



Private Wrongs

By Arthur Ripstein

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Private Wrongs By Arthur Ripstein

A waiter spills hot coffee on a customer. A person walks on another person's land. A moored boat damages a dock during a storm. A frustrated neighbor bangs on the wall. A reputation is ruined by a mistaken news report. Although the details vary, the law recognizes all of these as torts, different ways in which one person wrongs another. Tort law can seem puzzling: sometimes people are made to pay damages when they are barely or not at fault, while at other times serious losses go uncompensated. In this pioneering book, Arthur Ripstein brings coherence and unity to the baffling diversity of tort law in an original theory that is philosophically grounded and analytically powerful.

Ripstein shows that all torts violate the basic moral idea that each individual is in charge of his or her own person and property, and never in charge of another individual's person or property. Battery and trespass involve one person wrongly using another's body or things, while negligence injures others by imposing risks to them in ways that are inconsistent with their independence. Tort remedies aim to provide a substitute for the right that was violated.

As *Private Wrongs* makes clear, tort law not only protects our bodies and property but constitutes our entitlement to use them as we see fit, consistent with the entitlement of others to do the same.

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Editorial Review

Review

Ripstein is among the world's leading philosophers. In *Private Wrongs* he offers a derivation of tort law's complex body of rules from a foundational moral principle that is at once elegant, original, and ambitious. Scholars working in private law and in legal, moral, and political philosophy will be required to engage with it, and will want to. (John Goldberg, Harvard University)

For those coming to the form of argument presented by **Ripstein** for the first time, a common reaction may be 'Can the law possibly be this clear and straightforward to understand?' To which the only possible response is yes. Yes it is. Anyone wishing to cut through the white noise that has come to surround private law in general, and the law of torts in particular, and hear the truth clearly expressed should read this book. (Robert Stevens, University of Oxford)

This is a stellar book. **Ripstein** fully restores what might be called the pre-Holmesian, non-reductive, or classical account of tort law. He compels us to regard this classical view as a serious and morally significant option. (Martin J. Stone, Cardozo Law School)

About the Author

Arthur Ripstein is University Professor of Law and Philosophy at the University of Toronto.

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