

Course Title 科目名	Conflict of Laws B			Instructor 担当者	TADA, Nozomi 多田 望		
Semester 学期	SPRING 2026	Course Level 履修年次	N/A	Credits 単位	2	hrs/wks 時間数/週	2
【Course Objectives: 授業の到達目標】							
Based on the premise that the laws of family relations, such as marriage and inheritance, and of property relations, such as contracts and torts, differ from country to country, students will learn which country's laws govern international private relationships and in which country the issues can be litigated. At the same time, basic concepts and features of the law will be examined with the aim of becoming familiar with the law.							
【Course Summary: 授業の概要】							
Conflict of law or Private International Law is to resolve problems arising from our private relationships across borders. It mainly aims to determine the law applicable to private relationships, such as marriage, divorce and contracts, and to determine the jurisdiction to adjudicate them. As a rule, the class will follow these steps: 1. Presentation of the legal situation, for example, marital age, child status, divorce procedure, heirs and inheritance, validity of contracts, punitive damages, product liability, in the students' country and in Japan. 2. Discussion on the difference 3. Resolution from the perspective of conflict of laws of Japan 4. Conclusive discussion							
【Study Required outside Class (Preparation etc): 事前・事後学習】							
To research the situation in your country's laws on website pages in English, or Japanese or French, if no pages in English, and to answer preliminary quizzes on Moodle about it.							
【Class Outline: 授業計画(各回の授業内容)】							
Session 1	Introduction – What is Conflict of Laws?						
Session 2	Marriage; At what age can you get married in your country?						
Session 3	Surname of spouses; Foreigners cannot have a "Japanese surname" ?!						
Session 4	Divorce; Can you divorce by an agreement with your spouse, not by a court decision?						
Session 5	Child Custody, Parental Authority						
Session 6	Connecting Factors; Nationality, Habitual Residence						
Session 7	Mechanisms for Choice of Law; Renvoi, Public Policy						
Session 8	Child; Distinction Between Legitimate and Illegitimate Child? Adoption						
Session 9	Succession and Will; Who can be the heir in your country?						
Session 10	Contracts: Party autonomy, law of the place most closely connected to the contract						
Session 11	Torts, Real Property; Law of Place of Tort, Law of Place of Location						
Session 12	Jurisdiction to Adjudicate (1): Basic Framework and Jurisdictional Grounds						
Session 13	Jurisdiction to Adjudicate (2): Special Circumstances						
Session 14	Recognition and Enforcement of Foreign Judgments						
【Textbooks, Course Materials: 教科書、参考書等】							
No textbook. Course materials: Japanese Law Translation [https://www.japaneselawtranslation.go.jp/] Act on General Rules for Application of Laws [https://www.japaneselawtranslation.go.jp/ja/laws/view/3783] Civil Code [https://www.japaneselawtranslation.go.jp/ja/laws/view/4314 ; 4275] Code of Civil Procedure [https://www.japaneselawtranslation.go.jp/ja/laws/view/4421] Kazuaki Nishioka & Yuko Nishitani, Japanese Private International Law (Hart Publishing, 2021)							
【Grading Criteria: 成績評価の方法】							
Preliminary study of your country's laws [20%]; Participation in Class Discussion [30%]; Final Paper [50%]							
【Note: 履修上の注意】							