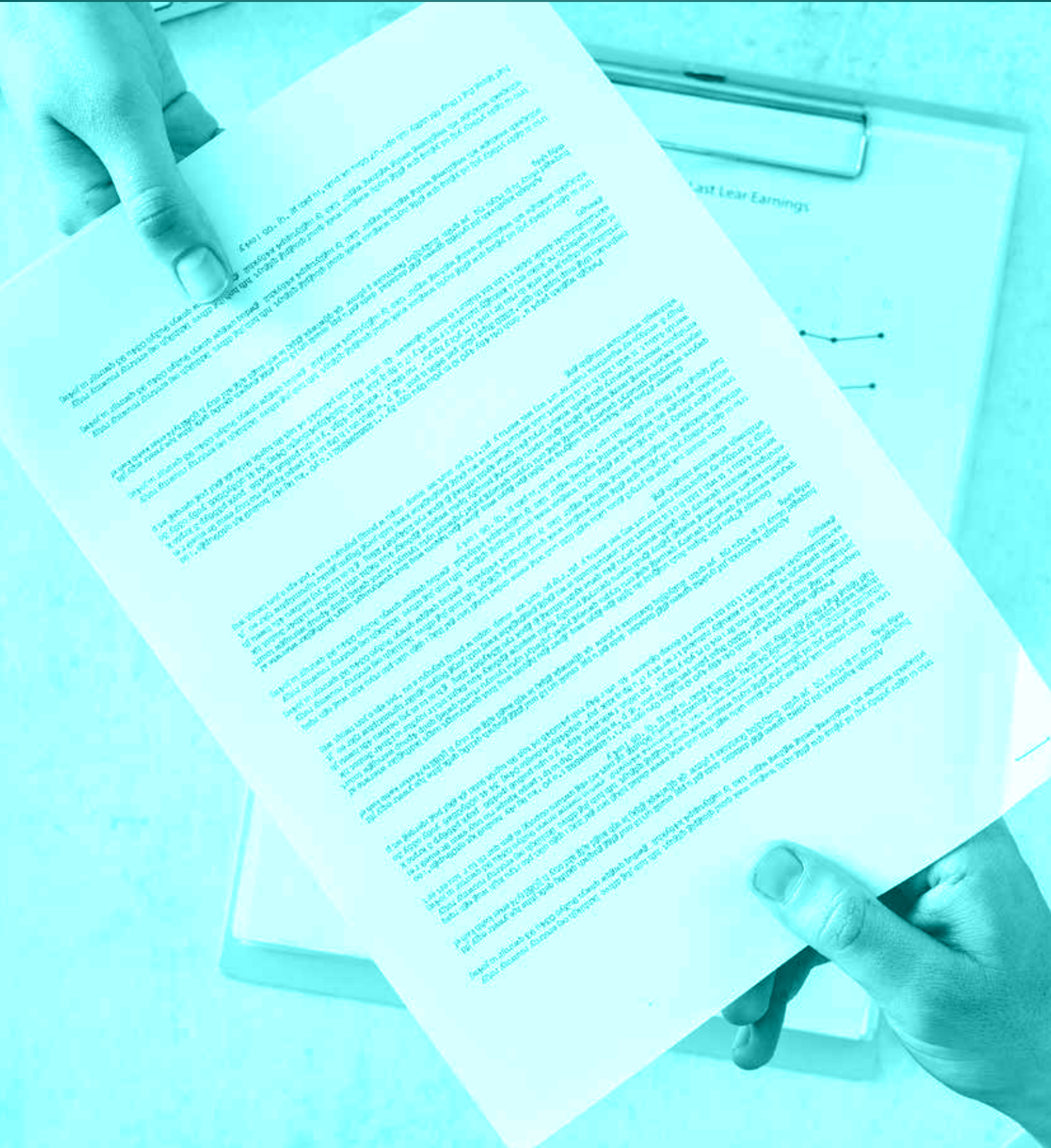




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## The Future of Private Law

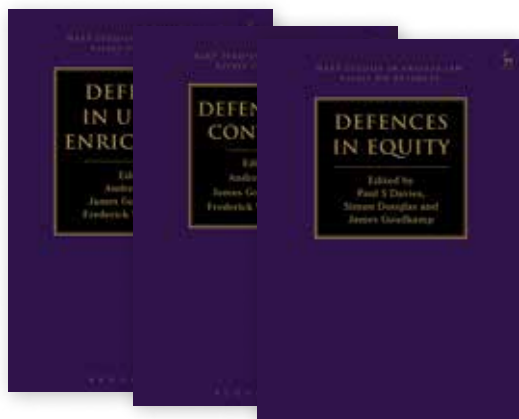
Editors: Marija Bartl, Anna Beckers, Daniel Markovits, Simon Deakin and Hans-W Micklitz

This series publishes works on private law with a focus on its future development. It adopts a broad understanding of the field, which combines the traditional doctrinal core of private law with regulatory private law, and which places national legal traditions in the context of legal pluralism and with reference to transnational commercial law.



## Hart Studies in Private Law

This series brings together in one place two types of book: works which examine in-depth the fundamental doctrines and principles of private law, and works which engage with the theoretical underpinnings of private law. In so doing, it contributes to ever-evolving debates about the nature of private law.



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Editor: James Goudkamp

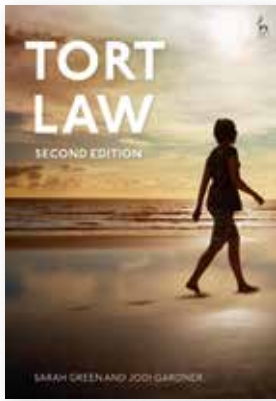
This series offers a systematic treatment of defences in private law as a connected field. It contributes to this theoretically challenging and practically important area of the law. With insights from several jurisdictions and leading judges and academics, the series is of value to academics and practitioners alike.



## International Studies in the Theory of Private Law

Series Editors: Hugh Collins, Christian Joerges and Gunther Teubner

This series of books edited by a distinguished international team of legal scholars aims to investigate the normative and theoretical foundations of the law governing relations between citizens. The series welcomes a diverse range of theoretical approaches in the examination of these issues including approaches using socio-legal methods, economics, critical theory, systems theory, regulation theory, and moral and political theory.



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### Tort Law

Sarah Green and Jodi Gardner

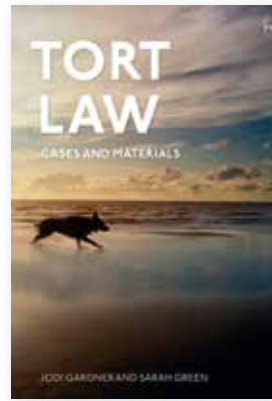
The 2nd edition of Green and Gardner's *Tort Law* textbook provides students with a clear overview of all areas of tort law with clarity and precision.

Practical and student-friendly with engaging visual features, *Tort Law* is an essential companion for all undergraduate tort law modules, for students of all abilities.

Accompanying online resources for this title can be found at [bloomsburyonlineresources.com/tort-law](https://bloomsburyonlineresources.com/tort-law). These resources are designed to support teaching and learning when using this textbook and are available at no extra cost.

**Sarah Green** is the Law Commissioner for Commercial and Common Law at the Law Commission of England and Wales. **Jodi Gardner** is the Brian Coote Chair in Private Law at the University of Auckland, New Zealand, and a Senior Research Fellow at the Centre for Banking & Finance Law at the National University of Singapore.

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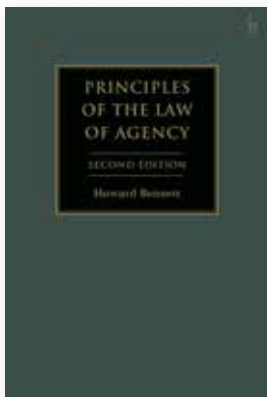
## Tort Law: Cases and Materials

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Provides extracts of the key cases, articles, statutes and other materials in tort law. It is the perfect companion to Green and Gardner's *Tort Law* textbook. It provides helpful summary and reading guidance – providing clear explanations for some of the more difficult to read materials. It gives students an enhanced understanding of the material, providing students with the ability to respond with more depth and analysis in their essay questions. It has been designed specifically around decolonising the curriculum, ensuring that there are alternative voices, including feminist approaches, socio-legal perspectives and comparative material from multiple international jurisdictions.

**Sarah Green** is the Law Commissioner for Commercial and Common Law at the Law Commission of England and Wales. **Jodi Gardner** is the Brian Coote Chair in Private Law at the University of Auckland, New Zealand, and a Senior Research Fellow at the Centre for Banking & Finance Law at the National University of Singapore.

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consideration is given to the issues arising under the Commercial Agents (Council Directive) Regulations 1993. The discussion is informed by common law authority that nourishes the development of agency law principle, and also by international soft law instruments and the Restatement of the Law, Third: Agency.

**Howard Bennett** is Hind Professor of Commercial Law at the University of Nottingham, UK.

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## Law, Death, and Robots

### The Regulation of Artificial Intelligence in High-Risk Civil Applications

Keri Grieman

This book is an in-depth investigation of liability for artificial intelligence causing serious physical harm.

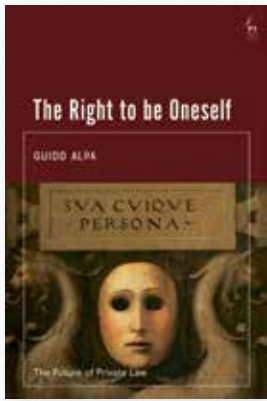
It examines the fundamental features of liability and how it might evolve from addressing human intelligence to addressing artificial intelligence; explores technical features that may aid regulation;

and analyses how the EU, the UK, the US, and Singapore are approaching the regulation of artificial intelligence.

The book proposes a novel blueprint for regulation that responds to the way that artificial intelligence applications are built, societal desire for beneficial innovation, and the fundamental need for trust in the artificial intelligence ecosystem.

**Keri Grieman** is Research Associate at the University of Oxford and Queen Mary University of London, UK.

October 2024 | 9781509977444 | 352pp | Hbk | RRP: £85



## The Right to be Oneself

Guido Alpa

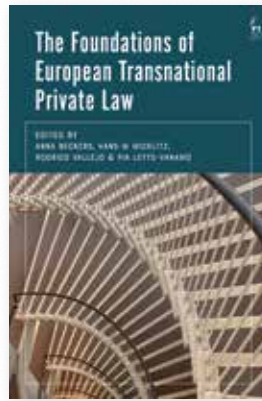
What does the right to be oneself entail? And how is it manifest in our understanding of the law?

The leading commentator on this subject explores these questions, taking an ambitious and multi-faceted approach. To answer them, he draws on private law, jurisprudence, constitutional law, as well as history, art and literature. This treatise, translated from the Italian original and expanded to give a more international perspective, is the seminal work on the

development of identity-protection through law.

Guido Alpa is Full Professor of Civil Law at the University of Rome "La Sapienza", Italy.

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## The Foundations of European Transnational Private Law

Edited by Anna Beckers, Hans-W Micklitz, Rodrigo Vallejo and Pia Letto-Vanamo

This collection identifies and assesses the role of EU private law, beyond the EU marketplace, but within the transnational market. It explores the implications of the external reach EU private law is having at both a substantive and normative level.

Its team of experts do this by relating the external dimension of European regulatory private law to two discussion points: its concrete contribution of different sectors of transnational markets; and its relevance to contemporary legal conceptions of transnational law and ordering. This allows the book to set out the role of European private law in the global political economy.

Anna Beckers is Assistant Professor at the Faculty of Law, Maastricht University, the Netherlands. Hans-W Micklitz is Professor of Economic Law at the European University Institute, Italy. Rodrigo Vallejo is Assistant Professor in Private Law at the University of Amsterdam, the Netherlands. Pia Letto-Vanamo is Research Director and Professor at the Faculty of Law, University of Helsinki, Finland.

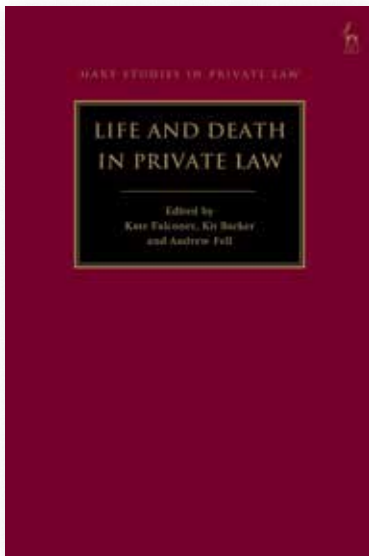
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## The Future of Private Law

**Series Editors:** Marija Bartl, Anna Beckers, Daniel Markovits, Simon Deakin and Hans-W Micklitz

An interdisciplinary exploration of the breadth and depth of the challenges that private law is facing.





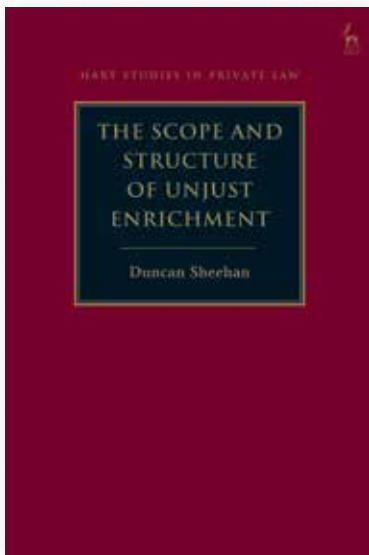
## Life and Death in Private Law

*Edited by Kate Falconer, Kit Barker, and Andrew Fell*

This edited collection explores the concepts of life and death in private law. Life and death are the beginning and end of the legal person: the instigator and terminator of rights, interests, and obligations. They are also the nominal separator of particular fields of law (medical law from succession law, for example). As such they act as fault lines that can test the limit of private law principles and norms. This book explores what life and death tells us about private law and what private law can tell us about the meaning and value of life and death.

*Kate Falconer is Lecturer at the TC Beirne School of Law, University of Queensland and Fellow of the Australian Centre for Private Law, Australia. Kit Barker is Fellow of the Australian Academy of Law and Current Director of the Australian Centre of Private Law at the TC Beirne School of Law, Australia. Andrew Fell is Lecturer at the TC Beirne School of Law, University of Queensland, Australia.*

December 2024 | 9781509969326 | 352pp | Hbk | RRP: £85



## The Scope and Structure of Unjust Enrichment

*Duncan Sheehan*

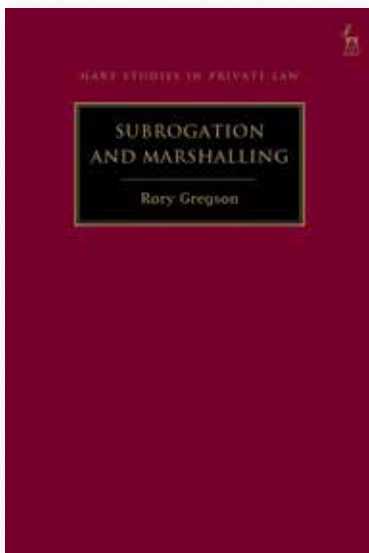
This ambitious book grapples with ongoing debates on the structure of unjust enrichment.

It argues that while unjust enrichment has the function of reversing defective enrichments, there is scope for normative pluralism in how the law achieves this.

Drawing on comparative material from Germany, Scotland and South Africa the book argues for a legal framework which combines elements of the absence of basis and unjust factors approaches. It assesses how that structure can be mapped against the causes of action that make up unjust enrichment, and concludes with a treatment of defences.

*Duncan Sheehan is Professor of Business Law at the University of Leeds, UK.*

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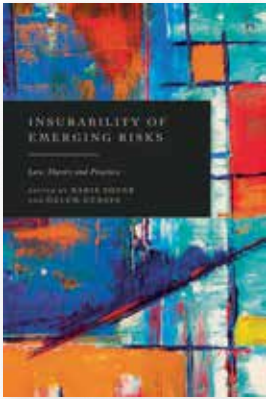
## Subrogation and Marshalling

*Rory Gregson*

This innovative book studies how subrogation and marshalling should be understood in the context of private law. Subrogation and marshalling are legal rules allowing a person to rely on another's rights against third parties. There is little examination of why the law allows this reliance. This book argues that the key to understanding subrogation is the distinctive form of the rights that it creates. The form of rights reflects a particular role in ensuring interpersonal justice: subrogation's role is to properly distribute the burden of debts. Taking this model, the book resolves persistent controversies in the case law.

*Rory Gregson is Junior Research Fellow, Trinity College, University of Cambridge, UK.*

August 2024 | 9781509969227 | 272pp | Hbk | RRP: £85



## Insurability of Emerging Risks

Law, Theory and Practice

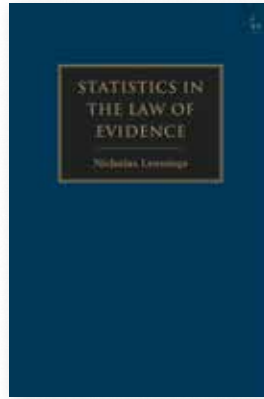
*Edited by Baris Soyer and Özlem Gürses*

This book brings together leading experts in the fields of insurance and the law of obligations to consider how insurance law is attempting to deal with emerging risks and how the law should be developed by courts and lawmakers to deal with the emerging legal issues.

The book questions the suitability of the current insurance business models in insuring climate related risks, autonomous systems, insurance of fines and penalties, and how mass or systemic risks can be made insurable. It also discusses how a balance can be struck between the need to regulate and the needs of market participants.

*Baris Soyer is Professor of Commercial and Maritime Law and Director of the Institute of International Shipping and Trade Law at Swansea University, UK. Özlem Gürses is Professor of Law at King's College London, UK.*

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## Statistics in the Law of Evidence

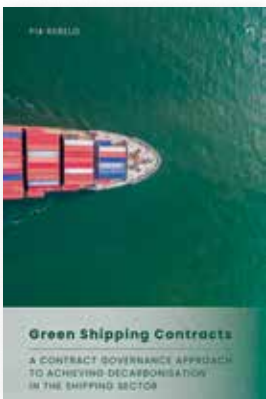
*Nicholas Lennings*

This book evaluates the role played by statistical evidence in litigation. Despite the increasing prevalence of statistical evidence in modern litigation, how such evidence should be admitted and used by courts is often inconsistent and widely criticised. Accepting that statistical evidence can lead to more accurate decisions, the book identifies those criteria that allow courts to decide that statistical evidence is good for fact-finding.

The book contextualises the debate in the language and practice of evidence law, focusing on Australia and the UK, and drawing on examples from other common law countries such as Canada and the USA.

*Nicholas Lennings is Of Counsel at Quinn Emanuel and an Adjunct Senior Lecturer at the University of Sydney, Australia.*

September 2024 | 9781509957330 | 336pp | Hbk | RRP: £85



## Green Shipping Contracts

A Contract Governance Approach to Achieving Decarbonisation in the Shipping Sector

*Pia Rebelo*

This book evaluates the ways in which maritime transactions can achieve global decarbonisation targets in accordance with contract governance theory. The chapters cover a wide spectrum of considerations and external influences on shipping contracts to enhance the effectiveness of green terms. In a transnational sector such as shipping, where contracts

can exert greater influence on corporate decarbonisation efforts than international regulation, the book challenges the traditional limitations of contract law and calls for deeper integration of green principles into private relationships.

*Pia Rebelo is Lecturer at The City Law School, London, UK.*

August 2024 | 9781509967926 | 256pp | Hbk | RRP: £85



## Carbon-Free Shipping and Shipping Carbon

Contracts in Context

*Edited by Stephen Girvin and Vibe Ulfbeck*

This book explores the private law implementation of the new international and EU regulatory framework targeting decarbonisation in the shipping industry.

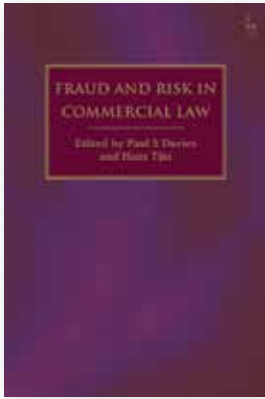
The book is intended to pave the way for understanding how core shipping contracts can work in this new context and the extent to which the new types of clauses will

profoundly transform contracts. It presents contributions by experienced and younger academics and practitioners from Asian, European, and Scandinavian legal systems.

*Stephen Girvin is MPA Professor of Maritime Law and Director of the Centre for Maritime Law at the National University of Singapore. Vibe Ulfbeck is Professor of Private Law and Head of the CEPRI Research Centre at the University of Copenhagen, Denmark.*

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## Fraud and Risk in Commercial Law

*Edited by Paul S Davies and Hans Tjio*

This book provides an analysis of key contemporary issues on the theme of fraud and risk in commercial law, including: technology and fraud, secondary liability and 'failure to prevent' economic crime, abuse of business entities, insolvency and creditor protection, injunctions and other orders, cross-border issues, the relationship between regulation and private law, and the solutions policy makers can use—for

instance, mandatory as opposed to disclosure rules, or rules as opposed to standards. With contributions by leading experts, this book is essential reading for both academics and practitioners across the common law world.

*Paul S Davies is Professor of Commercial Law at UCL Faculty of Laws, UK. Hans Tjio is the CJ Koh Professor of Law at the NUS Faculty of Law and is Director of its EW Barker Centre for Law and Business, Singapore.*

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## The European Convention on Human Rights and Private Law

*Comparative Perspectives from South-Eastern Europe*

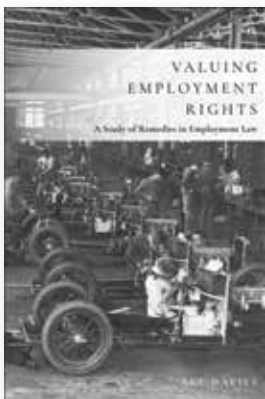
*Edited by Mateja Durovic and Cristina Poncibò*

A team of expert contributors address challenging issues concerning the relationship between private law and the rule of law and human rights, with specific focus on case studies from South-Eastern Europe.

The book examines the broadening application of human rights to the private law fields and the resulting effects. Contributors offer a truly interdisciplinary perspective drawn from comparative law, civil law, procedural law and public law. By so doing, for the first time, they offer insights into the fascinating questions the region poses for private law and human rights.

*Mateja Durovic is Reader in Contract and Commercial Law at Dickson Poon School of Law and Co-Director of the Centre for Technology, Ethics, Law and Society at King's College London, UK. Cristina Poncibò is Professor of Comparative Private Law at the Law Department of the University of Turin, Italy.*

August 2024 | 9781509958085 | 320pp | Hbk | RRP: £85



## Valuing Employment Rights

*A Study of Remedies in Employment Law*

*ACL Davies*

This book analyses a neglected topic: remedies for breaches of employment rights. It argues that some of the remedies set out in statute or at common law are a poor 'fit' for the employment rights they are supposed to protect. Moreover, the remedies on offer do not always suggest a sensible ranking of employment rights. The book suggests why some of these problems might have arisen and makes proposals for reform.

Ranging across theory and doctrine, and analysing criminal, contract, tort, and statutory employment law, this book will be of interest to academics seeking a deeper understanding of the subject.

*ACL Davies is Professor of Law and Public Policy at the Faculty of Law, University of Oxford, UK.*

May 2024 | 9781509955268 | 288pp | Hbk | RRP: £85



## Law at the Cutting Edge

*Essays in Honour of Dame Sarah Worthington*

*Edited by Sinéad Agnew and Marcus Smith*

This collection celebrates the immense contribution of Sarah Worthington to the field of private law. Defining the subject broadly, experts from the judiciary and the academy address contemporary challenges arising in the fields of agency, company law and insolvency, contract law, equity, the law of money, personal property, restitution and unjust enrichment. The breadth of the

contributors' expertise and their willingness to offer innovative and insightful solutions to difficult problems perfectly mirror Sarah Worthington's rigorous and inspirational approach to private law scholarship.

*Sinéad Agnew is Catherine Seville Associate Professor of Law at the University of Cambridge and a Fellow of Newnham College, UK. Marcus Smith is the President of the Competition Appeal Tribunal, and a Justice of the High Court of England and Wales, UK.*

April 2024 | 9781509965151 | 320pp | Hbk | RRP: £100



## Buyers' Remedies in International Sales Law

A Comparative Study

Reza Beheshti

An authoritative, in-depth examination of remedies in international sales of manufactured goods, this book provides a detailed analysis of the remedies available to a commercial buyer.

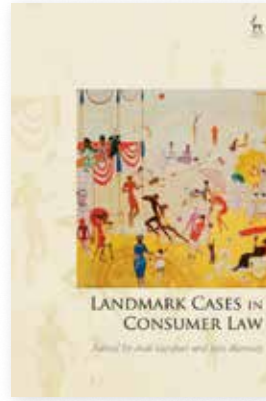
The book concentrates on four prominent legal regimes, namely the UK sales law, the United Nations Convention on Contracts for the International Sale of Goods 1980

(CISG), the American Uniform Commercial Code (UCC), and the UNIDROIT Principles of International Commercial Contracts 2016 (UPICC).

Providing access to, and analysis of, cases and arbitral decisions from all over the world, the book scrutinises the strengths and weaknesses of buyers' remedies through comparative and normative examination.

*Reza Beheshti* is Assistant Professor in International Commercial Law at the University of Nottingham, UK.

February 2024 | 9781509940462 | 248pp | Hbk | RRP: £85



## Landmark Cases in Consumer Law

Edited by Jodi Gardner and Iain Ramsay

This book analyses the history of the common law foundations of consumer law, and encourages readers to rethink the role that consumer law plays in our society. The collection also includes a unique socio-legal perspective, considering the role that consumer law has played in addressing racial discrimination, LGBTQ challenges and the rights of women.

The book demonstrates the theoretical and practical significance of consumer law through a wide range of contributions by distinguished authors from the United Kingdom, Europe, the United States and Australia.

*Jodi Gardner* is Brian Coote Chair in Private Law at the University of Auckland, New Zealand, and a Senior Research Fellow at the Centre for Banking & Finance Law at the National University of Singapore.

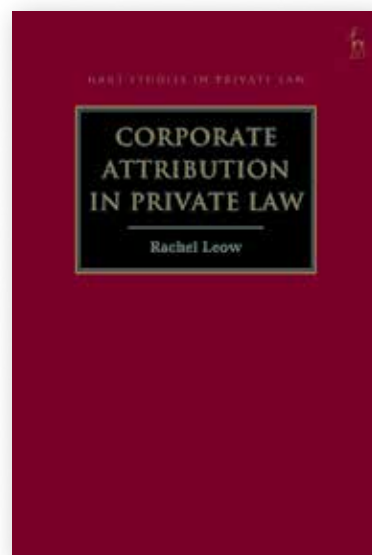
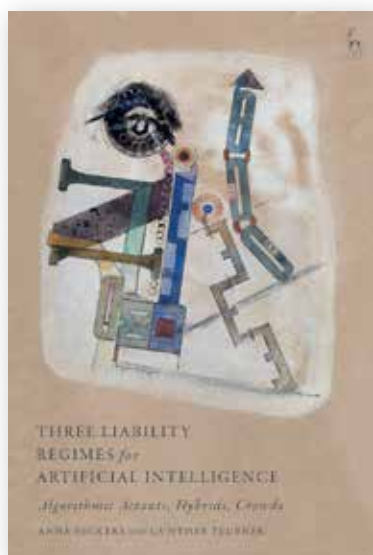
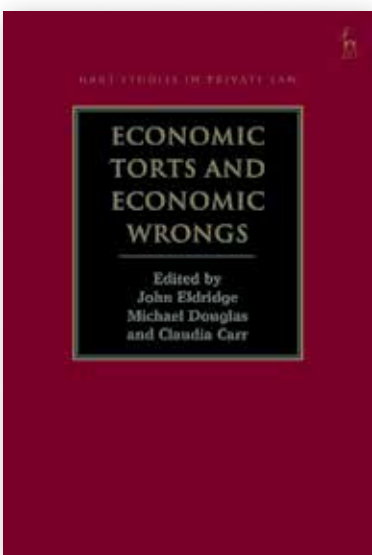
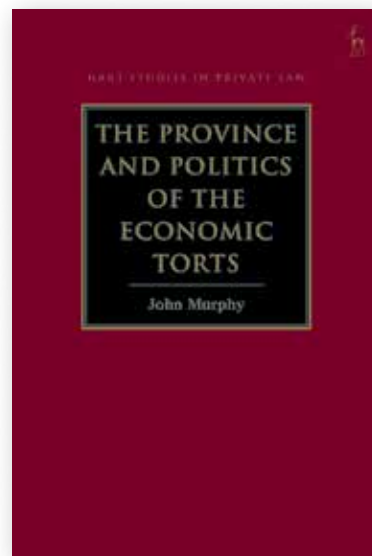
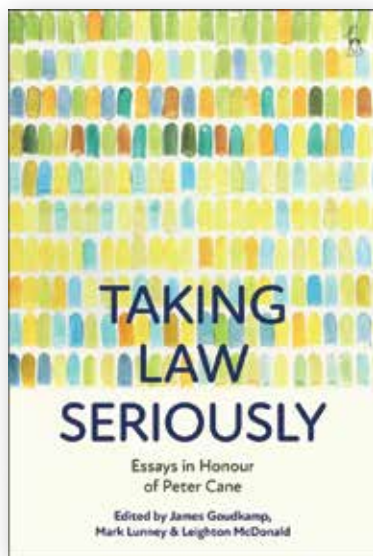
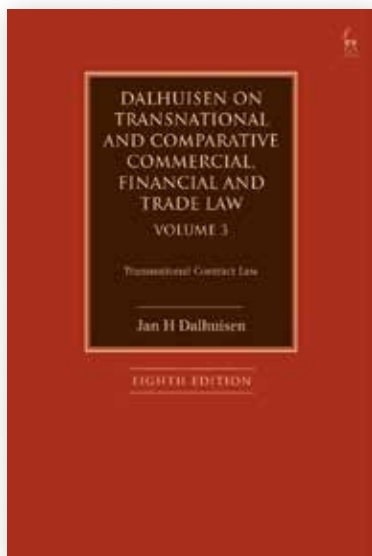
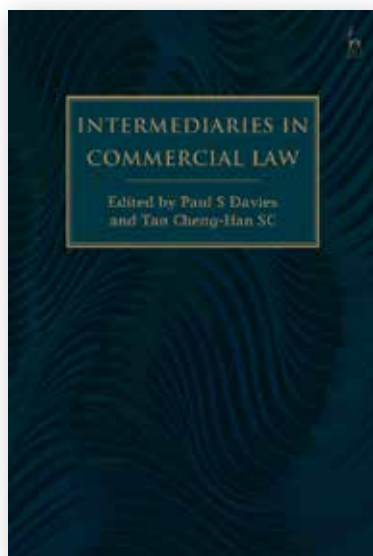
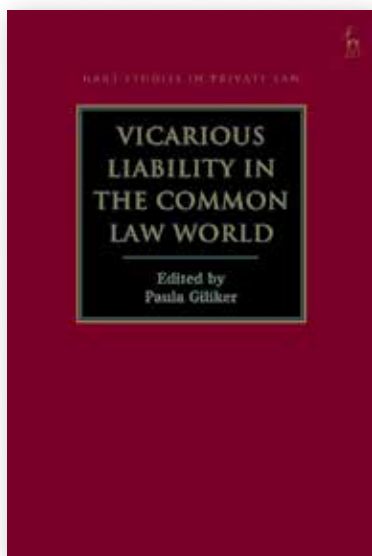
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