

The Economics Of Legal Relationships

Law and Economics as Interdisciplinary Exchange - Péter Cserne

2019-09-09

Law and Economics is an established field of research and arguably one of the few examples of a successful interdisciplinary project. This book explores whether, or to what extent, that interdisciplinarity has indeed been a success. It provides insights on the foundations and methods, achievements and challenges of Law and Economics, at a time when both the continuing criticism of academic economics and the growth of empirical legal studies raise questions about the identity and possible further developments of the project. Through a combination of reflections on long-term trends and detailed case studies, contributors to this volume analyse the institutional and epistemic character of Law and Economics, which develops through an exchange of concepts, models and practices between economics and legal scholarship. Inspired by insights from the philosophy of the social sciences, the book shows how concepts travel between legal scholarship and economics and change meanings when applied elsewhere, how economic theories and models inform, and transform, judicial practice, and it addresses whether the transfers of knowledge between economics and law are symmetrical exchanges between the two disciplines.

The Legal-Economic Nexus - Warren Samuels 2007-02-22

Providing another key contribution to the immensely popular field of law and economics, this book, written by the doyen of the history of economic thought in the US, explores the dynamic relationship between economics, law and polity. Combining a selection of old and new essays by Warren J. Samuels that chart a number of key themes, it provides an important commentary on the development of an academic field and demonstrates how policy is structured and manipulated by human social

construction. The areas covered include: the role of manufactured belief power the nature and sources of rights the construction of markets by firms and governments and the problem of continuity and change in the form of the question of the selectively defined status quo and its status the absolutist character of government, rights, markets and legal principles and the accepted ideational structure of law. The Legal-Economic Nexus is an essential read both economists and legal professionals as well as those researching the history of economic thought and the social construction of law.

The Economics of Legal Relationships - 1996

Legal Origins and the Efficiency Dilemma - Nuno Garoupa

2016-12-08

Economists advise that the law should seek efficiency. More recently, it has been suggested that common law systems are more conducive of economic growth than code-based civil law systems. This book argues that there is no theory to support such statements and provides evidence that rejects a 'one-size-fits-all' approach. Both common law and civil law systems are reviewed to debunk the relationship between the efficiency of the common law hypothesis and the alleged inferiority of codified law systems. Legal Origins and the Efficiency Dilemma has six aims: explaining the efficiency hypothesis of the common law since Posner's 1973 book; summarizing the legal origins theory in the context of economic growth; debunking their relationship; discussing the meaning of 'common law' and the problems with the efficiency hypothesis by comparing laws across English speaking jurisdictions; illustrating the shortcomings of the legal origins theory with a comparative law and economics analysis; and concluding there is no theory and evidence to

support the economic superiority of common law systems. Based on previous pieces by the authors, this book expands their work by including new areas of analysis (such as trusts), detailing previous analysis (such as French law versus common law in the areas of contract, property and torts), and updating for recent developments in the academic discourse. This volume is of interest to academics and students who study microeconomics, comparative law and foundations of law, as well as legal policy analysts.

Law and Economics - Aristides N. Hatzis 2015-02-11

The Law and Economics approach to law dominates the intellectual discussion of nearly every doctrinal area of law in the United States and its influence is growing steadily throughout Europe, Asia, and South America. Numerous academics and practitioners are working in the field with a flow of uninterrupted scholarship that is unprecedented, as is its influence on the law. Academically every major law school in the United States has a Law and Economics program and the emergence of similar programs on other continents continues to accelerate. Despite its phenomenal growth, the area is also the target of an ongoing critique by lawyers, philosophers, psychologists, social scientists, even economists since the late 1970s. While the critique did not seem to impede the development of the field, it certainly has helped it to become more sophisticated, inclusive, and mature. In this volume some of the leading scholars working in the field, as well as a number of those critical of Law and Economics, discuss the foundational issues from various perspectives: philosophical, moral, epistemological, methodological, psychological, political, legal, and social. The philosophical and methodological assumptions of the economic analysis of law are criticized and defended, alternatives are proposed, old and new applications are discussed. The book is ideal for a main or supplementary textbook in courses and seminars on legal theory, philosophy of law, jurisprudence, and (of course) Law and Economics.

Economics, Law, and Individual Rights - Hugo M. Mialon 2008

Just Exchange - Francis H. Buckley 2004-11-30

Now, for the first time, there is a comprehensive, eminently readable book designed to focus thinking in the area of contract law. This book bridges the gap between law and economics by confronting normative values that economists too often deem the preserve of moral philosophers. Contract theorists, on the other hand, are seldom in sympathy with economic efficiency norms. While free bargaining continues to be regarded with suspicion by legal scholars who are hostile to private ordering, the proper scope of free bargaining remains in dispute. Combined with a recent renewed interest in this field, these academic tensions mean that the time is right for a reconsideration of contract law. Drawing on scholarship from diverse fields and using illuminating and erudite examples, *Just Exchange* is entertaining as well as informative. Of interest to economists, lawyers, public policy-makers and those interested in contract theory, this volume is a valuable overview of a vital intersection between legal studies and economics.

Economic Analysis of Property Law Cases - Boudewijn R. A. Bouckaert 2020-03-02

The discipline of law and economics has earned a reputation for developing plausible and empirically testable theories on the social functions and the impact of legal institutions. Property rights are a field in which this has been very successful. In this book, economic property rights theories are applied to case law in order to examine the practice and solution of real life conflicts. The author examines the economic problems which are dealt with in these cases and evaluate the courts' decisions from an economic angle. Cases are examined from across the UK, the US, Germany, Belgium and Canada to allow international comparisons to be made. These comparisons reveal that, regardless of the legal system, many legal issues have similar economic roots and therefore similar models of economic analysis can be applied. The analysis of these cases also shows that the discipline of law and economics is not only successful in developing explanatory models but also useful to generate better considerations and solutions for legal conflicts in individual cases. This book aims to bridge the gap between the academic and professional literature and demonstrate the benefits of

the economic analysis of property rights cases to all those who are interested in law and economics.

Economics in Legal Reasoning - Péter Cserne 2020-07-24

This Palgrave Pivot is the first book in the field of Law & Economics looking at the relationship between economics and law in legal reasoning. The book constitutes a reference point for the economic analysis of legal institutions, as legal reasoning remains the dimension of legal systems least explored by economists. Despite their differences, economics and legal reasoning interact in many interesting ways. This book offers a fast track to these interactions. Both supporters and critics of Law & Economics will be exposed to a yet-to-be developed area of interaction between the disciplines. This book will be of interest to economists, legal scholars, and Law and Economics specialists, and can be used as teaching material in courses on Law & Economics and legal reasoning as well.

The Economics of Legal Relationship - 1975

The Economics of Legal Relationships - Ryan Jones 2017-03-10

Clothing of the "Roaring 20s" comes to life in this new book through more than 550 color pictures of distinctive garments, fashion illustrations, and period photographs. The comprehensive text discusses the historical events and renowned designers who influenced the evolution of fashion throughout the decade. Fashions for men, women and children are shown here, from glittering evening gowns and bridal wear to lingerie, sportswear, and domestic uniforms. Hats, handbags, shoes, and jewelry plus smoking and drinking accessories are all included to document the heyday of the "flapper" and her friends. The glossary includes French fashion terms and pronunciations and the price guide is a useful reference.

Law, Bubbles, and Financial Regulation - Erik Gerding 2013-12-04

Financial regulation can fail when it is needed the most. The dynamics of asset price bubbles weaken financial regulation just as financial markets begin to overheat and the risk of crisis spikes. At the same time, the failure of financial regulations adds further fuel to a bubble. This book

examines the interaction of bubbles and financial regulation. It explores the ways in which bubbles lead to the failure of financial regulation by outlining five dynamics, which it collectively labels the "Regulatory Instability Hypothesis." . The book concludes by outlining approaches to make financial regulation more resilient to these dynamics that undermine law.

The Applied Law and Economics of Public Procurement - Gustavo Piga 2013-05-07

This book explores Public Procurement novelties and challenges in an interdisciplinary way. The process whereby the public sector awards contracts to companies for the supply of works, goods or services is a powerful instrument to ensure the achievement of new public goals as well as an efficient use of public funds. This book brings together the papers that have been presented during the "First Symposium on Public Procurement", a conference held in Rome last summer and to be repeated again yearly. As Public Procurement touches on many fields (law, economics, political science, engineering) the editors have used an interdisciplinary approach to discuss four main topics of interest which represent the four different parts in which this book is divided: Competitive dialogue and contractual design fostering innovation and need analysis, Separation of selection and award criteria, including exclusion of reputation indicators like references to experience, performance and CV's from award criteria, Retendering a contract for breach of procurement rules or changes to contract (contract execution), Set-asides for small and medium firms, as in the USA system with the Small Business Act that reserves shares of tenders to SMEs only.

The Economics of Legal Relationships - Henry G. Manne 1975

The Economics of Legal Relationships - Henry G. Manne 1981

Law and Economics in Civil Law Countries - Bruno Deffains 2003-07-17

The aim of the book is to highlight the law and economics issues confronting civil law countries.

Readings in the Economics of Contract Law - Victor P. Goldberg
1989-02-24

Economic analysis is being applied by scholars to an increasing range of legal problems. This collection brings together some of the main contributions to an important area of this work, the economics of contract law. The essays and illuminating notes, questions, and introductions provided by the editor outline the Law and Economics framework for analyzing contractual relationships. The first two parts of the book present a number of useful concepts--adverse selection, moral hazard, and rent seeking--and a general way of thinking about the economics of contracting and contract law. The remainder of the book considers a wide range of topics and issues. The recurring theme is that contracting parties want to assign the responsibility for adjusting to particular contingencies to the party best able to control the costs of adjustment. The adjustment problem is exacerbated by the fact that the parties might engage in various types of strategic behavior, such as opportunism, moral hazard, and rent-seeking. Many contract law doctrines can best be understood as attempts to replicate how reasonable parties might resolve this adjustment problem.

The Economics of Legal Relationships - 1996

Property Rights Dynamics - Donatella Porrini 2012-07-26

Issues such as the patentability of scientific ideas, the market for organs and open source software are hotly debated and yet poorly understood. In particular, there is a great need for sound economic theorizing on such issues. There is also a need for a clear and concise exposition of the

state-of-the-art of the economics of property rights. This book fulfils these various needs.

Law and Economics of Public Procurement Reforms - Gustavo Piga
2017-10-03

Appropriate laws and regulations are essential tools to direct the action of procurers toward the public good and avoid corruption and misallocation of resources. Common laws and regulations across regions, nations and continents potentially allow for the further opening of markets and ventures to newcomers and new ideas to satisfy public demand. Law and Economics of Public Procurement Reforms collects the original contributions related to the new European Union Directives approved in 2014 by the EU Parliament. They are of both economists and lawyers, and have been presented in a manner that allows for exchanges of views and "real time" interaction. This book features, for each section, an introductory exchange between two experts of different disciplines, made up of a series of sequential interactions between an economist and a lawyer, which enriches the liveliness of the debate and improve the mutual understanding between the two professions. Four sections characterize this book: Supporting social considerations via public procurement; Green public procurement; Innovation through innovative partnerships; and Lots - The Economic and Legal Challenges of Centralized Procurement. These themes have current relevance of the new European Public Procurement Directives. Written by an impressive array of experts in their respected fields, this volume is of great importance to practitioners who work in the field of EU public procurement in the Member States of the EU, as well as academics and students who study public finance, public policy and regulation.

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