

Cambridge University Press

0521782147 - Law and Market Economy: Reinterpreting the Values of Law and Economics

- Robin Paul Malloy

Index

[More information](#)

Index

- adoption, 26
- Ahonen, Pertti, 25–26
- amoral, 10
- Arrow's Impossibility Theorem, 101
- authenticity, 160, 163
- authority, 4, 10, 14, 21–22, 27, 31, 38, 41, 49, 68, 73, 98–99, 102, 104, 108–118, 120, 122, 124–125, 127, 129–130, 133–134, 137, 147–148, 150, 152–154, 156–157, 159–161, 164–165, 167, 170–171
- Balkin, Jack, 24
- barter, 31
- Brigham, John, 24
- Brion, Denis, 24–26
- Buchanan, James, 37–38, 57, 60
- Calabresi, Guido, 8
- chaos, 1, 21, 32–33, 126, 141, 174
- Chicago School, 40–41, 159
- China, 12–15, 38, 62, 80, 116–117, 128–129
- choice, 5, 9, 12, 15–16, 35–37, 41, 43, 47, 49, 57–58, 62, 67, 74, 76, 79, 93–94, 96–101, 104, 138–141, 143, 149, 154, 159, 166, 173
- imaginative, 39, 41, 43–44, 46–47, 78, 89–90, 97, 152
- interpretive, 13, 119, 149
- objective, 3, 4
- rational, 4, 10, 37–38, 43, 57, 59, 61, 97, 107, 110, 149
- Clinton, William (President), 75
- Coase, 103–104, 168
 - Coase Theorem, 20, 90–93, 96–98, 100, 103–104, 156, 168
- code, 15, 47, 71–73, 87, 110, 113, 159, 163, 170
- complex systems, 5, 21, 27, 32, 112, 115, 119, 123, 125, 139, 141–142, 150, 161–162
- complexity, 27–30, 59, 69, 76, 112–114, 120, 131, 134, 139, 158, 161, 164, 170, 174
- continuity, 3, 15, 27, 32–33, 43, 47, 72, 78, 84, 126, 138, 146, 147
- contract, 25, 61, 102, 106, 108–109, 111, 114–116, 119, 121–123, 130–131, 142, 144–146, 156, 168, 172
 - freedom of, 109
 - social contract, 20, 107, 109–110, 115
- convention, 3–4, 10–11, 19, 30, 32–34, 39, 42–44, 46–48, 62–64, 71–73, 76, 78–79, 84, 88, 96–97, 104, 110, 113, 115, 119, 123, 125–126, 138–139, 149–152, 159, 161
- cost and benefit, 3, 5, 13, 33, 37, 44–45, 51, 58–59, 67, 70, 83, 86, 96–97, 104, 156–157
- creative destruction, 132
- creative discovery, 11, 18, 21, 27, 36, 43–44, 77–78, 82, 84–85, 106, 115, 117–118, 120–121, 125, 128, 131, 137, 143, 148, 150, 152, 154–161, 167, 168
- creativity, 2–4, 18, 21, 36, 38, 44, 46–48, 55, 65, 67–68, 77–78, 84, 87–88, 90, 98, 104, 106, 112–117, 124, 126, 129, 132–135, 137–138, 151, 161, 165–167
- credit, 30, 39, 81
- critical theory, 20–21, 27–28, 41, 73, 109, 153, 158–162, 164
 - critical, 20, 49, 158
 - gender, 20, 49, 158, 160
 - race, 20, 49, 158
- Curran, Vivian Grosswald, 24
- Dau-Schmidt, Kenneth G., 60, 142 (n.8)
- determinate, 1, 3–4, 47, 75, 87, 89, 97, 103
- dialogic, 29, 38, 58–60, 64, 68, 74, 106, 120, 125, 160
- discrimination, 53, 55, 108, 130, 173
- diversity, 3, 7, 21, 33, 44, 48, 51, 114, 118, 121, 124–125, 151, 165

Cambridge University Press

0521782147 - Law and Market Economy: Reinterpreting the Values of Law and Economics

- Robin Paul Malloy

Index

[More information](#)

Index

177

- Eco, Umberto, 34
 efficiency, 1–7, 10–11, 18, 20, 22, 26–27,
 36–38, 44, 47, 49, 52–55, 64, 75–76,
 78, 89, 91–94, 96, 98–100, 103, 108,
 119, 121, 127–128, 132, 136–138,
 140–148, 152, 155–156, 166–167,
 172–174
 Kaldor–Hicks efficiency, 65, 108, 144,
 154, 155
 Pareto efficiency, 108, 154, 155
 efficient breach, theory of, 144–146
 endowment effect, 125
 entrepreneurship, 20, 49, 63, 78, 80,
 84–88, 151
 environment, 1, 15, 18, 38, 42, 44–45, 54,
 81–82, 85, 90, 94–97, 106, 117–121,
 123, 128, 131, 133–134, 147, 151,
 157, 162–163
 equality, 27, 158–159
 of opportunity, 150–151, 161
 of outcome, 150, 161–162
 equilibration, 20, 83–84, 89
 equilibrium, 11, 20, 21, 33, 36–38, 43, 44,
 48, 70, 78, 83–86, 88–89, 119,
 122–124, 136, 140, 147, 162
 ethics, 3, 5, 10–11, 21, 44, 48, 111–112,
 119, 141
 ethic of social responsibility, 11, 21–22,
 36, 44, 48, 55, 65, 106, 118–122,
 128–129, 133–134, 140, 151–152,
 160, 164
 market ethic, 120
 exchange, 4–5, 17–18, 21–23, 26–31, 35,
 37, 39–41, 43–44, 46, 49, 57–58, 61,
 63–64, 71–73, 77, 80–84, 88–89,
 96–98, 106, 113, 115–116, 118–120,
 122, 124, 130–134, 139, 141, 147,
 150–151, 157, 159, 160, 163, 164,
 166, 170–171
 externality, 91, 97–98, 140, 155–156
- feminist, 16, 109, 160
 Ferber, Marianne A., 16
 firstness, 33–37, 39, 40, 69–72, 74, 84,
 138
 Frazer Institute, 130–131
 Friedman, Milton, 65, 122
- Gates, Bill, 17
 Goodrich, Peter, 24
 ground, 9, 11, 15–16, 23, 27, 43, 48–49,
 64, 70, 73, 76, 98, 104, 149, 153,
 163
 habit, 2–4, 11, 15, 19, 27, 32–33, 36, 39,
 43, 47, 62–64, 76, 78, 87–88, 96,
 104, 110, 119, 123, 125, 132, 138,
 150, 159, 161
 Hadfield, Gillian, 109
 Harrison, Jeffery, 62
 Hayek, Friedrich A., 27–28, 32
 housing, 126–127, 167, 172
 humility, 44, 118, 121–125, 133, 160, 165
- icon, 45, 46 (n.53), 58, 89
 ignorance, 20, 43, 83, 86–87, 121–122,
 143, 149, 171
 impartial spectator, 19, 20, 64, 66–69,
 112, 115, 120
 indeterminate, 1–5, 11, 27, 32, 36–37,
 41–43, 47–48, 72, 76, 78, 82–85, 87,
 89, 119, 124, 126, 132, 134, 137,
 147–148, 160, 161
 index, 4, 40, 46–47, 58, 65, 72, 84, 88,
 138, 152, 159, 163, 165
 information, 33, 42, 57, 73–74, 80–81,
 83–84, 87, 92, 96, 98–99, 104, 117,
 121, 132–133, 156, 171
 International Society for the Semiotics of
 Law, 24
 interpersonal utility comparisons, 17,
 19–20
 interpretant, 34, 70–72
 invisible hand, 90
- Jackson, Bernard, 24
 jurisprudence, 2, 8, 23, 153–154
 justice, 2, 7–8, 10, 38, 130, 166
- Kaldor–Hicks efficiency: *see* efficiency
 Kennedy, Duncan, 24
 Kevelson, Roberta, 1, 23, 27–29, 58
 Kirzner, Israel, 27–28, 55, 78, 83–84,
 86–88
 knowledge, 43–44, 81, 83–84, 86, 88, 98,
 103–104, 143, 149
- Landa, Janet, 136
 Law and Society Association, 24
 leasing, 81–82, 145
 linguistics, 28
- McCloskey, D.N., 16
 measure, 124, 126, 140–141, 156, 164
 methodological individualism, 4, 60–61
 money, 30–31, 45–46, 52, 65, 130, 140,
 148, 169
 moral sentiments, 90, 118
 mortgage markets, 1, 14, 51–55, 74, 112,
 127, 143–144, 172
 secondary, 50–52, 54, 112, 143, 173
 multivalued, 2, 120

Cambridge University Press

0521782147 - Law and Market Economy: Reinterpreting the Values of Law and Economics

- Robin Paul Malloy

Index

[More information](#)

178 Index

- Native American (Indian), 53, 162–164
 Nelson, Julie A., 16
 neoclassical economics, 40, 65, 82, 108
 normative, 7, 9, 10–11, 16, 22, 36–37, 137, 140–141, 165
 norms, 3, 26, 48, 68, 72–73, 108, 110, 113, 114, 119, 123, 136
 nuisance, 26
- object, 34, 39, 46 (n.53), 48, 70, 110, 122
 dynamical, 43, 71, 73, 82, 122, 156
 perceptible, 5, 84
 opportunity costs, 33, 70
- Pareto efficiency: *see* efficiency
 path dependent, 102
 Paul, Ellen Frankel, 160
 Paul, Jeremy, 24
 Peirce, Charles Sanders, 20, 23, 27–29, 32–34, 39–40, 55, 58, 60, 62 (n.9), 67, 70–72, 76, 84, 87, 89, 110, 119, 125, 132, 138, 143, 158, 160
 permutation, 6, 17, 29, 30–31, 71–72, 77, 79, 106, 118, 125, 150
 person, 18, 41
 pollution, 90, 157
 position, 7, 20–21, 34–35, 38–39, 41, 46, 48, 62, 64, 69, 71, 80, 99, 104, 112, 115, 120, 122, 126, 128, 141, 156, 159, 164
 positive (positive economics), 1, 5, 7–8, 15, 17–18, 20, 27, 38, 46, 49, 54, 131, 139, 141, 174
 Posner, Richard A., 8, 11, 23, 26, 138–139, 141
 power, 16, 31, 41, 109, 159–163
 pragmatism, 23, 35
 precedent, 76, 146–147
 preferences, 18–20, 35, 59, 60, 80, 83, 101–103, 124, 142 (n.8)
 endogenous, 60–61, 74, 104
 exogenous, 60, 61, 104
 prisoner's dilemma, 12–13
 profit, 1, 53, 86, 88, 95, 151–152, 172
 property, 14, 18, 25, 30, 61, 69, 91, 93, 112–113, 115–116, 120–123, 129, 130–131, 142, 164, 168, 172, 174
 prostitution, 1, 140–141, 155–156
 public choice, 99–101, 103–104, 114, 69, 73, 118, 121, 125–128, 130, 134, 160, 163
 referent, 30
 representamen, 34, 70–73
 rhetoric, 16, 27, 139
 rhetorical strategies, 21–22, 41, 48–49, 104, 137, 153–154, 156–160, 162–171
 Round Table on Law and Semiotics, 24
 rules,
 formal, 136
 informal, 136
- scale, 123–126, 140–141, 156, 164
 scarcity, 37–38, 57
 Schumacher, E.F., 45
 secondness, 33–37, 39–41, 69–72, 74, 84, 138, 158
 self-interest, 1, 12, 27, 37, 44, 46, 52, 55, 57, 59, 64–69, 73, 84, 87–88, 90, 97–100, 107, 110, 115, 117–118, 120, 123, 125, 142, 158, 160–161, 174
 semiosis, 21, 33–35, 60, 64, 69, 87, 132, 152
 semiotics, 2–6, 8, 11, 15–18, 21–23, 25–27, 29–31, 33, 34, 36, 39, 43, 45, 48, 55, 57–58, 63, 68, 70–71, 74–76, 78, 101, 120–121, 125, 128, 130, 136–137, 140, 146, 160, 166
 Semiotic Society of America, 24
 semiotic space, 39, 43–44, 46, 48, 73, 79, 82, 86–88, 115, 119, 122
 sign, 1, 18–19, 28–30, 32–34, 38–43, 45, 46 (n.53), 48–49, 59–60, 62–64, 70, 72, 74, 76–77, 82, 84, 96, 103, 105–106, 114, 120–121, 125, 128, 134, 143, 146, 158, 160–161
 Simpson, O.J., 75
 Smith, Adam, 19, 32, 41–42, 47, 55, 64–69, 89–90, 109, 111–115, 118, 120
 social justice, 1
 Sowell, Thomas, 160
 split the dollar game, 66
 stewardship, 97, 162
 substitution, 6, 17, 19, 26, 29–31, 33, 35, 37, 44–45, 58–59, 63, 70–72, 79, 88, 106, 118–119, 123, 136, 148–150, 156
 surrogate mother, 1, 108, 156
 sustainable wealth formation, 2, 4, 8, 16, 18, 21–22, 36, 44, 47, 55, 62, 76–77, 88–89, 98, 104–106, 114, 117–119, 129, 131, 134, 137, 143, 146, 148, 153, 166–167
- rape, 26, 108, 111
 rational, 3, 12, 76
 rationality, 27
 real estate, 52, 61, 63, 142–143
 transactions, 50, 112, 171–173
 reciprocity (reciprocal), 27, 29, 39, 44, 64,

Index	179
symbol, 18, 19, 39–40, 46, 58, 75, 96, 103	29, 30–31, 38, 43, 45–49, 54, 58–59, 65, 70–72, 82–84, 88, 94–95, 97, 104, 110, 112, 116, 118, 120, 122, 128, 130, 136, 139–143, 145–146, 148–149, 157, 159, 161, 164–165, 167, 170–171, 174
technology, 80, 82, 84, 124, 133, 170, 173	variance, 4, 88, 110, 138, 150
thirdness, 33–37, 40–41, 46 (n.52), 69–72, 74, 84, 138	wealth, 4, 21
Thomas, Clarence, 160	effect, 93
token, 18, 30, 45, 47, 70, 89, 148	sustainable wealth formation: <i>see</i>
trade, 1, 96, 128	sustainable wealth formation
transaction costs, 91–94, 96, 98–100, 102–104, 108, 118, 121, 155–156	transfers, 17
Trebilcock, Michael, 109	wealth maximization, 1, 5–6, 10–11, 17, 22, 36–37, 44, 47, 58–59, 65–67, 76, 89–91, 97, 107–109, 131, 136, 138–139, 143, 148, 155, 174
triadic, 28, 34, 69–72, 76, 87	proactive, 21, 36, 47, 78, 89, 110, 119–120, 125, 136, 152
urban revitalization, 124, 173–174	reactive, 21, 36, 47, 78, 89, 136, 152
utility, 18, 109, 110–111, 113	welfare, 61–62, 117, 124
marginal, 1, 17–19	Williams, Walter, 160
valuation, 61	workfare, 62
contingent, 125	
hedonic, 125	
market, 125	
value, 1, 3–4, 6, 8–11, 15, 18–20, 22, 26,	