

# **CONTENTS**

---

<i>List of Figures</i>	ix
<i>List of Tables</i>	xi
<i>List of Abbreviations</i>	xiii
<i>List of Contributors</i>	xv

## **PART I CONSTITUTIONS, STATUTES, AND REGULATIONS**

1. Optimal Constitutional Structure	3
RICHARD A. EPSTEIN	
2. The Design of Constitutions	28
TOM GINSBURG	
3. Democratic Rulemaking	37
JOHN M. DE FIGUEIREDO AND EDWARD H. STIGLITZ	
4. Regulatory Decision-Making and Economic Analysis	59
MARIANO-FLORENTINO CUÉLLAR AND JERRY L. MASHAW	
5. Economics of Federalism	84
ROBERT P. INMAN AND DANIEL L. RUBINFELD	
6. Economics of Tax Law	106
DANIEL SHAVIRO	

## **PART II CIVIL PROCESS AND LITIGATION**

7. Judge-Made Law and the Common Law Process	129
BEN DEPOORTER AND PAUL H. RUBIN	
8. Economics of Civil Procedure	143
ROBERT G. BONE	

- 
- |                                                         |     |
|---------------------------------------------------------|-----|
| 9. Law and Economics of Evidence                        | 171 |
| CHRIS WILLIAM SANCHIRICO                                |     |
| 10. Economics of Litigation                             | 201 |
| BRUCE H. KOBAYASHI                                      |     |
| 11. Settlement and Trial                                | 229 |
| ANDREW F. DAUGHETY AND JENNIFER F. REINGANUM            |     |
| 12. Legal Fees and Lawyers' Compensation                | 247 |
| WINAND EMONS                                            |     |
| 13. The Legal Profession and the Market for Lawyers     | 259 |
| ALBERT YOON                                             |     |
| 14. Law and Economics of Alternative Dispute Resolution | 280 |
| TALIA FISHER                                            |     |

### **PART III CRIME AND PUNISHMENT**

- |                                                     |     |
|-----------------------------------------------------|-----|
| 15. Economics of Criminal Law: Crime and Punishment | 295 |
| ISAAC EHRLICH                                       |     |
| 16. Economics of Criminal Procedure                 | 325 |
| KEITH N. HYLTON                                     |     |
| 17. Guns and Crime                                  | 344 |
| ANTHONY A. BRAGA                                    |     |
| 18. Prosecutorial Strategies                        | 370 |
| ROGER BOWLES                                        |     |

### **PART IV BEYOND NATIONAL LEGAL SYSTEMS**

- |                                        |     |
|----------------------------------------|-----|
| 19. Economics of Ancient Legal Systems | 395 |
| GEOFFREY PARSONS MILLER                |     |
| 20. Economics of Legal History         | 409 |
| DANIEL KLERMAN                         |     |
| 21. Economics of International Law     | 439 |
| ALAN SYKES AND ANDREW GUZMAN           |     |

---

<b>22. Enforcement of International Law</b>	<b>465</b>
<b>PAUL B. STEPHAN</b>	
<b>23. International Finance and Sovereign Debt</b>	<b>482</b>
<b>W. MARK C. WEIDEMAIER AND MITU GULATI</b>	
<b>24. Economics of International Organizations</b>	<b>501</b>
<b>JOEL P. TRACHTMAN</b>	
<b>25. Choice of Law and Conflict of Laws</b>	<b>527</b>
<b>ERIN O'HARA O'CONNOR</b>	
<b><i>Name Index</i></b>	<b>549</b>
<b><i>Subject Index</i></b>	<b>557</b>