



Land Use Controls

Ellickson, Robert C.

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Robert C Ellickson Book

Randall G. Holcombe



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Overview and Economic Analysis of Property and Criminal Law Jenny Bourne Wahl, 1998 First published in 1999 Routledge is an imprint of Taylor Francis an informa company **Understanding Open Source and Free Software Licensing** Andrew M. St. Laurent, 2004-08-16 The book wraps up with a look at the legal effects both positive and negative of open source free software licensing *The Journal of Legal Studies*, 2000 The Economic Foundations of Government Randall G. Holcombe, 2016-07-27 Government is analysed as the product of exchange among individuals who differ in their bargaining power This approach shows why individuals agree to political institutions that give their governments extensive power and why even the most powerful government benefits from constitutional rules constraining the government's power This foundation is used to examine a wide range of government activities including its protection of rights its military activities and democratic political institutions Yale Law Journal Yale Law Journal, 2013-06-11 May 2013 issue includes articles by internationally recognized scholars Articles and Features include City Unplanning by David Schleicher Rethinking the Federal Eminent Domain Power by William Baude Behavioral Economics and Paternalism by Cass R Sunstein The Continuum of Excludability and the Limits of Patents by Amy Kapczynski Talha Syed In addition the issue includes substantial contributions from student editors Note Should the Ministerial Exception Apply to Functions Not Persons by Jed Glickstein Note How Do You Measure a Constitutional Moment Using Algorithmic Topic Modeling To Evaluate Bruce Ackerman's Theory of Constitutional Change by Daniel Taylor Young Comment Interpretation Step Zero A Limit on Methodology as Law by Andrew Tutt Comment The JOBS Act and Middle Income Investors Why It Doesn't Go Far Enough by James J Williamson Finally the issue features selected results from the Prison Law Writing Contest authored by Elizabeth A Reid Ernie Drain and Aaron Lowers **Beyond Politics** Michael P. Vandenbergh, Jonathan M. Gilligan, 2017-12-21 This book argues that government action alone will not prevent dangerous climate change but that private governance can fill the gap

Eco-Republic Melissa Lane, 2013-11-24 Ancient lessons for sustainable citizenship An ecologically sustainable society cannot be achieved without citizens who possess the virtues and values that will foster it and who believe that individual actions can indeed make a difference Eco Republic draws on ancient Greek thought and Plato's Republic in particular to put forward a new vision of citizenship that can make such a society a reality Melissa Lane develops a model of a society whose health and sustainability depend on all its citizens recognizing a shared standard of value and shaping their personal goals and habits accordingly Bringing together the moral and political ideas of the ancients with the latest social and psychological theory Lane illuminates the individual's vital role in social change and articulates new ways of understanding what is harmful and what is valuable what is a benefit and what is a cost and what the relationship between public and private well-being ought to be Eco Republic reveals why we must rethink our political imagination if we are to meet the challenges of climate change and other urgent environmental concerns Offering a unique reflection on the ethics and politics of sustainability the

book goes beyond standard approaches to virtue ethics in philosophy and current debates about happiness in economics and psychology Eco Republic explains why health is a better standard than happiness for capturing the important links between individual action and social good and diagnoses the reasons why the ancient concept of virtue has been sorely neglected yet is more relevant today than ever

Behavioral Law and Economics Cass R. Sunstein, 2000-03-28 This exciting volume marks the birth of a new field one which attempts to study law with reference to an accurate understanding of human behavior It reports new findings in cognitive psychology which show that people are frequently both unselfish and over optimistic that people have limited willpower and limited self control and that people are boundedly rational in the sense that they have limited information processing powers and frequently rely on mental short cuts and rules of thumb Understanding this behavior has large scale implications for the analysis of law in areas including environmental protection taxation constitutional law voting behavior punitive damages for civil rights violations labor negotiations and corporate finance With a better knowledge of human behavior it is possible to predict the actual effects of law to see how law can promote society's goals and to reassess the questions of what law should be doing

Animals Property & The Law Gary Francione, 1995-04-28 Pain is pain irrespective of the race sex or species of the victim states William Kunstler in his foreword This moral concern for the suffering of animals and their legal status is the basis for Gary L Francione's profound book which asks Why has the law failed to protect animals from exploitation Francione argues that the current legal standard of animal welfare does not and cannot establish fights for animals As long as they are viewed as property animals will be subject to suffering for the social and economic benefit of human beings Exploring every facet of this heated issue Francione discusses the history of the treatment of animals anticruelty statutes vivisection the Federal Animal Welfare Act and specific cases such as the controversial injury of anaesthetized baboons at the University of Pennsylvania He thoroughly documents the paradoxical gap between our professed concern with humane treatment of animals and the overriding practice of abuse permitted by U S law

Creativity, Law and Entrepreneurship Shubha Ghosh, Robin Paul Malloy, 2011-01-01 Creativity Law and Entrepreneurship explores the idea of creativity its relationship to entrepreneurship and the law's role in inhibiting and promoting it Our inquiry into law and creativity reduces to an inquiry about what people do what activities and actions they engage in What unites law and creativity work and play is their shared origins in human activity however motivated to whatever purpose directed In this work contributors from the US and Europe explore the ways in which law incentivizes particular types of activity as they develop themes related to emergent theories of entrepreneurship public private and social lawyering and the creative process creativity in a business and social context and creativity and the construction of legal rights

Norms in a Wired World Steven A. Hetcher, 2006-05-12 Hetcher applies his theory of norms to tort law and Internet privacy laws

The Art and Craft of International Environmental Law Daniel Bodansky, Harro van Asselt, 2024 In countless ways we are affected by international environmental norms some social others legal some quite general others very

specific For example the norms limiting the refrigerants used in air conditioners have been agreed upon in legal form internationally and are mandated and enforced by national governments The sustainable fishery and forestry standards used by Carrefour and Ikea were developed more informally by environmental groups and businesses and are applied to producers through supply chain contracts without any government involvement The reluctance to eat tuna fish or own elephant ivory reflects more general social norms disseminated through education and culture How and why do these norms arise In what ways do they affect behavior Do they change what states and individuals actually do and if so why How effective are they in solving international environmental problems In the second edition of *The Art and Craft of International Environmental Law* Daniel Bodansky and Harro van Asselt explore these and other questions Revisions cover the numerous developments spanning the 13 years since the first edition was published New chapters address the growing role of environmental NGOs and the increasingly complex architecture of environmental law involving multiple institutions levels of governance and actors Recent research has been incorporated on treaty design and policy implementation and effectiveness and greater attention has been given to the role of the judiciary in standard setting implementation and enforcement A sophisticated yet highly readable introduction to how international environmental law works and sometimes doesn't work this book is essential reading for a wide audience

The Vehement Passions Philip Fisher, 2009-01-10 Breaking off the ordinary flow of experience the passions create a state of exception In their suddenness and intensity they map a personal world fix and qualify our attention and impel our actions Outraged anger drives us to write laws that will later be enforced by impersonal justice Intense grief at the death of someone in our life discloses the contours of that life to us Wonder spurs scientific inquiry The strong current of Western thought that idealizes a dispassionate world has ostracized the passions as quaint even dangerous Intense states have come to be seen as symptoms of pathology A fondness for irony along with our civic ideal of tolerance lead us to prefer the diluted emotional life of feelings and moods Demonstrating enormous intellectual originality and generosity Philip Fisher meditates on whether this victory is permanent and how it might diminish us From Aristotle to Hume to contemporary biology Fisher finds evidence that the passions have defined a core of human nature no less important than reason or desire Traversing the *Iliad* King Lear *Moby Dick* and other great works he discerns the properties of the high spirited states we call the passions Are vehement states compatible with a culture that values private selectively shared experiences How do passions differ from emotions Does anger have an opposite Do the passions give scale shape and significance to our experience of time Is a person incapable of anger more dangerous than someone who is irascible In reintroducing us to our own vehemence Fisher reminds us that it is only through our strongest passions that we feel the contours of injustice mortality loss and knowledge It is only through our personal worlds that we can know the world

Reviving Rural America Ann M. Eisenberg, 2024-06-30 We often hear that there is no way out of the modern economic and political tensions that fall along geographic lines The media regularly declares that rural America is dying and that rural

voters are driven only by anger This narrative of hopelessness centers on the role that markets have played in abandoning rural regions and populations In *Reviving Rural America* Ann M Eisenberg analyzes our society's laws and policies role in the urban rural divide to make the case for hope She demonstrates how law and policy as well as decision makers acting on their own subjective values have contributed to modern rural challenges Each chapter debunks a common myth about rural people places and policies helping reveal how we got to where we are now Ultimately calling for our laws and policies to steward rural America holistically as a collective resource for all this book envisions an alternative more resilient and more just future

Law and Economics Jenny B. Wahl, 2013-09-13 This title aims to explain and criticize the economic approach to law by covering economic analysis in property and criminal law To save the time of the reader not wanting to relearn multivariate calculus with each section this title provides comprehensive bibliographies and highlights major contributions in the introductions to each volume A key overview for students of economy and law to gain a broad understanding of how to approach these themes in practice

Translating Property María E. Montoya, 2005-05-15 When American settlers arrived in the southwestern borderlands they assumed that the land was unencumbered by property claims But as María Montoya shows the Southwest was no empty quarter simply waiting to be parceled up Although Anglo farmers claimed absolute rights under the Homestead Act their claims were contested by Native Americans who had lived on the land for generations Mexican magnates like Lucien Maxwell who controlled vast parcels under grants from Mexican governors and foreign companies who thought they had purchased open land The result was that the Southwest inevitably became a battleground between land regimes with radically different cultural concepts The struggle over the Maxwell Land Grant a 1.7 million acre tract straddling New Mexico and Colorado demonstrates how contending parties reinterpreted the meaning of property to uphold their claims to the land Montoya reveals how those claims with their deep historical and racial roots have been addressed to the satisfaction of some and the bitter frustration of others *Translating Property* describes how European and American investors effectively mistranslated prior property regimes into new rules that worked to their own advantage and against those who had lived on the land previously Montoya explores the legal political and cultural battles that swept across the Southwest as this land was drawn into world market systems She shows that these legal issues still have real meaning for thousands of Mexican Americans who continue to fight for land granted to their families before the Treaty of Guadalupe Hidalgo or for continuing communal access to land now claimed by others This new edition of Montoya's book brings the land grant controversy up to date A year after its original publication the Colorado Supreme Court tried once more to translate Mexican property ideals into the U.S. system of legal rights and in 2004 the Government Accounting Office issued the federal government's most comprehensive effort to sort out the tangled history of land rights concluding that Congress was under no obligation to compensate heirs of land grants Montoya recaps these recent developments further expanding our understanding of the battles over property rights and the persistence of inequality in the Southwest

Reinterpreting

Property Margaret Jane Radin, 1993 This collection of essays by one of the country's leading property theorists revitalizes the liberal personality theory of property Departing from traditional libertarian and economic theories of property Margaret Jane Radin argues that the law should take into account nonmonetary personal value attached to property and that some things such as bodily integrity are so personal they should not be considered property at all Gathered here are pieces ranging from Radin's classic early essay on property and personhood to her recent works on governmental taking of private property Margaret Jane Radin is professor of law at Stanford University She is the author of over twenty-five articles on legal and political theory

Property Hanoch Dagan, 2011-03-18 *Property Values and Institutions* by Hanoch Dagan offers an original understanding of property different from the dominant voices in the field yet loyal to the practice of property It rejects the misleading dominant binarism in which property is either one monistic form structured around Blackstone's in famous formula of sole and despotic dominion or a formless bundle of rights Instead it conceptualizes property as an umbrella for a set of institutions bearing a mutual family resemblance It resists the prevailing tendency to discuss property through the prism of only one particular value notably efficiency Dagan argues that property can and should serve a pluralistic set of liberal values These property values include not only autonomy and utility which are emphasized by many contemporary scholars but also labor personhood community and distributive justice Dagan claims that property law at least at its best tailors different configurations of entitlements to different property institutions with each such institution designed to match the specific balance between property values best suited to its characteristic social setting Dagan develops this theoretical account and applies it to key doctrinal contexts In particular he analyzes the normative underpinnings of the doctrines regulating the interactions between landowners and governments both eminent domain and regulatory takings doctrines and those regulating the governance of property owned by multiple owners such as co ownership marital property and the law of common interest communities

Good Governing Daniel B. Rodriguez, 2024-06-30 Explores the origins and functions of state police power and its connection to state constitutionalism and government regulation

The Law and Ethics of Restitution Hanokh Dagan, 2004-08-12 This 2004 book provides a comprehensive account of the American law of restitution

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