

Regulating Risk through Private Law

Regulating Risk Through Private Law sets out, for nine significant legal systems, an overarching conception of risk in legal theory, particularly of the linked role of risk-taking in generating liability and in liability regulating risk. It examines and explains what risk-based reasoning adds to private law.

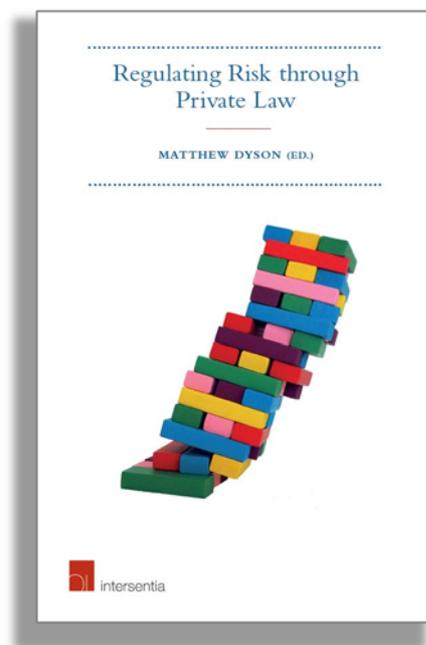
Taking tort law as the core case study, the book analyses national variation in risk understanding, liability, culture and regulation and from that, develops a legal framework for understanding and responding to risk. Then, looking beyond tort, the volume examines the contextual and cultural setting of different risks and how different legal systems seek to regulate them.

The volume draws on more than 25 leading scholars of private law and risk from around the world to develop a coherent and systematic study of risk. The legal systems included span the common law and civil law, large and small, codified and uncoded, as well as those with wider and narrower strict liability rules and causation rules: England and Wales, France, Sweden, Italy, Spain, the Netherlands, Chile, South Africa and Brazil.

This is the first multi-handed work on risk to explore what risk-reasoning adds to private law and how best it can be deployed, resisted or simply understood.

With contributions by Cristián A. Banfi (*University of Chile*), Bernardo Bissoto Queiroz de Moraes (*University of Sao Paulo*), Mia Carlsson (*Stockholm University*), Nadia Coggiola (*University of Turin*), Matthew Dyson (*University of Oxford*), Anton Fagan (*University of Cape Town*), Duncan Fairgrieve (*University of Paris-Dauphine PSL*), Richard Fentiman (*University of Cambridge*), Sandra Friberg (*Uppsala University*), Bianca Gardella Tedeschi (*Università del Piemonte Orientale*), María Paz Gatica (*University of Chile*), Ivo Giesen (*Utrecht University*), Michele Graziadei (*University of Turin*), Cyril Holm (*Uppsala University*), Elbert de Jong (*Utrecht University*), Marlou Overheul (*Utrecht University*), Ignacio Maria Poveda Velasco (*University of Sao Paulo*), Alistair Price (*University of Cape Town*), Otavio Luiz Rodrigues Junior (*University of Sao Paulo*), Albert Ruda (*University of Girona*), María Agnes Salah (*University of Chile*), Helen Scott (*University of Oxford*), Sandy Steel (*University of Oxford*), Jenny Steele (*University of York*), Simon Taylor (*University Paris Diderot*), Eduardo Tomasevicius Filho (*University of Sao Paulo*) and Véronique Wester-Ouisse (*Deputy Prosecutor at the Court of Appeal of Rennes*).

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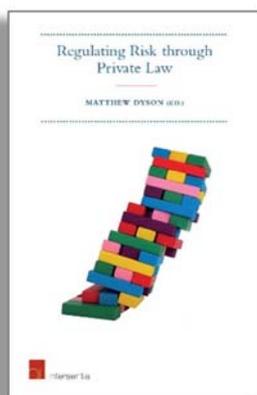
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Preliminary Table of Contents

Chapter 1. Introduction - *Matthew Dyson*

Part I Risk Overviews

Chapter 2. Risk and English Tort Law – *Matthew Dyson and Sandy Steel*

Chapter 3. Risk and French Private Law – *Duncan Fairgrieve, Simon Taylor and Véronique Wester-Ouisse*

Chapter 4. Risk in Swedish Tort Law: of Models and Muddles – *Sandra Friberg and Mia Carlsson*

Chapter 5. Risk and Italian Private Law – *Nadia Coggiola and Bianca Gardella Tedeschi*

Chapter 6. Regulating Risk through Private Law: The Spanish Approach – *Albert Ruda*

Chapter 7. How Dutch Tort Law Responds to Risks – *Ivo Giesen, Elbert de Jong and Marlou Overheul*

Chapter 8. Risk and Chilean Private Law – *Cristián Banfi del Río, María Agnes Salah and María Paz Gatica*

Chapter 9. Regulating Risk through Private Law: South Africa – *Anton Fagan and Helen Scott*

Chapter 10. Risk and Brazilian Private Law – *Bernardo Bissoto Queiroz de Moraes, Ignacio Maria Poveda Velasco, Otavio Luiz Rodrigues Junior and Eduardo Tomasevicius Filho*

Part II. State of the National Park at Risk

Chapter 11. Legal Risk in International Commercial Disputes – *Richard Fentiman*

Chapter 12. Medical Accidents and Pharmaceutical Product Liability in France – *Duncan Fairgrieve, Simon Taylor and Véronique Wester-Ouisse*

Chapter 13. Bearing and Sharing Risk in the Swedish Welfare State – *Cyril Holm*

Chapter 14. Modernisation and Risk Regulation in the Italian Food Sector – *Michele Graziadei*

Chapter 15. Motor Vehicle Accidents Caused by Game Wandering onto Spanish Roads – *Albert Ruda*

Chapter 16. Dutch Tort Law at the Crossroads: Judicial Regulation of Health and Environmental Risks – *Elbert de Jong*

Chapter 17. Sub Terra: Risk in the Chilean Mining Industry – *Cristián Banfi del Río, María Agnes Salah and María Paz Gatica*

Chapter 18. Constitutionalising Rights and Reacting to Risk in South Africa – *Alistair Price*

Chapter 19. Regulating Risk in Brazil: Resort to General Clauses – *Ignacio Maria Poveda Velasco, Bernardo Bissoto Queiroz de Moraes, Otavio Luiz Rodrigues Junior and Eduardo Tomasevicius Filho*

Chapter 20. What does Risk-Reasoning do in Tort Law? – *Matthew Dyson*

Chapter 21. Epilogue: What does Risk-Reasoning Tell Us about Tort Law? – *Jenny Steele*

For the full table of contents, please visit our website, www.intersentia.com

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