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Ernst Karner/Ken Oliphant (eds), *Loss of Housekeeping Capacity* (De Gruyter, 2012) ISBN: 978 -3-89949-814-1. xiii + 337. €109.95 (hardback).

Frédéric Krauskopf ✉ / **Jessica Kim Sommer**

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Book Reviews

Ernst Karner/Ken Oliphant (eds), *Loss of Housekeeping Capacity* (De Gruyter, 2012) ISBN: 978-3-89949-814-1. xiii + 337. €109.95 (hardback).

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Jessica Kim Sommer: Master of Law, Teaching and Research Assistant, Department of Civil Law, University of Bern, E-Mail: jessica.sommer@ziv.unibe.ch

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The upkeep of a home requires an array of chores. Each legal system has its own ways of defining what qualifies as such a chore and how in case of loss of capacity to perform those chores damages are assessed and awarded. At the request of the Swiss Insurance Association the two editors Ernst Karner and Ken Oliphant undertook a comparative legal study aimed at creating an overview of the different methods used in European legal systems to compensate the loss of what is needed to keep house – until now, an issue that has barely been examined comparatively. The editors made an effort to choose a terminology which is as unaffiliated with concepts of individual nations as possible and at the same time describes the damage of interest comprehensively – they settled on the term *housekeeping*.

Volume 28 of the Tort and Insurance Law series is the result: ten country reports that are followed by a comparative summary written by the editors. In order to cover the major European legal families, the editors selected the following countries: Austria, Germany and Switzerland (German legal family), France, Italy and Spain (Romanic legal family), England and Wales (Common Law), Norway (Nordic systems), Poland (an example of a post-communist system) and the Netherlands (an example of a country with a recent Civil Code).

Every report consists of a precisely formulated questionnaire which is divided into two parts. The first part (*General Part*) offers insight into each legal system's approach to awarding damages for loss of housekeeping.¹ The second part (*Concrete Assessment Examples*) comprises case studies that illustrate the application of the previously presented rules and principles and furthermore permit the authors to state concrete figures for damages awarded. This cleverly compiled

¹ The *General Part* is divided into four questions: A. Compensable Harm and the Right to Sue; B. Doctrinal Justifications; C. Assessment of Damages; D. Relationship to Social Welfare Law.

⬇ About the article

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