1. Record Nr. UNINA9910633915203321 Autore Mittlaender Sergio **Titolo** Equity, efficiency, and ethics in remedies for breach of contract: theory and experimental evidence / / Sergio Mittlaender Cham, Switzerland: ,: Springer, , [2022] Pubbl/distr/stampa ©2022 **ISBN** 9783031108044 9783031108037 Descrizione fisica 1 online resource (241 pages) Collana International law and economics (Springer (Firm)) Disciplina 346.022 Soggetti Breach of contract Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di bibliografia Includes bibliographical references. Intro -- Foreword -- Acknowledgements -- List of Legal Materials Nota di contenuto Cited -- American Case Law -- British Case Law -- Contents -- 1 Introduction -- 1.1 Objective -- 1.2 Research Questions -- 1.3 Outline -- 2 Theories of Contract and Contract Law -- 2.1 Introduction --2.1.1 The Legal Concept of Contract in Common and Civil Law Systems -- 2.1.2 Legal Enforcement of Contracts in Common and Civil Law Systems -- 2.2 Promissory Theories -- 2.3 Reliance Theories -- 2.4 Economic Theories -- 2.4.1 Anticipation of Opportunism and the Protection of the Restitution Interest -- 2.4.2 Loss of Reliance Investments and the Protection of the Reliance Interest -- 2.4.3 The Theory of Efficient Breach and the Protection of the Expectation Interest -- 2.4.4 The Role of Compensatory Remedies in Economic Theories --2.5 Conclusion -- 3 Disagreement, Conflict, and Retaliation in Breach of Contract -- 3.1 Introduction -- 3.2 Contractual Disputes and the Incompleteness of Contracts -- 3.3 Disagreement on the Moral Value of Breach -- 3.4 Disagreement on the Harmful Consequences of Breach -- 3.5 Cognitive Biases that Facilitate Disagreement -- 3.6 Retaliation to Perceived Wrong as the Product of Disagreement -- 3.7 Conclusion -- 4 Reciprocity and Legal Relief in Breach of Contract --

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