

THE ECONOMICS OF LAW



ANTONY W. DNES

Economics Of Law Property Contracts And Obligations With Economic Applications

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An Economic Analysis of Bilateral Investment Treaties Jan Peter Sasse, 2011-03-02 Bilateral Investment Treaties BITs are an important instrument for the protection of foreign direct investment FDI However compared to international trade law international investment law has so far received only little research attention from an economic point of view By applying a law and economics approach Jan Peter Sasse provides a systematic analysis of the way BITs function He explains why BITs are more than just a signal how they relate to institutional competition as well as to institutional quality and why transparency in international investment arbitration is hard to achieve and may even be detrimental *Good Faith Obligation* Alex Wan, Peng Guo, 2024-09-10 This book provides a study on the relevance of good faith obligation with a specific focus on Australia and China Good faith has been hailed as one of the most important unresolved contractual issues in contract law There have been numerous judicial approaches over the years to articulate a baseline for good faith application however the direction taken in dealing with this important issue is generally unsatisfactory both in producing a coherent understanding of the role and sustaining a uniform application of good faith in contracts This book concentrates on examining whether the continued relevance of good faith in arm s length contractual relationships based on the reasonable expectations of the contracting parties can be maintained To accomplish this good faith is examined by revisiting the legal approaches from a comparative perspective in understanding whether there is a continuing role for good faith in commercial contracts **The Role of Law in China's Economic Development, 1978-2011** Jia Hu, 2024-03-29 This book concerns how China s legal institutions promoted its economic growth and demonstrates that the law has played different roles at various stages of China s economic transformation a signal of legal paradigm shifts in reaction to the changing political and economic pursuits By decomposing the role of law in the process the author argues that while the Chinese economy was transforming from a planned economy to a market oriented one the law also made its adjustment as a response the Chinese legal system was evolving from the one consisting of primarily substantive laws to the one filled with high level formal laws by the end of the last century The above observation of legal formalization is further consolidated by introducing the particularities of China s legal education in those years a topic rarely dealt with yet of significance to comprehensively understand the Chinese legal system in practice Overall the present book argues against the modernization theory and determinism that would anticipate a similar developmental path globally and shows that the relationship between law and economic development is contingent Therefrom this study weighs in the law and development debate and breaks a perception of static law in the economy by rejecting the conventional perception of established legal institutions as a precondition of modernity Hence this book could appeal to legal scholars and sociologists interested in reevaluating western theories of free economy and its relationships to the law In addition scholars interested in research methodology would find the perspective of paradigm shifts in interpreting China s transformations a helpful analytical framework in research

Moreover policymakers and legislators concerned about the characteristics of law for economic results would also find the book useful **Advances in Economics and Econometrics: Theory and Applications** Econometric Society. World Congress,1997-02-20 These books comprise papers examining the latest developments in economic theory applied economics and econometrics presented at the Seventh World Congress of the Econometric Society in Tokyo in August 1995 The topics were carefully selected to represent the most active fields in the discipline over the past five years Written by the leading authorities in their fields each paper provides a unique survey of the current state of knowledge in economics Designed to make the material accessible to a general audience of economists these volumes should be helpful to anyone with a good undergraduate training in economics who wishes to follow new ideas and tendencies in the subject **The Economics of Law** Antony W. Dnes,2005 Dnes Economics of Law is a straightforward up to date introduction to economics of law with economic analysis and legal principles treated in a self contained manner as the book progresses Both lawyers and economists can use the book without prior knowledge of each other's subject The book is based on a British version but is explicitly US in focus and is up to date on US case law and Restatements This book includes timely coverage of the economic analysis of property contract criminal tort and procedural law with the emphasis placed on economics rather than on legal issues **Constitutional Fragments** Gunther Teubner,2012-03-01 In recent years a series of scandals have challenged the traditional political reliance on public constitutional law and human rights as a safeguard of human well being Multinational corporations have violated human rights private intermediaries in the internet have threatened freedom of opinion and the global capital markets unleashed catastrophic risks All of these phenomena call for a response from traditional constitutionalism Yet it is outside the limits of the nation state in transnational politics and outside institutionalized politics in the private sectors of global society that these constitutional problems arise It is widely accepted that there is a crisis in traditional constitutionalism caused by transnationalization and privatization How the crisis can be overcome is one of the major controversies of modern political and constitutional theory This book sets out an answer to that problem It argues that the obstinate state and politics centrality of traditional constitutionalism needs to be counteracted by a sociological approach which so far has remained neglected in the constitutional debate Constitutional sociology projects the questions of constitutionalism not only onto the relationship between public politics and law but onto the whole society It argues that constitutionalism has the potential to counteract the expansionist tendencies of social systems outside the state world particularly of the globalized economy science and technology and the information media when they endanger individual or institutional autonomy The book identifies transnational regimes particularly in the private area as the new constitutional subjects in a global society rivals to the order and power of nation states It presents a model of transnational societal constitutional fragments that could bring the values of constitutionalism to bear on these private networks examining the potential horizontal application of human rights in the private sphere and how such fragments could interact An original and

provocative contribution to the literature on modern constitutionalism Constitutional Fragments is essential reading for all those engaged in transnational political theory

Business Strategy in a Semiglobal Economy Panos

Mourdoukoutas, 2006 This groundbreaking text provides both theory and strategy for operating in a semiglobal economy in which international businesses must compete in highly globalized and highly localized markets at the same time Unlike the traditional transnational and matrix corporate models a semiglobal corporation organizes its operations according to the global local content of its value propositions rather than according to geographical regions products or contribution to the parent company's performance As an example of a semiglobal corporation the Honda Motor Company has a global vision when it comes

Institutional Economics. Vol. I John Rogers Commons, Commons opened Institutional Economics by declaring My point of view is based on my participation in collective activities from which I here derive a theory of the part played by collective action in control of individual action This sentence well summarizes the three key elements of this book its theoretical intent the importance Commons gave to his own experience in institutional reform in shaping these ideas and the focus on the concept of the institution as a collective constraint on individual action

The New Palgrave Dictionary of Economics and the Law Peter Newman, 2016-04-30 A great deal of economics is about law the functioning of markets property rights and their enforcement financial obligations and so forth yet these legal aspects are almost never addressed in the academic study of economics Conversely the study and practice of law entails a significant understanding of economics yet the drafting and administration of laws often ignore economic principle The New Palgrave Dictionary of Economics and the Law is uniquely placed by the quality breadth and depth of its coverage to address this need for building bridges Drawn from the ranks of academics professional lawyers and economists in eight countries the 340 contributors include world experts in their fields Among them are Nobel laureates in economics and eminent legal scholars First published in 1998 and now available in paperback for the first time The New Palgrave Dictionary of Economics and the Law has established itself as a classic reference work in this important field

Energy Sector: A Systemic Analysis of Economy, Foreign Trade and Legal Regulations Oleg V. Inshakov, Agnessa O. Inshakova, Elena G. Popkova, 2018-05-09 This book is a comprehensive economic and legal study of the theoretical and practical aspects of the problems of increasing energy efficiency self motivation of energy saving by business entities within the framework of their corporate responsibility regulatory mechanisms to stimulate energy conservation in the economy civil law regulation of foreign trade turnover of energy resources between economic entities of the Russian Federation and companies of member states of international integration associations the CIS EEMP the EU and BRICS It argues that technological energy saving plays a key role in reducing the energy intensity and increasing the energy efficiency of the economy and substantiates the need for institutional support including legal support for the participation of the Russian Federation in various forms of international cooperation Lastly based on an analysis of current legislation programs and recommendations judicial and contractual practices customs and trade procedures it offers

proposals for the developing improving and unifying civil law regulation of obligations in the sphere of international trade in energy resources as well as methodological recommendations for drafting foreign trade contracts in the energy sector

Local Engagement with International Economic Law and Human Rights Ljiljana Biukovic, Pitman B.

Potter, 2017-05-26 Providing an analysis of global regulation and the impact of international organizations on domestic laws this collection grew out of a central objective to explore methods of domestic engagement with international trade and human rights norms and the inherent difficulties in establishing balanced links between these two international law regimes The common thread of the papers in this collection is a focus on the application of socio legal normative paradigms in building knowledge and policy support for coordinating local performance with international trade and human rights standards in ways that are mutually sustaining Law and Economics with Chinese Characteristics David Kennedy, Joseph E. Stiglitz, 2013-03-21 China's economic development offers a backdrop for developing alternative viewpoints on these issues

Law and Economics in Developing Countries Edgardo Buscaglia, 2000 *Country Reports on Economic Policy and Trade Practices*, 1995 **Macromodels of the National Economy of the USSR** V.V. Kolbin, 2012-12-06 Rapid methodological progress is now taking place in the USSR in the solution of the problems of developing both society and economy A considerable proportion of the total methodological problems of the USSR economy are dealt with in the present monograph This work is intended for economists managers and specialists in methodology sociology and applied mathematics and it may also be useful to researchers into operations as well as to politicians philosophers and wide circles of readers interested in the present and future problems of the USSR economy Readers will find here I hope answers to many questions At the same time this work can be used as a manual for students and post graduate students investigating countries with centrally planned economies For his monograph the author has used the material originally developed for a special course of lectures called Macromodels of Planning Some sections of the book correspond to the subjects of courses on Mathematical Programming and Operations Research as well as to the subjects of special courses on Methods of Vector Optimization Stochastic Programming Parametric Programming and Decomposition Methods of Programming read by the author from 1971 to 1976 to the graduates and post graduates of the department of applied mathematics and management processes at Leningrad University **Institutional Economics** Sam Sebesta, 2018-04-20 Commons opened Institutional Economics by declaring My point of view is based on my participation in collective activities from which I here derive a theory of the part played by collective action in control of individual action This sentence well summarizes the three key elements of this book its theoretical intent the importance Commons gave to his own experience in institutional reform in shaping these ideas and the focus on the concept of the institution as a collective constraint on individual action **The Soviet Economic System** Olimpiad S. Ioffe, Peter B Maggs, Olimpiad S Ioffe, 2019-07-11 A comprehensive analysis of the Soviet economy from a legal perspective this book discusses the Soviet theory of legal regulation of economic activity and the

formal structure of economic legislation The authors argue that two contradictory tendencies characterize the Soviet economic regulatory system reform and retreat from reform Legal reform efforts usually result from the attempt to increase economic efficiency which typically involves according greater independence to lower level economic organizations The danger that political power might be undermined however eventually leads to the reestablishment of the dominance of the central authorities over lower level decisionmaking Drs Ioffe and Maggs also examine the tensions in labor law which must reconcile the needs of the economy for job mobility and high worker morale with administrative ideals of strict discipline and the legal aspects of technology transfer In addition emphasis is placed on the ways that economic legislation is developed and applied in practice the authors note in particular the progress that has been made in systemization and codification of economic legislation

Country Reports on Economic Policy and Trade Practices United States. Congress. House. Committee on Ways and Means,1999

A Treatise of Legal Philosophy and General Jurisprudence Gerald J. Postema,2011-08-05 Volume 11 the sixth of the historical volumes of A Treatise of Legal Philosophy and General Jurisprudence offers a fresh philosophically engaged critical interpretation of the main currents of jurisprudential thought in the English speaking world of the 20th century It tells the tale of two lectures and their legacies Oliver Wendell Holmes Jr s The Path of Law 1897 and H L A Hart s Holmes Lecture Positivism and the Separation of Law and Morals 1958 Holmes s radical challenge to late 19th century legal science gave birth to a rich variety of competing approaches to understanding law and legal reasoning from realism to economic jurisprudence to legal pragmatism from recovery of key elements of common law jurisprudence and rule of law doctrine in the work of Llewellyn Fuller and Hayek to root and branch attacks on the ideology of law by the Critical Legal Studies and Feminist movements Hart simultaneously building upon and transforming the undations of Austinian analytic jurisprudence laid in the early 20th century introduced rigorous philosophical method to English speaking jurisprudence and offered a reinterpretation of legal positivism which set the agenda for analytic legal philosophy to the end of the century and beyond A wide ranging debate over the role of moral principles in legal reasoning sparked by Dworkin s fundamental challenge to Hart s theory generated competing interpretations of and fundamental challenges to core doctrines of Hart s positivism including the nature and role of conventions at the foundations of law and the methodology of philosophical jurisprudence

The Economic Structure of International Law Joel P. TRACHTMAN,Joel P Trachtman,2009-06-30 This book presents policymakers and scholars with an over arching analytical model of international law one that demonstrates the potential of international law but also explains how policymakers should choose among different international legal structures

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