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University of Chicago Law Review: Volume 81, Number 4 - Fall 2014 University of Chicago Law Review, 2014-12-17 The University of Chicago Law Review's 4th issue of 2014 features articles and essays from recognized legal scholars as well as extensive student research Contents include Articles The Legal Salience of Taxation by Andrew T Hayashi Tax Loss Mechanisms by Jacob Nussim Avraham Tabbach Regulating Systemic Risk in Insurance by Daniel Schwarcz Steven L Schwarcz American Constitutional Exceptionalism Revisited by Mila Versteeg Emily Zackin Comments Bursting the Speech Bubble Toward a More Fitting Perceived Affiliation Standard by Nicholas A Caselli Payments to Not Parent Noncustodial Parents as the Recipients of Child Support by Emma J Cone Roddy Too Small to Fail A New Perspective on Environmental Penalties for Small Businesses by Nicholas S Dufau Understanding Equal Sovereignty by Abigail B Molitor Widespread Uncertainty The Exclusionary Rule in Civil Removal Proceedings by Michael J O'Brien Clogged Conduits A Defendant's Right to Confront His Translated Statements by Casen B Ross Integral Decisionmaking Judicial Interpretation of Pre-dispute Arbitration Agreements Naming the National Arbitration Forum by Daniel A Sito Volume 81 Number 4 also features Review Essays by Lisa Bernstein Avery W Katz and Eyal Zamir analyzing three recent books on contract law and theory

Principles of Contract Law and Theory Larry D. DiMatteo, 2023-12-11 This informative and accessible book reviews the core concepts of contract law and theory from an Anglo American perspective Larry A DiMatteo deftly analyses the key principles rules and frameworks which have shaped Anglo American contract law as well as highlighting important legislative acts that have changed and modernised its development

Contract Theory Stephen A. Smith, 2004-03-25 This book is both an examination of and a contribution to our understanding of the theoretical foundations of the common law of contract Focusing on contemporary debates in contract theory Contract Theory aims to help readers better understand the

nature and justification of the general idea of contractual obligation as well as the nature and justification of the particular rules that make up the law of contract The book is in three parts Part I introduces the idea of contract theory and presents a framework for identifying classifying and evaluating contract theories Part II describes and evaluates the most important general theories of contract examples include promissory theories reliance based theories and economic theories In Part III the theoretical issues raised by the various specific doctrines that make up the law of contract e g offer and acceptance consideration mistake remedies etc are examined in separate chapters The legal focus of the book is the common law of the United Kingdom but the theoretical literature discussed is international in origin the arguments discussed are thus relevant to understanding the law of other common law jurisdictions and in many instances to understanding the law of civil law jurisdictions as well

The True Wealth of Nations Daniel Finn,2010-08-09 The True Wealth of Nations arises from the conviction that implementing a morally adequate vision of the economy will generate sustainable prosperity for all It sets forth the beginnings of an architecture of analysis for relating economic life and Christian faith intellectually and experientially and helps social scientists theologians and all persons of faith to appreciate the true wealth of any nation

Research Methods for Contract Law and Scholarship Yuliya Chernykh,Joshua Karton,2025-09-10 This is an open access title available under the terms of a CC BY NC ND 4 0 License It is free to read download and share on Elgaronline com This timely and comprehensive book reveals the multifaceted nature of modern contract law and practice Providing a broad overview of research methods in contemporary contract law it identifies the various modes of inquiry and argumentative techniques in this dynamic field providing theoretical depth and practical tools for legal scholarship Yuliya Chernykh and Joshua Karton bring together a range of specialists in contract law research to address emerging topics within legal scholarship that work well with a combination of methodological approaches

Comparative Contract Law Pier Giuseppe Monateri,2017-04-28 This comprehensive Handbook offers a thoughtful survey of contract theories issues and cases in order to reassess the field s present vision of contract law It engages a critical search for the fault lines which cross traditions of thought and globalized landscapes Comparative Contract Law is built around four main groups of insights including the genealogies of contractual theoretical thinking the contentious relationship between private governance and normative regulations the competing styles used to stage contract law and the concurring opinions expressed within the domain of other disciplines such as literature and political theory The chapters in the book tease out the tensions between a global context and local frameworks as well as the movable thresholds between canonical expressions and heterodox constructions

Equity, Efficiency, and Ethics in Remedies for Breach of Contract Sergio Mittlaender,2022-12-02 This book analyzes the conflict that emerges between parties after a breach of contract and how different legal remedies can best reduce conflict Causes for conflict include equity efficiency and ethical reasons that parties might consider and use to blame the other or to justify breach In the end if not resolved through apologies or renegotiation conflict leads to

aggrievement and behavioral reactions in form of retaliation by the victim against the promisor in breach The book provides empirical evidence from laboratory experiments for how individuals react to perceived wrongful acts such as breach of contract and for the function of legal remedies to reduce retaliation by disappointed promisees in providing them compensation It reveals how the inequality in the outcome and not the inefficiency of breach of contract causes aggrivement and retaliation by victims The book concludes with a comparative law and economic analysis of remedies for breach of contract adopted in different leading jurisdictions with important normative implications for the American insistence on expectation damages the French expansion of specific performance with astreinte the German junction of specific performance expectation damages and disgorgement damages and the British timid acceptance of partial disgorgement damages The book will appeal to scholars researchers and students of economics and law interested in a better understanding of remedies for breach of contract **Searching the Law, 3d Edition** Frank Bae,Edward Bander,Francis Doyle,Joel Fishman,Paul Richert,2021-12-13

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