

Candidature à l'élection de nouveaux membres de l'AIDC

Application for the election of new members of the AIDC

Ce formulaire peut être rempli en français ou en anglais
This form can be filled in English or French

Qui propose ce candidat ? / Who proposes this candidate?

Remplir la partie 1 ou la partie 2 / Fill part 1 or part 2

PARTIE 1 / PART I: Si proposé par un membre / If proposed by a member

Nom du membre / Name of the member:

Barbara Pozzo

Statut du membre / Status of the member (indicate with an "X"):

Membre associé / Associate member

Membre titulaire / Titular member

Adresse électronique professionnelle du membre / professional email address :

barbara.pozzo@uninsubria.it

PART II : Si proposé par un comité national / If proposed by a national committee

Pays ou juridiction du comité national / Country or jurisdiction of the national committee

Nom d'une personne à contacter au comité national à propos de cette nomination / Name of a contact person to contact regarding this nomination

Adresse électronique de cette personne / Email address of that person

Le membre ou le comité qui propose un nouveau candidat doit joindre une lettre d'appui signée.

The member or committee who proposes a new candidate must attach written statement of support of membership with signature.

Le candidat ou la candidate / The candidate

Adhésion demandée (ajoutez un « X ») / Membership applied for (add an 'X')

X Membre associé / Associate member

Membre titulaire / Titar member

Notez : Un poste de membre titulaire sera de préférence attribué à un membre associé, mais exceptionnellement un collègue senior qui jouit d'une excellente réputation pourrait être élu(e). Mais il est normalement préférable que le candidat au poste de membre titulaire soit déjà membre associé.

Note: A position of titular member will preferably be awarded to an associate member, but exceptionally a senior colleague who enjoys an excellent reputation could be elected. But it is normally preferable that the candidate for the position of full member already be an associate member.

Nom du candidat ou de la candidate (souligner le nom the famille le cas échéant)
/ Name of the Candidate (underline family name if any):

Marco Cappelletti

Sexe / Gender Pays ou juridiction de résidence / Country or jurisdiction of Residence

M UK

Institution, faculté, université, etc. / Institution, faculty, university, etc. :

Worcester College - Oxford

Adresse électronique professionnelle / professional email address :

marco.cappelletti@law.ox.ac.uk

Adresse électronique alternative (personnelle) / Alternate (personal) email address (ne sera utilisée que si votre adresse professionnelle ne répond plus / will only be used if we can no longer reach you are your professional address)

Engagement du/ de la candidat(e) / Undertaking by the candidate

J'accepte cette nomination et si je suis élu(e), je m'engage à assumer les obligations incombant aux membres de l'Académie, y compris le paiement annuel de ma cotisation.

I accept this nomination and if elected, I undertake to fulfil the obligations incumbent upon the members of the Academy including the payment of the annual fee.



Signature:

Date: 30 September 2024

Pièces jointes / Attachments:

1. Une lettre de soutien à la candidature par le proposeur / A written statement of support of membership by the proposer, a list of publications of the candidate
2. Un curriculum vitae du candidat ou de la candidate / A curriculum vitae of the candidate
3. Une liste de ses publications / A list of publications of the candidate

Important :

Afin de faciliter la tâche du secrétariat, nous apprécierions que ce formulaire et toutes ses pièces jointes nous soient envoyés en un seul document PDF à l'adresse suivante :

votes-membres@aidc-iacl.org

Le nom du fichier PDF serait préférablement le nom du candidat ou de la candidate.

To facilitate the task of the secretariat, we would appreciate if this form and all its attachment could be sent to us in one PDF document at the following address :

votes-membres@aidc-iacl.org

The name of the PDF file would preferably be the name of the candidate.

MARCO CAPPELLETTI

Worcester College, Oxford, OX1 2HB

marco.cappelletti@law.ox.ac.uk

07375456529

EMPLOYMENT

Worcester College

Tutorial Fellow in Law, October 2024-present

St John's College, Oxford

Lecturer in Law, 2023-2024

Junior Research Fellow, 2019-2023

Stipendiary Lecturer in Law, 2018-2019

Stipendiary Lecturer in Law, 2017-2018

Non-Stipendiary Lecturer in Law, 2016-2017

Cleary Gottlieb Steen & Hamilton LLP, Rome, Italy

Associate, 2014-2016 (working mainly on high-profile litigation concerning tort and contractual liability; competition law)

University of Perugia, Faculty of Law, Perugia, Italy

Teaching and Research Assistant in Comparative Private law, North American Law, and European Private Law, 2010-2011

EDUCATION

St John's College, Oxford

D.Phil. in Law, 2016-2020

Harvard Law School

LL.M., 2013-2014

St John's College, Oxford

Magister Juris, 2011-2012

University of Perugia, Faculty of Law

Laurea Magistrale in Giurisprudenza (five-year law degree), 2005-2010

TEACHING EXPERIENCE

University of Oxford, Faculty of Law

Lecturer, Hilary Term 2024, Hilary Term 2023, Hilary Term 2022 (offering six lectures on selected tort topics for the FHS – namely private nuisance, public nuisance, and the rule in *Rylands v Fletcher*)

St John's College, Oxford

- *Lecturer in Law*, 2023-present (Contract and Tort)
- *Tutor*, Trinity Term 2021 (Tort)
- *Stipendiary Lecturer*, 2018-2019 (Tort and Roman Law)
- *Non-Stipendiary Lecturer*, 2017-2018, 2016-2017 (Roman Law)

Worcester College, Oxford

Tutor, Trinity Term 2024 (Land Law)

Tutor, Michaelmas Term 2023 (Tort)

Notre Dame Law School, London Law Programme

Guest lecturer, 20 March 2023 (offering a three-hour session on strict liability in comparative tort law, for J.D. students)

St Peter's College, Oxford

Tutor, Trinity Term 2020 (Tort)

Trinity College, Oxford

Tutor, Trinity Term 2020 (Tort)

EXAMINING AND ASSESSMENT

University of Oxford, Faculty of Law

Marking Law Moderations course 'A Roman Introduction to Private Law' (2023-2024)

University of Perugia, Faculty of Law, Perugia, Italy

Conducted oral exams in the course 'Comparative Private law' (2010-2011)

PRIZES, SCHOLARSHIPS, AND AWARDS

[Grand Prize of the International Academy of Comparative Law](#), awarded in 2022 for the monograph entitled *Justifying Strict Liability: A Comparative Analysis in Legal Reasoning* (The Grand Prize, also known as 'Canada Prize', is awarded every four years to the best monograph in the field of comparative law; competition for this prize is open to any individual holding a law degree)

Ius Commune Prize, awarded in 2021 for the chapter entitled ‘Comparative Reflections on Punishment in Tort Law’ and published in Jean-Sébastien Borghetti and Simon Whittaker (eds), *French Civil Liability in Comparative Perspective* (Hart Publishing 2019) 329 (The prize is awarded annually for work of outstanding quality which falls within the field of the Ius Commune Research School)

Roy Goode Scholarship, Oxford Law Faculty, 2018-2019 (academic merit based)

Graduate Assistance Fund Award, Oxford Law Faculty, 2018-2019 (academic merit based)

Graduate Assistance Fund Award, Oxford Law Faculty, 2016-2017 (academic merit based)

Fulbright Scholarship, Harvard Law School, 2013-2014 (academic merit based)

Michael Vinciguerra Fund Scholarship, Harvard Law School, 2013-2014 (academic merit based)

Dean’s Scholar Prize, Harvard Law School, 2013-2014, in the course ‘The Politics of Private Law in Historical and Comparative Perspective’ (academic merit based; ‘awarded for extraordinary work to the top students in classes with law student enrollment of seven or more’)

Summer Academic Fellowship, Harvard Law School, 2014 (academic merit based) (awarded to fund my research project on punitive damages in comparative law, then published as ‘Punitive Damages and the Public/Private Distinction: A Comparison between the United States and Italy’ (2015) 32 *Arizona Journal of International & Comparative Law* 799)

RESEARCH GRANTS

Small Grant for Research

Award value: £7,000

Awarding body: St John’s College, Oxford

Award holder: Marco Cappelletti

Purpose: conference ‘Comparative Reflections in the Law of Obligations’, Oxford, September 2023

Research Support Fund

Award value: £3,000

Awarding body: Oxford Law Faculty

Award holders: Marco Cappelletti and other conference organisers

Purpose: conference ‘Comparative Reflections in the Law of Obligations’, Oxford, September 2023

CONFERENCE ORGANISATION

Co-Convenor, workshop on **Comparative Reflections in the Law of Obligations**, St John's College, Oxford, 25-27 September 2023 (4 sessions, 13 papers, c. 25 attendees)

SELECTED PRESENTATIONS AND TALKS

Conditional Wrong, Proportionality of Burden and Benefit, and the Justifications for Strict Liability

Presentation at a Symposium on Gregory Keating's book, *Reasonableness and Risk* (OUP 2023), University of Southern California, Gould School of Law, 9 February 2024

Book Presentation: Gregory Keating, *Reasonableness and Risk*

Commentator, Obligations Discussion Group, Oxford, 17 November 2023

Foreseeability in the Law of Torts: A Comparative Analysis

Presentation at the conference 'Comparative Reflections in the Law of Obligations', St John's College, Oxford, 26 September 2023

Building Safety in Residential Buildings: A Comparative Analysis

Presentation at the symposium 'Exploring Building Safety through the Lens of Private Law', Melbourne/Oxford Symposium (in-person and online), 30 August 2023

Justifying Strict Liability: A Comparative Analysis in Legal Reasoning

Book Launch, St John's College, Oxford, 19 October 2022

A Pluralist View of Vicarious Liability in Tort

Presentation at the Modern Law Review Early Career Workshop, London School of Economics and Political Science, 23 June 2022

Comparative Reflections on Punishment in Tort Law

Presentation at the Colloquium 'French Civil Liability in Comparative Perspective', St John's College, Oxford, September 2018

Punitive Damages and the Public/Private Distinction: A Comparison between the United States and Italy

Presentation at the Fourth Annual Conference of the Young Comparativists Committee of the American Association of Comparative Law, Florida State University College of Law, April 2015

SERVICE

St John's College, Oxford

College advisor to BCL/MJur and DPhil students (2023-2024)

Member of Selection Panel, Undergraduate Admissions Exercise (2023-2024)

Member, Research Committee (2022-2023)

Member, Domestic Committee (2020-2021)

College Advisor to BCL and DLS students (2020-2021)

Contributing to the undergraduate admissions exercise either through interviews or as member of the selection panel (2022, 2020, 2018, 2017)

Oxford Journal of Legal Studies

Peer Reviewer (2024, 2022, 2020)

The Cambridge Law Journal

Peer Reviewer (2024)

Oxford University Commonwealth Law Journal

Associate Editor (2016-2017)

OTHER PROFESSIONAL EXPERIENCE

St John's College, Oxford

Academic and Research Assistant (to Professor Simon Whittaker), 2016-2019

Unidroit (International Institute for the Unification of Private Law), Rome, Italy

Legal Trainee (January-March 2013)

Studio Legale Scassellati Sforzolini Mazzi (Law Firm), Perugia, Italy

Legal Trainee (2010-2012)

MEMBERSHIPS

The Society of Legal Scholars

Ordinary Member

The Institute of European and Comparative Law, Oxford Law Faculty

Research Associate

LANGUAGES

Italian (native); **English** (fluent); **French** (working knowledge)

PUBLICATIONS

BOOK (AUTHOR)**JUSTIFYING STRICT LIABILITY: A COMPARATIVE ANALYSIS IN LEGAL REASONING (OUP 2022)**

- Awarded the *Grand Prize* of the International Academy of Comparative Law in 2022. This international prize is awarded every four years to the best monograph in the field of comparative law, and competition is open to any person holding a law degree, regardless of seniority and jurisdiction. The Jury of the Academy described my book as ‘truly original’ and as ‘a really novel contribution to the literature’. In the Jury’s view, the book is ‘very lucidly argued’, and ‘the analysis is very subtle, neither artificial, nor forced’; the author ‘applies his analytical method to an extraordinary array of sources, both judicial and scholarly, in (at least) three languages’, and he offers ‘all through the book very accurate concluding remarks on which he builds his comparative demonstration’.
- Reviewed:
 - James Brown, ‘Book Review: Marco Cappelletti, *Justifying Strict Liability: A Comparative Analysis in Legal Reasoning*’, (2024) 40(1) *Journal of Professional Negligence* 36 (‘Overall, this is an excellent piece of scholarship, [...] highly recommend[ed] to anyone interested in comparative law, tort law or private law theory. Comparative research is, by its very nature, often ambitious, as it is usually much easier to focus exclusively on one legal system. However, Cappelletti’s timely, original and significant contribution is able to fulfil these ambitious comparative aims, and in doing so he provides a very valuable resource for anyone looking to broaden their knowledge of strict liability in tort law’).
 - Gerhard Wagner, (2024) 1 *Zeitschrift für Europäisches Privatrecht* 245 (‘an important contribution to the understanding of different cultures of tort’; ‘exceptionally beautiful to read’).

BOOK (JOINT-EDITOR)**COMPARATIVE REFLECTIONS IN PRIVATE LAW: ESSAYS IN HONOUR OF SIMON WHITTAKER (OUP, forthcoming 2025) (co-edited with Ciara Kennefick and Dorota Leczykiewicz)****JOURNAL ARTICLES AND BOOK CHAPTERS**

1. ‘**Tackling Building Safety Through Private Law: A Comparative Analysis**’ (co-authored) in Matthew Bell, Susan Bright, Ben McFarlane, and Andrew Robertson (eds), *Exploring Building Safety through the Lens of Private Law* (Hart Publishing, forthcoming 2025)
2. ‘**Foreseeability in the Law of Torts: A Comparative Analysis**’ in Marco Cappelletti, Ciara Kennefick, and Dorota Leczykiewicz (eds), *Comparative Reflections in Private Law: Essays in Honour of Simon Whittaker* (OUP, forthcoming 2025)

3. **Justifying Harm-Based Strict Liability: Reflections on Keating's *Reasonableness and Risk***, *Law and Philosophy* (forthcoming 2025)
4. **'A Pluralist View of Vicarious Liability in Tort'** (2024) 140 *Law Quarterly Review* 61
5. **'Compensatio Lucri cum Damno in Tort Law: An English Perspective on the Italian Four Judgments'** (2020) 28 *European Review of Private Law* 701
6. **'Compensatio lucri cum damno e Torts: prospettive inglesi alla luce delle quattro sentenze gemelle della Corte di Cassazione'**, in *La compensatio lucri cum damno. Orientamenti italiani e europei a confronto* (ed. Angelo Venchiarutti, Pacini Giuridica 2020) 69
7. **'Comparative Reflections on Punishment in Tort Law'**, in *French Civil Liability in Comparative Perspective* (eds. J.-S. Borghetti and S. Whittaker, Hart Publishing 2019) 329
 - Awarded the *Ius Commune Prize* for outstanding legal research in 2021 (The prize is awarded annually for work of outstanding quality which falls within the field of the Ius Commune Research School)
8. **'Réflexions comparatives sur le rôle de la punition en droit de la responsabilité délictuelle'** (2019) 116 *Revue des contrats* 293
9. **'Punitive Damages and the Public/Private Distinction: A Comparison between the United States and Italy'** (2015) 32 *Arizona Journal of International & Comparative Law* 799
10. **'La tutela dell'affidamento e il dovere di coerenza nel diritto comparato'** ['The protection of reliance and duty of coherence: a comparative perspective'] (2011) 2 *Rivista Critica del Diritto Privato* 313

REVIEWS OF CASE LAW

11. **'Sui limiti alla risarcibilità iure hereditatis del danno biologico e morale in caso di morte del prossimo congiunto'** ['On the limits to the recoverability iure hereditatis of biological and moral harm for the death of the loved ones'] (2016) 2 *Danno e Responsabilità* 194
12. **'Rapporto tra sentenze penali e giudizio civile risarcitorio'** ['On the relationship between criminal judgments and the judicial assessment of liability in tort'] (2015) 6 *Danno e Responsabilità* 587

BLOG POSTS

13. **'Justifying Strict Liability: A Comparative Perspective'**, British Association of Comparative Law, 31 March 2023, <https://british-association-comparative-law.org/2023/03/31/justifying-strict-liability-a-comparative-perspective-by-marco-cappelletti/>

STATEMENT OF SUPPORT

for Dr. Marco Cappelletti

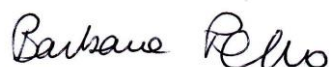
Dr. Marco Cappelletti is a young and very promising scholar who, after completing his law studies in Italy, was able to further his education abroad at the most prestigious universities.

After winning the Fulbright Scholarship, he completed his LL.M. at Harvard Law School in 2014, and his Ph.D. at St John's College, Oxford in 2020.

He has been honored with numerous awards, among which the *Ius Commune Prize*, awarded in 2021 for the chapter entitled 'Comparative Reflections on Punishment in Tort Law' and published in Jean-Sébastien Borghetti and Simon Whittaker (eds), *French Civil Liability in Comparative Perspective* (Hart Publishing 2019), and - in 2022 - the *Grand Prize of the International Academy of Comparative Law*, for the outstanding monograph entitled *Justifying Strict Liability: A Comparative Analysis in Legal Reasoning*.

I have known Marco Cappelletti for many years and can testify that he is a serious scholar with extensive experience working in both common law and civil law systems and could still make important contributions to comparative law

For these reasons, I would like to nominate Dr. Marco Cappelletti as an associate member of the Academy.



Barbara Pozzo

President of SIRD

Milano, 30 September 2024