

Course Title	Comparative Constitutional Design
Instructor	SUTTER, A. J.
Credit	2 Credits
Course Number	LPX3901

■ Course Objectives

To learn about constitutions of other countries, and to expand your imagination about Japan's.

■ Course Contents

In 69 years, Japan's constitution hasn't changed. It's a world record. Is that good? If we were to think about changing it, where would we start? Is Article 9, the "peace" provision, the only important issue? What are other countries' constitutions like? Do they have any useful ideas? In this course, we will consider the way other countries around the world structure their constitutions. There is a wide variety of approaches. Comparisons will include countries in Europe, Latin America and Asia, as well as USA and ancient Greece. Our emphasis will be mainly on democratic institutions, such as: parliamentary vs. presidential systems, voting and elections, separation of powers, judicial review, and constitutional amendment. Human rights and other sorts of provisions may also be discussed, if time permits.

This year I've changed the term of this course to Spring, so that we will be close to the House of Councillors (参議院) election -- maybe some of you will be voting for the first time. Although other countries' systems are interesting for their own sake, our special goal will be to think more imaginatively about Japan's future, beyond the limited ideas mentioned in the media and by politicians.

IMPORTANT NOTE: The course schedule listed below is typical of the past, but actual contents vary from year to year. The contents may change so that we can discuss any important events in the news that relate to the subject matter of the course. Typical classes are lecture, but many have some in-class group exercises.

■ Course Schedule

1. Introduction
2. What are constitutions?
3. What's usually in a constitution?
4. Constitutionalism, and how it differs from democracy
5. Horizontal separation of powers: Branches of government
6. Vertical separation of powers: Federalism
7. Executive systems; Parliaments 1
8. Parliaments 2
9. Parliaments 3
10. Elections and electoral systems 1
11. Elections and electoral systems 2
12. Court systems and judicial review
13. Changing constitutions
14. Summary and conclusion

■ Study Required Outside of Class

You should be comfortable listening and reading about serious subjects in English. This is a politics class, NOT a class in English conversation or reading practice. However, it's OK if you don't speak perfect English or read it as quickly as a native speaker. You will be allowed to read the final exam at least 24-48 hours before taking it, so don't worry if you read English slowly. It is recommended that you have already studied the Constitution, but this is not required. Students from outside the College of Law and Politics are welcome.

■ Evaluation

Written Exam (100%)

Good attendance will be weighted up to 30% of the final grade.

■ Textbooks

No textbook: professor's handouts only. All materials will be made available on CHORUS. It is your responsibility to check this class's Notices and Materials sections of CHORUS before class.

Course Title	Seminar <Japanese Law in an American Casebook>
Instructor	TAMARUYA, M.
Credit	2 Credits
Course Number	LPX4910

■ Course Objectives

To re-examine Japanese law from the non-Japanese (American) perspective.

■ Course Contents

Can you explain Japanese law to someone who does not understand Japanese? This may sound easy. Given the globalization of Japanese economy, you may well be asked to do so in the near future. However, it's not often easy-even if you have fairly good command of English.

The textbook contains Japanese cases and materials translated or written primarily by American lawyers. The Japanese law portrayed and discussed may well be quite different from what you (as a student at a Japanese university) suppose you know about Japanese law. It may, in fact, reflect peculiarly American conception about law.

Both Japanese and overseas students are welcome. My intention is that the discussion in the class will be primarily in English, though I will be flexible. Basic understanding of both English and Japanese is required.

■ Course Schedule

1. Introduction
2. Constitutional Law I (Chapter 4)
3. Constitutional Law II
4. Constitutional Law III
5. Contract Law I (Chapter 7)
6. Contract Law II
7. Contract Law III
8. Property Law I (Chapter 9)
9. Property Law II
10. Property Law III
11. Tort Law I (Chapter 12)
12. Tort Law II
13. Civil Litigation (Chapter 6)
14. Civil Litigation II

■ Study Required Outside of Class

Pre-reading of the designated material will be required.

■ Evaluation

Class participation (70%); Presentation or paper (30%)

■ Textbooks

Kenneth L. Port, et al.. 2015. *"Comparative Law : Law and the Legal Process in Japan"*. (Carolina Academic Press ISBN:9781594608506)

■ Readings

Curtis J. Milhaupt, et al.,. 2012. *"The Japanese Legal System: Cases, Codes, and Commentary"*. (Foundation Press ISBN:1609300297)

Course Title	Seminar on Law and Politics <Introduction to International Business Contracts>
Instructor	SUTTER, A. J.
Credit	2 Credits
Course Number	LPX2911

■ Course Objectives

To practice reading, criticizing, drafting and negotiating simple contract provisions in English.

■ Course Contents

If you plan a career in international business, you need to be able to understand the language and structure of English-language contracts. They're often used even where neither party speaks English as its native language. And many are written in the complicated "American" style, even when US law does not apply. It takes years of experience to get this skill, but this course will give you a head-start. We'll see that a contract has a lot in common with a traffic signal (青—黄—赤). We'll also talk about the "flow" of a typical negotiation, including such issues as non-disclosure agreements and how merger and acquisition (M&A) deals differ from usual commercial contracts. You'll get practice in finding and fixing badly-written clauses, and in drafting and negotiating key contract clauses as part of a team.

IMPORTANT NOTE: The course contents listed below are typical of the past, but actual contents vary from year to year. Most classes are a mix of lecture and group exercises.

■ Course Schedule

1. Introduction to course; Diagramming business deals
2. "Traffic light" and deal flow
3. Non-disclosure agreements (NDAs)
4. Non-disclosure agreements (NDAs)
5. Non-disclosure agreements (NDAs) - Negotiation exercise #1
6. Contract Language Basics
7. Contract Language Basics
8. Negotiation exercise #2
9. Contract Language Basics
10. "Yellow Light" Provisions
11. Negotiation exercise #3
12. "Red Light" Provisions
13. "Boilerplate" provisions; final take-home test distributed
14. Final take-home test handed in; Contract amendments and final topics

■ Study Required Outside of Class

You should have at least intermediate-level skill in English grammar to enjoy this course. Please be aware that this isn't a class in conversational English -- it's a class about real business contracts, which is taught in English

■ Evaluation

Class participation (50%); Final take-home test (50%)

■ Textbooks

No textbook: professor's handouts only. All materials will be made available on CHORUS. It is your responsibility to check this class's Notices and Materials sections of CHORUS before class.

■ Readings

牧野和夫、2014、『「英文契約書の基本表現」』、日本加除出版 (ISBN:978-4817842015)
 Adams. 2013. A Manual of Style for Contract Drafting 3rd ed.. ABA (ISBN:978-1614388036)
 Makino is for students and lawyers. It can probably help you with material in this course, but sometimes it might not follow the practices I teach. Adams is for professional US lawyers and is rather expensive. I will usually follow his style. Neither book is required.

Course Title	Seminar on Law and Politics <Politics in Literature>
Instructor	SUTTER, A. J.
Credit	2 Credits
Course Number	LPX2911

■Course Objectives

1. To help you to see the human side of political events, and to develop empathy for the people who live through them.
2. To help you see that reading literature can be both fun and serious at the same time.

■Course Contents

Suppose a professor tried to write about the facts and events of your life: it would probably be a lot different (and more boring!) compared to the way you feel while living that life. The same is true of politics. Political science tells us very little about the motivations of people when they are involved in political events, and even less about the impact of events on their lives, families and even survival. But a great way to learn about that impact is through literature.

In this seminar we'll read a variety of novels, plays and even poems that each relate to politics in some way; we'll also read a manga and watch a film or two. The sources will include works from Africa, Europe, the US, the Middle East and more, as well as Japanese authors. Our goal will be to get a deeper understanding of politics than possible from facts and statistics alone, as well to develop empathy for people from a variety of cultures.

This year will have a NEW reading list, so for now the list of contents is very general. OK TO REPEAT if you took this class in AY2015 and got B or better. STUDENTS FROM ALL FACULTIES WELCOME.

■Course Schedule

1. Introduction
2. Reading and discussion of works of literature.
3. Viewing and discussion of film
4. Reading and discussion of works of literature.
5. Reading and discussion of works of literature.
6. Reading and discussion of works of literature.
7. Reading and discussion of works of literature.
8. Reading and discussion of works of literature.
9. Viewing and discussion of film
10. Reading and discussion of works of literature.
11. Reading and discussion of works of literature.
12. Reading and discussion of works of literature.
13. Reading and discussion of works of literature.
14. Final presentations

■Study Required Outside of Class

This is a course about politics and about gaining pleasure and insight from reading. So it's ESSENTIAL that you do the reading. The quantity of reading is like a US college course: an important standard in our globalized world. This is NOT a course in reading English or in English conversation. If you will need to learn English vocabulary or grammar, it's your responsibility to do that on your own. You will be able to read most of the longer readings in Japanese if you wish.

■Evaluation

In-class participation (50%); Final project (50%)

Final project: probably a presentation, possibly a written report, depending in part on the number of people in the seminar.

■Textbooks

This is a new reading list, so I'll make a final determination of the books once I see who the participants will be. I expect we will be reading 6 to 8 full-length works. Most longer works will be available in both English and Japanese. (Some possible examples: Sophocles's *Antigone* (at least two different versions), Chinua Achebe's *Things Fall Apart*, Art Spiegelman's *Maus*, *Soldiers Alive* 『生きている兵隊』 by Ishikawa Tatsuzo (石川 達三).) You won't have to buy them all at once. I'll let you decide which version you want to get, and also new/used/e-book, etc. (English versions are often cheaper!)

■Readings

Some shorter readings will be made available on CHORUS. Some of these might be available in English only.