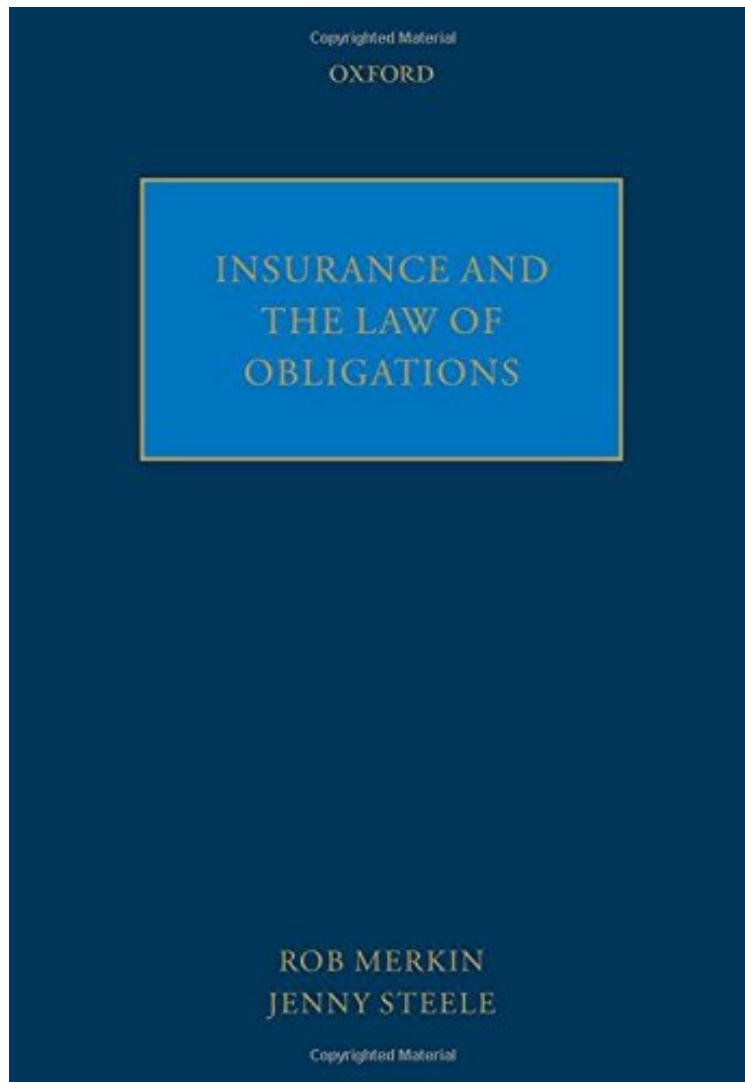


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Insurance and the Law of Obligations

Rob Merkin, Jenny Steele

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Rob Merkin, Jenny Steele : Insurance and the Law of Obligations before purchasing it in order to gage whether or not it would be worth my time, and all praised Insurance and the Law of Obligations:

It is widely acknowledged that insurance has a major impact on the operation of tort and contract law regimes in practice, yet there is little sustained analysis of their interaction. The majority of academic private lawyers have little knowledge of insurance law in its own right, and the amount of discussion directed to insurance in private law theory is disproportionately small in relation to its practical importance. Filling this substantial gap in the literature, this book

explores the multiple influences of insurance in the law of obligations, and the nature and impact of insurance law as an inherent and significant aspect of private law. It combines conceptual and doctrinal analysis, informing the theoretical discussion of the nature of private law, including the role of judicial and public purpose, and the place of formalism and of contextualism in normative theories of private law. Arguing for the wider recognition of the multiple impacts of insurance, the book claims that recognition of the presence of insurance necessarily marks a departure from the two-party framework sometimes described as definitive of private law. The structured exploration and interpretation of the contemporary role of insurance in the law of obligations, and of its implications, illuminates this under-explored area of private law, and equips the reader for further enquiry and debate.

About the Author Rob Merkin, Professor of Law, University of Exeter; Consultant, Norton Rose Fulbright, Jenny Steele, Professor of Law, York Law School, University of York Rob Merkin is Professor of Commercial Law at the University of Exeter, Honorary Professor of Law at the University of Auckland, and a consultant to international law firm Norton Rose Fulbright. He is the author of over 40 books on insurance, reinsurance, and arbitration, and lectures on insurance and reinsurance law at universities worldwide. He is co-editor of the Lloyd's Law Reports and the editor of Insurance Law Monthly, the Journal of Business Law, and the British Insurance Law Association Journal. From 2006 to 2010, Rob was a co-editor of Legal Studies. Rob was President of the British Insurance Law Association 2010-2012 and has been Vice-President of the International Association of Insurance Law since 2010. In 2010 he was awarded a prize by the Australian Insurance Law Association for his contribution to the development of insurance law in Australia, and in 2012 he was awarded the Hotung Fellowship by the University of Canterbury, Christchurch, for work on earthquake insurance. Jenny Steele is a Professor of Law at York Law School, University of York. She is the author of Tort Law: Text, Cases, and Materials (OUP, 2nd ed. 2010); and Risks and Legal Theory (Hart, 2004), and is a contributing editor to Clerk and Lindsell on Torts (from the 20th edition). She edited Law in Environmental Decision-Making (OUP, 1995), with Tim Jewell, and is editor, with Willem van Boom, of a collection of essays entitled Mass Justice: Challenges of Representation and Distribution (Edward Elgar, 2011) and, with TT Arvind, of Tort Law and the Legislature: Common Law, Statute, and the Dynamics of Legal Change (Hart, 2012). She is the holder of a Leverhulme Major Research Fellowship, Liability, Insurance and Society.