



The Elgar Companion to  
**LAW AND  
ECONOMICS**

EDITED BY  
**JÜRGEN G. BACKHAUS**

# The Elgar Companion To Law And Economics

**David S. Clark**



## **The Elgar Companion To Law And Economics:**

*The Elgar Companion to Law and Economics* Jürgen G. Backhaus, 2005-01-01 Acclaim for the first edition Backhaus's book is a good companion Pablo Salvador Coderch Indret A most valuable collection of papers serving to provide the reader both with an overview of some key areas in law and economics and with a biographical introduction to the work of some important if also neglected sources of scholarship in the discipline Anthony I Ogus CBE University of Manchester UK This thoroughly updated and revised edition of a popular and authoritative reference work introduces the reader to the major concepts and leading contributors in the field of law and economics The Companion features accessible informative and provocative entries on all the significant issues and breaks new ground by bringing together widely dispersed yet theoretically congruent ideas Following a comprehensive introduction by the editor the renowned contributors look in detail at several critical areas including fundamentals of the law and economics approach private law and economics public law and economics labour law and economics regulation taxation and public enterprise dispute resolution different sources of the law economic analysis of a legal problem classical authors in law and economics Students and scholars interested in a comprehensive and rigorous overview of the field of law and economics will find this volume to be a unique and welcome resource The Companion will also have a broad appeal amongst industrial economists and historians of economic thought

The Elgar Companion to the Chicago School of Economics Ross B. Emmett, 2010-01-01 Many know the Chicago School of Economics and its association with Milton Friedman George Stigler Ronald Coase and Gary Becker But few know the School's history and the full scope of its scholarship In this Companion leading scholars examine its history and key figures as well as provide surveys of the School's contributions to central aspects of economics including price theory monetary theory labor and economic history The volume examines the School's traditions of applied welfare theory and law and economics while providing a glimpse into emerging research on Chicago's role in the development of neoliberalism A companion in the true sense of the word this volume surveys a wide body of Chicago economic studies and guides readers carefully through each The Companion offers biographies of leading Chicago economists and evaluations of the School's connection to approaches to economics that draw from and complement the School including the Virginia School and the work of Armen Alchian and Edward Lazear Moreover this book is a first in many respects as it analyzes the interconnections of the Chicago School's theory methodology and policy and considers by what means and ideas the School's policy framework is driven The breadth and depth of the insights presented here will appeal especially to students and scholars of economics and historians interested in economics social science and applied public policy The Elgar Companion to the Economics of Property Rights Enrico Colombatto, 2004 Illuminating the major accomplishments of the economics of property rights this volume features 22 chapters written by contributors from around the world **Law and Economics in Europe and the U.S.** Alain Marciano, Giovanni Battista Ramello, 2016-11-30 This volume traces the evolution of the field of law and economics from its

European roots to its neoclassical Chicagoan period to its current identity as a more fluid transatlantic discipline. Paying special attention to the work of German economist Juergen Backhaus who was instrumental in the reintroduction of the European perspective to the field, this book analyzes this gradual shift in the law and economics debate and provides a state of the art of the literature currently being produced by the field's most active scholars. Beginning with a discussion of the history of the field and Backhaus' role in its development, the volume provides a survey of issues central to the current debate, such as legal processes in both Europe and the U.S., constitutional political economy, regulatory law, and the ongoing evolution of the European Union. The importance of this volume is two-fold as it firmly grounds the discipline in history while establishing a future research agenda. This book will be of use to researchers studying law and economics as well as those interested in institutional analysis.

Law and Economics Aristides N. Hatzis, Nicholas Mercuro, 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.

**Law and Economics** Alain Marciano, 2013-09-13

This book brings together the most authoritative articles on Law and Economics and the interaction between the two disciplines, as well as the use of economic tools to analyse legal problems. Aimed at students experiencing the subject for the first time, the selections are interlaced with a wealth of features including explanatory introductions and exercises. Key features of the reader include: The accessibility of the material; the articles should be understandable to those with only a limited background in economics and law; The book's focus on the most important and basic foundational issues in law and economics; An exposition of the opposition between the different legal systems that exist in the world, including common law, civil law, and public law; Debates viewed from the perspective of the scholars from a range of backgrounds are presented, as well as all the key figures in economics and in law. The book should prove to be an essential resource to all students studying this burgeoning field and represents an exciting introduction to one

of the key disciplines which has grown up in the social sciences in recent times

**The Elgar Companion to Social Economics, Second Edition** John B. Davis, Wilfred Dolfsma, 2015-05-29 Social economics is a dynamic and growing field that emphasizes the key roles social values play in the economy and economic life This second edition of the Elgar Companion to Social Economics revises all chapters from the first edition and adds im

*Economics and the Law* Nicholas Mercuro, Steven G. Medema, 2020-07-21 This is an expanded second edition of Nicholas Mercuro and Steven Medema s influential book Economics and the Law whose publication in 1998 marked the most comprehensive overview of the various schools of thought in the burgeoning field of Law and Economics Each of these competing yet complementary traditions has both redefined the study of law and exposed the key economic implications of the legal environment The book remains true to the scope and aims of the first edition but also takes account of the field s evolution At the book s core is an expanded discussion of the Chicago school Public Choice Theory Institutional Law and Economics and New Institutional Economics A new chapter explores the Law and Economics literature on social norms today an integral part of each of the schools of thought The chapter on the New Haven and Modern Civic Republican approaches has likewise been expanded These chapters are complemented by a discussion of the Austrian school of Law and Economics Each chapter now includes an At Work section presenting applications of that particular school of thought By providing readers with a concise noncritical description of the broad contours of each school this book illuminates the fundamental insights of a field with important implications not only for economics and the law but also for political science philosophy public administration and sociology

**The Oxford Handbook of Law and Economics** Francesco Parisi, 2017-04-04 Covering over one hundred topics on issues ranging from Law and Neuroeconomics to European Union Law and Economics to Feminist Theory and Law and Economics The Oxford Handbook of Law and Economics is the definitive work in the field of law and economics The book gathers together scholars and experts in law and economics to create the most inclusive and current work on law and economics Edited by Francisco Parisi the Handbook looks at the origins of the field of law and economics tracks its progression and increased importance to both law and economics and looks to the future of the field and its continued development by examining a cornucopia of fields touched by work in law and economics The uniqueness of its breadth depth and convenience make the volume essential to scholars students and contributors in the field of law and economics

Law and Economics in Europe Klaus Mathis, 2013-11-11 This anthology illustrates how law and economics is developing in Europe and what opportunities and problems both in general and specific legal fields are associated with this approach within the legal traditions of European countries The first part illuminates the differences in the development and reception of the economic analysis of law in the American Common Law system and in the continental European Civil Law system The second part focuses on the different ways of thinking of lawyers and economists which clash in economic analysis of law The third part is devoted to legal transplants which often accompany the reception of law and economics from the United States Finally

the fourth part focuses on the role economic analysis plays in the law of the European Union This anthology with its 14 essays from young European legal scholars is an important milestone in establishing a European law and economics culture and tradition

**Law and Economics** Margaret Oppenheimer, Nicholas Mercuro, 2015-06-01 The economic analysis of legal and regulatory issues need not be limited to the neoclassical economic approach The expert contributors to this work employ a variety of heterodox legal economic theories to address a broad range of legal issues They demonstrate how these various approaches can lead to very different conclusions concerning the role of the law and legal intervention in a wide array of contexts The schools of thought and methodologies represented here include institutional economics new institutional economics socio economics social economics behavioral economics game theory feminist economics Rawlsian economics radical economics Austrian economics and personalist economics The legal and regulatory issues examined include anti trust and competition corporate governance the environment and natural resources land use and property rights unions and collective bargaining welfare benefits work time regulation and standards sexual harassment in the workplace obligations of employers and employees to each other crime torts and even the structure of government Each contributor brings a different emphasis and provides thoughtful sometimes provocative analysis and conclusions Together these heterodox insights will provide valuable supplementary reading for courses in law and economics as well as public policy and business courses at both the graduate and undergraduate levels

*Textbook on Economics for Law Students* Dr. Kalpana Satija, 2009

*The Elgar Companion to Ronald H. Coase* Claude Ménard, Elodie Bertrand, 2016-02-26 Ronald H Coase one of the most innovative and provocative economists of the twentieth century has had a lasting influence in economics law and economics organization theory management and political science In this comprehensive Companion 31 leading economists social scientists and legal scholars including two Nobel Laureates offer the first global assessment of the initial impact of Coase s work and the continuing inspiration that researchers and policy makers find in his contributions The book presents a review of the continuing power of Coase s work including the reshaping of public policies with particular respect to public utilities and network industries Further chapters explore research programmes that he initiated including the concept of transaction costs and the analysis of property rights especially in terms of the regulation of the communications industry and the creation of markets for the right to pollute The book clearly demonstrates the originality of Coase s work and the challenge that it posed to conventional perspectives which has been a hallmark of his research throughout his life from his initial view on the nature of the firm to his recent analysis of the development of capitalism in China Less well known features of Coase s research going beyond his famous papers on The Nature of the Firm and The Problem of Social Cost are also explored in detail From economics to public policy this complete and thorough assessment of Coase s vast contribution will be an invaluable reference to all those interested in the many areas influenced by this great economist

**Encyclopedia of Law and Society** David S. Clark, 2007-07-10 This work will be very valuable for academic and public libraries supporting prelaw

law social and cultural studies Summing Up Highly recommended Upper level undergraduates through professionals practitioners general readers CHOICE There are two aspects of scholarship about the legal systems of our day that are especially salient one being for the first time there is a fair amount of genuine research on legal systems and two that this research is increasingly global As soon as you cross a jurisdictional line even if it separates countries that are very similar you enter a different legal system It cannot be assumed that any particular rule doctrine or practice is the same in any two jurisdictions regardless of how close these jurisdictions are in terms of history and tradition The Encyclopedia of Law and Society is the largest comprehensive and international treatment of the law and society field With an Advisory Board of 62 members from 20 countries and six continents the three volumes of this state of the art resource represent interdisciplinary perspectives on law from sociology criminology cultural anthropology political science social psychology and economics By globalizing the Encyclopedia's coverage American and international law and society will be better understood within its historical and comparative context Key Features Includes more than 700 biographical entries that are historical comparative topical thematic and methodological Presents the rich diversity of European Latin American Asian African and Australasian developments for the first time in one place to reveal the truly holistic interdisciplinary virtues of law and society Examines how and why legal systems grow and change how and why they respond or fail to respond to their environment how and why they impact the life of society and how and why the life of society impacts in turn these legal systems With borders more porous than ever before this Encyclopedia reflects the paradoxical reality of modern life including legal life This valuable resource aims to present research along with the theories on which it is grounded fairly and comprehensively and is a must have for all academic libraries

**The Making of Consumer Law and Policy in Europe** Hans-W. Micklitz, 2021-11-04 This book analyses the founding years of consumer law and consumer policy in Europe It combines two dimensions the making of national consumer law and the making of European consumer law and how both are intertwined The chapters on Germany Italy the Nordic countries and the United Kingdom serve to explain the economic and the political background which led to different legal and policy approaches in the then old Member States from the 1960s onwards The chapter on Poland adds a different layer the one of a former socialist country with its own consumer law and how joining the EU affected consumer law at the national level The making of European consumer law started in the 1970s rather cautiously but gradually the European Commission took an ever stronger position in promoting not only European consumer law but also in supporting the building of the European Consumer Organisation BEUC the umbrella organisation of the national consumer bodies The book unites the early protagonists who were involved in the making of consumer law in Europe Guido Alpa Ludwig Kr mer Ewa Letowska Hans W Micklitz Klaus Tonner Iain Ramsay and Thomas Wilhelmsson supported by the younger generation Aneta Wiewi rowska Domagalska Mateusz Grochowski and Koen Docter who reconstructs the history of BEUC Niklas Olsen and Thomas Roethe analyse the construction of this policy field from a historical and sociological perspective This book offers

a unique opportunity to understand a legal and political field that of consumer law and policy which plays a fundamental role in our contemporary societies      Legal Origins and the Efficiency Dilemma Nuno Garoupa, Carlos Gómez Ligüerre, Lela Mélon, 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      *Predatory Pricing in Antitrust Law and Economics* Nicola Giocoli, 2014-01-10 Can a price ever be too low Can competition ever be ruinous Questions like these have always accompanied American antitrust law They testify to the difficulty of antitrust enforcement of protecting competition without protecting competitors As the business practice that most directly raises these kinds of questions predatory pricing is at the core of antitrust debates The history of its law and economics offers a privileged standpoint for assessing the broader development of antitrust its past present and future In contrast to existing literature this book adopts the perspective of the history of economic thought to tell this history covering a period from the late 1880s to present times The image of a big firm such as Rockefeller s Standard Oil or Duke s American Tobacco crushing its small rivals by underselling them is iconic in American antitrust culture It is no surprise that the most brilliant legal and economic minds of the last 130 years have been engaged in solving the predatory pricing puzzle The book shows economic theories that build rigorous stories explaining when predatory pricing may be rational what welfare harm it may cause and how the law may fight it Among these narratives a special place belongs to the Chicago story according to which predatory pricing is never profitable and every low price is always a good price      Law and Economics in Civil Law Countries Bruno Deffains, Thierry Kirat, 2003-07-17 The aim of the book is to highlight the law and economics issues confronting civil law countries      Equilibrium and Evolution N. Hart, 2011-12-12 Alfred Marshall has traditionally been listed alongside pioneering neoclassical economists In this volume Neil Hart challenges this view illuminating the ambiguities within Marshall



s work and exploring his reconciliation of two modes of thinking equilibrium economics and evolutionary economics

**Property and Trust Law in Taiwan** Yun-chien Chang, Weitseng Chen, Ying-Chieh WU, 2022-04-21 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of the law of property in Taiwan deals with the issues related to rights and interests in all kinds of property and assets immovable movable and personal property how property rights are acquired fiduciary mechanisms and security considerations Lawyers who handle transnational disputes and other matters concerning property will appreciate the explanation of specific terminology application and procedure An introduction outlining the essential legal cultural and historical considerations affecting property is followed by a discussion of the various types of property Further analysis describes how and to what extent legal subjects can have or obtain rights and interests in each type The coverage includes tangible and intangible property varying degrees of interest and the various ways in which property is transferred including the ramifications of appropriation expropriation and insolvency Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance The book includes ample references to doctrine and cases as well as to relevant international treaties and conventions Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for any practitioner faced with a property related matter Lawyers representing parties with interests in Taiwan will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative property law

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