



European Tort Law: Eastern and Western Perspectives

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In every society, tort law plays a crucial role in the actual life of the legal system and of the people using it. Whenever relationships between individuals do not converge towards a contract nor are absorbed by property law, then comes the time for tort law rules to provide justice. The goal of comparative research in the law of torts is to clarify diversities and similarities amidst the operative rules of the various legal systems. The need is to go beyond statutory formulas. In the field of torts, even more than in other areas, the law is made by judicial decisions, by the beliefs that underpin these decisions, and by insurance practices which affect the allocation of the costs ensuing risks and damages. This volume calls for an effort, which is more and more urgent, to manage private conflicts in a globalized world, especially in Europe at the dawn of a new era characterized by the enlargement/enrichment of the European Union. The issues arising from the infliction of pure economic losses, thereby affecting nothing else than the patrimonial sphere of the victim, are a very useful case-study, testing solutions to problems which not only straddle the opaque frontier between contract and tort, but also involve the day-to-day life of individuals, whether that person be an investor or not, or an Eastern or Western European. This volume originates from an international conference that took place in April 2004 in Trieste, Italy.

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