

U S Tort Law The Legal Institutions Of Higher Learning English Recommended Reading Paperback

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The Common Law

Advancing a bold theory of the relevance of tort law in the fight against human rights abuses, celebrated US law professor George Fletcher here challenges the community of international lawyers to think again about how they can use the Alien Tort Statute. Beginning with an historical analysis Fletcher shows how tort and criminal law originally evolved to deal with similar problems, how tort came to be seen as primarily concerned with negligence and how the Alien Tort Statute has helped establish the importance of tort law in international cases. In a series of cases starting with *Filartiga* and culminating most recently in *Sosa*, Fletcher shows how torture cases led to the reawakening of the Alien Tort Statute, changing US law and giving legal practitioners a tool with which to assist victims of torture and other extreme human rights abuses. This leads to an examination of Agent Orange and the possible commission of war crimes in the course of its utilisation, and the theory of liability for aiding and abetting the US military and other military forces when they commit war crimes. The book concludes by looking at the cutting-edge cases in this area, particularly those involving liability for funding terrorism, and the remedies available, particularly the potential offered by the compensation chamber in the International Criminal Court.

The American Law of Torts

The first historical treatment of tort law in England during a formative period of its development.

A Concise Restatement of Torts

'Tort Law' offers a stimulating introduction to the subject. Jenny Steele provides a sound analysis of the key principles before exploring a wide range of critical perspectives through an extensive selection of cases and materials.

Mass Tort Deals

Tort law recognizes the many ways one person wrongs another. Arthur Ripstein brings coherence to torts' diversity in a philosophically grounded, analytically powerful theory. He shows that all torts violate the basic moral idea that each person is in charge of his or her own person and property, and never in charge of another's person or property.

Maine Tort Law

Two preeminent legal scholars explain what tort law is all about and why it matters, and describe their own view of tort's philosophical basis: civil recourse theory. Tort law is badly misunderstood. In the popular imagination, it is "Robin Hood" law. Law professors, meanwhile, mostly dismiss it as an archaic, inefficient way to compensate victims and incentivize safety precautions. In *Recognizing Wrongs*, John Goldberg and Benjamin Zipursky explain the distinctive and important role that tort law plays in our legal system: it defines injurious wrongs and provides victims with the power to respond to those wrongs civilly. Tort law rests on a basic and powerful ideal: a person who has been mistreated by another in a manner that the law forbids is entitled to an avenue of civil recourse against the wrongdoer. Through tort law, government fulfills its political obligation to provide this law of wrongs and redress. In *Recognizing Wrongs*, Goldberg and Zipursky systematically explain how their "civil recourse" conception makes sense of tort doctrine and captures the ways in which the law of torts contributes to the maintenance of a just polity. *Recognizing Wrongs* aims to unseat both the leading philosophical theory of tort law—corrective justice theory—and the approaches favored by the law-and-economics movement. It also sheds new light on central figures of American jurisprudence, including former Supreme Court Justices Oliver Wendell Holmes, Jr., and Benjamin Cardozo. In the process, it addresses hotly contested contemporary issues in the law of damages, defamation, malpractice, mass torts, and products liability.

Tort Law

Key Facts Key Cases: Tort Law will ensure you grasp the main concepts of your Tort Law module with ease. This book explains the facts and associated case law for: The torts of negligence, occupiers' liability and nuisance Strict liability torts The torts of trespass to land and trespass to the person Torts involving goods Torts affecting reputation Employment related torts Available remedies Key Facts Key Cases is the essential series for anyone studying law at LLB, postgraduate and conversion courses. The series provides the simplest and most effective way to absorb and retain all of the material essential for passing your exams. Each chapter includes: diagrams at the start of chapters to summarise key points structured headings and numbered points to allow for clear recall of the essential points charts and tables to break down more complex information Chapters are also supported by a Key Cases section which provides the simplest and most effective way to absorb and memorise essential cases needed for exam success. Essential and leading cases are explained The style, layout and explanations are user friendly Cases are broken down into key components by use of a clear system

of symbols for quick and easy visual recognition

Corporate Responsibility Under the Alien Tort Statute

Providing a comprehensive and principled account of the uncertainty problem that arises in tort litigation, this text critically examines the existing doctrinal solutions of the problem, as evolved in England, United States, Canada & Israel.

Principles of Tort Law

Presenting twenty-two years of multidistrict litigation data, this book exposes a systematic lack of checks and balances in our courts.

Illinois Tort Law

With contributions by numerous experts

Private Wrongs

Tort Law: The American and Louisiana Perspectives, Second Edition has as its primary objective a study of tort law in the United States and Louisiana. It differs from most other torts casebooks, however, in that it has a secondary objective of providing an exercise in comparative law. In the United States, we often overlook the fact that the common law system that prevails in our nation is not the only legal system in the world. Much of the world applies a civil law approach in which a civil code has a more prominent role than case law. In a world in which trade and economics, politics, and law cross national borders, it has become increasingly important to be aware of and conversant in other nations' legal systems. Louisiana, the only state in the United States that can be described as a mixed jurisdiction, using both civil law and common law, provides an excellent model for examining and comparing and contrasting civil law and common law approaches to various legal issues. This book invites the reader to both study tort law and consider the differences and similarities between the common law states and a state that has a civil code and views the role of the courts and the legislature somewhat differently.

Tort Liability Under Uncertainty

Comparative Tort Law: Global Perspectives provides a framework for analyzing and understanding the current state of tort law in most of the world's legal systems. The book examines tort law theories and cultures through a comparative methodology. It I

Tort Liability for Human Rights Abuses

Abraham's name appears first on the earlier edition.

Mass Tort Litigation

Widely regarded as a standard in the field, G. Edward White's Tort Law in America

is a concise and accessible history of the way legal scholars and judges have conceptualized the subject of torts, the reasons that changes in certain rules and doctrines have occurred, and the people who brought about these changes. Now in an expanded edition, *Tort Law in America* features a new preface that places the book within the current scholarship and two new chapters covering developments in American tort law over the past fifteen years. White approaches his subject from four perspectives: intellectual history, the sociology of knowledge, the phenomenon of professionalization in the late nineteenth and early twentieth centuries in America, and the recurrent concerns of tort law since its emergence as a discrete field. He puts the intellectual history of this unique branch of law into the general picture of philosophy, sociology, and literature in what is not only a major work of legal scholarship but also a tour de force for anyone interested in American intellectual history.

Tort Law and Liability Insurance

This work is now well established as the leading text on tort law in the region, and this third edition incorporates the most recent developments in law and legal thinking.

The Measure of Injury

Maimonides and Contemporary Tort Theory

Is the U.S. tort system in crisis? CBS television's 60 Minutes has said the tort system metes out "jackpot justice," and Newsweek has called America a "Lawsuit Hell." Other observers of the legal system, however, argue that the tort crisis is a myth. Although both sides of the debate rely primarily on anecdote and the selective use of evidence, a sound diagnosis of the tort system requires a rigorous analysis of hard data, not a retelling of sensationalistic sound bites. In *Judge and Jury: American Tort Law on Trial*, economists Eric Helland and Alexander Tabarrok present their study of tens of thousands of tort cases from across the United States. The result is the most complete picture of the U.S. system of civil justice to date. Examining three of the key players of the tort system (juries, judges, and lawyers), Helland and Tabarrok conclude that the tort system is badly broken in some respects but functions surprisingly well in others.

Mass Torts in Europe

The newly revised, Fourth Edition of *Illinois Tort Law* provides the Illinois practitioner with a quick-reference guide that summarizes the legal requirements of virtually every cause of action based in tort and examines in detail the common law and statutory requirements of each cause of action under Illinois law. This one-volume treatise is organized so that a glance of the appropriate section will let you focus on the relevant facts and critical issues of your client's case--whether you are conducting the investigation, preparing your pleadings, drafting interrogatories, or getting ready for trial. In the Fourth Edition, Professors Bruce Ottley and Rogelio Lasso have updated all 26 chapters and incorporated changes in the law that

occurred since the last edition of the book. Easy reference to discussions and case law, Illinois Tort Law, Fourth Edition, includes information on:

- The liability of HMOs
- Claims for fear of contracting AIDS and for failure to disclose HIV status
- Federal and Illinois court rulings on the constitutionality of limitations on punitive and noneconomic damages
- Court decisions on the Wrongful Death Act and the Tort Immunity Act
- The "right of publicity" created by the Right to Privacy Act
- U.S. Supreme Court decisions regarding federal preemption and punitive damages
- Municipal/Police liability under the Domestic Violence Act

The eBook features links to Lexis Advance for further legal research options.

Recognizing Wrongs

G. Edward White's 'Tort Law in America' is regarded as a standard in the field. Concise, accessible and wide-ranging, White's work represents a major work of legal scholarship, providing an enduring intellectual history of American tort law.

Practical Global Tort Litigation

The purpose of this book is to provide a clear guide to tort law, examining the main principles and areas of the subject. It includes text emphasizing the main issues of liability. The text incorporates relevant materials, extracts from leading judgments, articles and reports of review bodies on tort law. It should prove especially useful for those who do not have access to a law library, as for those whose library is under severe pressure from users. It will be useful to those participating in seminars and tutorials and will enable them to take part in a good level of discussion. This new edition of Sourcebook on Torts has been fully revised and incorporates the Human Rights Act 1998. The effect of the European Courts decision in Osman is now being felt, as is evident from the judgments of the House of Lords in Barrett v Enfield BC. The Law Commission's proposals on liability for psychiatric illness are included. Developments in the tort of nuisance, the defence of qualified privilege and damages are also scrutinized. Several Law Commission reports and the Social Security (Recovery of Benefits) Act 1997 are also extracted, as are other new pieces of legislation, such as the Damages Act 1996 and the Defamation Act 1996.

Tort Law

Sourcebook on Tort Law 2/e

This book seeks to produce answers to the basic questions of tort law in Europe from a comparative perspective. It is intended to provide a basis for comprehensive responses by representatives of other European legal families and jurisdictions outside Europe on the fundamental ideas in this book. The book gives an extensive introduction to the delictual and contractual law of liability and damages. Above all, the position of the law of tort within the overall system for the protection of legal goods is examined. The focus is on particularly controversial issues and new approaches. Not only is the relationship between breaches of obligations and torts examined, the basic requirements for a claim under tort

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law—damage and causation—are discussed. An extensive section is devoted to the elements of establishing liability and the question of liability on the side of the victim, (contributory responsibility) is looked at anew. A final section is devoted to the prescription of compensation claims.

Alabama Tort Law

This book provides a comprehensive theory of the rights upon which tort law is based and the liability that flows from violating those rights. Inspired by the account of private law contained in Immanuel Kant's *Metaphysics of Morals*, the book shows that Kant's theory elucidates a conception of interpersonal wrongdoing that illuminates the operation of tort law. The book then utilises this conception, applying it to the various areas of tort law, in order to develop an understanding of the particular areas in question and, just as importantly, their relationship to each other. It argues that there are three general kinds of liability found in the law of tort: liability for putting another or another's property to one's purposes directly, liability for doing something to a third party that puts another or another's property to one's purposes, and liability for pursuing purposes in a way that improperly interferes with the ability of another to pursue her legitimate purposes. It terms these forms liability for direct control, liability for indirect control and liability for injury respectively. The result is a coherent, philosophical understanding of the structure of tort liability as an entire system. In developing its position, the book considers the laws of Australia, Canada, England and Wales, New Zealand and the United States.

Judge and Jury

Mullenix's *Mass Tort Litigation: Cases and Materials* reflects two concepts: First, that the seminal, core cases and materials relating to mass tort litigation still remain viable precedents after 25 years. Second, that courts are still struggling to find solutions to the resolution of this complex litigation. In addition to the seminal cases relating to Agent Orange, Dalkon Shield, DES, and asbestos litigation, the casebook is updated with materials relating to breast implants, tobacco, medical devices, and pharmaceutical litigation. The updated casebook is suitable for advanced courses in tort litigation, complex procedure, class action litigation, and dispute resolution offerings.

The Oxford Introductions to U.S. Law

Presents Maimonides' complete tort theory, and how it compares with other tort theories both in the Jewish world and beyond.

Basic Questions of Tort Law from a Germanic Perspective

Practical Global Tort Litigation takes readers on a journey through a tort case in the U.S., Germany, and Argentina. Using a shattering glass food container as the vehicle, the book compares how a prototypical products liability case would be handled in the U.S. common law system and representative civil law nations in Europe and Latin America. The book analyzes from a real world perspective issues

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such as fact gathering and presentation, expert witnesses, burdens of proof, theories of recovery and defenses, and damages and attorneys' fees. This book is part of the Contextual Approach Series, edited by Andrew J. McClurg, Professor and Herff Chair of Excellence in Law, The University of Memphis Cecil C. Humphreys School of Law.

Comparative Tort Law

Only paperback edition of a great legal classic. Lucid, accessible coverage of liability, criminal law, torts, contracts, and more, from historical perspective. New introduction by Sheldon M. Novick. Table of Cases.

Hornbook on Torts

This single-volume hornbook provides a comprehensive overview of tort and injury law. The book covers all of the major topics in tort law. Topics include liability for physical injuries, as well as emotional, dignitary, and economic harms. This newly-updated edition includes citations to hundreds of cases and statutes decided over the last decade, as well as references to the Restatement (Third) of Torts.

Commonwealth Caribbean Tort Law

Tort Law: A Modern Perspective is an advanced yet accessible introduction to tort law for lawyers, law students, and others. Reflecting the way tort law is taught today, it explains the cases and legal doctrines commonly found in casebooks using modern ideas about public policy, economics, and philosophy. With an emphasis on policy rationales, Tort Law encourages readers to think critically about the justifications for legal doctrines. Although the topic of torts is specific, the conceptual approach should pay dividends to those who are interested broadly in regulatory policy and the role of law. Incorporating three decades of advancements in tort scholarship, Tort Law is the textbook for modern torts classrooms.

Tort Law

Presenting the law of tort as a body of principles, this authoritative textbook gives an incisive understanding of the subject. Each tort is carefully structured and examined within a consistent analytical framework that guides students through its preconditions, elements, defences and remedies. Clear summaries and comparisons accompany the detailed exposition, and further support is provided by diagrams and tables which clarify complex aspects of the law. Critical discussion of legal judgments encourages students to develop strong analytical and case-reading skills, whilst key reform proposals and leading cases from other jurisdictions illustrate different potential solutions to conundrums in tort law. A rich companion website, featuring semesterly updates alongside ten additional chapters on more advanced topics, completes the learning package. This new edition has been updated to take account of important cases, legislative developments and law reform studies since July 2015.

A History of Tort Law 1900-1950

Citizenship is generally viewed as the most desired legal status an individual can attain, invoking the belief that citizens hold full inclusion in a society, and can exercise and be protected by the Constitution. Yet this membership has historically been exclusive and illusive for many, and in *Citizenship and its Exclusions*, Ediberto Roman provides a sweeping, interdisciplinary analysis of citizenship's contradictions. Roman offers an exploration of citizenship that spans from antiquity to the present, and crosses disciplines from history to political philosophy to law, including constitutional and critical race theories. Beginning with Greek and Roman writings on citizenship, he moves on to late-medieval and Renaissance Europe, then early Modern Western law. His analysis culminates with an explanation of how past precedents have influenced U.S. law and policy regulating the citizenship status of indigenous and territorial island people, as well as how different levels of membership have created a de facto subordinate citizenship status for many members of American society, often lumped together as the "underclass." "What kind of harms matter, and why? Steeped in the history of American tort law, Martha Chamallas and Jennifer B. Wriggins demonstrate how attitudes about race and gender run through the harms recognized---and not recognized---by American law. Along the way, this fine book sheds light on deliberate and unconscious stereotyping, the shifting treatments of workplace and family injuries, the influence of social movements on law and public attitudes, and alternative approaches to harms, causation, and damages. This book is brimming with insights about how societies do and should express what matters in assigning liability for human pain and loss." "This book asks important questions about the tort system. Tort law is largely taught and described from a doctrinal perspective that makes no attempt to see how it is actually working on the ground. This book assesses how the tort system fares in operation by examining how race and gender influence court decisions in torts cases. A promising direction for scholarship on the tort system."

A Theory of Tort Liability

This is a collection of scholarship from the most influential contributors regarding Torts law.

Studies in American Tort Law

A feminist rewrite of tort law cases that reveals gender bias and the law's failure to redress serious harms to women.

Feminist Judgments: Rewritten Tort Opinions

In this revised third edition of a classic in American jurisprudence, G. Edward White updates his series of portraits of the most famous appellate judges in American history from John Marshall to Oliver W. Holmes to Warren E. Burger, with a new chapter on the Rehnquist Court. White traces the development of the American judicial tradition through biographical sketches of the careers and contributions of these renowned judges. In this updated edition, he argues that the Rehnquist Court's approach to constitutional interpretation may have ushered in a new stage

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in the American judicial tradition. The update also includes a new preface and revised bibliographic note.

The Right to Privacy

Torts--personal injury law--is a fundamental yet controversial part of our legal system. The Oxford Introductions to U.S. Law: Torts provides a clear and comprehensive account of what tort law is, how it works, what it stands to accomplish, and why it is now much-disputed. Goldberg and Zipursky--two of the world's most prominent tort scholars--carefully analyze leading judicial decisions and prominent tort-related legislation, and place each event into its proper context. Topics covered include products liability, negligence, medical malpractice, intentional torts, defamation and privacy torts, punitive damages, and tort reform.

Tort Law in America

Exploring Tort Law

in recent years, there has been a growing interest in the legal aspects of mass torts in Europe. Both academics, legislatures, courts and policymakers throughout the whole of Europe have been struggling with the challenges that such 'massification' of private law relationships poses both in and outside of tort law. The subject moves between the law of civil procedure, substantive tort law, access to justice debates and regulatory frameworks for mass disputes. This volume offers both a kaleidoscopic review of real-life key cases of mass tort and an in-depth reflection on the broader implications of mass tort in Europe. Thus, the challenges posed by mass torts are explored, mapped and analysed.

Tort Law in America

Tort Law

Christina Brooks Whitman, Francis A. Allen Collegiate Professor of Law, University of Michigan Law School --

The American Judicial Tradition

The Oxford Introductions to U.S. Law

The Alien Tort Statute (also referred to as the Alien Tort Claims Act) is a US statute that provides a cause of action for violations of international law. While originally used against former dictators and military officials who fled to the U.S. after the respective governments in their home countries have been removed, human rights activists are now targeting transnational corporations or multinational enterprises for human rights violations in connection with their investments made outside the United States. This book examines and analyzes corporate liability under the Alien

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Tort Statute.

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