

The Ritual of Rights in Japan

Law, Society, and
Health Policy

ERIC A. FELDMAN

Ritual Of Rights In Japan Law Society And Health Policy

Marc A. Rodwin



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The Ritual of Rights in Japan Eric A. Feldman, 2000 *The Ritual of Rights in Japan* Eric A. Feldman, 2000-03-30 The Ritual of Rights in Japan challenges the conventional wisdom that the assertion of rights is fundamentally incompatible with Japanese legal political and social norms It discusses the creation of a Japanese translation of the word rights Kenri examines the historical record for words and concepts similar to rights and highlights the move towards recognising patients rights in the 1960s and 1970s Two policy studies are central to the book One concentrates on Japan's 1989 AIDS Prevention Act and the other examines the protracted controversy over whether brain death should become a legal definition of death Rejecting conventional accounts that recourse to rights is less important to resolving disputes than other cultural forms The Ritual of Rights in Japan uses these contemporary cases to argue that the invocation of rights is a critical aspect of how conflicts are articulated and resolved

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

Law, Society, and History Robert W. Gordon, Morton J. Horwitz, 2011-03-07 This book assembles essays on legal sociology and legal history by an international group of distinguished scholars All of them have been influenced by the eminent and prolific legal historian legal sociologist and scholar of comparative law Lawrence M Friedman Not just a Festschrift of essays by colleagues and disciples this volume presents a sustained examination and application of Friedman's ideas and methods Together the essays in this volume show the powerful ripple effects of Friedman's work on American and comparative legal sociology American and comparative legal history and the general sociology of law and legal change

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

Protecting the Weak in East Asia Iwo Amelung, Moritz Bälz, Heike Holbig, Matthias Schumann, Cornelia Storz, 2018-06-13 This book investigates public claims for the protection of weak groups and interests in Japan and China from the nineteenth century to the present day Taking an interdisciplinary approach it engages with ongoing global debates relevant to both Western and non Western societies whilst also providing an historically informed analysis of contemporary issues Using case studies on disaster victims employee well being cultural heritage and animal welfare this book analytically distinguishes between framing mobilisation and institutionalisation processes It examines these processes at the intersections of international and domestic spheres and in doing so demonstrates how drives for protection are formulated contested and played out in practice Ultimately however this book argues that claims for protection do not necessarily translate into effective measures but may in fact entail ambiguous or negative outcomes for the protected weak Protecting the Weak in East Asia makes a significant contribution to the empirical and theoretical research into the transformation of East Asian societies As such it will appeal to students and scholars of Asian history Asian culture and society and East Asian Studies more broadly

Pilgrims in Medicine: Conscience, Legalism and Human Rights Thomas Faunce, 2005-02-01 This arrestingly novel work develops a normative synthesis of medical humanities virtue ethics medical ethics health law and human rights It presents an ambitious complex and coherent argument for the reconceptualisation of the doctor patient relationship and its regulation utilising approaches often thought of as being separate if not opposed virtue based ethics and universal human rights The case is argued gracefully with moderation but also with respect for opposing positions The book s analysis of the foundational professional virtue of therapeutic loyalty is an original departure from the traditional discourse of patient autonomy and the ethical and legal duties of the medical practitioner The central argument is not merely presented as bookends in the introduction and conclusion It is cogently represented in each chapter and section and measured against the material considered A remarkable feature is the use of aptly selected canonical literature to inform the argument These references run from Hesse s *The Glass Bead Game* in the abstract to Joyce s *Ulysses* in the conclusion They include excerpts from and discussion about Bergman Borges Boswell Tolstoy de Beauvoir Chekhov Dostoevsky Samuel Johnson Aristotle Orwell Osler Chaucer Schweitzer Shakespeare Thorwalds Kafka and William Carlos Williams Such references are used not merely as an artistic and decorative leitmotif but become a critical narrative element and another complex and rich layer to this work The breadth and quality of the references are testimony to the author s clear understanding of the modern law and literature movement This work provides the basis of a medical school course As many medical educators as possible should also be encouraged to read this work for the insights it will give them into using their own personal life narratives and those of their patients to inform

their decision making process This thesis will also be of value to the judiciary whose members are often called upon to make normatively difficult judgments about medical care and medical rules The human rights material leads to a hopeful view of an international movement toward a universal synthesis between medical ethics and human rights in all doctor patient relationships

Product Safety and Liability Law in Japan Luke Nottage,2004-07-31 Developing insights from a number of disciplines and with a details analysis of legislation case law and academic theory Product Safety and Liability Law in Japan contributes significantly to the understanding of contemporary Japan its consumers and its law It is also of practical use to all professionals exposed to product liability regimes evolving in Japan and other major economies

Conflicts of Interest and the Future of Medicine Marc A. Rodwin,2011-02-16 As most Americans know conflicts of interest riddle the US health care system They result from physicians practicing medicine as entrepreneurs from physicians ties to pharma and from investor owned firms and insurers influence over physicians medial choices These conflicts raise questions about physicians loyalty to their patients and their professional and economic independence The consequences of such conflicts of interest are often devastating for the patients and society stuck in the middle In Conflicts of Interest and the Future of Medicine Marc Rodwin examines the development of these conflicts in the US France and Japan He shows that national differences in the organization of medical practice and the interplay of organized medicine the market and the state give rise to variations in the type and prevalence of such conflicts He then analyzes the strategies that each nation employs to cope with them Unfortunately many proposals to address physicians conflicts of interest do not offer solutions that stick But drawing on the experiences of these three nations Rodwin demonstrates that we can mitigate these problems with carefully planned reform and regulation He examines a range of measures that can be taken in the private and public sector to preserve medical professionalism and concludes that there just might be more than one prescription to this seemingly incurable malady

The Human Rights Act and the Assault on Liberty Parnesh Sharma,2011-10-01 Demonstrating that the state of civil liberties and human rights in the United Kingdom are quite perilous this case study looks at the role of rights vis vis social change and culture Empirically examining the Human Rights Act HRA with asylum serving as the main case study the book focuses on law in action based on extensive fieldwork and framed against current events It also discusses the role of Section 55 a law enacted at the same time as the HRA that was an antithesis of what the HRA promised and which forced thousands of asylum seekers into destitution Though Section 55 was eventually defeated asylum seekers in the UK are still powerless and marginalized The book argues that the HRA has proven to be ineffective against illiberal policies and that the development of a culture of rights as far as asylum is concerned has stalled This thoughtful analysis of the use of rights laws to advance social causes presents both potential and pitfalls making it useful for sociologists activists and nongovernmental organizations

The Enigmatic Realm of **Ritual Of Rights In Japan Law Society And Health Policy**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing short of extraordinary. Within the captivating pages of **Ritual Of Rights In Japan Law Society And Health Policy** a literary masterpiece penned by way of a renowned author, readers attempt a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting effect on the hearts and minds of people who partake in its reading experience.

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