

*Abstract: Shifts in Compensation between Private and Public Systems*

Willem H. van Boom & Michael Faure

Why have some legal systems abandoned tort law in some areas and replaced it with some form of no-fault compensation scheme or strict liability? What have been the effects? How should we evaluate these 'shifts'? Why have they not been adopted in other countries?

These questions have been the focus of the "Shifts in Compensation" research project and this is the final volume in this series, addressing, on the one hand, the issues relating to 'shifts' in compensation systems at a more general level, and on the other hand, addressing shifts in particular domains.

The papers examining the shifts at a more general level provide a framework for the analysis of the various shifts and explain the shifts towards an increasing use of strict liability and no-fault regimes. To what extent shifts in compensation can be explained by insurance markets and their relative flexibility is also dealt with. In addition, shifts in the specific areas of medical mishaps and disasters are also examined.

This book brings together lawyers and economists from various jurisdictions thus providing a multidisciplinary approach to tort law and alternative instruments.