



Contract Law and Economics

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Henry Aaron, Joel Slemrod



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The Oxford Handbook of Law and Politics Keith E. Whittington, R. Daniel Kelemen, Gregory A. Caldeira, 2010-06-10
The Oxford Handbooks of Political Science are the essential guide to the state of political science today With engaging contributions from major international scholars The Oxford Handbook of Law and Politics provides the key point of reference for anyone working on the interception between law and political science 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 Principles of Law and Economics Antony W. Dnes, 2018-07-27 This is a new and significantly updated edition of a standard text for the field of Law and Economics Taking a straightforward approach and written in an accessible manner without reliance on mathematical modelling it is aimed at Law and Economics students in law schools as well as economics departments New to this edition is new and substantially increased coverage of more contemporary fields of vision in the Law and Economics paradigm such as Intellectual Property Family Law and Behavioural Economics With an array of exercises and questions throughout the book and extensive references to further reading this text reflects the way Law and Economics is taught in a contemporary context **The Institutional Economics of Russia's Transformation** Anton N. Oleinik, 2017-11-30 This book applies institutional theory to the analysis of the post Soviet Russian economy to bring to light the reasons why reforms have gone awry Emphasis is put on the elements missed in the early blueprints of reforms constraints embodied in formal and especially informal institutions Other aspects considered include the dominant model of power relationships and the networks of localized and personalized relationships among economic actors The first part provides a general description of the core concepts of institutional theory including both the old institutionalism of T Veblen and J Commons and the new institutional economics of R Coase O Williamson and D North and in the second part an institutional model of the post Soviet Russian economy is developed In the course of the analysis the authors discuss such unresolved issues as post privatization development in Russia and validity of the Coase theorem in the post Soviet institutional context Rich empirical data grounds the discussion throughout **Professional Services in the EU Internal Market** Tinne Heremans, 2012-01-31 Professional services are a key component of the EU internal market economy yet also significantly challenge the legal framework governing this internal market Indeed specific professional regulatory structures which are often the result of a blend of government and self regulation hold clear potential for conflict with EU free movement and competition law rules Hence this book looks at the manner in which both free movement and competition laws might apply to such self and co regulatory set ups and at the leeway given to quality considerations apparently conflicting with free movement or competition objectives In addition since court action will seldom suffice to

genuinely integrate a market the book also explores those instruments of EU secondary legislation that are likely to impact the most on the provision of professional services However the book goes beyond a mere inventory to ask how EU Internal Market policy could contribute to the optimal legal environment for professional services A law and economics analysis is employed to investigate the need for specific professional rules the preferred type of regulator self co or government regulation and the level national and or European at which regulation should be adopted As becomes clear the story of the market for professional services is one of market and government failure the author is thus left to compare imperfect situations where market failures compete with rent seeking efforts the tendency towards over centralisation and national protectionism This book offers both an in depth legal analysis of the EU framework as it applies to professional services as well as a more normative evaluation of this framework based on insights from law and economics scholarship It will therefore be a valuable resource for all practitioners policy makers and academics dealing with professional services as well as more generally with questions of quality and self regulation

Liberalization of Trade in Banking Services Bart De Meester, 2014-07-10 To what extent does WTO and EU law restrict governments to determine a balance between regulation and liberalization of banking

GATS 2000 Pierre Sauve, Robert M. Stern, 2010-12-01 A Brookings Institution Press and the Center for Business and Government at Harvard University publication With the negotiation of the General Agreement on Trade in Services GATS the policies affecting access to and conditions of competition in service markets are today firmly rooted in the multilateral trading system Written with policymakers and practitioners in mind the essays in this volume address some of the most pressing questions arising in services trade today some of which were not addressed by the first generation of GATS negotiators

The Routledge Companion to Non-Market Strategy Thomas C. Lawton, Tazeeb S. Rajwani, 2015-04-24

It is commonplace for today s transnational enterprises to undertake political risk analysis when choosing foreign markets and creating entry strategies Despite this non market elements of corporate strategy are less well researched than the traditional market based perspectives Providing comprehensive and leading edge overviews of current scholarship this Companion surveys the current state of the field and provides a basis for improving our understanding of the non market environment encouraging new insights to improve strategies for enhancing a firm s performance and legitimacy With a foreword by David Baron the international team of contributors includes Jean Philippe Bonardi Bennet Zelner and Jonathan Doh who combine to create a book that is essential reading for students and researchers in business management and politics including those interested in business regulation environmental policy political risk and corporate social responsibility

Contractual Certainty in International Trade Volkmar Gessner, 2008-12-19 Global business interacts efficiently despite the heterogeneity of social economic and legal cultures which according to widespread assumptions cause insecurities and uncertainties Breaches of contracts may occur more frequently and business relationships may be terminated more often in international than in domestic trade But most business people engaged in exporting or importing

products or services seem to operate in a sufficiently predictable environment allowing successful ventures into the global market. The apparent paradox presented by cultural institutional diversity and contractual efficiency in cross border business transactions is the focus of this volume of essays. The wide range of approaches adopted by contributors to the volume include the Weberian concept of law as a tool for avoiding the risk of opportunism, economic sociology which treats networks and relationships between contractual parties as paramount, representatives of new institutional economics who discuss law as well as private governance institutions as most efficient responses to risk, comparative economic sociologists who point to the varieties of legal cultures in the social organisation of trust, and national and international institutions such as the World Bank which try to promote legal certainty in the economy. The purpose of the volume is to build on this interdisciplinary exercise by adding empirical evidence to ongoing debates regarding enabling structures for international business and by critically reviewing and discussing some of the propositions in the literature which contain interesting hypotheses on the effects of the internationalization of markets on market coordination institutions and on the role of the state in the globalising economy.

Handbook of Public Economics Martin Feldstein, A.J. Auerbach, 2002-01-25. The Field of Public Economics has been changing rapidly in recent years and the sixteen chapters contained in this Handbook survey many of the new developments. As a field, Public Economics is defined by its objectives rather than its techniques and much of what is new is the application of modern methods of economic theory and econometrics to problems that have been addressed by economists for over two hundred years. More generally, the discussion of public finance issues also involves elements of political science, finance and philosophy. These connections are evidence in several of the chapters that follow. Public Economics is the positive and normative study of government's effect on the economy. We attempt to explain why government behaves as it does, how its behavior influences the behavior of private firms and households, and what the welfare effects of such changes in behavior are. Following Musgrave (1959) one may imagine three purposes for government intervention in the economy: allocation when market failure causes the private outcome to be Pareto inefficient; distribution when the private market outcome leaves some individuals with unacceptably low shares in the fruits of the economy; and stabilization when the private market outcome leaves some of the economy's resources underutilized. The recent trend in economic research has tended to emphasize the character of stabilization problems as problems of allocation in the labor market. The effects that government intervention can have on the allocation and distribution of an economy's resources are described in terms of efficiency and incidence effects. These are the primary measures used to evaluate the welfare effects of government policy.

Street Smart Gabriel Roth, 2017-07-05. The poor health of today's roads, a subject close to the hearts of motorists, taxpayers and government treasurers around the world, has resulted from faulty incentives that misdirect government decision makers, according to the contributors to *Street Smart*. During the 1990s, bad government decision making resulted in the U.S. Interstate Highway System growing by only one seventh the rate of traffic growth. The poor maintenance of existing

roads is another concern In cities around the world highly political and wasteful government decision making has led to excessive traffic congestion that has created long commutes reduced safety and caused loss of leisure time Street Smart examines the privatization of roads in theory and in practice The authors see at least four possible roles for private companies beyond the well known one of working under contract to design build or maintain governmentally provided roads These include testing and licensing vehicles and drivers management of government owned facilities franchising and outright private ownership Two chapters describe the history of private roads in the United Kingdom and the United States Contemporary examples are provided of road pricing privatizing and contracting out are evident in environs as diverse as Singapore Southern California and Scandinavia and cities as different as Bergen Norway and London England Finally several chapters examine strategies for implementing privatization The principles governing providing scarce resources in free societies are well known We apply them to such necessities as energy food and water so why not to road space The main obstacle to private or semi private ownership of roads is likely to remain the reluctance of the political class to give up a lucrative source of power and influence Those who want decisions about road services to be controlled by the interplay of consumers and suppliers in free markets rat

Internal and External Aspects of Corporate Governance Ahmed Naciri, 2009-10-16 An effective system of corporate governance has both internal and external aspects that have to be sufficiently responsive if governance is to succeed In this book Ahmed Naciri examines these two core aspects or the latest buzzword in business and management theory Internal aspects include ownership structure the board of directors and committees internal control risk management transparency and financial reporting External aspects can either be market oriented or can take the form of credit ranking and or social requirements Due to the original orientation of the Sarbanes Oxley Law concentrating solely on financial disclosure and given its decisive and tremendous influence on all other similar corporate governance legislations all over the world most writings on corporate governance have dealt with solely internal corporate governance mechanisms This book aim is to fill up the gap by using a systemic approach and giving a global picture of the corporate governance theoretical foundations mainly by putting the emphasis on its double dimension internal and external

Regulation and Criminal Justice Hannah Quirk, Toby Seddon, Graham Smith, 2010-12-23 While regulatory institutions and strategies have been the subject of increasing academic attention there has been limited application of regulatory theories to criminal justice scholarship This collection of essays from a range of outstanding international scholars adopts a critical inter disciplinary approach providing an innovative application of regulatory theory to the practice of criminal justice and offering suggestions for further research Part I explores the aims and values of criminal justice and other regulatory networks and the synergies and tensions between these fields Part II examines criminal justice as a regulatory force to control deviant and anti social behaviour and Part III examines the regulation and oversight of criminal justice through the operation of prison inspectorates and explores notions of responsive justice

Contractual Renegotiations and

International Investment Arbitration Aikaterini Florou, 2020-03-02 In Contractual Renegotiations and International Investment Arbitration Aikaterini Florou explores the sensitive issues of renegotiating state contracts and the relationship between those contracts and the overarching international investment treaties By introducing novel insights from economics the author deconstructs the contract treaty interaction demonstrating that it is not only treaties that impact the underlying contracts but also that those contracts have an effect on the way the open textured treaty standards are interpreted The originality of the argument is combined with an innovative interpretative methodology based on relational contract theory and transaction cost economics Departing from the traditional emphasis of international lawyers on the text of investment contracts Florou shows instead that such contracts are first and foremost economic animals and the theory of obsolescing bargaining does not paint a full picture of the contract treaty interaction

The Crisis in Tax Administration Henry Aaron, Joel Slemrod, 2004-05-20 People pay taxes for two reasons On the positive side most people recognize even if grudgingly that payment of tax is a duty of citizenship On the negative side they know that the law requires payment that evasion is a crime and that willful failure to pay taxes is punishable by fines or imprisonment The practical questions for tax administration are how to strengthen each of these motives to comply with the law How much should be spent on enforcement and how should enforcement be organized to promote these objectives and achieve the best results per dollar spent Over the last few years the U S Congress has restricted spending on tax administration forcing the Internal Revenue Service to curtail enforcement activities at the same time that the number of individual filers has increased tax rules have become more complex and more business have become multinational operations But if too many cases of tax evasion go undetected and unpunished those who may have grudgingly paid their taxes may soon find it easier to join the scofflaws These events in combination have created a genuine crisis in tax administration The chapters in this volume evaluate the capacity of authorities to enforce the tax laws in a modern global economy and examine the implications of failing to do so Specific aspects of tax law including tax shelters issues relating to small businesses tax software role of tax preparers and the objectives of tax simplification are examined in detail The volume also builds a conceptual basis for future scholarship with regard not only to tax administration but also to such fundamental questions as whether taxpayers respond mostly to economic incentives or are influenced by their experiences with the filing process and what is the proper framework for evaluating the allocation of resources within the IRS

Ekonomie a právo Josef Šíma, 2004 *Liability and Environment* Lucas Bergkamp, 2021-12-06 *Liability and Environment* analyzes the role of law in particular civil liability in controlling environmental pollution and risk In modern environmental policy liability has become a popular instrument In this book Prof Bergkamp takes a fresh look at civil liability for environmental harm in an inter and transnational context Over the last decade industry s liability exposure for environmental harm has expanded significantly At the international EC and national level proposals for onerous strict environmental liability regimes are pending The polluter pays principle which is an

articulation of the cost internalization theory in the environmental area is believed to justify such liability regimes Applying an instrumental approach to legal instruments Prof Bergkamp aims to redefine the role of liability in the heavily regulated environmental area He shows that liability for environmental harm is not justified by the polluter pays principle is an uncertain and unreliable instrument for achieving prevention results in an inefficient insurance scheme and plays a dubious role in adjusting activity levels Based on an analysis of the basic characteristics of alternative legal instruments Prof Bergkamp concludes that civil liability should play a more modest limited role in an environmental law system dominated by public law Where deterrence is not the objective first party insurance compensation funds or other public law regimes should be preferred over liability rules In addition to civil liability of private parties Liability and Environment discusses State liability under international EC and national law Under international law breach of a primary obligation triggers a State s liability Prof Bergkamp argues that this rule should be applied also to liability of private parties In the environmental area a business primary obligations are spelled out in detailed permit conditions regulations and statutes According to Prof Bergkamp only if a primary obligation is breached a private person should be liable for environmental harm The system that Bergkamp advocates is an objective fault liability regime in which public environmental law defines the standard of care for both government and industry In rebuilding our civil liability system we should keep in mind that what is good for industry should be good for everyone or it is not good for anyone we should keep in mind that what is good for private parties should be good for the state or it is not good for either In rebuilding our civil liability system the international law of State responsibility which is unpolluted by risk spreading and activity level considerations will guide us a long way This book is aimed at advanced law students academic scholars and practitioners In addition it will be of interest to policy and legislative analysts legislators and government officials Professor Bergkamp s book cannot be described as solving the problems of legal and regulatory control of environmental harm whether within a nation or internationally As suggested before however the very idea of a solution is illusory All legal and regulatory regimes around the world are today and will remain for the future in a state of perpetually continuing development The virtue of this fine book is that it moves the process of that development forward by a very substantial measure from the Foreword by George L Priest

Economic Impact of Regulation in the Field of Liberal Professions in Different Member States , **Case Method and Pluralist Economics** Kavous Ardalan, 2017-12-09

This book discusses the relationship between pluralist economics and the case study method of teaching advocating the complimentary use of both to advance economics education Using a multi paradigmatic philosophical frame of analysis the book discusses the philosophical methodological and practical aspects of the case study method while drawing comparisons with those of the more commonly used lecture method The book also discusses pluralist economics through the exposition of the philosophical foundations of the extant economics schools of thought which is the focal point of the attention and admiration of pluralist economics More specifically the book discusses the major extant schools of thought in economics Neo

Classical Economics New Institutional Economics Behavioral Economics Austrian Economics Post Keynesian Economics Institutional Economics Radical Economics and Marxist Economics and emphasizes that these schools of thought in economics are equally scientific and informative that they look at economic phenomena from their certain paradigmatic viewpoint and that together they provide a more balanced understanding of the economic phenomenon under consideration Emphasizing paradigmatic diversity as the cornerstone of both the case method and pluralist economics the book draws the two together and makes an effective case for their combined use A rigorous multi faceted analysis of the philosophy methodology and practice of economics education this book is important for academicians and students interested in heterodox economics philosophy and education

Constitutionalism and Transnational Governance Failures

,2024-03-11 This book explores strategies for limiting transnational market failures governance failures and constitutional failures impeding protection of the universally agreed sustainable development goals like climate change mitigation and access to justice and transnational rule of law Can multilevel democratic and judicial protection of fundamental rights and public goods across frontiers be extended through plurilateral agreements Can transnational economic and environmental constitutionalism be reconciled with constitutional pluralism and with democratic constitutionalism depending on individual and democratic consent of free and equal citizens Will judicial challenges e g of EU carbon border adjustment measures and countermeasures lead to further disruption of UN and WTO law This innovative book provides convincing analyses by leading practitioners and academics of multilevel governance of transnational public goods It advocates the need for stronger involvement of civil society and democratic institutions It shows why constitutionalism and constitutional economics offer appropriate methodologies for limiting market failures government failures and constitutional failures It thereby offers a glimpse of much needed optimism Karl Ernst Brauner former Deputy Director General of the World Trade Organization WTO

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