

Comparative Law And Economics

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Comparative law and economics is a positive discipline which - from the standpoint of efficiency - 'deals with the transplants that have been made, why and how they were made, and the lessons to be learned from this' (Watson, 1978b, p 318) Comparative law and economics, on the other hand, may also be considered a practical study which - again from the efficiency point of view - 'deals

Comparative Law and Economics: Borrowing and Resistance

Comparative law and economics: Borrowing and resistance Mattei, Ugo;Monti, Alberto Global Jurist Frontiers; 2001; 1, 2; ProQuest Central pg VII Reproduced with permission of the copyright owner Further reproduction prohibited without permission Reproduced with permission of the copyright owner Further reproduction prohibited without permission Reproduced with permission of the copyright

A Comparative Law and Economics Perspective

Breach in Contract Law, A Comparative Law and Economics Perspective" I realise that the completion of this book would never been possible if I did not have supports and help from many individuals and organizations First, I would like to send my acknowledgement to my supervisors– Prof Michael Faure and Dr Niels Philipsen– and their families– Hui (Michael's wife) and Tony (Michael

A Comparative Law and Economics Analysis of the Proposed ...

A Comparative Law and Economics Analysis of the Proposed German "Model Declaratory Action" JEL Classification: K41 K15 Keywords: model declaratory action, class action, group litigation, opt-in, opt-out Tobias Pollmann Supervisor: Professor Rabeea Assy European Master in Law and Economics II I hereby declare and confirm that this thesis is entirely the result of my own work except where

The Comparative Law and Economics of Judicial Councils

The Comparative Law and Economics of Judicial Councils Nuno Garoupa Tom Ginsburg This Article is brought to you for free and open access by the Law Journals and Related Materials at Berkeley Law

The Comparative Law and Economics of Judicial Councils

For a more comparative perspective, see Josefina Calcaño de Temeltas, Commentary, To Promote and Strengthen Judicial Independence and the Rule of Law in the Hemisphere, 40 ST LOUIS U L J 997 (1996) However, it is safe to say the scho- 2 See generally APPOINTING JUDGES IN AN AGE OF JUDICIAL POWER: CRITICAL PERSPECTIVES FROM AROUND THE WORLD (Kate Malleson & ...

ECONOMIC ANALYSIS AND COMPARATIVE LAW

In this chapter we review the main literature in Comparative Law and Economics We start by looking at micro level where contributions have been made to different areas of the law We then look at macro level where economics has addressed legal families and jurisdictional legal differences 1 Introduction: What is Law and Economics? Law and Economics, or the Economic Analysis of Law

Comparative Law and Economics of Standard-Essential ...

2014] Comparative Law and Economics of SEPs and FRAND Royalties tion that is taking place, at present count, in at least ten countries, 5 concerning rights in patents that are alleged to cover various aspects of smartphone and other mobile telecommunications devices Many, though hardly all, of the patents asserted in the Mobile Devices Patent Wars are SEPs subject to FRAND terms Among the

PROLOGUE THE 'MALAISE OF COMPARATIVE LAW

comparative law as an academic discipline indeed is periodically called into question⁸ In particular, it has been said that comparative law scholarship is bereft of the usual hallmarks of a discipline proper, viz some measure of consensus on analytic premises and overall direction, a somewhat constant and transparent methodology, a pool of problems, designated criteria and parameters with

The new comparative economics

comparative economics, which dates back at least to the discussions of market socialism in the 1930s, studied under what circumstances either the plan or the market delivers greater economic efficiency By the time socialism collapsed in Eastern Europe and the Soviet Union, this question lost much of its appeal Socialism produced misery and inefficiency, not to mention mass murder by

Comparative Law & Economics and the 'Egg Laying Wool Milk Sow'

Comparative Law & Economics and the 'Egg-Laying Wool-Milk Sow' FLORIAN WAGNER-VON PAPP* University College London INTRODUCTION Proponents of a new discipline of 'comparative law and economics' emphasise the complementarity of 'comparative law' and 'law & economics'¹ I share this view to some extent For this contribution, however, I was asked to highlight some of the problems

Centre for Law, Economics and Society

This article draws upon comparative law and development economics literatures to argue that the compatibility of a transplant is shaped by the interplay of institutions through which it is adopted The article also argues that in addition to compatibility, a transplant must enjoy a degree of legitimacy to be effective in the adopting country and the institutions which generate compatibility

Comparative Law in Perspective - DPHU

Comparative law has come to embrace the comparative "contexts" of law in various countries No longer is the emphasis simply on comparing rules and doctrine-sterile verbal exercises of definition and interpretation Application of law to real life, in legal cases, requires understanding of comparative history, culture, society, and economics

COMPARATIVE LAW

COMPARATIVE LAW This innovative, refreshing, and reader-friendly book is aimed at enabling students to familiarise themselves with the challenges and controversies found in comparative law At present there is no book which clearly explains the contemporary debates and methodological innovations found in modern comparative law This book fills that gap in teaching at undergraduate ...

Centre for Law, Economics and Society

Comparative law literature, viewed in the light of development economics, suggests that meaningful enforcement entails, among other things, a productive interaction between the adopted laws and the pre-existing legal systems of the countries In this article, I identify possible interactions between competition laws and pre-existing legal systems in India and Pakistan and compare the

THE FUNCTIONS OF TRUST LAW: COMPARATIVE LEGAL AND ...

Transplants: An Essay in Comparative Law and Economics, 14 Int'l Rev L & Econ 3 (1994) (arguing that efficiency is reason for changes in legal systems, and trend toward adoption of trusts in particular) Imaged with the Permission of NYU Law Review May 1998] NEW YORK UNIVERSITY LAW REVIEW by nontrust jurisdictions of trusts formed in other countries⁴ One reason for this is the

Comparative Constitutional Law in the Courts: Reflections ...

Comparative Constitutional Law in the Courts: Reflections on the Originalists' Objections Jo Eric Khushal Murkens LSE Law, Society and Economy Working Papers 15/2008 London School of Economics and Political Science Law Department This paper can be downloaded without charge from LSE Law, Society and Economy Working

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New Institutional Economics (NIE) and Comparative Law, this innovative interdisciplinary methodology is able to overcome the shortcomings of each of the disciplines taken separately and inject the field of law and economics with new analytical power I propose the development of a Comparative Institutional Law and Economics approach , I argue, enables which subtle legal-economic analysis that is

Shoot-Out Clauses in Partnerships and Close Corporations ...

RAND Journal of Economics 39 (2008), 184 f: "Actually, the buy-sell clause is considered to be such an essential part of partnership agreements, that a lawyer who fails to recommend to his clients one could be accused of malpractice" Shoot-Out Clauses in Partnerships and Close Corporations - An Approach from Comparative Law and Economic Theory - Max Planck Private Law Research Paper No