

# Economics and the Law

SECOND EDITION

From Posner  
to Post-Modernism  
and Beyond

Nicholas Mercuro  
& Steven G. Medema

# Economics And The Law From Posner To Post Modernism

**Nicholas Mercuro, Steven G. Medema**



## **Economics And The Law From Posner To Post Modernism:**

*Economics and the Law* Nicholas Mercuro, Steven G. Medema, 1997 By providing readers with a noncritical description of the broad contours of each school of thought Mercuro and Medema convey a strong sense of the important elements of each of these interrelated yet varied traditions      *Economics and the Law* Nicholas Mercuro, Steven G. Medema, 2006-08-20

Publisher Description      **Book Review, Nicholas Mercuro & Steven G. Medema, *Economics and the Law*** James Ming Chen, 2014 It is no longer credible to speak of a single law and economics movement Rather there are multiple schools of thought each applying economic analysis of law in a distinct way and none commanding widespread acceptance Chaos would seem the natural result of any attempt to marry economics a value laden discipline beset by critics who decry the immorality of the dismal science with law a profession as methodologically incoherent as it is intellectually promiscuous A literature of staggering size and dazzling diversity thus confronts anyone who tries to survey law and economics from Posner to post modernism In *Economics and the Law* Nicholas Mercuro and Steven G Medema acknowledge the Herculean nature of their task by confining themselves to a concise overview of this field Mercuro and Medema nevertheless promise more than they can deliver With each blow at the many headed Hydra that economic analysis of law has become the authors leave marginally useful abstraction and significantly offsetting confusion in their wake      **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      *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 impo      **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 *From Economics Imperialism to Freakonomics* Ben Fine, Dimitris Milonakis, 2009-04-15 Ben Fine the author of *Social Capital versus Social Theory* and a renowned exponent of Marxian political economy and Dimitris Milonakis offer one of the first systematic critiques of cliometrics new institutional economics and Douglass North's work **Economics of the Law** Wolfgang Weigel, 2013-03 This textbook demonstrates how economic tools can be used to examine the question of how and why legal norms can effectively guide human action situating the study of both private and public law within the framework of institutional economics *Law and Economics* Jenny B. Wahl, 2013-09-13 This title aims to explain and criticize the economic approach to law by covering economic analysis in property and criminal law To save the time of the reader not wanting to relearn multivariate calculus with each section this title provides comprehensive bibliographies and highlights major contributions in the introductions to each volume A key overview for students of economy and law to gain a broad understanding of how to approach these themes in practice **The Oxford Handbook of Ethics and Economics** Mark D. White, 2019 This Oxford Handbook explores the various ways ethics can do and should inform economic theory and practice With esteemed contributors from economics and philosophy it highlights the close relationship between ethics and economics in the past and lays a foundation for further integration going forward The Palgrave Handbook of Methodological Individualism Nathalie Bulle, Francesco Di Iorio, 2023-12-28 While methodological individualism is a fundamental approach within the social sciences it is often misunderstood This highlights the need for a discursive and up to date reference work analyzing this approach's classic arguments and assumptions in the light of contemporary issues in sociology economics and philosophy This two volume handbook presents the first comprehensive overview of methodological individualism Chapters discuss historical and contemporary debates surrounding this central approach within the social sciences as well as cutting edge developments related to the individualist tradition with philosophical and scientific implications Bringing together multiple contributions from the world's leading experts on this important tradition of theorizing this collective endeavor provides teachers researchers and students in sociology economics and philosophy with a

reliable and critical understanding of the founding principles key thinkers and intellectual development of MI since the late 19th century

*The Economic Approach to Law, Third Edition* Thomas J. Miceli, 2017-10-17 Master teacher Thomas J Miceli provides an introduction to law and economics that reveals how economic principles can explain the structure of the law and make it more efficient The third edition of this seminal textbook is thoroughly updated to include recent cases and the latest scholarship with particular attention paid to torts contracts property rights and the economics of crime A new chapter organization ideal for quarter or semester long courses strengthens the book s focus on unifying themes in the field As Miceli tells a cohesive analytical story about law from a distinctly economic perspective exercises and problems encourage students to deepen their knowledge A companion website is available at <http://www.sup.org/economiclaw> It offers a full suite of resources for both students and professors Key pedagogical features include cases discussion points that provide additional analysis of topics in the book graduate notes which enrich the text for more advanced readers and relevant links Professors have access to sample syllabi for undergraduate and graduate courses and an instructor s manual which provides answers to all of the end of chapter questions and problems in the book

*Economics Broadly Considered* Jeff E. Biddle, John B Davis, Steven G Medema, 2001-03-29 Warren J Samuels has been a prominent figure in the study of economics in the twentieth century This book brings together essays by leading scholars in the areas of economics in which Samuels has made his most important contributions the history of economic thought economic methodology and institutional and post Keynesian economics This work

**America Identified** Lisa S. Nelson, 2010-11-12 An examination of the public s perceptions of biometric identification technology in the context of privacy security and civil liberties The use of biometric technology for identification has gone from Orwellian fantasy to everyday reality This technology which verifies or recognizes a person s identity based on physiological anatomical or behavioral patterns including fingerprints retina handwriting and keystrokes has been deployed for such purposes as combating welfare fraud screening airplane passengers and identifying terrorists The accompanying controversy has pitted those who praise the technology s accuracy and efficiency against advocates for privacy and civil liberties In *America Identified* Lisa Nelson investigates the complex public responses to biometric technology She uses societal perceptions of this particular identification technology to explore the values beliefs and ideologies that influence public acceptance of technology Drawing on her own extensive research with focus groups and a national survey Nelson finds that considerations of privacy anonymity trust and confidence in institutions and the legitimacy of paternalistic government interventions are extremely important to users and potential users of the technology She examines the long history of government systems of identification and the controversies they have inspired the effect of the information technology revolution and the events of September 11 2001 the normative value of privacy as opposed to its merely legal definition the place of surveillance technologies in a civil society trust in government and distrust in the expanded role of government and the balance between the need for government to act to prevent harm and the possible

threat to liberty in government's actions      Searching for Contemporary Legal Thought Justin Desautels-Stein, Christopher Tomlins, 2017-12-28 For more than a century law schools have trained students to think like a lawyer In these times of legal crisis both in legal education and in global society what does that mean for the rest of us In this book thirty leading international scholars including Louis Assier Andrieu Marianne Constable Yves Dezalay Denise Ferreira da Silva Bryant G Garth Peter Goodrich Duncan Kennedy Martti Koskeniemi Shaun McVeigh Samuel Moyn Annelise Riles Charles F Sabel and William H Simon examine what is distinctive about legal thought They probe the relation between law and time law and culture and legal thought and legal action the nature of current legal thought the geography of legal thought and the conditions for recognition of a new contemporary style of law This work will help theorists social scientists historians and students understand the intellectual context of legal problems legal doctrine and jurisprudential trends in the current conjuncture      **Welfare Economics and Second-Best Theory** Richard S. Markovits, 2020-05-30 This book examines the

implications of The General Theory of Second Best for analyzing the economic efficiency of non government conduct or government policies in an economically efficient way It develops and legitimates an economically efficient economic efficiency analysis protocol with three unique characteristics First the protocol focuses separately on each of a wide variety of categories of economic inefficiency many of which conventional analyses ignore Second it analyzes the impact of conduct or policies on each of these categories of economic inefficiency primarily by predicting the respective conduct's policy's impact on the distortion that the economy's various Pareto imperfections generate in the profits yielded by the resource allocations associated with the individual categories of economic inefficiency i.e. on the difference between their profitability and economic efficiency And third it is third best i.e. it instructs the analyst to execute a theoretical or empirical research project if and only if the economic efficiency gains the project is expected to generate by increasing the accuracy of economic efficiency conclusions exceed the predicted allocative cost of its execution and public financing The book also uses the protocol to analyze the economic efficiency of specific policies so as to illustrate both how it differs from the protocols that most applied welfare economists continue to use and how its conclusions differ from those produced by standard analysis

**Protecting Financial Consumers in Europe**, 2023-02-17 This book provides a thorough and up to date account of what is state of the art in the field of contracts relating to selected financial services such as insurance loans and payments services It also explores the resolution of disputes arising out of such contracts by ADR bodies in Europe at national and EU level In parallel with offering a comparative survey of the most recent legal developments in Europe the book sheds light on the significance of financial ombudsman bodies for the efficient resolving of consumer disputes Further the book illustrates solutions and policies aimed at ensuring a high level of consumer financial education      The Founding of Institutional Economics Warren Samuels, 2002-01-08 Institutional economics has been a major part of economic thought for the whole of the twentieth century and today remains crucial to an understanding of the development of heterodox economics The two

principal publications that founded the school were Veblen's *The Theory of the Leisure Class* and Commons's *A Sociological View of Sovereignty* both published in 1899. As a tribute to these two seminal works, Warren Samuels has assembled an exceptionally prestigious international group of scholars to produce this landmark volume celebrating the centenary. The chapters assess the work of Veblen and Commons and their influence on the school of institutional economics from a variety of theoretical perspectives. The contributions on Veblen appraise his anthropological analysis of consumption habits of American households from sociological, linguistic and feminist points of view. Conversely, the essays on Commons's work focus on the concepts of property, power and the relationship between legality and economics.

*Jones and Sufrin's EU Competition Law* Brenda Sufrin, Alison Jones, Niamh Dunne, 2023. The complete guide to EU competition law combining key primary sources with expert author commentary. The most comprehensive resource for students on EU competition law extracts from key cases, academic works and legislation are paired with incisive critique and commentary from an expert author team. New to this Edition: Full analysis of important developments in competition law and policy since 2019 including relevant case law, new EU legislation and notices and competition law goals. A comprehensive discussion of the evolving law and policy governing market definition, vertical, horizontal cooperation and sustainability agreements. A new chapter on competition law in the digital economy incorporating a discussion of the Digital Markets Act.

**The Neoliberal Regime in the Agri-Food Sector** Steven A. Wolf, Alessandro Bonanno, 2013-12-04. For the last three decades the Neoliberal regime emphasising economic growth through deregulation, market integration, expansion of the private sector and contraction of the welfare state has shaped production and consumption processes in agriculture and food. These institutional arrangements emerged from and advanced academic and popular beliefs about the virtues of private market-based coordination relative to public state-based problem solving. This book presents an informed, constructive dialogue around the thesis that the Neoliberal mode of governance has reached some institutional and material limits. Is Neoliberalism exhausted? How should we understand crisis applied to Neoliberalism? What are the opportunities and risks linked to the construction of alternatives? The book advances a critical evaluation of the evidence supporting claims of rupture of or incursions into the Neoliberal model. It also analyzes pragmatic responses to these critiques including policy initiatives, social mobilization and experimentation at various scales and points of entry. The book surveys and synthesizes a range of sociological frames designed to grapple with the concepts of regimes, systemic crisis and transitions. Contributions include historical analysis, comparative analysis and case studies of food and agriculture from around the globe. These highlight particular aspects of crisis and responses including the potential for continued resilience, a neo-productivist return as well as the emergence and scaling up of alternative models.

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