

1. Record Nr.	UNINA9910783131803321
Titolo	Philosophy and the law of torts // edited by Gerald J. Postema [[electronic resource]]
Pubbl/distr/stampa	Cambridge : , : Cambridge University Press, , 2001
ISBN	1-107-12786-6 1-280-41739-0 1-139-14562-2 0-511-17022-X 0-511-06602-3 0-511-05971-X 0-511-29729-7 0-511-49867-5 0-511-06815-8
Descrizione fisica	1 online resource (336 pages) : digital, PDF file(s)
Collana	Cambridge studies in philosophy and law
Disciplina	346.03/01
Soggetti	Torts - Philosophy
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Title from publisher's bibliographic system (viewed on 05 Oct 2015).
Nota di bibliografia	Includes bibliographical references (p. [323]-333) and index.
Nota di contenuto	1. Introduction: search for an explanatory theory of Torts by Gerald J. Postema -- 2. A social contract conception of the Tort law of accidents by Gregory C. Keating -- 3. Responsibility for outcomes, risk, and the Law of Torts by Stephen R. Perry -- 4. The significance of doing and suffering by Martin Stone -- 5. Tort law and Tort theory: preliminary reflections on method by Jules Coleman -- 6. Corrective justice in an age of Mass Torts by Arthur Ripstein and Benjamin C. Zipursky -- 7. Economics, moral philosophy, and the positive analysis of Tort Law by Mark Geistfeld -- 8. Pluralism in Tort and accident law: towards a reasonable accommodation by Bruce Chapman.
Sommario/riassunto	When accidents occur and people suffer injuries, who ought to bear the loss? Tort law offers a complex set of rules to answer this question, but up to now philosophers have offered little by way of analysis of these rules. In eight essays commissioned for this volume, leading legal theorists examine the philosophical foundations of tort law. Amongst

the questions they address are the following: how are the notions at the core of tort practice (such as responsibility, fault, negligence, due care, and duty to repair) to be understood? Is an explanation based on a conception of justice feasible? How are concerns of distributive and corrective justice related? What amounts to an adequate explanation of tort law? This collection will be of interest to professionals and advanced students working in philosophy of law, social theory, political theory, and law, as well as anyone seeking a better understanding of tort law.

---