

1. Record Nr.	UNINA9910965845603321
Autore	Ayres Ian
Titolo	Optional law : the structure of legal entitlements // Ian Ayres
Pubbl/distr/stampa	Chicago, : University of Chicago Press, c2005
ISBN	9786612537776 9781282537774 1282537776 9780226033488 0226033481
Edizione	[1st ed.]
Descrizione fisica	1 online resource (296 p.)
Disciplina	346.7303
Soggetti	Law - Mathematical models Real options (Finance) - Mathematical models Property Remedies (Law)
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. [201]-269) and index.
Nota di contenuto	Puts as well as calls -- Single-chooser rules -- Dual-chooser rules -- Higher-order liability rules -- Correlated values -- Multiple takings -- Relaxing other (administrative, informational & cognitive) assumptions -- Bargaining in the shadow of different regimes / Ian Ayres and Eric Talley -- Testing the bargaining model -- The property/liability rule debate.
Sommario/riassunto	Spurred by the advances in option theory that have been remaking financial and economic scholarship over the past thirty years, a revolution is taking shape in the way legal scholars conceptualize property and the way it is protected by the law. Ian Ayres's Optional Law explores how option theory is overthrowing many accepted wisdoms and producing tangible new tools for courts in deciding cases. Ayres identifies flaws in the current system and shows how option theory can radically expand and improve the ways that lawmakers structure legal entitlements. An option-based system, Ayres shows, gives parties the option to purchase-or the option to sell-the relevant

legal entitlement. Choosing to exercise a legal option forces decisionmakers to reveal information about their own valuation of the entitlement. And, as with auctions, entitlements in option-based law naturally flow to those who value them the most. Seeing legal entitlements through this lens suggests a variety of new entitlement structures from which lawmakers might choose. Optional Law provides a theory for determining which structure is likely to be most effective in harnessing parties' private information. Proposing a practical approach to the foundational question of how to allocate and protect legal rights, Optional Law will be applauded by legal scholars and professionals who continue to seek new and better ways of fostering both equitable and efficient legal rules.
