Contents

Part I Introduction

1	Civil Law	3
Par	t II Testing the Economic Impact of Common Law and Civil Law in Today's Developed Countries	
2	Identifying the Effect of Institutions on Economic Growth Frédéric Docquier	25
3	Contract Rules in Codes and Statutes: Easing Business Across the Cleavages of Legal Origins	41
4	Contract Modification as a rebus sic stantibus Solution to the Subprime Crisis	83
5	A Counterintuitive Efficiency Divide Between Common Law and Civil Law: Rules and Structures of Civil Procedure in Eight Developed or Newly Industrialized Countries	119

Overcoming the Legacies of Colonial Transplants of Common Law and Civil Law in Developing Countries and of Socialist

Legal Origin in Transforming Countries

Simon Deakin, Colin Fenwick, and Prabirjit Sarkar

6 Labour Law and Inclusive Development: The Economic Effects of Industrial Relations Laws in Middle-Income Countries

Interdisciplinary Issues in Comparing Common Law and

185

7	Access to Justice in India	211
8	Access to Justice in Latin America: Challenges to Classifying Legal Development in the Region	237
9	Access to Justice in Indochinese Countries	249
10	Access to Justice in Central Asian Countries	279
Par	t IV Legal Cultures and Legal Reforms	
11	Push and Pull of Judicial Demand and Supply	299
12	Why Is Litigation Density So Low in Japan? And What Are the Factors That May Have an Impact on It? Yukio Nakajima	323
13	The Legal Commentary Culture in China	331
Par	t V From Functional Comparisons to Strategic Choice	
14	Reforming the Reformers: A Different Approach to Access Issues	349
14 15	Issues	
	Issues	381
15	Issues	381
15 16 17	Issues Linn Hammergren Financial Crisis as a Catalyst of Legal Reforms: The Case of Asia Masahiro Kawai and Henrik Schmiegelow Overcoming the Civil Law/Common Law Divide by Integration: The Case of OHADA Grégoire Bakandeja Wa Mpungu The Trade Offs Between Common Law and Civil Law: Are We in the Right Ball Game?	381 421