1. Record Nr. UNINA9911035051603321 Autore Dantas Bisneto Cícero **Titolo** Psychological Causation in Tort Law: Damage Caused by Psychological Influence and Objective Imputation / / by Cícero Dantas Bisneto Cham:,: Springer Nature Switzerland:,: Imprint: Springer,, 2025 Pubbl/distr/stampa **ISBN** 9783032038258 [1st ed. 2025.] Edizione Descrizione fisica 1 online resource (362 pages) Collana Law and Criminology Series Disciplina 346.03 Soggetti **Torts** Common law Civil law Law - Philosophy Law - History Conflict of laws International law Comparative law Common Tort Law Civil Law Theories of Law, Philosophy of Law, Legal History Philosophy of Law Private International Law, International and Foreign Law, Comparative Law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia 1 Introduction -- Part I: Causal Theories and Psychological Causal: A Nota di contenuto First Approach -- 2 Initial Considerations -- 3 Critical Analysis of Theories of Causation -- Part II: Psychological Causation: Case Studies and Legal Dogmatics -- 4 Psychological Causation -- 5 Application of Theoretical Models to Practical Cases -- 6 Conclusion. This study addresses one of the most challenging problems in Sommario/riassunto contemporary tort law: the attribution of liability in cases where harm results not from direct physical causation, but from psychological

influence that motivates or facilitates another person's conduct.

Through systematic analysis, this work demonstrates that traditional causal theories—including direct and immediate causation, adequate causation, and the equivalence of conditions (sine qua non)—prove fundamentally inadequate when applied to cases involving "psychological causation." Similarly, the conduct and public statements of government officials can negatively affect citizens' behavior, particularly during periods of crisis. When government officials publicly disregarded mask-wearing protocols during the COVID-19 pandemic, for instance, this foreseeably encouraged non-compliance among the general population. Whether such individuals can be held civilly liable for the resulting harm presents a complex problem requiring careful doctrinal analysis. Equally significant is the question of liability when a group member initiates acts of vandalism or collective violence, subsequently followed by other members of an organized crowd or political group. This raises the fundamental question of whether the person who precipitates a disturbance can be held responsible for damage suffered by third parties, even when the specific perpetrator of a particular injury remains unidentified. Consider, for example, a supporter who initiates an altercation between opposing fans or who physically or verbally assaults members of an organized group, thereby triggering widespread confusion and resulting in harm to bystanders. Particular problems also arise when the consequent damage occurs because the second party, influenced by the conduct of the first agent, deliberately harms themselves or their interests. There are many examples of self-destructive reactions by the injured party after the initial harmful event, such as in cases of revenge porn, bullying, and environmental disasters like Brumadinho and Fukushima. Thus, the victim may, under the impact of the initial harm, prematurely stop their business activities, commit suicide, or refuse necessary treatment measures, such as a blood transfusion, for religious reasons. These scenarios challenge traditional causation theories by introducing psychological mediation between the defendant's conduct and the ultimate harm.