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Keio University Syllabus and Timetable

THE SUPREME COURT OF JAPAN: STRUCTURE, FUNCTION, CASE LAW

Subtitle	The Supreme Court of Japan: Structure, Functions, Case Law
Lecturer(s)	ORTOLANI, ANDREA
Credit(s)	2
Academic Year/Semester	2026 Spring (2nd Half)
Day/Period	Thu.1,2
Campus	Mita
Classroom	443
Class Format	Face-to-face classes (conducted mainly in-person)
Registration Number	86259
Faculty/Graduate School	INTERNATIONAL CENTER
Year Level	2, 3, 4
Grade Type	S, A, B, C, D
Course Description	A course to aim to study on the Supreme Court of Japan from the origin, the structure and the functions of the Supreme Court to the role it plays in the Japanese legal system, and an overview of the most important cases.
K-Number	CIN-CO-00253-212-05

[▼ Detail](#)

Course Contents/Objectives/Teaching Method/Intended Learning Outcome

This course analyses the role of the Supreme Court of Japan in the country's legal system and society. The initial lessons will introduce the origins, structure and functions of the Japanese judiciary and legal professions. Subsequently, the classes will focus on the Supreme Court itself, its judges, and its role within the Japanese legal system.

The second part of the course will provide an overview of the Supreme Court's most significant rulings. One case will be studied in full.

Some lessons will be based on student presentations, either individually or in teams.

Course Taught by Faculty Member with Professional Experience

Not applicable

Active Learning Methods [Description](#)

Presentations
Group work

Preparatory Study

Students should have a basic knowledge of Japanese history and society in the 20th century. A legal background is not strictly required, but students unfamiliar with basic concepts of constitutional and procedural law must fill in the gaps.

Course Plan

Lesson 1

Introduction to the course.

Lesson 2

What is judicial review.

Lesson 3

History and structure of the Japanese judiciary.
The legal professions.

Lesson 4

History and structure of the Japanese judiciary.
The legal professions.

Lesson 5

Provisions on the courts and on the Supreme Court. Administrative functions of the SCOJ and judicial independence.

Lesson 6

Provisions on the courts and on the Supreme Court. Administrative functions of the SCOJ and judicial independence.

Lesson 7

The current judges of the Supreme Court.

Lesson 8

The current judges of the Supreme Court.

Lesson 9

The role of precedents at the Supreme Court.
Case law on art. 9.

Lesson 10

The role of precedents at the Supreme Court.
Case law on art. 9.

Lesson 11

Case law on State and religion.
Case law on civil liberties.

Lesson 12

Case law on State and religion.
Case law on civil liberties.

Lesson 13

Textual analysis of a judgment of the SCOJ.

Lesson 14

Textual analysis of a judgment of the SCOJ.

Other

Session for Q&A, general discussion.

Method of Evaluation

Attendance and participation (40%), short in-class tests (3 times x 20%).

Generative AI Policy for Classes

Generative AI can be used at home, but cannot be used in the classroom.

Textbooks

There is no mandatory textbook.
All mandatory reading materials will be provided by the instructor.

Reference Books

Shigenori Matsui, *The Constitution of Japan: A Contextual Analysis*, Hart Publishing, 2011.
Hiroshi Itoh, *The Supreme Court and benign elite democracy in Japan*, Ashgate Publishing, 2010.
"Decision Making on the Japanese Supreme Court", 88 Wash. U. L. Rev. 1365-1780 (2011) (Symposium issue of the Washington University Law Review)

Lecturer's Comments to Students

All classes and all readings will be in English. Some optional readings may be in other languages.
A background in law is not a condition for attending the classes, but participants should have a basic knowledge of constitutional law notions and of modern Japanese constitutional history (please refer to the suggested reference books).
Feedback on the assignments will be provided during office hours or via email.
Workload for the course will consist in reading about 30 pages per week, including a case of the SCOJ (translated in English) and preparing a short presentation.

Question/Comments

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