

Emanuel Law Outlines Torts

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this accessible textbook provides an introductory guide to tort law with a structured explanation of the key concepts and doctrines using a comparative approach the discussion is illustrated with case law and provisions from three key jurisdictions england france and germany with liberal reference to other codes and cases from around the world the book gives readers a contextual understanding and will appeal to classes with a global outlook

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this book studies the fundamental conflicts between the protections on the legal rights and interests of victims and the freedom of infringers to act first it is divided into four parts the first of which explores the relevant legal methodology in order to provide possible solutions to difficult problems in chinese tort liability law secondly it puts forward a range of suggestions on how to resolve key issues in china s torts liability law including the general provisions the provisions concerning the fault principle the provisions of the non fault principle the special liability relation damages and defenses and related issues thirdly the book addresses major institutional issues including the theory of consensus force joint infringements and operators duty of care as well as several key relations between the right to claim insurance compensation and the right to claim compensation for personal injury between the right to claim tort liability and the right to exercise property rights and between the right to claim tort liability and the right to reject unjust enrichment further aspects in this section include compensation for death mental damages pure economic loss and compensation punitive compensation and compensation for road traffic accidents lastly the book explores special issues in tort liability law e g the infringement of media rights and the specific tort liability in various administrative laws and regulations

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