

The Ritual of Rights in Japan: Law, Society, and Health Policy (Cambridge Studies in Law and Society)

Eric A. Feldman



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The Ritual of Rights in Japan challenges the conventional wisdom that the assertion of rights is fundamentally incompatible with Japanese legal, political and social norms. It discusses the creation of a Japanese translation of the word 'rights', Kenri; examines the historical record for words and concepts similar to 'rights'; and highlights the move towards recognising patients' rights in the 1960s and 1970s. Two policy studies are central to the book. One concentrates on Japan's 1989 AIDS Prevention Act, and the other examines the protracted controversy over whether brain death should become a legal definition of death. Rejecting conventional accounts that recourse to rights is less important to resolving disputes than other cultural forms,The Ritual of Rights in Japan uses these contemporary cases to argue that the invocation of rights is a critical aspect of how conflicts are articulated and resolved.

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