

ECONOMIC ANALYSIS OF CONTRACT LAW, ANTITRUST LAW, AND SAFETY REGULATIONS

Edited by
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LAW AND ECONOMICS



Economic Analysis Of Contract Law Antitrust Law And Safety Regulations

Richard A. Posner



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Economic Analysis of Contract Law, Antitrust Law, and Safety Regulations Jenny Bourne Wahl, 1998 First published in 1999 Routledge is an imprint of Taylor Francis an informa company **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

Index to Legal Periodicals & Books , 2006 *Consumer Theories of Harm* Paolo Siciliani, Christine Riefa, Harriet Gamper, 2019-09-19 It has long been thought that fairness in European Consumer Law would be achieved by relying on information as a remedy and expecting the average consumer to keep businesses in check by voting with their feet This monograph argues that the way consumer law operates today promises a lot but does not deliver enough It struggles to avoid harm being caused to consumers and it struggles to repair the harm after the event To achieve fairness solutions need to be found elsewhere Consumer Theories of Harm offers an alternative model to assess where and how consumer detriment may occur and solutions to prevent it It shows that a more confident use of economic theory will allow practitioners to demonstrate how a poor standard of professional diligence lies at the heart of consumer harm The book provides both theoretical and practical examples of how to combine existing law with economic theory to improve case outcomes The book shows how public enforcers can move beyond the dominant transparency paradigm to an approach where firms have a positive duty to treat consumers fairly and shape their commercial offers in a way that prevents consumers from making mistakes Over time this fairness by design approach will emerge as the only acceptable way to compete **The**

Mechanisms of Governance Oliver E. Williamson, 1999 This text studies transaction cost economics influential in economic thought on how institutions work Whereas orthodox economics describes the firm in technological terms as a production function transaction cost economics describes it in organizational terms as a governance structure *Civil Litigation in a Globalising World* X.E. Kramer, C.H. van Rhee, 2012-02-01 Globalization of legal traffic and the inherent necessity of having to litigate in foreign courts or to enforce judgments in other countries considerably complicate civil proceedings due to great differences in civil procedure This may consequently jeopardize access to justice This triggers the debate on the need for harmonization of civil procedure In recent years this debate has gained in importance because of new legislative and practical developments both at the European and the global level This book discusses the globalization and harmonization of civil procedure from the angles of legal history law and economics and European policy Attention is paid to the interaction with private law and private international law and European and global projects that aim at the harmonization of civil procedure or providing guidelines for fair and efficient adjudication It further includes contributions that focus on

globalization and harmonization of civil procedure from the viewpoint of eight different jurisdictions This book is an unique combination of theory and practice and valuable for academic researchers in the area of civil procedure private international law international law as well as policy makers national and EU lawyers judges and bailiffs **Frontiers of Legal Theory** Richard A. Posner, 2004-03 The most exciting development in legal thinking since World War II has been the growth of interdisciplinary legal studies Judge Richard Posner has been a leader in this movement and his new book explores its rapidly expanding frontier The Oxford Handbook of Regulation Robert Baldwin, Martin Cave, Martin Lodge, 2012-07-19 Regulation is often thought of as an activity that restricts behaviour and prevents the occurrence of certain undesirable activities but the influence of regulation can also be enabling or facilitative as when a market could potentially be chaotic if uncontrolled This Handbook provides a clear and authoritative discussion of the major trends and issues in regulation over the last thirty years together with an outline of prospective developments It brings together contributions from leading scholars from a range of disciplines and countries Each chapter offers a broad overview of key current issues and provides an analysis of different perspectives on those issues Experiences in different jurisdictions and insights from various disciplines are drawn upon and particular attention is paid to the challenges that are encountered when specific approaches are applied in practice Contributors develop their own distinctive arguments relating to the central issues in regulation and apply scholarly rigour and clear writing to matters of high policy relevance The essays are original accessible and agenda setting and the Handbook will be essential reading both to students and researchers and to with regulatory and regulated professionals The Economic Analysis of Civil Law Schäfer, Hans-Bernd, Ott, Claus, 2022-01-25 This comprehensive textbook provides a thorough guide to the economic analysis of law with a particular focus on civil law systems It encapsulates a structured analysis and nuanced evaluation of norms and legal policies using the tools of economic theory **Overview and Economic Analysis of Property and Criminal Law** Jenny Bourne Wahl, 1998 First published in 1999 Routledge is an imprint of Taylor Francis an informa company **The Law and Economics of Enforcing European Consumer Law** Franziska Weber, 2016-03-03 In the internet age the need for effective consumer law enforcement has arguably never been greater This timely book is a comparative law and economic analysis of the changing landscape of EU consumer law enforcement policy EU member states are moving away from purely public or private law enforcement and now appear to be moving towards a more mixed approach not least due to European legislation This book reflects on the need for and creation of efficient enforcement designs It examines the various economic factors according to which the efficiency of different enforcement mechanisms can be assessed Hypothetical case scenarios within package travel and misleading advertising dealing with substantial individual harm and trifling and widespread harm are used to illustrate various consumer law problems Design suggestions on how to optimally mix enforcement mechanisms for these case scenarios are developed The findings are then used as a benchmark to assess real life situations in countries with different enforcement traditions the Netherlands Sweden and England The book is

of value to both researchers and policy makers working in the area of consumer protection

Cumulated Index to the Books, 1999

Competition Law and Consumer Protection Katalin Judit Cseres, 2005-01-01 The assumption that competition law and consumer protection are mutually reinforcing is rarely challenged The theory seems uncontroversial However because a positive interaction between the two is presumed to be self evident the frequent conflicts that do in fact arise are often dealt with on an ad hoc basis with no overarching legal authority There is a clear need for a detailed and coherent understanding of exactly where the complements and tensions between the two policy areas exist Dr Cseres in depth analysis provides that understanding Proceeding from the dual perspective of law and economics that is of justice fairness and reasonableness on the one hand and of efficiency of the other she fully considers such underlying issues as the following the role of competition law and consumer law in a free market economy the notion of consumer welfare the effect of the modernisation of EC competition law for consumers economics theories of information bounded rationality and transaction costs the special significance of vertical agreements and merger control and how consumers are affected by information asymmetries The ultimate focus of the book is on current and emerging EC law in which a rapprochement between the two areas seems to be under way Dr Cseres provides a knowledgeable guide to the various strands of theory policy and jurisprudence that she shows ought to be taken into account in the process including schools of thought and law and policy experience in both Europe and the United States A special chapter on Hungary where post 1989 law and practice reveal a fresh and distinctly forward looking understanding of the matter is one of the book s most extraordinary features Competition Law and Consumer Protection stands alone as a committed contribution to bridging a gap in legal knowledge the significance of which grows daily It will be of immeasurable value to a wide range of professionals from academics and researchers to officials policymakers and practitioners in competition law consumer protection advocacy economic theory and planning business administration and various pertinent government authorities

Searching the Law, 3d Edition Frank Bae, Edward Bander, Francis Doyle, Joel Fishman, Paul Richert, 2021-12-13

The Foundations of European Private Law Roger Brownsword, Hans-W Micklitz, Leone Niglia, Stephen Weatherill, 2011-09-19 There remains an urgent need for a deeper discussion of the theoretical political and federal dimensions of the European codification project While much valuable work has already been undertaken the chapters in this volume take as their starting point the proposition that further reflection and critical thought will enhance the quality and efficacy of the on going work of the various codification bodies The volume contains chapters by representatives of the Common Frame of Reference the Study Group and the Acquis Group as well as by those who have not been involved in particular projects but who have previously commented more distantly on their work for instance those belonging to the Trento Group and the Social Justice Group The chapters between them represent the most comprehensive attempt so far to survey the state of the codification project its theoretical political and federal foundations and the future prospects for enforcement and compliance

Protecting EU Consumers in Internet of Things

Ecosystems Christof Koolen, 2025-10-21 The number of devices being connected to the internet is growing rapidly This trend referred to as the Internet of Things IoT reflects the gradual transformation of everyday objects into smart devices These smart devices are capable of collecting data from their surroundings and sharing that data over the internet As a result the development of the IoT raises extensive legal questions from a consumer protection perspective First the functionality of smart devices challenges consumer autonomy and the average consumer's ability to make well informed transactional decisions Second concerns remain about consumer choice as consumers can't easily switch due to interoperability limitations Third consumer privacy is threatened by the data driven nature of the IoT Protecting EU Consumers in Internet of Things Ecosystems explores solutions to these challenges by critically analyzing the interplay between EU consumer law EU competition law and EU data privacy law aiming to balance innovation and consumer protection in IoT ecosystems At a time when society must question how the benefits of IoT can be harnessed for the greater good rather than posing a threat to consumers businesses and governments this volume offers valuable insights for academics policymakers businesses and anyone interested in understanding the impact of technology on our daily lives *Competition and Regulation in Shipping and Shipping Related Industries* Antonis Antapassis, Lia Athanassiou, Erik Rosaeg, 2009-05-06 Maritime competition as an economic phenomenon is currently influenced by a number of factors both at EU and international level From a legislative point of view the recent repeal of EC Reg 4056/1986 affects the treatment of horizontal agreements not only in the liner but also in the bulk sector which was excluded until recently from the scope of EC secondary competition rules However competition distortions are not only a question of private arrangements They emanate also from measures and practices incompatible with the freedom to provide services Member states protectionism and international mandatory regulation This volume comparatively and comprehensively examines all these issues by bringing together contributions from distinguished academics Particular focus is given on private shipping cartels the liberalization of cabotage and port services indirect competition distorting factors and the latest developments on international regulation of carriage of goods by sea Market Drive and Governance Ralf Boscheck, 2001-12-13 Corporate moves towards focused production and outsourcing governmental reforms involving privatization and deregulation and the globalization of trade and investments promise large efficiency gains However the necessary coordination mechanisms call for regulatory approval and policy guidelines to safeguard these undertakings against abuse which **Current Publications in Legal and Related Fields**, 1998 The Politics of Systematization in EU Product Safety Regulation: Market, State, Collectivity, and Integration Kai Purnhagen, 2013-06-26 This book examines the increasing role of the legal method of systematisation in European Union EU law It argues that the legal method of systematisation that has been developed in a welfare state context is increasingly used as a regulative tool to functionally integrate the market The book uses the example of EU product regulation as a reference to illustrate the impact of systematisation on EU law It draws conclusions from this phenomenon and redefines the current

place and origin of systematisation in the EU legal system It puts forward and demonstrates two main arguments First in certain sectors such as in EU product safety law the quality of EU law changes from a sector specific and reactive field of law to an increasingly coherent legal system at European level Therefore instead of punctual market intervention it increasingly governs whole market areas By doing so it challenges and often fully replaces the respective welfare based legal systems in the Member States for the benefit of the ideal of a market driven EU legal system Second at European level the ideal is in development This illustrates the change of the function of Statecraft from nation states to market states

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