

YNU

Yokohama National University

YNU/JDS

Law and Public Policy (LPP) Program

(2008-2011)

**Department of International Relations Law
International Graduate School of Social Sciences
Yokohama National University**

**YNU/JDS Law and Public Policy (LPP) Office
Department of International Relations Law
International Graduate School of Social Sciences
Yokohama National University**

Dear Applicant:

Yokohama National University and JDS (Japanese Grant Aid for Human Resource Development Scholarship) Program are now seeking prospective students for our Law and Public Policy Program. This program consists of a two-part Law and Public Policy Course. The Law Course will explore the development of legal systems from the perspective of countries in economic transition or reconstruction phases, and study theories and practices in the field of international and business law. The Public Policy Course will analyze a variety of governance issues by focusing on theories and practices in policy management and business relations law. All courses will be conducted in English. Candidates are requested to come to Japan by the end of September 2008 in order to participate in a preparatory program and prepare for the entrance examination. After completion of a two - year (April 2009-March 2011) 32-unit course of study, successful candidates will qualify for **a Master's degree in International and Business Law.**

In applying for admission to the program, applicants should note the following:

***Please note the following is general information. For JDS application, please refer to the JDS guideline of EACH country.**

1. The YNU/JDS Law and Public Policy Program is oriented to training government officials, academic researchers, and business people with an academic background in the field of law. Applicants must;
 - (a) Have completed undergraduate work in law or an equivalent field of study.
 - (b) Have a clear study plan in the field of international and business law or public policy.
 - (c) Be 35 years of age or under as of April 1, 2008.
 - (d) Be in good health. Attach the certificate of health with the application form.

2. Because the entire program is carried out in English, applicants must provide evidence of a satisfactory level of English competence, either by enclosing the result of the TOEFL* exam (or equivalent English proficiency examination) or by indicating that they have completed a university program conducted primarily in English.
3. Letters of reference or recommendation from two different people must be provided to support the application. One must be from a person who has supervised the applicant in a work situation and the one from a professor at the university from which the applicant graduated.
4. It is preferred that applicants arrange for a leave of absence from their employer for the period during which they are to participate in the program. This leave should assure their re-employment after completion of the program.

Sincerely,

Tatsuhiko Ikeda
Dean of Department of International and Business Law
International Graduate School of Social Sciences
Yokohama National University

* Regarding TOEFL, a score of 550 and above is preferable.

Program Description

Yokohama National University and JDS program are now seeking prospective students for our Law and Public Policy Program. This program consists of the Law Course and the Public Policy Course. The Law Course will explore the development of legal systems from the perspective of economic transition or reconstruction countries and study theories and practices in the field of international and business law. The Public Policy Course will analyze a variety of governance issues by focusing theories and practices in policy management and business relations law. All courses will be conducted in English.

While participating in the Program, students will have numerous opportunities for meaningful exchange with Japanese as well as other foreign students on campus. After a two-year, 32-unit course of study, the scholars will be awarded a Master's degree in International and Business Law. It is hoped that successful graduates of the program will return home to contribute to the development and operation of legal systems and public policies in their countries.

Educational Philosophy and Course Content

The Department of International Relations Law at YNU is seeking talented students in government positions or from the academic and corporate worlds who are involved in the development process of their countries. Economies in transition or in the process of reconstruction require solid legal systems and good public policies that can foster efficient and vital market economies. It is the goal of this program to train individuals who will be in a position to assist in the smooth implementation of solid legal foundations appropriate to market economies. In particular, we intend to focus on the unique situations in the countries represented by program participants, from nations making the transition from planned to market economies to countries undergoing postwar reconstruction.

Specifically, in addition to offering lectures covering Japan's adoption and adaptation of Western legal systems since the Meiji Era, the program will cover the crucial concept of global standards from the perspective of international and business law. We will also provide individualized academic guidance to JDS scholars as they compose their Master's theses. In addition, the department offers elective classes in English conversation and writing, computer usage, and Japanese language.

Furthermore, the Department of International Relations Law has, for the past ten years, been conducting a special World Bank scholarship program in infrastructure management, which is taught in English. The YNU/JDS program participants will be welcome to audit any infrastructure courses they find of interest.

Program at a glance

This program is tentative and may change.

Academic Credit Requirements

| | |
|---------------------------------|----------|
| Specialized Courses | 14 units |
| English Writing | 2 units |
| Workshop | 4 units |
| Seminar (Research and Guidance) | 12 units |
| Total | 32 units |

Specialized Courses

| Course Title | Units | Instructor |
|--|----------------|----------------------|
| Aging and Law | 2 | Ass. Prof. SEKI |
| Business Law and Legal Dispute Resolution in Japan | 2 | Lecturer SUZUKI |
| Civil Law(L) | 2 | Lecturer TSUBURAYA |
| Commercial Law(L) | 2 | Prof. OHSAWA |
| Communication Systems and Social Development (P) | 2 | Prof. KISUGI |
| Contract Law | 2 | Lecturer TSUBURAYA |
| Criminal Law(L) | 2 | Prof. TANAKA |
| Development Policy Making (P) | 2 | Prof. IKEDA |
| Environmental Policy | 2 | Prof. KATO |
| Globalization and International Rules | 2 | Prof. YOO |
| International Law | 2 | Prof. MORIKAWA |
| International Trade Policy | 2 | Prof. ARAKI |
| Japanese Constitutional Law(L) | 2 | Lecturer MURAYAMA |
| Japan's Development Experience I | 4 | Various Professors |
| Japan's Development Experience II | (2 units each) | Various Professors |
| International Political Economy (P) | 2 | Ass. Prof. KABASHIMA |
| Private International Law | 2 | Prof. NEMOTO |
| Public Policy and Management(P) | 2 | Prof. KOIKE |
| Tax Law | 2 | Ass. Prof. YOSHIMURA |

(L): Selective requirements (4 units minimum) for Law Course

(P): Selective requirements (4 units minimum) for Public Policy Course

English (preparatory for [English Writing])

| | | |
|---|---|---------------|
| English Writing A (for 1 st grade) | 2 | Lecturer GAGE |
|---|---|---------------|

English Writing (requirement)

| | | |
|---|---|---------------|
| English Writing (for 2 nd grade) | 2 | Lecturer GAGE |
|---|---|---------------|

Workshop & Seminar

| | | |
|---|---|---------------------------|
| Workshop (for 1 st grade) | 4 | Visiting Instructors |
| Seminar (Research and Guidance) I (for 1 st grade) | 4 | Various Academic Advisers |
| Seminar (Research and Guidance) II (for 2 nd grade) | 4 | Various Academic Advisers |
| Seminar (Research and Guidance) III (for 2 nd grade) | 4 | Various Academic Advisers |

Preparatory Courses

| | |
|----------------|------------|
| Computer Use | Non-credit |
| Legal Japanese | Non-credit |

Course Description**Business Law and Legal Dispute Resolution (Lecturer SUZUKI Masatsugu)**

Subjects to be studied in the lecture are as follows: (1) Origin & Evolution of Business Law, (2) Law and System of Dispute Resolution, (3) Torts, (4) Criminal Law, (5) Company Act, (6) Intellectual Property Law, (7) Banking & Finance Law, (8) Merger & Acquisition, (9) Antimonopoly Act, (10) Commercial Contract, (11) Legal Profession, (12) Tax Law.

Civil Law (Lecturer TSUBURAYA Takashi)

Japanese civil law system has a hybrid nature. It owes both to the German civil code and to French civil code. This course covers the Japanese civil law system, current problems, including product liability, electronic commerce, etc. The syllabus is as follows: (1) the acceptance of the civil law system from Germany and France, (2) the Japanese civil law system (survey), (3) the property system, (4) the contract system, (5) the torts system, (6) current problems (Product Liability, Electronic Commerce, etc.).

Communication Systems and Social Development (Prof. KISUGI Shin)

This course focuses on the relationship between communication systems and social development in the process of Japanese modernization after the Meiji Restoration. The postal service, telegraphy, telephones, broadcasting and computer networks will be examined. The course will try to recognize the social environment and needs, and the technical background of the first introduction or institutionalization of communication systems, as well as examine the legal framework. The same framework will be applied when system amendments and enforcement are discussed. Course materials will illustrate the impact of the institutionalization of the systems and the reactions of Japanese society to technological innovations.

Contract Law (Lecturer TSUBURAYA Takashi)

This lecture is not only to study Traditional systems of Japanese Contract Law and new trend of Contract Law, also to learn international contract conventions and treaties (CISG, PICC, PECL). Preparatory class: "Civil Law"

Criminal Law (Prof. TANAKA Toshiyuki)

This course teaches the general principles of criminal law and covers major crimes in Japan. It also illustrates three foreign waves – modernization, democratization, and globalization – in the history of Japanese criminal law. It examines such topics as the crime rate, death penalty, jury system, jurisdiction and international crime control from the perspective of comparative law.

Globalization and International Rules (Prof. YOO Hyuck Soo)

This class will consider various aspects and effects of globalization from the perspective of international political economy and law. The impact of globalization on the development policy and legal systems of developing nations will be emphasized. The main topics covered in this class are: the implication of globalization for nations and their citizens; different approaches to the problem of managing interdependence; the role of international organizations and rules in a globalized economic order; the major challenges and changing roles of the state in the era of globalization; liberalization, regulation and industrial policy; the WTO and developing countries; the changing pattern and role of international development agreements; and various methods of settling international disputes.

Japanese Constitutional Law (Lecturer INA Masaki)

This course focuses on the development of constitutional law in Japan and the fundamental principles of the 1947 Japanese Constitutional Law. The course is aimed at students who are interested in gaining basic understanding of Japanese Constitutional Law. Subjects to be studied in the lecture are as follows: (1) Meiji Constitutional Law, (2) Making the 1947 Constitution, (3) Popular Sovereignty and the Emperor Systems, (4) Judicial Review, (5) Human Rights, (6) Equal Protection of the Law, (7) The Separation of Religion and State, (8) Freedom of Expression, (9) Rule of Law and Due Process, (10) Article Nine: Renunciation of War.

Development Policy-Making (Prof. IKEDA Tatsuhiko)

This course is aimed at assessing a wide variety of development issues and enabling students to be equipped by a sense of development policy making in developing countries. It is organized by four parts: (1) the nature and meaning of development and underdevelopment and its manifestations in developing countries; (2) examining historical change of development theories and recent development; (3) focusing on major development issues and policies, both domestic and international; and (4) reviewing the possibilities and prospects for development.

Environmental Policy (Prof. KATO Mineo)

Environmental concern in economic activities is indispensable to achieve sustainable development for each country and global society. In this course, various social systems and techniques such as law and economic policy are examined to study effective environmental management system as important infrastructure for sustainable development.

Subjects to be studied in the lecture are as follows: (1) An introduction of today's environmental problems, (2) Compensation for damages caused by pollution and the Polluter Pays Principle (PPP) by the OECD, (3) Pollution control by regulation, (4) Environmental impact assessment (EIA) and environmental planning, (5) Economic instruments for environmental conservation, (6) International frameworks for climate change, (7) Bio-diversity conservation, (8) Trade and the environment, (9) ISO 14000 series: initiatives by industries, (10) Environmental topics of each developing country and region.

International Political Economy (Ass. Prof. KABASHIMA Hiromi)

Our concern has been more with Asia and the Pacific as economics than as politics. In the midst of the Asian “miracle” and “crisis”, “Asia as economics” became a focus of global public attention, but “Asia as politics” failed to do so. This contrast remains today. Asia suffers from serious political problems, but the problematic of “Asia as politics” seems to have been overshadowed by “Asia as economics”.

In order to approach “Asia as politics”, or more precisely “the Asian Pacific as politics”, I will deal with decentralization and civil society that a lot of Asian countries face as a new task in the 21st century.

International Trade Policy (Prof. ARAKI Ichiro)

The objective of this course is to deepen the participants’ knowledge and understanding about settlement of international economic disputes, particularly at the World Trade Organization (WTO).

Following a brief overview of various methods of settling international economic disputes, we will discuss the dispute settlement mechanism of the WTO based on actual cases. Familiarity with substantive rules of the WTO is desirable, but not a prerequisite.

Japan's Development Experience (Prof. MORIKAWA Toshitaka, *et al.*)

Japan, as a late industrializing country with a non-Western cultural background, followed a unique path of development in terms of democracy and economic growth. Japan's development experience, both in its successes and failures, offers various “lessons” to students from developing and former socialist countries. This course will examine how Japan modernized by adapting Western models. Special emphasis will be given to the role of laws in the development of democracy and economic performance. The first topic of this course will be a brief modern Japanese history from the late 19th century to the present. How the Japanese political leaders chose the nation's course under international pressures will be explained. Next, we will examine modern legal principles such as constitutionalism and the rule of law and how the Japanese accepted and accommodated these Western legal concepts. Finally, we will consider law and social change--how various laws contributed to Japanese democracy and economic development. Students will learn about the Japanese development experience through various concrete cases of law and social change.

Public Policy and Management (Prof. KOIKE Osamu)

This course explores the characteristics of Japan's administrative system and the role of government in infrastructure development from public administration and legal studies perspectives. The topics covered include the following: public administration theory, the civil service system, policymaking process, government-business relations, public corporation, local government, central-local government relations, and the theory and practice of new public management.

Private International Law (Prof. NEMOTO Yoichi)

In the world, more than one hundred nations exist and each nation has its own legal system and court system. As a result, such questions arise, "Which nation's law should the judge apply to a civil legal relationship (i.e. contract, tort, marriage, divorce, parents and children, and so on) which involves more than one country?" and "Which nation's courts, as a whole, may decide the case concerning such a relationship?" It is the field of 'Private International Law' answers these questions. 'Private International Law' is referred to as 'Conflict of Laws' in common law countries, e.g the United States. Private International Law, in spite of the qualifying word 'international' that its name bears, is generally the internal law of each country. The course covers the following topics: (1) Basic principles of private international law, (2) Nationality, (3) Tort, contract, marriage and divorce, (4) Jurisdiction of courts, (5) Recognition and enforcement of foreign judgments.

Tax Law (Ass. Prof. YOSHIMURA Masao)

This course is an introductory study of Tax Law and Policy of Japan covering personal income tax, corporate income tax, inheritance and gift tax, consumption tax and tax administration system. The course will also approach tax design issues comparatively, evaluating the policy decisions behind the various approaches taken in Japan and other countries.

Other course descriptions will be provided later.

Facilities for International Students/Researchers

The Library of International Social Studies

The Library of International Social Studies has collected materials required for research mainly of International development, law, economics and administration fields, various statistics, yearbooks etc. These come in a variety of formats : monograph, journal, CD-ROM , microfiche, microfilm, videotape.

University Central Library

The Central Library is located almost in the center of the campus, occupying an area of approximately 12,000 m². It is the largest support center for study and research in the University with a wide collection of books, journal and multimedia materials and offers a comfortable studying environment. In the building, there are a number of multi-function cultural spaces: a Media Hall for extension courses, Working Studios for group study, an Information Lounge for exhibition of graduation work, and a Café for light eating and drinking of soft beverages.

International Student Center

The International student Center was established in 1992 to provide international students with systematic instruction in the Japanese language and cultural adaptation. The Center also offers counseling for international students on academic and daily life.

Health service Center

At the Health Service Center, in order to assure the health of the students and faculty, we provide services such as medical examinations, physical and mental health consultation, and first aid in case of accident, injury or sudden illness inside the University.

University Hall

The University Hall provides a place to allow the mutual exchange between students and professors through meeting rooms, Japanese rooms and halls that can be used for student's circle activities, research presentation, concerts, etc. Also, there are facilities to make more enjoyable the student life, like a dining room, a shop where students can buy books, stationery and daily goods, etc.

Student Recreational Facilities

YNU, in addition to encouraging the student's autonomous, extracurricular activities, devises exercise facilities and Circle's communal facilities, etc. Students can discover their own potential by using these facilities, joining the circle and exchanging with professors, senior students and friends. (*Sports Facilities*: Gymnasium, Athletic Ground, Baseball Ground, Tennis Courts, Swimming Pool, Japanese Archery Ground, etc.)

Application Procedure

*Applicants to the JDS scholarship are initially requested to follow JDS application procedure. After selected as one of the JDS fellows, official application procedure at YNU starts.

The applicant must hold a bachelor's degree at the time of his or her enrollment (October 1, 2008). The applicant should also possess outstanding academic ability.

When applying, the following documents must be submitted to the Department of International Relations Law, International Graduate School of Social Sciences of YNU through the JICE JDS Project office:

- Completed the Application Form provided by YNU.
- Official transcripts or certified copies showing the applicant's academic performance in his or her undergraduate program.
- Two confidential letters of recommendation. Each letter should be sealed in an envelope. The recommender's signature must appear in the space over the flap of the envelope.
- Field of Interest and Study Plan at YNU
- TOEFL results or equivalent
- Certificate of Health
- Return address labels, showing applicant's current mailing address

NOTE: Completed applications and supplementary materials (i.e.: official transcripts, recommendation letters, and certificate of health) cannot be returned.

Program Calendar (2008-2011) Reference

Students are to study at Yokohama National University during the period between October 2008 and March 2011.

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| 2008 | October | Preparatory Program begins |
| 2009 | February | Entrance Exam (oral) |
| 2009 | April | YNU/JDS Law and Public Policy Program begins |
| 2011 | March | YNU/JDS Law and Public Program ends |