

# Modern Trends in Tort Law

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Dutch and  
Japanese Law  
Compared

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# Modern Trends In Tort Law Dutch And Japanese Law Compared

**Mauro Bussani**



## **Modern Trends In Tort Law Dutch And Japanese Law Compared:**

**Modern Trends in Tort Law:Dutch and Japanese Law Compared** Ewoud Hondius,1999-03-18 This work contains the proceedings of the Second Conference on Dutch Japanese Law which took place at the University of Utrecht in August 1996 The doctrine of tort law was chosen as the central theme for this Conference A comparison with the Japanese legal system provides interesting insights in this particular issue because the Japanese system is of a dualistic nature Besides being based on a strong legalistic tradition there is also the widespread tradition of socially accepted custom By studying the development of the law in both Japan and the Netherlands existing links are strengthened and new contacts between Dutch and Japanese academic lawyers are established *Modern Trends in Tort Law:Dutch and Japanese Law Compared* Ewoud Hondius,1999-03-18 This work contains the proceedings of the Second Conference on Dutch Japanese Law which took place at the University of Utrecht in August 1996 The doctrine of tort law was chosen as the central theme for this Conference A comparison with the Japanese legal system provides interesting insights in this particular issue because the Japanese system is of a dualistic nature Besides being based on a strong legalistic tradition there is also the widespread tradition of socially accepted custom By studying the development of the law in both Japan and the Netherlands existing links are strengthened and new contacts between Dutch and Japanese academic lawyers are established Comparative Tort Law Mauro Bussani,2021-02-26 This revised second edition of Comparative Tort Law Global Perspectives offers an updated and enriched framework for analysing and understanding the current state of tort law around the world Using a critical comparative methodology it covers not only the common tort law issues but also many jurisdictions often overlooked in the mainstream literature Contributions explore illuminating case studies from tort systems in Europe the US Latin America Asia and sub Saharan Africa including new chapters specifically discussing tort law in Brazil India and Russia Elgar Encyclopedia of Comparative Law, Second Edition J. M. Smits,2012-01-01 Acclaim for the first edition This is a very important and immense book The Elgar Encyclopedia of Comparative Law is a treasure trove of honed knowledge of the laws of many countries It is a reference book for dipping into time and time again It is worth every penny and there is not another as comprehensive in its coverage as Elgar s I highly recommend the Elgar Encyclopedia of Comparative Law to all English chambers This is a very important book that should be sitting in every university law school library \_ Sally Ramage The Criminal Lawyer Containing newly updated versions of existing entries and adding several important new entries this second edition of the Elgar Encyclopedia of Comparative Law takes stock of present day comparative law scholarship Written by leading authorities in their respective fields the contributions in this accessible book cover and combine not only questions regarding the methodology of comparative law but also specific areas of law such as administrative law and criminal law and specific topics such as accident compensation and consideration In addition the Encyclopedia contains reports on a selected set of countries legal systems and as a whole presents an overview of the current state of affairs Providing its readers with a unique point of

reference as well as stimulus for further research this volume is an indispensable tool for anyone interested in comparative law especially academics students and practitioners      *The Development of Medical Liability* Ewoud Hondius, 2014-07-31 A historical examination of the liability of healthcare professionals in tort and other systems of compensation in various European countries      **Asia-Pacific Disaster Management** Simon Butt, Hitoshi Nasu, Luke Nottage, 2013-10-29 The book outlines the regulatory environment for disaster prevention and management in broad social economic and political context The first half of the book focuses mainly on Japan especially the 3 11 events the earthquake and tsunami that devastated the Tohoku area on 11 March 2011 and the Fukushima Daiichi nuclear power plant radiation leaks The second half focuses on the USA the only other Asia Pacific country to have experienced a serious nuclear emergency Indonesia China New Zealand Australia and international law One question explored is whether socio legal norms play different roles in preventing and managing responses to natural disasters compared to man made disasters Another is how disaster law interacts with society across very diverse societies in the disaster prone Asia Pacific region The book also addresses the increasingly important roles played by international law and regional regimes for cross border cooperation in disaster prevention and relief including the functions played by military forces Erudite pragmatic and charged with detailed substantive knowledge of an astonishing range of contexts and research fields this timely collection of important essays on the law and society of disaster management stands as an exemplary international academic response to the disasters of 11 March 2011 Annelise Riles

**ASEAN Consumer Law Harmonisation and Cooperation** Luke Nottage, Justin Malbon, Jeannie Paterson, Caron Beaton-Wells, 2019-09-19 The first Western language research monograph detailing significant developments in consumer law and policy across Southeast Asia Eight chapters examine consumer law topics within ASEAN member states such as product safety and consumer contracts as well as financial and health services plus the interface with competition law

*Risk Perception, Culture, and Legal Change* Matteo Ferrari, 2016-03-23 This study explores the reasons behind the different responses of the legal systems of Europe Japan and the USA in coping with BSE one of the major food safety crises in recent years Making reference to the most recent advances on risk perception that cognitive and social sciences such as legal anthropology and sociology of law have experimented with Risk Perception Culture and Legal Change examines the role that culture plays in moulding the process of legal change Attention is focused on the regulative frameworks implemented to guarantee the safety of the food chain against the BSE menace and on the liability responses sketched to compensate the victims of mad cow disease showing how both these elements have been influenced by the cultural context within which they are situated      **Who Rules Japan?** Leon Wolff, Luke Nottage, Kent Anderson, 2015-04-30 The dramatic growth of the Japanese economy in the postwar period and its meltdown in the 1990s has attracted sustained interest in the power dynamics underlying the management of Japan s administrative state Scholars and commentators have long debated

*Fault Lines* David M. Engel, Michael McCann, 2009-04-24 Tort law a fundamental building block of every legal system features

prominently in mass culture and political debates As this pioneering anthology reveals tort law is not simply a collection of legal rules and procedures but a set of cultural responses to the broader problems of risk injury assignment of responsibility compensation valuation and obligation Examining tort law as a cultural phenomenon and a form of cultural practice this work makes explicit comparisons of tort law across space and time looking at the United States Europe and Asia in the nineteenth twentieth and twenty first centuries It draws on theories and methods from law sociology political science and anthropology to offer a truly interdisciplinary pathbreaking view Ultimately tort law the authors show nests within a larger web of relationships and shared discursive conventions that organize social life

**Japanese Business Law** Gerald Paul McAlinn, 2007 Since the and lost decade and of the nineties the progress of Japanese administrative and economic reform has been intense Although some early critics characterized the reforms as window dressing and it is becoming clearer that systemic reform has taken hold and the new Japanese economy is picking up This deeply knowledgeable book provides a penetrating analysis and expert evaluation of matters of crucial concern to business lawyers including corporate governance contract law business liabilities intellectual property media employment taxation investment the legal profession the judiciary and much more as they are developing and intersecting in Japan today In the course of the detailed presentation the contributors touch on such details of interest to those doing business in Japan as the following status of foreign lawyers mergers and acquisitions and leveraged buyouts grounds for terminating contracts real estate transactions antimonopoly law and licensing guidelines IT and e commerce law managing disciplining and terminating employees occupational safety and health labor union law corporation income taxation government programs offering low cost finance consumer protection laws and litigation and alternative dispute resolution One of the most valuable benefits of the contributors approach is the keen insight offered into the tatemae outward appearance well known to frustrate and mislead foreigners in almost any dealings with the Japanese

**Current Publications in Legal and Related Fields**, 2000 **The Development and Making of Legal Doctrine** Nils Jansen, 2010 This six volume set contains the results of the first stage of an AHRC funded project which aims to examine the nature of legal development in Western Europe since 1850 focusing on liability for fault By bringing together experts with different disciplinary backgrounds comparative lawyers and legal historians all with an understanding of modern tort law in their own systems and getting them to work collaboratively the books produce a more nuanced comparative legal history and one which is theoretically better informed *Books on Japan in Western Languages Recently Acquired by the National Diet Library* Kokuritsu Kokkai Toshokan (Japan), 2000 **The Development of Product Liability**

Simon Whittaker, 2010 This examination of western European legal systems demonstrates how tort law has adapted to meet new market conditions Recent Acquisitions Ohio State University. College of Law. Library, 2000 Law in Japan Daniel H. Foote, 2011-10-17 This volume explores major developments in Japanese law over the latter half of the twentieth century and looks ahead to the future Modeled on the classic work *Law in Japan The Legal Order in a Changing Society* 1963 edited

by Arthur Taylor von Mehren it features the work of thirty five leading legal experts on most of the major fields of Japanese law with special attention to the increasingly important areas of environmental law health law intellectual property and insolvency The contributors adopt a variety of theoretical approaches including legal economic historical and socio legal As Law and Japan A Turning Point is the only volume to take inventory of the key areas of Japanese law and their development since the 1960s it will be an important reference tool and starting point for research on the Japanese legal system Topics addressed include the legal system with chapters on legal history the legal profession the judiciary the legislative and political process and legal education the individual and the state with chapters on constitutional law administrative law criminal justice environmental law and health law and the economy with chapters on corporate law contracts labor and employment law antimonopoly law intellectual property taxation and insolvency Japanese law is in the midst of a watershed period This book captures the major trends by presenting views on important changes in the field and identifying catalysts for change in the twenty first century     *The British National Bibliography* Arthur James Wells,2003     *Institutional Competition between Common Law and Civil Law* Michèle Schmiegelow, Henrik Schmiegelow,2014-05-27 This book addresses two countervailing challenges to theory and policy in law and economics The first is the rise of legal origins theory which denies the comparative law view of convergence between common law and civil law by the assertion of an economic superiority of common law The second is the series of economic crises in the very financial markets on which that assertion was based Both trends unsettled certainties about the rule of law and institutional economics Meeting legal origins theory in its main areas of political science sociology and economics the book extends the interdisciplinary reach to neglected aspects of comparative law legal history dynamic econometric analysis and quasi natural experiments with counterfactual evidence of different institutional regimes in divided countries These combined methodological tools make tests of the economic impact of different legal origins much more reliable This is shown for developed and newly industrialized countries as well as developing transforming and emerging countries with or without financial center advantage affected or not by financial crises The Asian financial crises and the American subprime crisis have been or could have been resolved using the resources of common law or civil law These cases and data on access to justice in Africa Asia and Latin America reveal the problem of substantive law remaining law on the books without efficient procedural rules and judicial structures The single most striking common law civil law divide is that lawyer dominated common law procedure is slower and costlier than judge managed civil law procedure Countries as diverse as the Netherlands Japan and China show functional interaction between culture and law in legal reforms Such interaction can reduce the occurrence of legal disputes as well as facilitate their resolution It can use economic crises as catalysts for legal reforms or rely on regional integration and it should replace the discredited method of legal transplants by sustained dialogue between legal advisors and all actors involved in legal reforms

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