The Jurisprudential Foundations of Corporate and Commercial Law

This collection brings together new essays by some of the most prominent scholars currently writing in commercial law theory. The essays address the foundations of efficiency analysis as the dominant theoretical paradigm in contemporary corporate and commercial law scholarship.

Some of the questions addressed in the volume are: What are the historical roots of efficiency analysis in contract, sales, and corporate law? Is moral theory irrelevant to efficiency analysis in these areas? If moral theory is relevant, are morality and efficiency compatible? Even if efficiency is otherwise reasonable as a normative goal in corporate and commercial law, does the complexity of efficiency make it practical to administer in adjudication? What role should custom play in contract interpretation? Do efficiency concerns favor plain meaning or incorporationist methods of contract interpretation? What is the best way of pursuing efficiency in corporate and commercial law?

The volume reflects the most exciting work being done in contemporary legal theory. It will be of interest to professionals and students in law and philosophy of law.

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The Jurisprudential Foundations of Corporate and Commercial Law

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