



Tort Law and Culture

Marshall S. Shapo

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This book analyzes personal injury law as a reflection of American society, investigating the cultural meaning of the legal rules that emerge from the crucible of litigation on personal injuries. Because law seeks to use reason to resolve disputes, employing a complex process that includes many procedural constraints, the residue of the legal process in these emotional controversies presents powerful evidence of who we are as a people. Utilizing interesting examples from such cases as Paula Jones' suit against Bill Clinton, and Ralph Nader's action against General Motors, as well as more mundane cases involving ordinary people, this book demonstrates why tort wars reflect both wider culture wars and the wars within ourselves. It also notes how some areas of the law indicate our ambivalences about what are "rights" and what are "wrongs" — how we are of two minds about what the law should be, because we are of two minds about what we ought to be. Anyone who has ever been provoked by reports involving personal injuries and wondered why they came out the way they did, will want to read *Tort Law and Culture*. Professor Shapo's sensitive, sensible, and scrupulous analysis offers insights into how the law tells us who we are.

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