

German Institute for Japanese Studies (DIJ Tokyo)

DIJ Social Science Study Group



January 31, 2024, 6.30pm (JST)/10.30am (CET)

The Japanese like to sue, but they do not have to: An Analysis of Traffic Accident Disputes in Japan

Julien Schickling, Goethe University Frankfurt/DIJ Tokyo

Compared to other industrialized nations, the litigation rate for traffic accident disputes in Japan is remarkably low, leading to the belief that the Japanese tend to avoid taking legal action. This has sparked a debate about the 'legal consciousness' in Japanese society which has been fueled in particular by Takeyoshi Kawashima's well-known articles on this subject. This view has been challenged through extensive research conducted in the 1990s by various scholars on the system for resolving traffic accident disputes in Japan. These findings suggest that the system for resolving traffic accident disputes in Japan works efficiently, rendering litigation unnecessary due to a high degree of standardization and the availability of alternative dispute resolution mechanisms.

Julien Schickling's presentation will shed light on the system for resolving traffic accident disputes in Japan. He will present research findings from expert interviews conducted with judges, lawyers, insurance companies, and dispute resolution institutions in Japan. His discussion will explore the reasons that contribute to the low litigation rate as stated by his study participants. In addition, he will analyze the rise in litigation rates for traffic accident disputes in Japan observed since the early 2000s, with the aim of providing comprehensive reasons for this shift. His discussion will explore the extent to which the rise in litigation rates for traffic accident disputes is due to a change in the 'legal consciousness' in Japanese society.

***Julien Schickling** studied law at Goethe University in Frankfurt am Main. In May 2021, he passed the first state law examination with distinction. He completed his legal traineeship at an international commercial law firm in Tokyo, among other places. In September 2023, he passed the second state law examination with distinction. Since October 2023, he has been a PhD student at Goethe University in Frankfurt am Main. In his PhD project, he is researching the liability for wrongful death in German and Japanese tort law, especially in traffic accident disputes. He is currently a PhD student at the DIJ.*

About:

The DIJ Social Science Study Group is a forum for scholars from all disciplines of the social sciences conducting research on contemporary Japan. The event is open to all.

Venue:

Online & DIJ Tokyo (<https://www.dijtokyo.org/access/>)

Hybrid Event:

On-site participation: Registration is required via email to spoden@dijtokyo.org until January 30, 2024.

Online participation: Please register via the [webpage](#).

Log-in data will be provided after registration.