

Keio University Syllabus and Timetable

INTRODUCTION TO JAPANESE LAW

Subtitle	History and current characteristics of the Japanese legal system
Lecturer(s)	ORTOLANI, ANDREA
Credit(s)	2
Academic Year/Semester	2024 Fall(2nd Half)
Day/Period	Thu.1,2
Campus	Mita
Classroom	445
Class Format	Face-to-face classes (conducted mainly in-person)
Registration Number	74866
Faculty/Graduate School	INTERNATIONAL CENTER
Year Level	2, 3, 4
Grade Type	S, A, B, C, D
K-Number	CIN-CO-00253-212-05

[▼ Detail](#)**Course Contents/Objectives/Teaching Method/Intended Learning Outcome**

This course will present the history and the main current characteristics of the Japanese legal system. The first lessons will present the historical background of the Japanese legal system, focusing on the reception of Western law in the Meiji period, and on the consolidation of the legal system in the XX century. The second part will present several key aspects of current Japanese constitutional law, private law, criminal law and procedure. Depending on the circumstances, one class might consist in a field trip to an institution analyzed during the classes (a prison, the Parliament, etc.).

Active Learning Methods [Description](#)

Not applicable

Preparatory Study

Students must have a basic knowledge of Japanese history, as the classes will make often reference to the historical and social context in which law evolved.

Course Plan**Lesson 1**

Introduction to the course

Lesson 2

Japanese law before 1868

Lesson 3

Meiji Restoration and the reception of Western law

Lesson 4

The Meiji Constitution and the Civil Code of Japan

Lesson 5

The Constitution of 1947: fundamental principles, rights and duties of the people

Lesson 6

The Constitution of 1947: The Parliament, the Government of Japan

Lesson 7

Legislative procedure; the Cabinet legislation bureau

Lesson 8

The Japanese judiciary, the Supreme Court and judicial review

Lesson 9

History of criminal law and procedure

Lesson 10

Modern criminal law and procedure

Lesson 11

Private law

Lesson 12

Family law

Lesson 13

Environmental law

Lesson 14

Session for Q&A, discussion.

Other

Makeup class

Method of Evaluation

Weekly readings (50%), micro-exams (take-home exams, 50%).

Details about the evaluation standards will be explained in the first lesson.

Textbooks

There is no mandatory textbook.

Reading materials will be provided by the instructor.

Additional reference materials will be regularly mentioned during the classes.

Reference Books

Curtis J. Milhaupt, J. Mark Ramseyer, Mark D. West, *The Japanese legal system: Cases, Codes, and Commentary*, (2nd ed), New York, Foundation Press/Thomson Reuters, 2012.

Colin PA Jones and Frank S. Ravitch, *The Japanese Legal System*, West Academic, 2018.

Daniel H. Foote (ed. by), *Law in Japan: A Turning Point*, Seattle, University of Washington Press, 2007.

Lecturer's Comments to Students

All lectures and all readings will be in English. Some optional readings may be in other languages.

Knowledge of the Japanese language and a background in law are welcome, but they are not a condition to follow the course.

Feedback will be provided after the classes or via email.

The workload will consist in (on average) 3/4 readings per week and 2 to 4 short exams per semester.

Question/Comments

Students can contact the instructor at the end of the class or by email (details will be given during the classes).