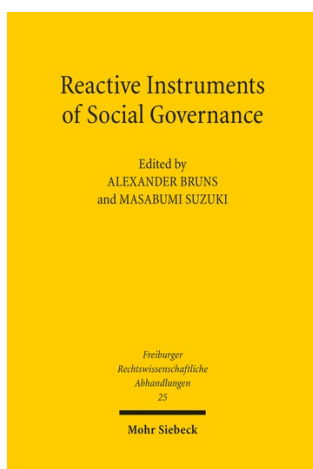


Reactive Instruments of Social Governance

Ed. by Alexander Bruns and Masabumi Suzuki

[Reaktive Instrumente eines sozialen Rechtssystems.]



Published in English.

This volume contains contributions to a symposium of scholars from the Nagoya Law School and the Faculty of Law of the Albert-Ludwigs-Universität Freiburg on the topic »Reactive Instruments of Social Governance«. Together with volume 20 of the Freiburger Rechtswissenschaftliche Abhandlungen it completes the documentation of the results of a joint research project funded by the Nagoya Institute of Advanced Research (IAR) and the Freiburg Institute for Advanced Studies (FRIAS). With the social governance by law and the interplay between substantive legal standards and procedural enforcement the symposium addressed a topic of both outstanding academic and practical importance. In the pursuit of certain political or social goals a legal system is basically faced with two options: the exertion of influence on the behaviour of its citizens by means of preventive or reactive instruments. The relationship of preventive and reactive regulatory instruments is a key element for the analysis and understanding of a legal system.

Survey of contents

Civil Procedure and Civil Law

Miyuki Watanabe: Dispute Resolution using Expert Knowledge in Japan – *Alexander Bruns*: Directors' and Officers' Liability and Insurance as Reactive Instruments of Social Governance? – *Tomohiro Yoshimasa*: The Reform of the Law on Remedies for Breach of Contract in Japan – *Stefan Thönissen*: Governing Markets through Insurance of Credit Risks? – *Alisher Umiridinov*: Abuse of Fiscal Power by Host States in Investment Arbitration

Labour Law

Sebastian Krebber: Characteristic Patterns of Labor and Employment Law's Reaction to Conflicts and Disputes between Employer and Employee – *Hiroataka Hayatsu*: Comparative Study on the Legal Remedies for Fixed-Term Employment Contracts in Japan and Germany

Intellectual Property Law

Masabumi Suzuki: The Role and Calculation of Damages for Patent Infringement – *Maximilian Haedicke*: Sanctions for non-compliance with the obligation to protect confidential information in patent infringement proceedings – The FRAND example

Private International Law

Jan von Hein: Overriding Mandatory Rules between European Conflict of Laws and Domestic Substantive Law – *Dai Yokomizo*: Public Policy (Ordre Public) in Japanese Conflict of Laws

Alexander Bruns ist Direktor des Instituts für deutsches und ausländisches Zivilprozessrecht der Albert-Ludwigs-Universität Freiburg.

Masabumi Suzuki is Professor, since 2018 Dean of Nagoya University Graduate School of Law, Japan.
<https://orcid.org/0000-0002-0622-422X>

Order now:

https://www.mohrsiebeck.com/en/book/reactive-instruments-of-social-governance-9783161576553?no_cache=1

order@mohrsiebeck.com

Phone: +49 (0)7071-923-17

Fax: +49 (0)7071-51104