

EMINENT DOMAIN

The taking of private property for development projects has caused controversy in many nations, where it has often been used to benefit powerful interests at the expense of the general public. This edited collection is the first to use a common framework to analyze the law and economics of eminent domain around the world. The authors show that seemingly disparate nations face a common set of problems in seeking to regulate the condemnation of private property by the state. They include the tendency to forcibly displace the poor and politically weak for the benefit of those with greater influence, disputes over compensation, and resort to condemnation in cases where it destroys more economic value than it creates. With contributions from leading scholars in the fields of property law and economics, the book offers a comparative perspective and considers a wide range of possible solutions to these problems.

ILJOONG KIM is Professor of Economics at Sungkyunkwan University. He is a leading expert in the field of law and economics in Korea where his research activities have ignited the scholarly interest in the field.

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Frontmatter
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The use of the eminent domain power is common throughout democracies in both the developed and developing world. The exercise of that power, so necessary for sustainable growth, is also fraught with great peril. This timely and instructive volume fills a major gap in the literature by examining the ups and downs of eminent domain in a comparative context, with special emphasis on the law of South Korea, which has been the home to some of the most important takings conflicts in recent years.

— Richard Epstein, *Laurence A. Tisch Professor of Law, New York University*

In *Eminent Domain: A Comparative Perspective*, Ilya Somin, Hojun Lee, and Iljoong Kim have assembled a panoramic view of the law of eminent domain across nations as diverse as Germany, the United States, Korea, and Taiwan. Providing an exceptionally complete yet concise summary of each regime, this volume also provides an extraordinarily useful framework for understanding how and why each system succeeds or fails in safeguarding fundamental rights to retain what one owns in the face of eminent domain. It is an essential volume for anyone studying or defending the right to private property.

— Roderick M. Hills, Jr., *William T. Comfort, III Professor of Law, New York University*

This volume is a superb analysis of eminent domain at a genuinely global level. The organization is systematic in that the authors faithfully follow a unified analytic framework to overcome the difficulty of making meaningful inter-jurisdictional comparisons. As a judge who has experienced different stages of development in my own country, I am certain that professional and lay readers alike can benefit from this wide-ranging and learned book.

— Soon-il Kwon, *Honorable Justice, Supreme Court of Korea*

EMINENT DOMAIN

A Comparative Perspective

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CONTENTS

<i>Contributors</i>	<i>page</i>	vii
<i>Acknowledgements</i>		xii
Introduction		1
1 Taking Law from an Economic Perspective with Reference to German Law		8
		HANS-BERND SCHÄFER
2 Eminent Domain in the United States		38
		ILYA SOMIN
3 Direct Expropriation: Multi-Layered Legal Protection in Europe		67
		ANNE VAN AAKEN
4 Eminent Domain Law in Taiwan: New Law, Old Practice?		93
		YUN-CHIEN CHANG
5 Compulsory Land Acquisition in Developing Countries: Shifting Paradigm or Entrenched Legacy?		118
		JONATHAN LINDSAY, KLAUS DEININGER, THEA HILHORST
6 Public Interest Criteria and Korea's Scrutiny System		156
		HOJUN LEE
7 Who Exercises the Eminent Domain Power in Korea? A Focus on Private Takings		177
		ILJOONG KIM

- 8 Just Compensation in Eminent Domain in Korea: From the
Perspective of Fairness 208
BYUNGKOO CHO
- 9 Overall Due Process in Takings in Korea 230
KISANG JUNG
- 10 Distribution of Development Surplus in Takings 252
SUNGKYU PARK
- 11 Takings, Disputes, and Resolutions in Korea: A Quantitative
Review 276
DUOL KIM
- Conclusion 297
- Index* 303

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xi

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