

Race, Gender, and Tort Law: A Revolutionary Exploration of Intersectional Injustice

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The legal landscape of tort law has long been shaped by the principles of fairness, accountability, and compensation for harm. However, the intersection of race and gender has historically cast a complex shadow over these principles, creating disparities and injustices that have often been overlooked. In her groundbreaking work, "Race, Gender, and Tort Law: Intersectional Challenges to Traditional Tort Doctrine," Dr. Lucinda M. Finley unveils a comprehensive examination of how these factors intertwine to influence legal outcomes.

Chapter 1: Tort Law and the Myth of Equality

Dr. Finley begins by challenging the assumption of equality that has traditionally underpinned tort law. She argues that the dominant narratives of tort law have often marginalized the experiences and perspectives of women and people of color, failing to account for the ways in which race and gender shape the nature and extent of harm suffered. Through a critical analysis of landmark cases and legal doctrines, she exposes the systemic biases and stereotypes that have perpetuated inequalities in tort law.



Measure of Injury, The: Race, Gender, and Tort Law

by Martha Chamallas

★★★★★ 5 out of 5

Language : English

File size : 1804 KB

Text-to-Speech : Enabled

Screen Reader : Supported
Enhanced typesetting: Enabled
Word Wise : Enabled
Print length : 241 pages



Chapter 2: Intersectionality and Tort Law

At the heart of Dr. Finley's analysis lies the concept of intersectionality, a framework that recognizes the interconnectedness of various forms of oppression. She demonstrates how race and gender interact to create unique experiences of harm that cannot be fully understood by considering these factors in isolation. By applying an intersectional lens to tort law, she uncovers the ways in which the law has failed to adequately address the harms faced by marginalized communities.

Chapter 3: Gender, Autonomy, and Tort Recovery

Dr. Finley dedicates a significant portion of her work to exploring the intersection of gender and tort law. She examines how gender stereotypes and societal expectations have influenced the valuation of women's bodily integrity and the recognition of their injuries. Through a detailed examination of cases involving sexual assault, reproductive rights, and medical malpractice, she argues for a more expansive understanding of tort law that takes into account the unique experiences of women.

Chapter 4: Race, Liability, and the Criminalization of Poverty

The intersection of race and tort law takes on a particularly salient form in the context of liability and negligence. Dr. Finley demonstrates how the criminalization of poverty has disproportionately impacted communities of

color, leading to the imposition of tort liability on individuals who are already marginalized and vulnerable. She examines cases involving police brutality, excessive force, and wrongful death to reveal the systemic biases that have resulted in the disproportionate targeting of people of color by the tort system.

Chapter 5: Toward an Intersectional Tort Law

In the concluding chapter, Dr. Finley outlines a vision for an intersectional tort law that is capable of addressing the complex realities of race and gender discrimination. She calls for a shift in legal consciousness, one that recognizes the interconnectedness of various forms of oppression and takes into account the experiences and perspectives of marginalized communities. By rethinking traditional tort doctrines and embracing an intersectional approach, she argues, we can move toward a more just and equitable legal system.

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"Race, Gender, and Tort Law: Intersectional Challenges to Traditional Tort Doctrine" is a transformative work that challenges the traditional assumptions of tort law and sheds light on the hidden biases that have shaped legal outcomes. Through a comprehensive and incisive analysis, Dr. Lucinda M. Finley demonstrates the urgent need for an intersectional approach to tort law, one that recognizes the unique experiences of marginalized communities and strives to create a more just and equitable system. This groundbreaking work is an essential read for scholars, practitioners, policymakers, and anyone seeking a deeper understanding of the complex interplay between race, gender, and the law.

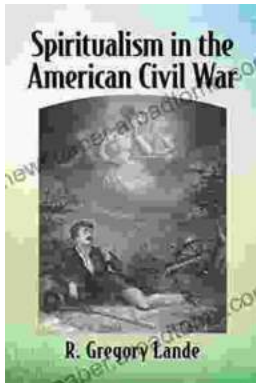


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