

1. Record Nr.	UNINA9910778443103321
Autore	Fried Barbara <1951->
Titolo	The progressive assault on laissez faire [[electronic resource]] : Robert Hale and the first law and economics movement / / Barbara H. Fried
Pubbl/distr/stampa	Cambridge, Mass., : Harvard University Press, 2001, c1998
ISBN	0-674-03730-8
Descrizione fisica	1 online resource (352 p.)
Disciplina	330.122
Soggetti	Right of property - United States Free enterprise - United States Institutional economics Neoclassical school of economics Progressivism (United States politics) Critical legal studies - United States
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references (p. [217]-332) and index.
Nota di contenuto	Frontmatter -- CONTENTS -- PREFACE -- 1 Introduction -- 2 The Empty Idea of Liberty -- 3 The Empty Idea of Property Rights -- 4 A Rent-Theory World -- 5 Property Theory in Practice: Rate Regulation of Public Utilities -- 6 Conclusion -- NOTES -- INDEX
Sommario/riassunto	Law and economics is the leading intellectual movement in law today. This book examines the first great law and economics movement in the early part of the twentieth century through the work of one of its most original thinkers, Robert Hale. Beginning in the 1890s and continuing through the 1930s, progressive academics in law and economics mounted parallel assaults on free-market economic principles. They showed first that "private," unregulated economic relations were in fact determined by a state-imposed regime of property and contract rights. Second, they showed that the particular regime of rights that existed at that time was hard to square with any common-sense notions of social justice. Today, Hale is best known among contemporary legal academics and philosophers for his groundbreaking writings on coercion and consent in market relations. The bulk of his writing, however, consisted of a critique of natural property rights. Taken

together, these writings on coercion and property rights offer one of the most profound and elaborated critiques of libertarianism, far outshining the better-known efforts of Richard Ely and John R. Commons. In his writings on public utility regulation, Hale also made important contributions to a theory of just, market-based distribution. This first, full-length study of Hale's work should be of interest to legal, economic, and intellectual historians.
