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The Wrongs of Tort by Joanne Conaghan This book challenges the assumption in law education that tort is 'objective', 'neutral' and 'apolitical', and reveals how it is imbued with politics. The authors argue that the system of tort is usually hidden from students and lawyers, and that this is unacceptable because the system is arbitrary, and its underlying ideology callous.

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'Coherently brings together many of the arguments that the left has pressed against tort law' Cambridge Law Journal'Its great strength lies in its uncompromising critique of the traditional textbook

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analyses of tort doctrine as a logical, neutral and inevitable development of peculiarly legal categories' Modern Law Review

This new edition of *The Wrongs of Tort* has been thoroughly updated to take account of the many new developments since its original publication in 1993 - without losing any of the spirit or vigour of the original text. It challenges the assumption in law education that tort is 'objective', 'neutral' and 'apolitical', and reveals how it is imbued with politics. The authors argue that the system of tort is usually hidden from students and lawyers, and that this is unacceptable because the system is arbitrary, and its underlying ideology callous. This controversial book challenges the prevailing orthodoxy, and continues to shed light on the dusty annals of traditional tort doctrine.

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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

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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

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of damages, defamation, malpractice, mass torts, and products liability.

The law of torts recognises many defences to liability. While some of these defences have been explored in detail, scant attention has been given to the theoretical foundations of defences generally. In particular, no serious attempt has been made to explain how defences relate to each other or to the torts to which they pertain. The goal of this book is to reduce the size of this substantial gap in our understanding of tort law. The principal way in which it attempts to do so is by developing a taxonomy of defences. The book shows that much can be learned about a given defence from the way in which it is classified. This book has been awarded Joint Second Prize for the 2014 Society of Legal Scholars Peter Birks

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In three distinct volumes the editors bring together a distinguished group of contributors whose essays chart the history, practice, and future of international humanitarian law. At a time when the war crimes of recent decades are being examined in the International Criminal Tribunals for Former Yugoslavia and Rwanda and a new International Criminal Court is being created as a permanent venue to try such crimes, the role of international humanitarian law is seminal to the functioning of such attempts to establish a just world order. The intent of these volumes is to help to inform where humanitarian law had its origins, how it has been shaped by world

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events, and why it can be employed to serve the future. The other volumes in this set are *International Humanitarian Law: Origins and International Humanitarian Law: Challenges* Published under the Transnational Publishers imprint.

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