

Economic Transplants On Lawmaking For Corporation

Yeah, reviewing a book **economic transplants on lawmaking for corporation** could amass your near contacts listings. This is just one of the solutions for you to be successful. As understood, achievement does not suggest that you have astonishing points.

Comprehending as well as arrangement even more than supplementary will have enough money each success. neighboring to, the proclamation as with ease as keenness of this economic transplants on lawmaking for corporation can be taken as capably as picked to act.

A General Jurisprudence of Law and Society Brian Z. Tamanaha 2001 Law is generally understood to be a mirror of society that functions to maintain social order. Focusing on this general understanding, this text conducts a survey of Western legal and social theories about law and its relationship within society.

Economists and Societies Marion Fourcade 2009 'Economists and Societies' explores the role of economists in the modern world. It looks at the extent of their involvement in social programs, the regulatory environment & commerce, & offers analysis of the development of this ubiquitous profession.

Society And Legal Change 2Nd Ed Alan Watson 2010-06-17 A noted scholar tackles dysfunctional law.

Encyclopedia of Law and Economics Jürgen Georg Backhaus 2018-02-15 Law and Economics deals with the economic analysis of legal relations, legal provisions, laws and regulations and is a research field which has a long tradition in economics. It was lost after the expulsion of some of the leading economists from Germany during 1933 to 1938, but then revived in Chicago. Both the subject of Law of Economics and the need for a concise Encyclopedia is particularly relevant in Europe today. Currently in the European Union there are several different legal cultures: the Anglo-Saxon legal framework, the German legal framework, which for example also includes Greece, and the Roman legal family—three jurisdictions which have to be covered with one and the same theory. In the EU, the task of the European Commission to interact with the various European jurisdictions means different legal cultures collaborating and some degree of harmonization is necessary. The result is an immediate need, if only for the science, to show how a given problem is solved in each legal tradition and jurisdiction. This Encyclopedia provides both a common language and precise definitions in the field, which will be useful in the future to avoid misunderstandings during harmonization of EU Law

The Multinational Challenge to Corporation Law Phillip I. Blumberg 1993 Modern multinational corporate groups of incredible complexity conducting world enterprises through numerous subsidiaries have rendered traditional corporation law archaic. The traditional concept of each corporation as a separate legal unit clashes with modern economic realities and frustrates effective regulation when applied to affiliated corporations collectively conducting a common enterprise. In response, there is emerging a law of corporate groups directed at the enterprise rather than its corporate components. As national legal systems begin to apply enterprise law to multinationals, including their foreign companies, the resulting extraterritorial application of national law inevitably leads to international controversy. Resolution of the problems presented by conflicting national regulation of multinational enterprises presents a major challenge to international law and foreign relations law, as well as to corporation law. This volume is a comprehensive review and analysis of these major legal developments and their economic and political implications. It concludes with a pathbreaking analysis of the jurisprudential implications of the changing corporate personality in enterprise law focusing on economic organization rather than on the conceptualized legal entity of yesterday.

Transnational Legal Orders Terence C. Halliday 2015-01-19 "This book offers an empirically grounded theory that reframes the study of law and society from a predominantly national context, which dichotomizes the study of international law and national compliance into a dynamic perspective that places national, international, and transnational lawmaking and practice within a coherent single frame. By presenting and elaborating on a new concept, transnational legal orders it offers an original approach to the emergence of legal orders beyond nation-states. It shows how they originate, where they compete and cooperate, and how they settle on institutions that legally order fundamental economic and social behaviors that transcend national borders. This original theory is applied and developed by distinguished scholars from North America and Europe in business law, regulatory law and human rights"--

Legal Transplants in East Asia and Oceania Vito Breda 2019-06-27 This volume provides a unique overview of methodologies that are conducive to a successful legal transplant in East Asia and Oceania. Each chapter is drafted by a scholar who holds direct professional experience on the legal transplant considered and has a distinctive insight into the pragmatic difficulties related to grafting an alien institution into a legal tradition. The range of transplants includes the implementation of contractual obligations, the regulation of commercial investments and the protection of the environment. The majority of recent legal reforms in these geographical areas have aimed at improving national economic performance and fostering trade and have been directly inspired by European and North American institutional experiences. There is also, however, a tendency to couple economic reforms, aimed at attracting foreign investment, with constitutional reforms that improve the protection of individual rights, the environment and the rule of law.

Economic Transplants Katja Langenbucher 2017-10-31 Offers a comprehensive theory on the risks and benefits of incorporating economic theory in capital markets and corporate lawmaking.

Global Private International Law Horatia Muir Watt, Providing a unique and clearly structured tool, this book presents an authoritative collection of carefully selected global case studies. Some of these are considered global due to their internationally relevant subject matter, whilst others demonstrate the blurring of traditional legal categories in an age of accelerated cross-border movement. The study of the selected cases in their political, cultural, social and economic contexts sheds light on the contemporary transformation of law through its encounter with conflicting forms of normativity and the multiplication of potential fora.

Colonial Copyright Michael D. Birnhack 2012-10-04 When the British Empire enacted copyright law for its colonies and called it colonial, or Imperial, copyright, it had its own interests in mind. Deconstructing the imperial policy regarding copyright offers a startling glimpse into how this law was received in the colonies themselves. Offering the first in-depth study from the point of view of the colonized, this book suggests a general model of Colonial Copyright as it was understood as the intersection of legal transplants, colonial law, and the particular features of copyright, especially authorship. Taking as a case study the story of Mandate Palestine (1917-1948), the book details the untold history of the copyright law that became the basis of Israeli law, and still is the law in the Palestinian Authority. It queries the British motivation in enacting copyright law, traces their first, indifferent reaction, and continues with the gradual absorption into the local legal and cultural systems. In the modern era copyright law is at the forefront of globalization but this was no less true when colonial copyright first emerged. By shining a light on the introduction and reception of copyright law in Mandate Palestine, the book illuminates the broader themes of copyright law: the questions surrounding the concept of authorship; the relationship between copyright and the demands of progress; and the complications of globalization.

Price Setting and Price Regulation in Health Care OECD 2019-06-26 The objectives of this study are to describe experiences in price setting and how pricing has been used to attain better coverage, quality, financial protection, and health outcomes. It builds on newly commissioned case studies and lessons learned in calculating prices, negotiating with providers, and monitoring changes. Recognising that no single model is applicable to all settings, the study aimed to generate best practices and identify areas for future research, particularly in low- and middle-income settings. The report and the case studies were jointly developed by the OECD and the WHO Centre for Health Development in Kobe (Japan).

World Development Report 2017 World Bank Group 2017-01-23 Why are carefully designed, sensible policies too often not adopted or implemented? When they are, why do they often fail to generate development outcomes such as security,

growth, and equity? And why do some bad policies endure? World Development Report 2017: Governance and the Law addresses these fundamental questions, which are at the heart of development. Policy making and policy implementation do not occur in a vacuum. Rather, they take place in complex political and social settings, in which individuals and groups with unequal power interact within changing rules as they pursue conflicting interests. The process of these interactions is what this Report calls governance, and the space in which these interactions take place, the policy arena. The capacity of actors to commit and their willingness to cooperate and coordinate to achieve socially desirable goals are what matter for effectiveness. However, who bargains, who is excluded, and what barriers block entry to the policy arena determine the selection and implementation of policies and, consequently, their impact on development outcomes. Exclusion, capture, and clientelism are manifestations of power asymmetries that lead to failures to achieve security, growth, and equity. The distribution of power in society is partly determined by history. Yet, there is room for positive change. This Report reveals that governance can mitigate, even overcome, power asymmetries to bring about more effective policy interventions that achieve sustainable improvements in security, growth, and equity. This happens by shifting the incentives of those with power, reshaping their preferences in favor of good outcomes, and taking into account the interests of previously excluded participants. These changes can come about through bargains among elites and greater citizen engagement, as well as by international actors supporting rules that strengthen coalitions for reform.

Comparative Law and Economics Ugo Mattei 1997 The book links the study of comparative law with the study of law and economics

Financial Regulation Ester Faia 2015-08-14 The 2007 to 2009 financial crisis resulted in the re-emergence of the debate on financial regulation and its relationships with other macroeconomic policies, particularly monetary policy. In Europe, the financial crisis was followed by the sovereign debt crisis, as the bail-out of the financial sector put strains on public finances in several countries. The sequence of events called for a strengthening of the union, ranging from a common framework for supervisory policy that could minimize the risk of unforeseen bank or country defaults to a common resolution mechanism that could set equal rules across countries and reduce ex-ante mis-incentives to risk-taking and moral hazard. This analysis of the state of and prospects for financial regulation examines the lending and saving behavior of banks and households as well as their borrowing activities in order to understand the conflicting priorities and complicated decisions involved in the development and implementation of financial legislation.

When Altruism Isn't Enough Sally L. Satel 2008 *When Altruism Isn't Enough* explores the key ethical, theoretical, and practical concerns of a government-regulated donor compensation program.

The Architecture of Illegal Markets Jens Beckert 2017-07-26 From illegal drugs, stolen artwork, and forged trademarks, to fraud in financial markets - the

phenomenon of illegality in market exchanges is pervasive. Illegal markets have great economic significance, have relevant social and political consequences, and shape economic and political structures. Despite the importance of illegality in the economy, the field of economic sociology unquestioningly accepts the premise that the institutional structures and exchanges taking place in markets are law-abiding in nature. This volume makes a contribution to changing this. Questions that stand at the centre of the chapters are: What are the interfaces between legal and illegal markets? How do demand and supply in illegal markets interact? What role do criminal organizations play in illegal markets? What is the relationship between illegality and governments? Is illegality a phenomenon central to capitalism? Anchored in economic sociology, this book contributes to the analysis and understanding of market exchanges in conditions of illegality from a perspective that focuses on the social organization of markets. Offering both, theoretical reflections and case studies, the chapters assembled in the volume address the consequences of the illegal production, distribution, and consumption of products for the architecture of markets. It also focuses on the underlying causes and the political and social concerns stemming from the infringement of the law.

Bankrupt Terence Halliday 2009-04-20 Through the lens of the Asian Financial Crisis, this book documents how international organizations and national governments crafted legal responses, through corporate bankruptcy reforms, to the fragility of financial markets in East Asia and worldwide.

The London Stock Exchange Ranald Michie 2001-04-26 In 2001, the London Stock Exchange will be 200 years old, though its origins go back a century before that. This book traces the history of the London Stock Exchange from its beginnings around 1700 to the present day, chronicling the challenges and opportunities it has faced, avoided, or exploited over the years. Throughout, the history seeks to blend an understanding of the London Stock Exchange as an institution with that of the securities market of which it was - and is - such an important component. One cannot be examined satisfactorily without the other. Without a knowledge of both, for example, the causes of the 'Big Bang' of 1986 would forever remain a mystery. However, the history of the London Stock Exchange is not just worthy of study for what it reveals about the interaction between institution and market. Such was the importance of the London Stock Exchange that its rise to world dominance before 1914, its decline thereafter, and its renaissance from the mid-1980s, explain a great deal about Britain's own economic performance and the working of the international economy. For the first time a British economic institution of foremost importance is studied throughout its entire history, with regard to the roles played and the constraints under which it operated, and the results evaluated against the background of world economic progress.

The Code of Capital Katharina Pistor 2020-09-22 "Capital is the defining feature of modern economies, yet most people have no idea where it actually comes from. What is it, exactly, that transforms mere wealth into an asset that automatically creates more wealth? The Code of Capital explains how capital is

created behind closed doors in the offices of private attorneys, and why this little-known fact is one of the biggest reasons for the widening wealth gap between the holders of capital and everybody else. In this revealing book, Katharina Pistor argues that the law selectively "codes" certain assets, endowing them with the capacity to protect and produce private wealth. With the right legal coding, any object, claim, or idea can be turned into capital - and lawyers are the keepers of the code. Pistor describes how they pick and choose among different legal systems and legal devices for the ones that best serve their clients' needs, and how techniques that were first perfected centuries ago to code landholdings as capital are being used today to code stocks, bonds, ideas, and even expectations--assets that exist only in law. A powerful new way of thinking about one of the most pernicious problems of our time, *The Code of Capital* explores the different ways that debt, complex financial products, and other assets are coded to give financial advantage to their holders. This provocative book paints a troubling portrait of the pervasive global nature of the code, the people who shape it, and the governments that enforce it."-- Provided by publisher.

Courts, Regulators, and the Scrutiny of Economic Evidence DESPOINA. MANTZARI 2022-09-16 This book brings together strands of scholarship from law, economics, and political science to explore two key themes: the influence of economic evidence on the discretionary assessments of economic regulators, and the limits of judicial review of economic evidence, supplemented with comparative examination of both UK and US systems.

Economic Transplants Katja Langenbacher 2017 Offers a comprehensive theory on the risks and benefits of incorporating economic theory in capital markets and corporate lawmaking

The World Bank Legal Review Hassane Cisse 2012-12-11 The fourth volume of the World Bank Legal Review contains essays that examine how innovations in law, and efforts to empower the poor, can help achieve development objectives.

The Evolution of Corporate Law in Post-Colonial India Umakanth Varottil 2018 The essential thesis of this paper is that while Indian corporate law began as a legal transplant from England, it has been progressively decoupled from its source with subsequent amendments and reforms being focused either on finding solutions to local problems or borrowing from other jurisdictions. To that extent, decolonization has had a significant effect of radically altering the course of Indian corporate law. Current Indian corporate law not only represents a significant departure from its colonial origins, but the divergence between Indian law and English law as they have developed since independence has been increasing. While the Indian lawmaking process indulged in close cross-referencing of English legal provisions during the colonial period and immediately thereafter, the more contemporary legislative reforms pay scant regard to corporate law in the origin country that initially shaped Indian corporate law. This offers valuable lessons. First, even though India is considered to be part of the "common law" family, corporate law has evolved

somewhat differently from the origin country, England. In that sense, it casts significant doubt on the assumption that all countries within a legal family bear similarities. On the contrary, each host country may follow a trajectory that is different from that followed by the origin country of corporate law. Second, it supports the proposition that legal transplants can be challenging unless the local conditions in the host country are similar to that in the origin country. Variations in economic, social, political and cultural factors may bring about dissonance in the operation of a transplanted legal system. Third, a comparison of the historical colonial experience in the functioning of the transplanted legal system and the more contemporary experience in the post-colonial period suggests fragility in the foundations of the transplant.

The Internal Market As a Legal Concept Jacques Delors Professor of European Law
Stephen Weatherill 2017-01-12 What does the 'internal market' mean? The EU is committed to the construction of an internal market, and in this analysis Stephen Weatherill explains that the EU's internal market is an ambiguous legal concept. One may readily suppose that the United Kingdom possesses an internal market. So does Germany, so does France, so does Australia, and Canada, and the United States of America. The European Union aspires to an internal market, but the detailed patterns governing these several internal markets are not uniform; in fact they vary according to the extent to which the constituent units are permitted to pursue different regulatory policies. They vary according to the scope of law-making competence and powers allocated to the central authority. They vary according to the governing institutional (judicial and political) arrangements. The quality and intensity of the regulated environment varies according to the choices made. There is a broad band of possible internal markets, ranging from one that is radically decentralized as a result of a choice in favour of unrestricted inter-jurisdictional competition to, at the other extreme, one that is radically centralized in the sense that law-making competence has been completely stripped away from the constituent units in favour of the central authority. Within that spectrum there is a huge range of options. In this inquiry into the limits and ambiguities of the internal market as a legal concept, Weatherill examines and explains the choices made by the EU and demonstrates what they entail for the shape of the EU's internal market. This book is not about 'Brexit', but it shows that one of the claims commonly made by Brexiteers - that the internal market can be confined merely to a deregulatory exercise in free market economics - has no support whatsoever in either EU constitutional law or in EU legislative and judicial practice.

The U.S. Reorganization Regime in the Chinese Mirror Simin Gao 2017 In the past decade national law making for regulating commerce has been driven by globalization and the transplantation of foreign laws. The new Chinese Enterprise Bankruptcy Law enacted in 2006 was modeled closely on the U.S. Bankruptcy Code, especially chapter 11, which puts the bargaining game at the center of corporate reorganization. Legal scholarship has not yet comprehensively explored how business law transplants from a market economy like that of the United States to a socialistic market economy like that of China. This article provides an in-depth comparison of the reorganization

bargaining regimes of bankruptcy law in the United States and China, focusing on the socio-legal context in which these regimes operate. The comparison shows how the bargaining game at the core of chapter 11 suffers from obstructed efficiency when transplanted to a Chinese context, an obstruction caused by historical, political, economic, and social factors.

The Cambridge Handbook of Corporate Law, Corporate Governance and Sustainability Beate Sjøfjell 2019-12-12 The emerging field of corporate law, corporate governance and sustainability is one of the most dynamic and significant areas of law and policy in light of the convergence of environmental, social and economic crises that we face as a global society. Understanding the impact of the corporation on society and realizing its potential for contributing to sustainability is vital for the future of humanity. This Handbook comprehensively assesses the state-of-the-art in this field through in-depth discussion of sustainability-related problems, numerous case studies on regulatory responses implemented by jurisdictions around the world, and analyses of predominant strategies and potential drivers of change. This Handbook will be an essential reference for scholars, students, practitioners, policymakers, and general readers interested in how corporate law and governance have exacerbated global society's most pressing challenges, and how reforms to these fields can help us resolve those challenges and achieve sustainability.

Good Corporation, Bad Corporation Guillermo C. Jimenez 2016 "This textbook provides an innovative, internationally oriented approach to the teaching of corporate social responsibility (CSR) and business ethics. Drawing on case studies involving companies and countries around the world, the textbook explores the social, ethical, and business dynamics underlying CSR in such areas as global warming, genetically modified organisms (GMO) in food production, free trade and fair trade, anti-sweatshop and living-wage movements, organic foods and textiles, ethical marketing practices and codes, corporate speech and lobbying, and social enterprise. The book is designed to encourage students and instructors to challenge their own assumptions and prejudices by stimulating a class debate based on each case study"--Provided by publisher.

Company Law in China Jiang Yu Wang 2014-04-25 This accessible book offer a comprehensive and critical introduction to the law on business organizations in the People's Republic of China. The coverage focuses on the 2005-adopted PRC Company Law and the most recent legislative and regulatory develop

Corporate Governance in Context Klaus J. Hopt 2005 Significant increases in regulatory competition have sharpened the comparative awareness of advantages of different national models of political economy, governance and regulation. The most important change in this regard is a shift in governance from state to the market. The transition from corporatist governance to market governance poses a daunting challenge to regulators and academics. This book addresses these challenges in a comparative and interdisciplinary perspective, including

the world's three leading economies and their legal systems: the EU, the U.S., and Japan.

Legal Innovations in Asia John O. Haley 2014-10-31 Expert scholars from around the world offer a history of law in the region while also providing a wider context for present-day Asian law. The contributors share insightful perspectives on comparative law, the role of courts, legal transplants, intelle

Transplanting International Courts Karen J. Alter 2017-04-06 *Transplanting International Courts* provides a deep, systematic investigation of the most active and successful transplant of the European Court of Justice. The Andean Tribunal is effective by any plausible definition of the term, but only in the domain of intellectual property law. Alter and Helfer explain how the Andean Tribunal established its legal authority within and beyond this intellectual property island, and how Andean judges have navigated moments of both transnational political consensus and political contestation over the goals and objectives of regional economic integration. By letting member states set the pace and scope of Andean integration, by condemning unequivocal violations of Andean rules, and by allowing for the coexistence of national legislation and supranational authority, the Tribunal has retained its fidelity to Andean law while building relationships with nationally-based administrative agencies, lawyers, and judges. Yet the Tribunal's circumspect and formalist approach means that, unlike in Europe, Community law is not an engine of integration. The Tribunal's strategy has also limited its influence within the Andean legal system. *Transplanting International Courts* also revisits the authors' path-breaking scholarship on the effectiveness of international adjudication. Alter and Helfer argue that the European Court of Justice benefitted in underappreciated ways from the support of jurist advocacy movements that are absent or poorly organized in the Andes and elsewhere in the world. The Andean Tribunal's longevity despite these and other challenges offers guidance for international courts in other developing country contexts. Moreover, given that the Andean Community has weathered member state withdrawals and threats of exit, major economic and political crises, and the retrenchment of core policies such as the common external tariff, the Andean experience offers timely and important lessons for Europe's international courts.

Corporate Governance and Enforcement Stijn Claessens 2004

Convergence, Divergence Or Lost in Translation to Sino-capitalism Heida Donegan 2019 China has experienced exponential economic growth in the last four decades. Today, it is not simply the world's biggest manufacturing facility, but has also become the second largest economy in the world. Such a phenomenal economic success was not achieved without hiccups and challenges. This was largely due to the fact that China has been pursuing ongoing economic reforms, a large part of which encompasses reforming inefficient or underperforming state-owned enterprises (SOEs), corporatising the SOEs, establishing stock markets for the listing of such corporatised SOEs, as well as regulating the rapid growth of private enterprises. These business changes were not initially

supported by a well-established governance and regulation system due to the fact that China did not have any 'indigenous' laws to regulate its business and corporate growth. Hence, Chinese lawmakers had to 'transplant' corporate laws and governance instruments from developed Western countries. After all, China has come a long way from having no corporate governance system or legislation to the installation of a corporate governance law system that is, to its mind, largely in conformity with international standards and practices. Against such an unusual background, China naturally becomes one of the green fields for the study of legal transfers given its expeditious law-making processes through legal transfers. However, most legal research typically focuses on theoretical models and their quality assessments. Little attention has been given to the analyses of the correlation between China's domestic conditions and the implantation of the corporate governance institutions. This research shows that China's approach to corporate governance 'transplantation' has usually been in form rather than in substance. It also finds that China has been modifying such transplants by infusing and incorporating its own local conditions and characteristics to suit its agenda of sustaining economic growth and in turn the 'one-party' rule. This thesis thus raises the question of whether such phenomenal and yet unsophisticated transplants of corporate governance systems into China actually constitute convergence towards or divergence from the "best" practices of corporate governance systems from the West. Alternatively, this form of transplant may be misunderstood or lost in translation creating a different pathway for economic growth to a specific type of capitalism unique to China - Sino-Capitalism. Focusing on the study of the relevant legal framework and practical operations associated with China's corporate and economic development since its adoption of an 'Open Door Policy' in 1978, this thesis puts the case of China into the 'convergence-or-divergence' debate on corporate governance transplants and develops a theory of Sino-Capitalism which befits the finding that China's *modus operandi vis-à-vis* transplantation of concepts and institutions from the West is indeed in form rather than in substance. This is largely due to inculturation of such transplants with China's own local features and characteristics during the transplantation and implantation process. Contrary to the common misconception of commentators that China has been diverging from the civil law traditions and converging towards the Anglo-American models (albeit in a far from satisfactory manner), this thesis argues that this debate is lost in translation that the transition is to Sino-Capitalism. The dynamic process of corporate governance and economic reform in the last four decades shows that China has not stopped 'finding its own feet' by attempting to develop its own system through conceptualising and absorbing foreign norms and institutions into the Chinese context in order to facilitate a basis or platform for its economic reforms. This thesis also intends to elucidate that the understanding of how legal transplants have worked with China's economic development, which in turn has brought about the emergence of Sino-Capitalism, may be significant beyond China's corporate governance law system as China's constant improvements might provide a beneficial reference point for other economies. The emergence of Sino-Capitalism presents diverse implications for both legal and economic reforms in the transition economies and for the global convergence-or-divergence debate

vis-à-vis corporate governance transplants and reforms. In the transition economies, the interplay between the foreign and local contexts deserves further careful investigation. As for the global convergence-or-divergence debate, a 'one-size-fits-all-or-best-practice' global corporate governance model does give rise to a misunderstanding or is lost in translation to Sino-Capitalism in the case of the world's second largest economy - China.

Colonial Adventures Serge Dauchy 2020-11-05 "Colonial Adventures: Commercial Law and Practice in the Making addresses the question how and to what extent the development of commercial law and practice, from Ancient Greece to the colonial empires of the nineteenth and twentieth centuries, were indebted to colonial expansion and maritime trade. Illustrated by experiences in Ancient Europe, the Americas, Asia, Africa and Australia, the book examines how colonial powers consciously or not reshaped the law in order to foster the prosperity of homeland manufacturers and entrepreneurs or how local authorities and settlers brought the transplanted law in line with the colonial objectives and the local constraints amid shifting economic, commercial and political realities. Contributors are: Alain Clément, Alexander Claver, Oscar Cruz-Barney, Bas De Roo, Paul du Plessis, Bernard Durand, David Gilles, Petra Mahy, David Mirhady, M. C. Mirow, Luigi Nuzzo, Phillip Lipton, Umakanth Varottil, Jakob Zollmann"--

Law & Capitalism Curtis J. Milhaupt 2008-09-15 Recent high-profile corporate scandals—such as those involving Enron in the United States, Yukos in Russia, and Livedoor in Japan—demonstrate challenges to legal regulation of business practices in capitalist economies. Setting forth a new analytic framework for understanding these problems, *Law and Capitalism* examines such contemporary corporate governance crises in six countries, to shed light on the interaction of legal systems and economic change. This provocative book debunks the simplistic view of law's instrumental function for financial market development and economic growth. Using comparative case studies that address the United States, China, Germany, Japan, Korea, and Russia, Curtis J. Milhaupt and Katharina Pistor argue that a disparate blend of legal and nonlegal mechanisms have supported economic growth around the world. Their groundbreaking findings show that law and markets evolve together in a "rolling relationship," and legal systems, including those of the most successful economies, therefore differ significantly in their organizational characteristics. Innovative and insightful, *Law and Capitalism* will change the way lawyers, economists, policy makers, and business leaders think about legal regulation in an increasingly global market for capital and corporate governance.

Good Economics for Hard Times Abhijit V. Banerjee 2019-11-12 The winners of the Nobel Prize show how economics, when done right, can help us solve the thorniest social and political problems of our day. Figuring out how to deal with today's critical economic problems is perhaps the great challenge of our time. Much greater than space travel or perhaps even the next revolutionary medical breakthrough, what is at stake is the whole idea of the good life as we have known it. Immigration and inequality, globalization and technological

disruption, slowing growth and accelerating climate change--these are sources of great anxiety across the world, from New Delhi and Dakar to Paris and Washington, DC. The resources to address these challenges are there--what we lack are ideas that will help us jump the wall of disagreement and distrust that divides us. If we succeed, history will remember our era with gratitude; if we fail, the potential losses are incalculable. In this revolutionary book, renowned MIT economists Abhijit V. Banerjee and Esther Duflo take on this challenge, building on cutting-edge research in economics explained with lucidity and grace. Original, provocative, and urgent, *Good Economics for Hard Times* makes a persuasive case for an intelligent interventionism and a society built on compassion and respect. It is an extraordinary achievement, one that shines a light to help us appreciate and understand our precariously balanced world.

Social Enterprise Law Dana Brakman Reiser 2017-09-05 Social enterprises represent a new kind of venture, dedicated to pursuing profits for owners and benefits for society. *Social Enterprise Law* provides tools that will allow them to raise the capital they need to flourish. *Social Enterprise Law* weaves innovation in contract and corporate governance into powerful protections against insiders sacrificing goals such as environmental sustainability in the pursuit of short-term profits. Creating a stable balance between financial returns and public benefits will allow social entrepreneurs to team up with impact investors that share their vision of a double bottom line. Brakman Reiser and Dean show how novel legal technologies can allow social enterprises to access capital markets, including unconventional sources such as crowdfunding. With its straightforward insights into complex areas of the law, the book shows how a social mission can even be shielded from the turbulence of an acquisition or bankruptcy. It also shows why, as the metrics available to measure the impact of social missions on individuals and communities become more sophisticated, such legal innovations will continue to become more robust. By providing a comprehensive survey of the U.S. laws and a bold vision for how legal institutions across the globe could be reformed, this book offers new insights and approaches to help social enterprises raise the capital they need to flourish. It offers a rich guide for students, entrepreneurs, investors, and practitioners.

Capital Markets Union and Beyond Franklin Allen 2019-12-10 Experts from economics, finance, law, policy, and banking discuss the design and implementation of a future capital market union in Europe. The plan for further development of Europe's economic and monetary union foresees the creation of a capital market union (CMU)—a single market for capital in the entire Eurozone. The need for citizens and firms of all European countries to have access to funding, together with the pressure to improve the efficiency and risk-sharing opportunities of the financial system in general, put the CMU among the top priorities on the Eurozone's agenda. In this volume, leading academics in economics, finance, and law, along with policy makers and practitioners, discuss the design and implementation of a future CMU. Contributors describe the key design challenges of the CMU; specific opportunities and obstacles for

reaching the CMU's goals of increasing the economic well-being of households and the profitability and viability of firms; the role that markets—from the latest fintech developments to traditional equity markets—can play in the future success of CMU; and the institutional framework needed for CMU in the aftermath of the global recession. Contributors Sumit Agarwal, Franklin Allen, Valentina Allotti, Gene Amromin, John Armour, Geert Bekaert, Itzhak Ben-David, Marcello Bianchi, Lorenzo Bini-Smaghi, Claudio Borio, Franziska Bremus, Marina Brogi, Claudia M. Buch, Giacomo Calzolari, Souphala Chomsisengphet, Luca Enriques, Douglas D. Evanoff, Ester Faia, Eilis Ferran, Jeffrey N. Gordon, Michael Haliassos, Campbell R. Harvey, Kathryn Judge, Suzanne Kalss, Valentina Lagasio, Katya Langenbucher, Christian T. Lundblad, Massimo Marchesi, Alexander Michaelides, Stefano Micossi, Emanuel Moench, Mario Nava, Giorgio Barba Navaretti, Giovanna Nicodano, Gianmarco Ottaviano, Marco Pagano, Monica Paiella, Lubos Pastor, Alain Pietrancosta, Richard Portes, Alberto Franco Pozzolo, Stephan Siegel, Wolfe-Georg Ringe, Diego Valiante

The Law and Economics of Class Actions in Europe Jürgen G. Backhaus 2012-01-01
'The Law and Economics of Class Actions in Europe marshals an impressive array of expertise from both sides of the Atlantic to illuminate the debate over class action litigation. This volume is a valuable addition to the literature on class actions in both the US and Europe.' – Jennifer Arlen, New York University, School of Law, US
'The availability and performance of class actions is a fundamental question being addressed in many legal systems. Class actions offer a rare opportunity for individuals with small losses to obtain redress against large companies and may provide important incentives to comply with the law. Effective class actions that provide these benefits exist in few countries. This book assembles leading scholars from around the world to provide important new insights into the theory and practice of this important legal procedure.' – Theodore Eisenberg, Cornell University, US
This well-documented book discusses the power and limitations of class actions with insights and analysis from a panel of distinguished scholars. It pays special attention to the introduction and the applicability of such a legal device in European civil law countries. The book offers a broad legal and economic investigation, drawing insights from US judicial experience and giving a rigorous discussion of both the philosophical and constitutional aspects and the economic mechanisms and incentives set up by class actions. The Law and Economics of Class Actions in Europe will be a welcome addition to the bookshelf of all those interested in the function of class action litigation for promoting justice and efficiency. In particular, it will benefit graduate and postgraduate students, researchers and academics in law, economics, and law and economics, policymakers, judges and attorneys.

Liability of Corporate Groups and Networks Christian A. Witting 2018-01-11
What happens when a corporate subsidiary or network company is unable to pay personal injury victims in full? This book sets out to tackle the 'insolvent entity problem', especially as it arises in cases of mass wrongdoing such as those involving asbestos exposure and defective pharmaceuticals. After discussing the nature of corporate groups and networks from the perspectives of

business history, organisation studies, and social theory, the book assesses a range of rules and proposed rules for extending liability for personal injuries beyond insolvent entities. New proposals are put for an exception to the rule of limited liability and for the development of a flexible new tort based on conspiracy that encompasses not only control-based relationships but also horizontal coordination between companies. The book concludes with a general discussion of lessons learned from debates about extended liability and provides guidelines for the development of new liability rules.