

Table of Contents

| | |
|-------------------|---|
| Preface | V |
|-------------------|---|

Fundamentals

Pavel Holländer

| | |
|--|---|
| Proof and Changing Idea of Truth in Legal Thinking: Reflection on Postmodernism | 2 |
|--|---|

Mark Schweizer

| | |
|---|----|
| Standard of Proof as a Decision Threshold | 19 |
|---|----|

Christoph A. Kern

| | |
|--|----|
| Probability as an Element of Standard of Proof | 51 |
|--|----|

Magne Strandberg

| | |
|--|----|
| The More-probable-than-not Standard: A Critical Approach | 65 |
|--|----|

National Reports

Germanic Legal Family

Hans-Jürgen Ahrens

| | |
|---|----|
| Fact Finding under German Law of Civil Procedure: Evaluating Evidence and the Relevant Degree of Certainty | 95 |
|---|----|

Christoph Althammer and Madeleine Tolani

| | |
|---|-----|
| Proof of Causation in German Tort Law | 109 |
|---|-----|

Walter H. Rechberger

| | |
|--|-----|
| Standard of Proof: The Austrian Approach | 123 |
|--|-----|

*Scandinavian Approach**Magne Strandberg*

Standards of Evidence in Scandinavia 135

*Postcommunist Legal Family**Jan Balarin*

Standard of Proof in Czech Civil Procedure 161

*Romanic Legal Family**Emmanuel Jeuland*

The Standard of Proof in France 181

Roberto Poli

Standard of Proof in Italy 197

*Common Law Attitude**John Sorabji*

The English Approach to the Standard of Proof in Civil Proceedings . . 249

European Approach

*Michael Stürner*Evaluation of Evidence and Standard of Proof in the ELI/UNIDROIT
European Rules of Civil Procedure 273

Comparison

*Luboš Tichý*Standard of Proof: Fundamental Problems Through the Perspective
of Comparative Analysis 287

List of Contributors 317

Index 319