

European Master of Law and Economics

2020
First Term

University of Haifa
University of Hamburg

Concepts and Methods of Law & Economics

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1. October 12, 2020

a. Topic: **Introduction. Methodology and Some Fundamental Concepts**

b. Readings:

- HANS-BERND SCHÄFER – CLAUS OTT, *The Economic Analysis of Civil Law*, 2004, pages 3-37
- ALESSIO M. PACCES - LOIS T. VISSCHER, *Methodology of Law and Economics*, 2011, pages 85-107

2. October 19, 2020

a. Topic: **The Coase Theorem**

b. Readings:

- ROBERT COOTER – THOMAS ULEN, *Law & Economics*, Chapter 4, pages 70-94

3. October 27, 2020

a. Topic: **The Coase Theorem *continued***

b. Discussion papers*:

- SCOTT GAILLE, *Allocation of International Petroleum Licenses to National Oil Companies: Insights From The Coase Theorem*, *Energy Law Journal*, vol. 31, 2010, pages 111-124
- MARCO BECHT ET AL, *Loyalty Shares with Tenure Voting – Does the Default Rule Matter? Evidence from the Loi Florange Experiment*, ECGI Working Paper, September 2019

- DANIEL R. FISCHER – DENNIS W. CARLTON, *The Regulation of Insider Trading*, Stanford Law Review, vol. 35, 1982, pages 857-895

4. October 29, 2020

a. Topic: **Property Rules, Liability Rules and Efficient Remedies; Market Failures**

b. Readings:

- ROBERT COOTER – THOMAS ULEN, *Law & Economics*, Chapter 4, pages 94-108

5. November 3, 2020

a. Topic: **Property Rules, Liability Rules and Efficient Remedies; Market Failures continued**

b. Discussion papers*:

- DOTAN OLIAR, *The Copyright-Innovation Tradeoff: Property Rules, Liability Rules, and Intentional Infliction of Harm*, Stanford Law Review, vol. 64, 2012, pages 951-1020

- MICHAEL RUSHTON, *Law and Economics of Artists' Inalienable Rights*, Journal of Cultural Economics, vol. 25, 2001, pages 243-257

- ELISABETH M. LANDES - RICHARD A. POSNER, *The Economics of the Baby Shortage*, Journal of Legal Studies, vol. 7, 1978, pages 323–348

6. November 5, 2020

a. Topic: **Regulation of Markets and Self-Regulation**

b. Discussion papers*:

- LISA BERNSTEIN, *Opting Out of the Legal System: Extralegal Contractual Relations in the Diamond Industry*, Journal of Legal Studies, vol. 21, 1992, pages 115-157

- LISA BERNSTEIN, *Private Commercial Law in the Cotton Industry: Creating Cooperation Through Rules, Norms, and Institutions*, Michigan Law Review, vol. 99, 2001, pages 1724-1790

* *The discussion papers listed above support and strengthen the understanding of the general arguments discussed in the Cooter/Ulen textbook, the other readings and the slides. These papers provide interesting real-world examples of how the key concepts of law and economics discussed in class can be used to analyze the most diverse legal topics, provide a comprehensive explanation of the legal policies in place, and furnish normative guidance. Students are encouraged to read them ahead of class.*

Final, closed-book examination

1. Structure: It will consist of 10 multiple-choice questions and 2 essay-type questions
2. Contents: It will be based on the course program (readings and slides). Please note that specific knowledge of the contents of the discussion papers will not be tested on the exam. But to the extent the reading of the discussion papers provides additional tools to better grasp the general concepts discussed in class, it should facilitate the writing of the exam.
3. Sample exam: It will be provided together with grading guidelines