

# THE ECONOMICS OF LAW



ANTONY W. DNES

# Economics Of Law Property Contracts And Obligations With Economic Applications

**Joel P. TRACHTMAN, Joel P Trachtman**



## **Economics Of Law Property Contracts And Obligations With Economic Applications:**

*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 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

**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

*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 to its products

**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 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

**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

**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

Perspectives on Commercializing Innovation F. Scott Kieff, Troy A. Paredes, 2011-11-21 Intellectual property is a vital part of the global economy accounting for about half of the GDP in countries like the United States Innovation competition

economic growth and jobs can all be helped or hurt by different approaches to this key asset class where seemingly slight changes in the rules of the game can have remarkable impact This book brings together diverse perspectives from the fields of law economics business and political science to explore the ways varying approaches to intellectual property can positively and negatively impact our economy and society Employing approaches that are both theoretically rigorous and grounded in the real world Perspectives on Commercializing Innovation is well suited for practising lawyers managers lawmakers and analysts as well as academics conducting research or teaching in a range of courses in law schools business schools and economics departments at either the undergraduate or graduate level *Economic Analysis of the DCFR* Filomena

Chirico, Pierre Larouche, 2010-03-12 The Economic Impact Group EIG was created to support the work on the DCFR with insights from law and economics It brings together a number of leading European law and economics scholars The Group looked at the main elements of the DCFR with two questions in mind from an economic perspective is it sensible to harmonize private law across Europe for this specific element and is the solution chosen in the DCFR optimal This book presents the outcome of the work of the EIG It deals with key issues such as the function of contract law contract formation good faith non discrimination specific performance versus damages standard contractual terms and consumer protection in contract law The EIG complements the work of the drafters of the DCFR with insightful and critical assessments based on the well established law and economics literature **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 *Cyclopaedia of Political Science, Political Economy, and of the Political History of the United States* John Joseph Lalor, 1889 **Reasonableness and Risk** Gregory C. Keating, 2022 The law of torts is concerned with what we owe to one another in the way of obligations not to interfere with or impair each other's urgent interests as we go about our lives in civil society This book argues that tort law addresses a domain of basic justice and that its rhetoric of reasonableness implies a distinctive morality of mutual right and responsibility *The Albany Law Journal*, 1879 *Digital Economy: Complexity and Variety vs. Rationality* Elena G. Popkova, Bruno S. Sergi, 2019-09-14 This proceedings book features selected papers from the 9th National Scientific and Practical Conference Digital Economy Complexity and Variety Vs Rationality which took place on April 17-18 2019 in Vladimir Russian Federation It presents the latest research in the field of the digital economy discussing its role in the creation of advantages for the state entrepreneurship and society as well as the emergence of new economic risks The

chapters address the following topics the importance of economy s digital modernization tools for the formation of the digital economy in Russia specific features and perspectives of digital modernization of the regional economy an overview of the social consequences of transition to the digital economy financial components of the digital economy legal challenges regarding the digital reality for society and state and the main challenges and threats to the profession of jurisprudence in the context of the digitization of the economy Intended for representatives of the academic community and researchers interested in the formation of the digital economy and digital society as well as undergraduates postgraduates and masters of economic specialties the book is also a valuable resource for companies that use or wishing to implement digital technologies into their economic practices and public and government employees involved with monitoring control and regulation of the digital economy     *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     **Albany Law Journal** ,1879     Country Reports on Economic Policy and Trade Practices United States. Congress. House. Committee on Ways and Means,1999

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