

学生各位

FISHER 特任准教授による以下の演習のシラバスは、本日より UTMate でも閲覧可能となりました。未定となっていた科目名も決まりましたのでお知らせします。

参加を希望する学生は、所定の期間に申し込み手続きを行ってください。

時間割 コード	科目名	題目	学期	曜限
011585S	比較法 演習	Law and Society in Japan: Foreign Perspectives I	Sセメ スター	水 5
011586S	比較法 演習	Law and Society in Japan: Foreign Perspectives II	Aセメ スター	水 5
011587S	英米法 演習	An Introduction to the English Law of Contract I	Sセメ スター	火 5
011588S	英米法 演習	An Introduction to the English Law of Contract II	Aセメ スター	火 5

011585S

講義題目

Law and Society in Japan: Foreign Perspectives (I)

授業の目標・概要

We will address several broad questions over the duration of the course. How has Japanese law and society been perceived by foreign observers? How accurate have these perceptions been, and how have they changed since the first analyses of Japanese legal and social systems? Have foreign views kept pace with legal and social changes in Japan in light of the country's reopening and the profound transitions of the 20th Century? How do foreign views differ from those of indigenous Japanese thinkers? Are foreign perceptions of Japanese law and society becoming more accurate, or are they influenced by outdated ideas and a tendency to caricature? Has the 'specialness' of Japanese law and society been overstated, and how might this be changing?

授業のキーワード

Japanese law, Comparative law, Legal sociology, Foreign analyses

授業計画

1. Orientation
2. Early analyses
3. Contemporary perspectives on Japan's modernisation
4. Mid-20th Century scholarship and its influence
5. Litigiousness and legal culture
6. Judicial reasoning and legal procedure
7. 'Legal families': classifying Japan's legal system
8. International law in Japan
9. Japan's place in comparative law
10. The 'specialness' of Japan and its laws
11. The relationship between the law and wider society
12. Recent foreign studies of Japanese law
13. Convergence of foreign and Japanese views

授業の方法

Teaching will be by seminar and conducted entirely in English. Materials will likewise all be written in English. Students are responsible for locating the assigned reading material independently, except some supplementary material which will be provided. There is no formal written examination, but essays will be assigned and must be submitted in English.

成績評価方法

Contributions in seminars and written assignments.

教科書

There is no suitable single textbook, so students must read the various materials assigned. Reading lists will be circulated at the start of the course.

履修上の注意

Please understand that a high standard of written English will be required to perform well in this course, and such speaking abilities necessary to discuss materials in depth and to provide opinions in English.

011586S

講義題目

Law and Society in Japan: Foreign Perspectives (II)

授業の目標・概要

We will address several broad questions over the duration of the course. How has Japanese law and society been perceived by foreign observers? How accurate have these perceptions been, and how have they changed since the first analyses of Japanese legal and social systems? Have foreign views kept pace with legal and social changes in Japan in light of the country's reopening and the profound transitions of the 20th Century? How do foreign views differ from those of indigenous Japanese thinkers? Are foreign perceptions of Japanese law and society becoming more accurate, or are they influenced by outdated ideas and a tendency to caricature? Has the 'specialness' of Japanese law and society been overstated, and how might this be changing?

授業のキーワード

Japanese law, Comparative law, Legal sociology, Foreign analyses

授業計画

1. Orientation
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3. Contemporary perspectives on Japan's modernisation
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成績評価方法

Contributions in seminars and written assignments.

教科書

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011587S

講義題目

An Introduction to the English Law of Contract (I)

授業の目標・概要

We will address several broad questions over the duration of the course. How does the English law of contract function? What are its strengths and shortcomings? What are the rules concerning the making, breaking, and enforcement of English contracts? What are the main differences (real or imagined) between English contract law and that of Civilian jurisdictions? We will be focussing on close readings of English statutes and (mostly!) case law to deduce and evaluate the key features of English contract law, its development and continuing evolution.

授業のキーワード

Contract law, English law, Comparative law, Private law, Common law

授業計画

1. Offer and acceptance
2. Interpretation, certainty and objectivity
3. Consideration, formality and promissory estoppel
4. Privity of contract and third party rights
5. Unilateral mistake
6. Misrepresentation
7. Breach of contract
8. Exclusion of liability
9. Termination
10. Common mistake and frustration
11. Vitiating factors (undue influence, duress, unconscionability)
12. Remedies (general principles of damages)
13. Remedies (non-pecuniary loss, equitable relief, minority remedies)

授業の方法

Teaching will be by seminar and conducted entirely in English. Materials will likewise all be written in English. Students are responsible for locating the assigned reading material independently (digitally or in hard copy), except some supplementary material which will be provided. There is no formal written examination, but essays will be assigned and must be submitted in English.

成績評価方法

Contributions in seminars and written assignments.

教科書

There is no suitable single textbook, so students must read the various materials assigned. Reading lists will be circulated at the start of the course.

履修上の注意

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011588S

講義題目

An Introduction to the English Law of Contract (II)

授業の目標・概要

We will address several broad questions over the duration of the course. How does the English law of contract function? What are its strengths and shortcomings? What are the rules concerning the making, breaking, and enforcement of English contracts? What are the main differences (real or imagined) between English contract law and that of Civilian jurisdictions? We will be focussing on close readings of English statutes and (mostly!) case law to deduce and evaluate the key features of English contract law, its development and continuing evolution.

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