



Punitive Damages: Common Law and Civil Law Perspectives (Tort and Insurance Law)

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With the growing literature on the subject of punitive damages, the consensus is that it seems worthwhile and even necessary to discuss, thoroughly and on a comparative basis, the nature, role and suitability of such damages in tort law and private law in general. This book contains reports from selected jurisdictions that explicitly allow the award of punitive damages as well as from jurisdictions which purport (sometimes emphatically) to deny their existence (although a number covertly incorporate such damages into the framework of their tort systems). It benefits from an economic analysis of punitive damages, a report from a private international law perspective, one on their insurability and one on aggravated damages. The book's comparative report and conclusion critically evaluates the material in the above reports and advances a thorough analysis of the nature of punitive damages, the cases for and against them, and their suitability in the field of tort law. Alternative remedies in private and criminal law are also considered. The publication will appeal to students, academics, practitioners, judges, policy makers and those in the insurance industry.

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