## The Law and Economics of the Environment

*Edited by* Anthony Heyes

Professor of Economics, Royal Holloway College, University of London, UK

**Edward Elgar** 

Cheltenham, UK • Northampton, MA, USA

## Contents

	t of figures t of tables	vii viii
	t of contributors	ix
	Preface	
Ric	chard A. Posner	
1	Law and economics of the environment: an overview <i>Anthony Heyes</i>	1
2	Coasean bargaining in collaborative environmental policy Thomas A. Rhoads and Jason F. Shogren	18
3	The vertical extension of environmental liability through chains of ownership, contract and supply	44
4	James Boyd and Daniel Ingberman Horizontal vicarious liability Tanan B. Lawin and Daniel F. M. Saminaton	71
5	Tracy R. Lewis and David E.M. Sappington Liability policy and toxic pollution releases Anna Alberini and David Austin	92
6	The economics of clean-up and implications for legal design Carl V. Phillips and Richard J. Zeckhauser	116
7	Environmental liability in practice: liability for clean-up of contaminated sites under Superfund	136
8	Hilary Sigman Self-enforcement of environmental law	150
9	Robert Innes The theory of penalties: 'leverage' and 'dealing' Winston Harrington and Anthony Heyes	185
10	Criminal law as an instrument of environmental policy: theory and empirics	198
11	Mark A. Cohen Citizen suits	217
12	Chad Settle, Terrance M. Hurley and Jason F. Shogren Law versus regulation: a political economy model of	
	instrument choice in environmental policy Marcel Boyer and Donatella Porrini	249

13	International harmonization of environmental law:	
	theory with application to the European Union	280
	Henry van Egteren and R. Todd Smith	
14	Insurability, environmental risks and the law	302
	Howard C. Kunreuther and Paul K. Freeman	
15	Environmental damages in court: the American Trader case	319
	David J. Chapman and W. Michael Hanemann	
16	Protest, property rights and hazardous waste: a reassessment	368
	Robert Cameron Mitchell and Richard T. Carson	

## Index

391

## vi