as possible these will be discussed through concrete examples.

**INTERNATIONAL POLITICAL ECONOMY**

Professor SUZUKI, Motoshi

This course provides both theoretical and analytical perspectives on the nature and dynamics of international political economy. It reviews major theories of the field—realism, liberalism, and institutionalism—and also applies game theory to analyses of crucial global issues. In particular, it examines the balance of power, international crises, alliance, economic globalization, and international institutions.

**POLITICAL HISTORY**

Professor KARATO, Teruhiro

This course is a study of the modern history of Europe focusing on the nation-state.

**POLITICAL AND DIPLOMATIC HISTORY OF JAPAN**

Professor ITO, Yukio

This course explores the relationship between foreign and domestic policies from the Meiji Restoration to the present. Major topics include developments of party politics, bureaucracy and modern monarchy.

**HISTORY OF POLITICAL THOUGHT**

Professor ONO, Noriaki

A study of Western political thought as intellectual history.

**PUBLIC ADMINISTRATION**

Professor AKIZUKI, Kengo

Contemporary public administration constitutes a substantial part of the governmental process. This course discusses the ingredients of public administration: bureaucratic organization, personnel administration, leadership and morale, planning, decision-making, budgetary process, and so forth. Local government is also discussed in this course.

**PUBLIC POLICY**

Professor MABUCHI, Masaru

The aim of this course is to examine the structure, the process and the behavior of the Japanese bureaucracy that make and implement the public policies as well as to provide the basic methods of analyzing several areas of the public

policies.

**INTRODUCTION TO POLITICAL SCIENCE I**

Professor SHINKAWA, Toshimitsu

This course offers introductory reflections on some basic political trends since the Meiji Restoration.

**INTRODUCTION TO POLITICAL SCIENCE II**

Associate Professor SHIMADA, Yukinori

This course offers comparative-historical analyses on the development of parliamentary systems in Britain, France and Germany from the Middle Ages to the post-war era, focusing on the principal concepts such as “popular will”, “representation” and “common good”.

**HISTORY OF JAPANESE POLITICAL THOUGHT**

Part-time Lecturer ANZAI, Toshimitsu

This lecture provides an examination of the Japanese political thought from the ancient era to the Edo period, regarding its influence to the concrete political situation.

**JUDICIAL SYSTEM**

Professor YAMADA, Aya

This course provides an introduction to the judicial system in Japan.

**DIPLOMATIC HISTORY**

Part-time Lecturer IGUCHI, Haruo

This lecture addresses the history of United States diplomacy since 1776 in the context of America’s domestic politics and status in world affairs.

**PRACTICE AND LAW IN ASSET MANAGEMENT**

Professor KITAMURA, Masashi

Professor KAWAKITA, Hidetaka

This course provides the basic structure and law of asset management in business. At the point of law, we focus on Japanese financial instrument and exchange law and company law.

**FOREIGN BOOK READING (English)**

Associate Professors TAKATANI, Chika

**RESEARCH ON FOREIGN LITERATURE**

Professors HAYASHI, Nobuo (French)

KIMAMI, Atsushi (English)

YAMADA, Aya (English)

NISHIGORI, Seishi (German)

**SEMINARS**

Seminars are offered by thirty-eight professors in their respective specialty fields.