

Economic Efficiency in Law and Economic

Richard O. Zerbe Jr.,

*Professor of Public Affairs, Daniel J. Evans School of Public Affairs
and Adjunct Professor, Law School, University of Washington, USA*

I

NEW HORIZOJNS IN LAW AND ECONOMICS

Edward Elgar

Cheltenham, UK • Northampton, MA, USA

Contents

| | | |
|----|---|-----|
| 1 | History of the concept of economic efficiency | 1 |
| 2 | The foundation: A new measure for economic efficiency | 14 |
| 3 | The nature of economic efficiency | 34 |
| 4 | The nature of inefficiency | 65 |
| 5 | Rights and the relationship of law to efficiency | 84 |
| 6 | The problem of missing values in normative law and economic analysis | 134 |
| 7 | The failure of market failure | 164 |
| 8 | Of distributive justice and economic efficiency: An integrated theory of the common law | 188 |
| 9 | The efficiency of the commonlaw: An economic analysis of dueling, cannibalism, the gold rush, racism, and antitrust law | 236 |
| 10 | A recapitulation / | 291 |
| | <i>References</i> <i>r</i> | 298 |
| | <i>Name index</i> | 321 |
| | <i>Subject index</i> ' | 325 |