

Contents

<i>Preface</i>	<i>page</i> ix
New Private Law Theory: The Core Ideas	
1	
PART I METHODS AND DISCIPLINES	
33	
1	The Inside and the Outside of Law?
	Stefan Grundmann
2	Private Law and Sociology
	Moritz Renner
3	Economics and Private Law Institutions
	Stefan Grundmann
4	Private Law and Theories of Communication
	Moritz Renner
5	Comparative Law and Legal History
	Hans-W. Micklitz
PART II SOCIAL ORDERING, CONSTITUTIONALISM AND PRIVATE LAW	
129	
6	Societal Order and Private Law
	Stefan Grundmann
7	Values in Private Law
	Moritz Renner
8	Constitutionalization, Regulation and Private Law
	Hans-W. Micklitz

9	Democracy and Private Law Hans-W. Micklitz	180
10	Formalism, Substantive and Procedural Justice Moritz Renner	193
PART III TRANSACTIONS AND RISK: PRIVATE LAW AND THE MARKET		205
11	Negotiation, the Function of Contract and the ‘Justice of Consensus’ Stefan Grundmann	207
12	Knowledge and Information Stefan Grundmann	230
13	Private Power Moritz Renner	248
14	Non-discrimination Moritz Renner	261
15	Risk, Tort and Liability Hans-W. Micklitz	272
16	Digital Architecture of Private Law Relations Hans-W. Micklitz	298
17	Between Market and Hierarchy Stefan Grundmann	315
PART IV PERSONS AND ORGANIZATIONS		339
18	Person, Civil Status and Private Law Hans-W. Micklitz	341
19	Theory of the Corporation Moritz Renner	360
20	Actors in Organizations Stefan Grundmann	369
21	The Principal’s Decision: Exit, Voice and Loyalty Stefan Grundmann	391
22	Organizations and Public Goods Hans-W. Micklitz	414

	<i>Contents</i>	vii
	PART V PRIVATE LAW (RULE-SETTING) BEYOND THE STATE	435
23	Law as a Product	437
	Hans-W. Micklitz	
24	Multilevel Governance and Economic Constitution	454
	Hans-W. Micklitz	
25	Transnational Law	472
	Moritz Renner	
26	Private Ordering	484
	Moritz Renner	
27	The Shadow of the Law and Social Embeddedness	495
	Stefan Grundmann	
	<i>Index</i>	517

A list of the main reference text, links to full text resources and English translations of all texts originally written in other languages can be found at: <http://newprivatelawtheory.net>