



Theoretical Perspectives on Torts

Eric E. Johnson
ericejohnson.com



Konomark
Most rights sharable

Why have
tort law?

**If we're going to
have it, how should
we choose its rules?
What's the design
principle?**

Some possible ideas ...

- We have tort law because it's only fair that people should be compensated for losses (justice/fairness).
- We have tort law because forcing people to pay for the damage they cause will leave everyone better off (economic efficiency).

Feminist Perspective

- Leslie Bender
 - A Lawyer's Primer on Feminist Theory and Tort, 38 J. of L. Educ. 3 (1988)
 - *(We read part of this earlier in the semester.)*