

Posner Economic Analysis Of Law Little Brown

'A creative, informative, and highly readable narrative... The book consists of four sections dealing in turn with (1) the law and economics of antitrust policy; (2) the problem of collusion; (3) the question of exclusionary practices; and (4) the difficulties of enforcement... This is a provocative work that judiciously raises pertinent questions about our antitrust policy.'--Robert J. Steamer, *Perspective*

The Oxford Handbook of Criminal Law reflects the continued transformation of criminal law into a global discipline, providing scholars with a comprehensive international resource, a common point of entry into cutting edge contemporary research and a snapshot of the state and scope of the field. To this end, the Handbook takes a broad approach to its subject matter, disciplinarily, geographically, and systematically. Its contributors include current and future research leaders representing a variety of legal systems, methodologies, areas of expertise, and research agendas. The Handbook is divided into four parts: Approaches & Methods (I), Systems & Methods (II), Aspects & Issues (III), and Contexts & Comparisons (IV). Part I includes essays exploring various methodological approaches to criminal law (such as criminology, feminist studies, and history). Part II provides an overview of systems or models of criminal law, laying the foundation for further inquiry into specific conceptions of criminal law as well as for comparative analysis (such as Islamic, Marxist, and military law). Part III covers the three aspects of the penal process: the definition of norms and principles of liability (substantive criminal law), along with a less detailed treatment of the imposition of norms (criminal procedure) and the infliction of sanctions (prison or corrections law). Contributors consider the basic topics traditionally addressed in scholarship on the general and special parts of the substantive criminal law (such as jurisdiction, mens rea, justifications, and excuses). Part IV places criminal law in context, both domestically and transnationally, by exploring the contrasts between criminal law and other species of law and state power and by investigating criminal law's place in the projects of comparative law, transnational, and international law.

In this book Steven Shavell provides an in-depth analysis and synthesis of the economic approach to the building blocks of our legal system, namely, property law, tort law, contract law, and criminal law. He also examines the litigation process as well as welfare economics and morality. Aimed at a broad audience, this book requires neither a legal background nor technical economics or mathematics to understand it. Because of its breadth, analytical clarity, and general accessibility, it is likely to serve as a definitive work in the economic analysis of law.

Economic Analysis of Law, Eighth Edition, written by the pioneer in law and economics analysis, Richard A. Posner, remains the classic text in its field. This lucid, comprehensive casebook covers every aspect of the economic analysis of the law, including the common law, public regulation of the market, business organizations and financial markets, the distribution of income and wealth, the legal process, and the Constitution and the Federal system. The Eighth Edition has been substantially revised to take into account current events, including the continuing economic crisis, the re-emerging field of organization economics, and recent work by the author and others on judicial behavior. The this preeminent casebook continues to offer Coverage of the legal-economic perspective on all key areas, from common law to the constitution. Accessible, lucid, and user-friendly writing and organization! Non-quantitative approach does not assume or require prior knowledge of economics or mathematics Part and chapter organization are based on legal, not economic, concepts End-of-chapter sections reinforce and extend learning with problems and suggested further readings. The Eighth Edition has been updated and revised to reflect current economic realities: The continuing economic crisis, which began in September 2008, has led to a reexamination of some of the tenets of economics manifested in previous editions. These changes are found primarily in the following chapters: Chapter 1, The Nature of Economic Reasoning Chapter 13, The Choice Between Regulation and Common Law Chapter 14, Corporations, Secured and Unsecured Financing, Bankruptcy Chapter 15, Financial Markets In Chapter 14, Corporations, Secured and Unsecured Financing, Bankruptcy, changes have been incorporated based on the re-emerging field of organization economics. Substantial changes to reflect recent work by the author and others on judicial behavior are evident in Chapter 19, The Market, the Adversary System, and the Legislative Process as Methods of Resource Allocation. Significant changes have also been made in the following chapters: Chapter 3, Property Chapter 4, Contract Rights and Remedies Chapter 17, Taxation Chapter 21, Civil and Criminal Procedure

Posner, Hayek & the Economic Analysis of Law

The Economics of Justice

Legal, Economic, and Philosophical Perspectives

Economic Analysis of Law as Described by Ronald Dworkin and Richard A. Posner

The book is divided into two parts. The first contains more traditional law and economics articles, covering a range of conventional legal topics. This part, it is hoped, will give the novice a flavour of the state of the field and the traditional methods of analysis. The second part attempts to introduce new methodological techniques and subject-matter concerns to law and economics.

Written by a lawyer and an economist, this is the first full-length economic study of tort law—the body of law that governs liability for accidents and for intentional wrongs such as battery and defamation. Landes and Posner propose that tort law is best understood as a system for achieving an efficient allocation of resources to safety—that, on the whole, rules and doctrines of tort law encourage the optimal investment in safety by potential injurers and potential victims. The book contains both a comprehensive description of the major doctrines of tort law and a series of formal economic models used to explore the economic properties of these doctrines. All the formal models are translated into simple commonsense terms so that the “math less” reader can follow the text without difficulty. Legal jargon is also avoided, for the sake of economists and other readers not trained in the law. Although the primary focus is on explaining existing doctrines rather than on exploring their implementation by juries, insurance adjusters, and other “real world” actors, the book has obvious pertinence to the ongoing controversies over damage awards, insurance rates and availability, and reform of tort law in fact it is an essential prerequisite to sound reform. Among other timely topics, the authors discuss punitive damage awards in products liability cases, the evolution of products liability law, and the problem of liability for “mass disaster” torts, such as might be produced by a nuclear accident. More generally, this book is an important contribution to the “law and economics” movement, the most exciting and controversial development in modern legal education and scholarship, and will become an obligatory reference for all who are concerned with the study of tort law.

Distinguished by brevity, lucid writing, and well-chosen examples, *An Introduction to Law and Economics*, now in its Fifth Edition, focuses on a set of core topics that include property, contracts, torts, criminal law, and litigation. Avoiding specialized jargon and mathematics, Polinsky teaches students how to think like an economist and understand legal issues from an economic perspective. New to the Fifth Edition: A streamlining of the products liability chapter A revised discussion of the redistributive effects of legal rules to reflect more recent scholarship on this topic The addition of several other refinements in the text and in new footnotes An updated bibliography Professors and students will benefit from: Solid coverage of relevant economic principles A normative approach that illustrates how to assess legal rules and policies in terms of economic and social goals Clear explanations of concepts This is a history—though, intentionally, a brief history—of the rise of law and economics as a field of thought in the U.S. college and law school academy, though the field has expanded to Europe and South America and will expand further as other legal systems develop. This book explains the origins of the field and the sources of its growth during its formative period. It describes the intellectual roots of the field, and the field's relationship to the understanding of the role of the legal system in directing the functioning of the economy. It describes the effect of the Great Depression and the expansion of governmental power on advancing the functional approach. The book then addresses the work of Aaron Director, during the late 1950s, on focusing economic analysis as a means of understanding the effects of the legal and regulatory system on the allocation of resources in the society. Then it turns to the subsequent intellectual founders of the field—Ronald Coase, Guido Calabresi, and Richard Posner—and attempts to explain the significance of their work. It also discusses the efforts of Robert Bork and Henry Manne toward the influence of law and economics on public policy. The book ends with the founding of the American Law and Economics Association in 1991. This is an essential companion to law and economics texts for undergraduate law and economic students and, especially, a general supplement to first-year casebooks for law school students.

An Evaluation of the Merits of the Economic Analysis of Law Based on Comparative Analysis of the Theories of Richard Posner and Ronald Dworkin

Law and Literature

Selected Readings

Essays in Reform and Recollection

Antitrust Law, Second Edition

The author of more than 50 books and 150 articles, Richard Posner is one of the most cited legal scholars of the 20th century. His sometimes controversial views are incredibly complex, but are unified by the use of economics to analyze law and legal phenomena. This book offers an innovative and highly original guide to Posner's economic analysis of law. Rather than using a traditional structure, this volume guides the reader through Posner(tm)s ideas via a series of key themes. Each chapter includes an original introduction written by Alain Marciano and S references to complete the presentation of Posner's ideas. Themes covered include 9/11, CIA, Altruism, Behavioral law and economics, Capitalism, Coase, Ronald, Common law, Crisis, Darwin, Efficiency, Judicial decision making, Justice, Law and Economics, Liberalism (conservatism), Markets, Morals (law and), Pragmatism, Precedent, Public intellectuals, Rationality, and Wealth, to name just a few. In order to provide an overview of Posner's activities since the end of the 1960s, the book will include scientific articles and book chapters, newspapers, magazines art of Posner and his opinions. In addition, the volume will include critical texts in order to shed light on the alleged limits of Posner's analyses and how he faced these criticisms. This guidebook will be essential reading for all those working at the intersection of law and economics.

Exchange of goods and ideas among nations, cross-border pollution, global warming, and international crime pose formidable questions for international law. Two respected scholars provide an intellectual framework for assessing these problems from a rational choice perspective and describe conditions under which international law succeeds or fails.

The Law and Economics approach to law dominates the intellectual discussion of nearly every doctrinal area of law in the United States and its influence is growing steadily throughout Europe, Asia, and South America. Numerous academics and practitioners are working in the field with a flow of uninterrupted scholarship that is unprecedented, as is its influence on the law. Academically every major law school in the United States has a Law and Economics program and the emergence of similar programs on other continents continues to accelerate. Despite its social scientists, even economists since the late 1970s. While the critique did not seem to impede the development of the field, it certainly has helped it to become more sophisticated, inclusive, and mature. In this volume some of the leading scholars working in the field, as well as a number of those critical of Law and Economics, discuss the foundational issues from various perspectives: philosophical, moral, epistemological, methodological, psychological, political, legal, and social. The philosophical and methodological assumptions of the economic analysis of law are ideal for a main or supplementary textbook in courses and seminars on legal theory, philosophy of law, jurisprudence, and (of course) Law and Economics.

The Encyclopedia provides a detailed and comprehensive account of the subject known as public choice. However, the title would not convey suf- ciently the breadth of the Encyclopedia's contents which can be summarized better as the fruitful interchange of economics, political science and moral philosophy on the basis of an image of man as a purposive and responsible actor who pursues his own objectives as efficiently as possible. This fruitful interchange between the fields outlined above existed during the late eighteenth century during the brief period of the enlightenment. In the nineteenth century, as intellectual specialization gradually replaced broad-based scholarship from the m- nineteenth century onwards, it became increasingly rare to find a scholar making major contributions to more than one. Once Alfred Marshall defined economics in neoclassical terms, as a n- row positive discipline, the link between economics, political science and moral philosophy was all but severed and economists redefined their role into that of 'the humble dentist' providing technical economic information as inputs to improve the performance of the firm.

This indeed was the dominant view within an economics profession that had become besotted by the economics of John Maynard Keynes and Paul Samuelson immediately following the end of the Second World War.

The Encyclopedia of Public Choice

The Oxford Handbook of Criminal Law

The Making of Economic Theory

Frontiers of Legal Theory

The Economic Structure of Tort Law

When it was first published a quarter of a century ago, Richard Posner's exposition and defense of an economic approach to antitrust law was a jeremiad against the intellectual disarray that then characterized the field. As other perspectives on antitrust law have fallen away, Posner's book has played a major role in transforming the field of antitrust law into a body of economically rational principles largely in accord with the ideas set forth in the first edition. Today's antitrust professionals may disagree on specific practices and rules, but most litigators, prosecutors, judges, and scholars agree that the primary goal of antitrust laws should be to promote economic welfare, and that an economic theory should be used to determine how well business practices conform to that goal. In this thoroughly revised edition, Posner explains the economic approach to new generations of lawyers and students. He updates and amplifies his approach as it applies to the developments, both legal and economic, in the antitrust field since 1976. The "new economy," for example, has presented a host of difficult antitrust questions, and in an entirely new chapter, Posner explains how the economic approach can be applied to new industries such as software manufacturers, Internet service providers, and those that provide communications equipment and services. "The antitrust laws are here to stay," Posner writes, "and the practical question is how to administer them better—more rationally, more accurately, more expeditiously, more efficiently." This fully revised classic will continue to be the standard work in the field.

This book takes a fresh look at the most dynamic area of American law today, comprising the fields of copyright, patent, trademark, trade secrecy, publicity rights, and misappropriation. Topics range from copyright in private letters to defensive patenting of business methods, from moral rights in the visual arts to the banking of trademarks, from the impact of the court of patent appeals to the management of Mickey Mouse. The history and political science of intellectual property law, the challenge of digitization, the many statutes and judge-made doctrines, and the interplay with antitrust principles are all examined. The treatment is both positive (oriented toward understanding the law as it is) and normative (oriented to the reform of the law). Previous analyses have tended to overlook the paradox that expanding intellectual property rights can effectively reduce the amount of new intellectual property rights by raising the creators' input costs. Those analyses have also failed to integrate the fields of intellectual property law. They have failed as well to integrate intellectual property law with the law of physical property, overlooking the many economic and legal-doctrinal parallels. This book demonstrates the fundamental economic rationality of intellectual property law, but is sympathetic to critics who believe that in recent decades Congress and the courts have gone too far in the creation and protection of intellectual property rights. Table of Contents: Introduction 1. The Economic Theory of Property 2. How to Think about Copyright 3. A Formal Model of Copyright 4. Basic Copyright Doctrines 5. Copyright in Unpublished Works 6. Fair Use, Parody, and Burlesque 7. The Economics of Trademark Law 8. The Optimal Duration of Copyrights and Trademarks 9. The Legal Protection of Postmodern Art 10. Moral Rights and the Visual Artists Rights Act 11. The Economics of Patent Law 12. The Patent Court: A Statistical Evaluation 13. The Economics of Trade Secrecy Law 14. Antitrust and Intellectual Property 15. The Political Economy of Intellectual Property Law Conclusion Acknowledgments Index Reviews of this book: Chicago law professor William Landes and his polymath colleague Richard Posner have produced a fascinating new book...[The Economic Structure of Intellectual Property Law] is a broad-ranging analysis of how intellectual property should and does work...Shakespeare's copying from Plutarch, Microsoft's incentives to hide the source code for Windows, and Andy Warhol's rights to copyright a Brillo pad box as art are all analyzed, as is the question of the status of the all-bran cereal called 'All-Bran.' --Nicholas Thompson, New York Sun Reviews of this book: Landes and Posner, each widely respected in the intersection of law and economics, investigate the right mix of protection and use of intellectual property (IP)...This volume provides a broad and coherent approach to the economics and law of IP. The economics is important, understandable, and valuable. --R. A. Miller, Choice Intellectual property is the most important public policy issue that most policymakers don't yet grasp. It is America's most important export, and affects an increasingly wide range of social and economic life. In this extraordinary work, two of America's leading scholars in the law and economics movement test the pretensions of intellectual property law against the rationality of economics. Their conclusions will surprise advocates from both sides of this increasingly contentious debate. Their analysis will help move the debate beyond the simplistic ideas that now tend to dominate. --Lawrence Lessig, Stanford Law School, author of The Future of Ideas: The Fate of the Commons in a Connected World An image from modern mythology depicts the day that Einstein, pondering a blackboard covered with sophisticated calculations, came to the life-defining discovery: E=mc². Landes and Posner, in the role of that mythological Einstein, reveal at every turn how perceptions of economic efficiency persuade legal doctrine. This is a fascinating and resourceful book. Every page reveals fresh, provocative, and surprising insights into the forces that shape law. --Pierre N. Leval, Judge, U.S. Court of Appeals, Second Circuit The most important book ever written on intellectual property. --William Patry, former copyright counsel to the U.S. House of Representatives, Judiciary Committee Given the immense and growing importance of intellectual property to modern economies, this book should be welcomed, even devoured, by readers who want to understand how the legal system affects the development, protection, use, and profitability of this peculiar form of property. The book is the first to view the whole landscape of the law of intellectual property from a functionalist (economic) perspective. Its examination of the principles and doctrines of patent law, copyright law, trade secret law, and trademark law is unique in scope, highly accessible, and altogether greatly rewarding. --Steven Shavell, Harvard Law School, author of Foundations of Economic Analysis of Law

Posner uses economic analysis to probe justice and efficiency, primitive law, privacy, and the constitutional regulation of racial discrimination.

Law and Literature presents an authoritative, fresh and accessible new overview of the many ways in which law and literature interact. Written by a team of international experts, it provides a multi-focused history of literary studies' critical interest in ideas of law and justice. It examines the effects of law on writers and their work, ranging from classical tragedy to comics, and from East Africa to Elizabethan England. Over twenty chapters, contributors reveal the intricate and multivalent historical interactions between law and literature, both past and present, and trace the intellectual genesis of the concept of law in literary studies, focusing on major developments in the history of the interdisciplinary project of law and literature, as well as the changing ideas of law, and the cultural contests in which it has figured. Law and Literature will appeal to graduates and scholars working on the intersection between law and literature and in key related areas such as literature and human rights.

Adam Smith and the Philosophy of Law and Economics

Law, Economics, and Morality

The Future of Law and Economics

Economic Analysis as a Potentially Defective Product

Behavioral Law and Economics

Adam Smith and the Philosophy of Law and Economics is a unique book. Malloy and Evensky bring together a team of international and interdisciplinary scholars to address the work of Adam Smith as it relates to law and economics. In addition to their own contributions, the book includes works by Dr. John W. Cairns of the University of Edinburgh, Dr. J. Ralph Lindgren of Lehigh University, Professor Kenneth A.B. Mackinnon of the University of Waikato, and the Honorable Richard A. Posner of the United States Circuit Court of Appeals. Together these authors bring expertise from the areas of law, philosophy, history, economics, and law and economics to a new study of Adam Smith and his work. Part One of the book presents new and important observations on Smith's views on community, ethics, the court system, criminal law, and delictual or tort law liability. In this part of the book Smith's work is also examined from the perspective of his use as persuasive authority in the works of modern legal economists. In Part Two the 'living Smith' is explored by way of a debate between two major contributors in the field of law and economics. The debate and its analysis create a unique and contemporary opportunity to study Smith as a foundational source in the midst of a current academic and social policy dispute. The understanding of Adam Smith that emerges from this book is new and complex. It will challenge the one-dimensional portrayals of Smith as a promoter of self-interest and it will correct many of the misinterpretations of Smith that are currently fashionable in the worlds of law and economics and the philosophy of law.

This comprehensive text covers every aspect of economic analysis of the law, from common law to the Constitution.

In a concise, compelling argument, one of the founders and most influential advocates of the law and economics movement divides the subject into two separate areas, which he identifies with Jeremy Bentham and John Stuart Mill. The first, Benthamite, strain, "economic analysis of law," examines the legal system in the light of economic theory and shows how economics might render law more effective. The second strain, law and economics, gives equal status to law, and explores how the more realistic, less theoretical discipline of law can lead to improvements in economic theory. It is the latter approach that Judge Calabresi advocates, in a series of eloquent, thoughtful essays that will appeal to students and scholars alike.

This work examines the possibility of combining economic methodology and deontological morality through explicit and direct incorporation of moral constraints into economic models.

Philosophical Issues and Fundamental Questions

Philosophical Foundations of Contract Law

An Intellectual History

Cases and Economic Analysis

Economic Foundations of International Law

This text for students of law and economics concentrates on the progress of scholarship in the field. Concrete applications are emphasized over abstract theory in the book.

Providing students with a solid grounding in the economic analysis of the law, this reader brings together edited versions of diverse and challenging journal articles into a unified collection. Chosen to provoke thought and discussion, these carefully streamlined articles apply economic theories to many aspects of the law, from intellectual property, corporate finance, and contracts to property rights, family law, and criminal law. Provides real-life examples and implications of economic theory. Creates a unified vision of the law, showing the interconnections between the various fields. Covers a broad range of topics, from intellectual property and corporate finance to family and criminal law. Encourages intuitive understanding and applications of the economic principles, due to reduced mathematical content.

Cost-benefit analysis is a widely used governmental evaluation tool, though academics remain skeptical. This volume gathers prominent contributors from law, economics, and philosophy for discussion of cost-benefit analysis, specifically its moral foundations, applications and limitations. This new scholarly debate includes not only economists, but also contributors from philosophy, cognitive psychology, legal studies, and public policy who can further illuminate the justification and moral implications of this method and specify alternative measures. These articles originally appeared in the Journal of Legal Studies. Contributors: - Matthew D. Adler - Gary S. Becker - John Broome - Robert H. Frank - Robert W. Hahn - Lewis A. Kornhauser - Martha C. Nussbaum - Eric A. Posner - Richard A. Posner - Henry S. Richardson - Amartya Sen - Cass R. Sunstein - W. Kip Viscusi

*Economic Analysis of Law*Aspen Publishers

Economic Analysis of the Law

Economics and the Law

Antitrust Law

Foundations of Economic Analysis of Law

An Economic Perspective

Economic analysis of law: an overview -- Behavioral studies -- An overview of behavioral law and economics -- Normative implications -- Behavioral insights and basic features of the law -- Property law -- Contract law -- Consumer contracts -- Tort law -- Commercial law -- Administrative, constitutional, and international law -- Criminal law and enforcement -- Tax law and redistribution -- Litigants' behavior -- Judicial decision-making -- Evidence law

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.

Economic analysis of law is an interesting and challenging attempt to employ the concepts and reasoning methods of modern economic theory so as to gain a deeper understanding of legal problems. According to Richard A. Posner it is the role of the law to encourage market competition and, where the market fails because transaction costs are too high, to simulate the result of competitive markets. This would maximize economic efficiency and social wealth. In this work, the lawyer and economist Klaus Mathis critically appraises Posner's normative justification of the efficiency paradigm from the perspective of the philosophy of law. Posner acknowledges the influences of Adam Smith and Jeremy Bentham, whom he views as the founders of normative economics. He subscribes to Smith's faith in the market as an ideal allocation model, and to Bentham's ethical consequentialism. Finally, aligning himself with John Rawls's contract theory, he seeks to legitimize his concept of wealth maximization with a consensus theory approach. In his interdisciplinary study, the author points out the possibilities as well as the limits of economic analysis of law. It provides a method of analysing the law which, while very helpful, is also rather specific. The efficiency arguments therefore need to be incorporated into a process for resolving value conflicts. In this clearly written work, Klaus Mathis succeeds in making even non-economists more aware of the economic aspects of the law.

Ernst-Joachim Mestmacker reviews Richard Posner's and Friedrich A.von Hayek's legal theories. Both are famous for their contributions to law and economics. They are, however, adversaries in their concepts of law and how it is to be informed by economics. Posner finds the only scientific legal theory in the external (economic) analysis of law. With Friedrich von Hayek the role of rules of conduct and legislation is to be determined by the principles that govern a free and competitive order. There are, contrary to Posner, important contributions from legal scholarship, legal history and comparative law.

Posner V. Hayek on Economic Analysis of Law

Tort Law

Cost-benefit Analysis

The Concept of Law

An Introduction to Law and Economics

By providing readers with a nonrhetical description of the broad contours of each school of thought, Mercurio and Medema convey a strong sense of the important elements of each of these interrelated yet varied traditions.

What does economics have to do with law? Suppose legislators propose that armed robbers receive life imprisonment. Editorial pages applaud them for getting tough on crime. Constitutional lawyers raise the issue of cruel and unusual punishment. Legal philosophers ponder questions of justness. An economist, on the other hand, observes that making the punishment for armed robbery the same as that for murder encourages muggers to kill their victims. This is the cut-to-the-chase quality that makes economics not only applicable to the interpretation of law, but beneficial to its crafting. Drawing on numerous commonsense examples, in addition to his extensive knowledge of Chicago-school economics, David D. Friedman offers a spirited defense of the economic view of law. He clarifies the relationship between law and economics in clear prose that is friendly to students, lawyers, and lay readers without sacrificing the intellectual heft of the ideas presented. Friedman is the ideal spokesman for an approach to law that is controversial not because it overturns the conclusions of traditional legal scholars--it can be used to advocate a surprising variety of political positions, including both sides of such contentious issues as capital punishment--but rather because it alters the very nature of their arguments. For example, rather than viewing landlord-tenant law as a matter of favoring landlords over tenants or tenants over landlords, an economic analysis makes clear that a bad law injures both groups in the long run. And unlike traditional legal doctrines, economics offers a unified approach, one that applies the same fundamental ideas to understand and evaluate legal rules in contract, property, crime, tort, and every other category of law, whether in modern times or other times and places, as well. This book will undoubtedly raise the discourse on the increasingly important topic of the economics of law, giving both supporters and critics of the economic perspective a place to organize their ideas.

In recent years there has been a revival of interest in the philosophical study of contract law. In 1981 Charles Fried claimed that contract law is based on the philosophy of promise and this has generated what is today known as 'the contract and promise debate'. Cutting to the heart of contemporary discussions, this volume brings together leading philosophers, legal theorists, and contract lawyers to debate the philosophical foundations of this area of law. Divided into two parts, the first explores general themes in the contract theory literature, including the philosophy of promising, the nature of contractual obligation, economic interests of contract law, and the relationship between contract law and moral values such as personal autonomy and distributive justice. The second part uses these philosophical ideas to make progress in doctrinal debates, relating for example to contract interpretation, unfair terms, good faith, vitiating factors, and remedies. Together, the essays provide a picture of the current state of research in this revitalized area of law, and pave the way for future study and debate.

This open access book examines from a variety of perspectives the disappearance of moral content and ethical judgment from the models employed in the formulation of modern economic theory, and some of the papers contain important proposals about how moral judgment could be reintroduced in economic theory. The chapters collected in this volume result from the favorable reception of the first volume of the Virtues in Economics series and represent further contributions to the themes set out in that volume: (i) examining the philosophical and methodological fallacies of this turn in modern economic theory that the removal of the moral motivation of economic agents from modern economic theory has entailed; and (ii) proposing a return descriptive economics as the means with which the moral content of economic life could be restored in economic theory. This book is of interest to researchers and students of the methodology of economics, ethics, philosophers concerned with agency and economists who build economic models that rest in the intention of the agent.

Words, Objects and Events in Economics

Searching for the Philosophical Foundations of the Economic Analysis of Law

Law's Order

The Rise of Law and Economics

A Guide to Posner's Economic Analysis of Law