

Tort Law

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In an international encyclopedia, a proper place is definitely to be devoted to the Law on Tort. This legal area is important for lawyer and citizen alike. The problems of prevention of harm and loss allocation are not only extremely diverse but also universal and fundamental. This traditional branch of law not only tackles questions which concern every lawyer, whatever is his legal expertise, but it also concerns on a worldwide scale each person's most fundamental rights, such as his right to bodily integrity, his right to a manworthy existence and his property rights. The way a legal system protects rights and interests through, among others, tort law co-determines the degree of civilisation and the development of a given society.

However, no matter how fundamental tort issues may be, it is striking how the solutions offered in one system can be very different and sometimes quite diverse from those in another. There are basic differences in approach between the legal systems and the dividing line does not always match the classic divide between the countries of the Civil Law tradition and those belonging to the Common Law tradition.

In the General Introduction, particular attention will be paid to the aims of the law of Torts and to the distinction between tort and crime and to the relationship between tort and contract (is concurrence between tortious liability and contractual responsibility permitted or not? what about precontractual liability?). For each country, the scope of protection will be tackled as well (are all interests equally protected?).

The monograph is then divided into six Parts: Liability for One's Own Act; Liability for Acts of Others; Forms of Strict Liability; Defenses and Exemption Clauses; Causation; Remedies. Each Part in its turn is divided into Chapters. Thus, the first part devotes a chapter to Specific Cases of Liability, such as professional liability and liability of public bodies, abuse of rights and injury to reputation and privacy. The authors may feel free to add other specific cases which are peculiar to their legal system.

Each monograph follows the outline below:

The Author. Table of Contents. List of Abbreviations. General Introduction. Selected Bibliography

Part I. Liability for One's Own Acts.

1. General Principles.
2. Specific Cases of Liability (are all tortfeasors subject to the same rules).

Part II. Liability for Acts of Others.

1. Vicarious Liability.
2. Liability of Parents, Teachers and Instructors.
3. Liability for Handicapped Persons.
4. Liability for Things and Animals.

Part III. Forms of Strict Liability.

1. Road and Traffic Accidents.
2. Product Liability.
3. Liability for Service.
4. Environmental Liability.
5. Others.

Part IV. Defenses and Exception Clauses.

1. Limitation of Action (suspension and interruption).
2. Grounds of Justification.
3. Contributory Fault.
4. Exemption Clauses.

Part V. Causation.

Part VI. Remedies.

1. General Principles.
2. Kinds of Damages.
3. Assessment and Compensation of Damages.
4. Personal Injury and Death.
5. Various Damages (property).
6. Interference with Collateral Benefits.
7. Other Remedies.

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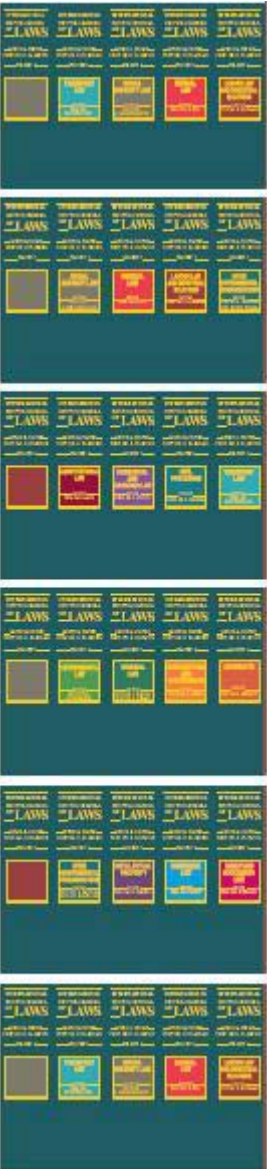
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