

TORT LAW IN AMERICA

An Intellectual
History

G. EDWARD WHITE

Tort Law In America Tort Law In America

**Frank L. Maraist, John M.
Church, William R. Corbett**



Tort Law In America Tort Law In America:

Tort Law in America G. Edward White, 1985-02-21 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

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Tort Law in American History Kermit L. Hall, 1987 This work is a collection of essays on the growth of tort law concepts of negligence fault and liability in response to the industrialization of the nineteenth century The articles assess the distributive economic consequences of tort law and its effectiveness in protecting average citizens

Tort Law in America G. Edward White, 2003-03-27 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 - The American and Louisiana Perspectives, Third Revised Edition Frank L. Maraist, John M. Church, William R. Corbett, 2017-07-31 *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 Law in the United States H. Beau Baez III, 2023-07-20. Derived from the renowned multi-volume International Encyclopaedia of Laws, this book provides ready access to how the legal dimension of prevention against harm and loss allocation is treated in the United States. This traditional branch of law not only tackles questions which concern every lawyer whatever his legal expertise but also concerns each person's most fundamental rights on a worldwide scale. Following a general introduction that probes the distinction between tort and crime and the relationship between tort and contract, the monograph describes how the concepts of fault and unlawfulness and of duty of care and negligence are dealt with in both the legislature and the courts. The book then proceeds to cover specific cases of liability such as professional liability, liability of public bodies, abuse of rights, injury to reputation and privacy, vicarious liability, liability of parents and teachers, liability for handicapped persons, product liability, environmental liability and liability connected with road and traffic accidents. Principles of causation, grounds of justification, limitations on recovery, assessment of damages and compensation and the role of private insurance and social security are all closely considered. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable resource for lawyers, the United States Academics and researchers will also welcome this very useful guide and will appreciate its value not only as a contribution to comparative law but also as a stimulus to harmonization of the rules on tort.

Studies in American Tort Law Vincent R. Johnson, Alan Gunn, 1994. *Studies in American Tort Law* introduces students to but is careful not to overwhelm them with law and economics. At appropriate junctures economic issues are explored as in connection with the negligence balancing test and the materials on damages, nuisance and strict liability. The goal is not to view all of tort law through an economic lens but to employ economic analysis when it is particularly useful. This approach allows professors from the law and economics school to use the materials in the text as a starting point for classroom discussions; those who eschew economic analysis can allow the economic commentary to stand on its own.

Torts John C. P. Goldberg, Benjamin Charles Zipursky, 2010. Christina Brooks Whitman, Francis A. Allen, Collegiate Professor of Law, University of Michigan Law School.

Teaching Torts Vincent R. Johnson, 2005. Written for teachers of tort law using *Studies in American Tort Law*, this teacher's manual offers a rich and perceptive look at the complexities of teaching tort law. Johnson offers useful summaries of leading cases, intriguing

hypotheticals and a comprehensive analysis of the law of torts as a whole This book is a valuable teaching guide that will be useful to tort law professors of all persuasions Teaching Torts is available only to professors of law who are teaching first year torts and only in conjunction with Studies in American Tort Law Publisher's website *The Character of Early American Tort Law* Gary T. Schwartz, University of Toronto. Faculty of Law, 1986 **The American Tort Process** John G. Fleming, 1988 This book is a penetrating account of the singular way in which the American tort system has evolved and works today Drawing on years of international experience Fleming discusses such topics as judicial activism the jury in civil trials trial lawyers contingent fees and mass litigation Studies in American Tort Law Vincent R. Johnson, Chenglin Liu, 2022-08 Studies in American Tort Law is a careful mix of law policy ethics and economics designed for first year torts courses Recognizing that torts is a prime battleground for social policy this book reflects not only the current rules on injury compensation but also the policy choices underlying those rules The text moves from simple concepts and elementary rules to ones that are more complex or elusive Within a clear doctrinal framework a range of views is presented reflecting dominant themes in tort law such as fault proportionality deterrence internalization of costs and distribution of losses These views are explored with special attention to issues at the cutting edge of twenty first century tort litigation The seventh edition reflects the highly dynamic nature of the torts field The book includes new principal cases scores of citations to recent opinions and statutes and comprehensive references to the most recent volumes of the Restatement Third of Torts There is a set of 392 PowerPoint slides available upon adoption Click here to view a sample presentation If you are a professor using this book for a class please contact Rachael Meier at remeier@cap.press.com to request your slides Tort Law Frank L. Maraist, John M. Church, William R. Corbett, 2012 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 **The Burdens of All** Joseph A. Ranney, 2021 Tort law the law of how the costs of accidents and other harms should be allocated is part of America's larger story of social conflict and progress The Burdens of All is the first book to fully recount tort law's place in that story The book describes the law's struggle to move from

nineteenth century individualism which required accident victims to shift for themselves and protected corporations to the view that accidents are an inevitable part of modern industrial society and must be paid for by society as a whole Also the book paints vivid pictures of the judges and social reformers who have shaped tort law s course the current struggle between individualism and socialization and the historical struggle over the proper balance of power between judges and juries in tort cases Its wealth of information and insights will intrigue law and social history devotees alike

Tort Law - The American and Louisiana Perspectives, Fourth Edition John M Church, Frank L. Maraist, William R Corbett, 2023-08-08 Tort Law The American and Louisiana Perspectives Fourth 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

Studies in American Tort Law Vincent R. Johnson, 1985

Tort Law in the USA Baez, Beau III Baez, 2010 This book was originally published as a monograph in the International Encyclopedia of Laws Tort Law

Principles of American Tort Law and Policy Maurice R. Dyson, 2008-05

Judge and Jury Eric Helland, Alexander Tabarrok, 2006-02-01 With inordinate amounts of money spent in the United States on lawyers and lawsuits and multi billion dollar settlements growing each year the very timely book Judge and Jury asks Is the tort system benefiting the public In Judge and Jury the fear of litigation is shown to reduce innovations drive physicians and manufacturers out of lawsuit prone specialties and increase manufacturing and consumer costs In the courts data from thousands of cases all over the country demonstrate that tort system awards are driven by political factors such as judicial elections jury compositions and the location of courts themselves This book assembles the unprecedented findings and insights by authors Eric Helland Alexander Tabarrok who have pioneered economic and legal research into the injustice and enormous costs created by the politicization of the tort law Seeking to reverse the extremely harmful trends in tort law Judge and Jury assembles innovative alternatives for reforming the tort system and charts a course toward re establishing fair civil justice for all in the United States

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