



## CALL FOR PAPERS

### **Risk and the Insurance Business in History An International Conference, Seville 2019**

The International Conference on Risk and the Insurance Business in History will be held in **June 11th to 14th 2019** on the historic city of Seville.

The Scientific Committee has accepted a set of 23 parallel sessions to shape the program of the conference (please see the complete list in the attached files).

Now we are opening the call for participation in these sessions. Please feel free to consider the most suitable session for your paper. Proposals should include names and affiliations of the author/s; title and abstract. Please note that session organisers have the final decision to accept paper proposals for their sessions. Session organisers are requested to forward to the conference organisers any proposals for papers that they cannot include in their session, so that the conference organisers, with the assistance of the Scientific Committee, have an opportunity of placing the papers elsewhere in the conference if that proves possible. The definite list of accepted papers will be announced in

**September 30th 2018.**

Proposals of sessions should be directed to the organiser/s of the session, with copy to the conference mail [insurance.international.conference@unia.es](mailto:insurance.international.conference@unia.es)

**The deadline to send paper proposals is June 30th 2018.**

## **S5. New Approaches to the History of Insurance Law**

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### **ABSTRACT**

Modern scholars of insurance law refer to insurance as a legal product. In a contract of sale, for example, the parties exchange goods against money. By contrast, in an insurance transaction the parties exchange money against money: the insurer receives the premiums from the policy holder and in turn promises to pay the insured sum when a certain risk eventuates. The right of the insured to the insured sum is determined in the contract, a legal document, and the boundaries of what the parties can agree upon are set by the law. Against this background, it comes as a surprise that research in the history of insurance has been dominated by economic historians and that within the domain of legal history the history of insurance law has hitherto played only a marginal role. And were research into the history of insurance law exists it is (as traditional research in legal history tends to be) confined to the boundaries of a given jurisdiction. As a consequence, different national narratives have developed. The development of such national narratives is highly problematic. Only recently, legal historians have rediscovered the field of the history of insurance law as a field of study. However, research into the history of insurance law faces a number of challenges. (1) It is an interdisciplinary field of study. Without a firm knowledge of the history of the socio-economic background and without a thorough understanding of insurance markets an analysis of legal questions is impossible. (2) Nevertheless, legal historians have to define their research object independently of other disciplines. Lawyers of all times tend to transpose known solutions to new problems. For the understanding where legal rules in insurance law originated from, legal historians, thus, have to look beyond the sphere of insurance. (3) Finally, insurance practice often has not left any traces in the legal discourse, in legislation or in the case law. And where it has legal historians do not always appreciate that insurance practice may have followed different paths.

The session will have four presentations of 20 minutes each, followed by a discussion. The Organiser invites submissions which challenge, and go beyond, the traditional narratives of insurance legal history without restricting them to any specific field or time frame. Submissions related to, for example, marine insurance, fire insurance, life insurance, guild welfare or state run insurance schemes, to name just some, and covering any legal question will be considered.