

# Conceptual Foundations of Antitrust

Oliver Black

CAMBRIDGE

# Conceptual Foundations Of Antitrust

**A Gutmann**



## **Conceptual Foundations Of Antitrust:**

**Conceptual Foundations of Antitrust** Oliver Black, 2005-11-03 This is a philosophical study of concepts that lie at the foundation of antitrust a body of law and policy designed to promote or protect economic competition Topics covered are the nature of competition the relation between competition and welfare the distinction between per se rules and rules of reason agreements concerted practices and the spectrum from independent action to collusion Although there are many legal and economic books on antitrust this is the first book devoted to the philosophical scrutiny of the concepts that underpin it No prior knowledge of philosophy is presupposed The book is primarily directed at students theorists and practitioners of antitrust but will also be useful to lawyers economists philosophers political scientists and others who have an interest in the discipline

**Cross-Border Mergers and Acquisitions** Mohammad Bedier, 2018-09-28 This book provides the reader with an overview of the origin of corporations and the history of mergers and acquisitions It demystifies the dynamics of mergers and identifies the unique impediments facing cross border mergers and acquisitions with great attention to the pre merger control laws and regulations in several regions US EU and Middle East Most importantly it discusses and assesses merger deregulation and other key reforming proposals

**The Criminalization of European Cartel Enforcement** Peter Whelan, 2014 The challenges facing the criminalization of cartel activity in the EU are threefold theoretical legal and practical This book analyses these crucial challenges so that the complexity of the process of European antitrust criminalization can be accurately understood

Greening EU Competition Law and Policy Suzanne Kingston, 2011-10-27 One of the fundamental challenges currently facing the EU is that of reconciling its economic and environmental policies Nevertheless the role of environmental protection in EU competition law and policy has often been overlooked Recent years have witnessed a shift in environmental regulation from reliance on command and control to an increased use of market based environmental policy instruments such as environmental taxes green subsidies emissions trading and the encouragement of voluntary corporate green initiatives By bringing the market into environmental policy such instruments raise a host of issues that competition law must address This interdisciplinary treatment of the interaction between these key EU policy areas challenges the view that EU competition policy is a special case insulated from environmental concerns by the overriding efficiency imperative and puts forward practical proposals for achieving genuine integration

**Antitrust Law Journal**, 1986 *The Goals of Competition Law* Daniel Zimmer, 2012 What are the normative foundations of competition law That is the question at the heart of this book Leading scholars consider whether this branch of law serves just one or more than one goal and if it serves to protect unfettered competition as such how this goal relates to other objectives such as the promotion of economic welfare The book brings together contributions on the relevance of different welfare standards on the concept of freedom to compete and on distributional fairness as a goal of competition law Moreover it discusses the relationship to other legal goals such as market efficiency

**Kantian Ethics and Economics** Mark White, 2011-05-17

This book introduces the moral philosophy of Immanuel Kant in particular the concepts of autonomy dignity and character to economic theory explaining the importance of integrating these two streams of intellectual thought Mainstream economics is rooted in classical utilitarianism recommending that decision makers choose the options that are expected to generate the largest net benefits For individuals the standard economic model fails to incorporate the role of principles in decision making and also denies the possibility of true choice which can be independent of preferences and principles altogether For policymakers standard decision making frameworks recommend tradeoffs that are beneficial in terms of material goods or wealth but may be morally questionable from a more person centered perspective Integrating Kantian ethics affects economics in three important ways This integration allows for a more complete understanding of human choice incorporating not just preferences and constraints but also principles and strength of will or character It demonstrates the broader impact of welfare economics which generates policies that affect not only persons well being but also their dignity and autonomy Finally it reconciles the traditional individualist stance in economic models of choice with the social responsibility emphasized by many systems of philosophical ethics and heterodox schools of economics

**Identifying Exclusionary Abuses by Dominant Undertakings Under EU Competition Law** Eirik Østerud,2010-01-01 The author also contrasts the Commission s decisional practice with the case law assesses approaches under U S antitrust law to similar forms of conduct and incorporates insights from economic theory

**Research Handbook on EU Public Procurement Law** Christopher Bovis,2016-07-27 Public procurement law is a necessary component of the single market because it attempts to regulate the public markets of Member States and represents a key priority for the European Union This Research Handbook makes a major contribution to the understanding of the current EU public procurement regime its interface with the law of the internal market and the pivotal role that this will play in the delivery of the European 2020 Growth Strategy

*Agreements* Oliver Black,2012-04-26 A study of agreements which combines the use of philosophical analysis and legal theory

Competition Law and Economics in Australia, Volume I Julie Clarke,Allan Fels,Brent Fisse,Deborah Healey,Mel Marquis,John Middleton,Rhonda Smith,2025-02-27 Marking the 50 year anniversary of modern statutory competition law in Australia this two volume set brings together more than 40 leading experts to discuss the most important issues and developments arising under Australian competition law economics and policy This publication discusses current reforms and reviews the impact of competition law and policy in the Australian economy over the last 50 years since the enactment of the Trade Practices Act 1974 Contributors examine the legacy of this landmark legislation important precedents and cases that have shaped contemporary Australian competition law as well as the substantive procedural and institutional features in need of revision Volume I focuses on the history and context of Australian competition law the courts and tribunal and the competition system established by the Competition and Consumer Act Volume II assesses consumer protection law the digital economy enforcement remedies and sanctions and the Australian competition regime from a comparative perspective This

volume alongside its companion Competition and Consumer Law Principles Enforcement and Comparative Perspectives is an authoritative treatise that will interest the broader competition law and policy community around the world Together they provide essential insights for academics researchers practitioners policymakers and regulators

**Collective Dominance and Collusion** Marilena Filippelli,2013-01-01 By examining the issue of collusion in EU and US competition law this book suggests possible strategies for improving the antitrust enforcement against parallelism by exploiting the most advanced achievements of economic analysis The book contains a suggested approach to collusion in ex ante and ex post perspectives By moving from the analysis of the state of art in terms of law case law and scholarship Marilena Filippelli analyses inconsistencies and failures in the current antitrust enforcement toward collusion and develops a workable parameter for the issue of collective dominance The most innovative part of this work goes beyond the analysis itself of collective dominance and involves the interference of arts 101 and 102 The conclusion is a re definition of the relationship between those rules from dichotomy to redundancy Finally the book highlights the antitrust significance of semi collusion as a strategy made of collusion and competition The author considers economic models equaling as for the effects collusion and semi collusion and the case law supporting the qualification of semi collusion as a species of collusion The analysis involves both US and EU systems under the highly topical economic oriented approach It also contains an original view of European antitrust prohibitions Because of its contents and its approach this book will be attractive to every academic interested in antitrust law Moreover the well documented research on parallelism involving law case law and scholarship makes this book interesting also for competition authorities and antitrust lawyers

**Hong Kong Competition Law** Thomas K. Cheng,Kelvin Hiu Fai Kwok,2021-11-04 Offers a comparative and theoretical analysis of the new cross sector competition law regime in Hong Kong

Taxmann's Corporate Governance in India | Changing Landscapes – Explores various aspects of corporate governance and aims to cover comprehensive literature of contemporary relevance Prof. (Dr.) Yogendra Srivastava,Dr Dipak Das ,Dr Yamala Papa Rao ,Dr Ankit Awasthi ,2022-09-05 This edited book explores the various aspects of corporate governance and aims to cover comprehensive literature of contemporary relevance on the topic i e corporate governance This book will be helpful for academicians researchers professionals practitioners students of law commerce and management and other stakeholders in the field The Present Publication is the latest edition edited by Prof Dr Yogendra Srivastava Dr Dipak Das Dr Yamala Papa Rao and Dr Ankit Awasthi The coverage of the book is as follows The Legal Lacuna on Independent Directors An Analysis of Clause 49 Social Stock Exchange An enabling system for good corporate governance Shareholders Agreement Enforceability Conundrum Bank Frauds on the rise Who bears the onus Cartels as an Adversary to the Competition Law Regime in India Corporate Frauds and Investor Protection Corporate Governance and Shareholder Activism Its Forms and Effect Corporate Governance in Banks and Financial Institutions Corporate Governance in Orientation with Competition Law A Dynamic Study of Business Environment Corporate Governance vis vis Climate Change Diversifying the Role of

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**Algorithms, Collusion and Competition Law** Steven Van Uytsel, Salil K. Mehra, Yoshiteru Uemura, 2023-01-20 What is algorithmic collusion This evaluative book provides an insight into tackling this important question for competition law with contrasting critical perspectives including theoretical empirical and doctrinal the latter frequently from a comparative perspective Bringing together scholarly discussion on algorithmic collusion the book questions whether competition law is adeptly equipped to deal with its various facets

**Framing Democracy** Jamie Terence Kelly, 2012-09-16 The past thirty years have seen a surge of empirical research into political decision making and the influence of framing effects the phenomenon that occurs when different but equivalent presentations of a decision problem elicit different judgments or preferences During the same period political philosophers have become increasingly interested in democratic theory particularly in deliberative theories of democracy Unfortunately the empirical and philosophical studies of democracy have largely proceeded in isolation from each other As a result philosophical treatments of democracy have overlooked recent developments in psychology while the empirical study of framing effects has ignored much contemporary work in political philosophy In Framing Democracy Jamie Terence Kelly bridges this divide by explaining the relevance of framing effects for normative theories of democracy Employing a behavioral approach Kelly argues for rejecting the rational actor model of decision making and replacing it with an understanding of choice imported from psychology and social science After

surveying the wide array of theories that go under the name of democratic theory he argues that a behavioral approach enables a focus on three important concerns moral reasons for endorsing democracy feasibility considerations governing particular theories and implications for institutional design Finally Kelly assesses a number of methods for addressing framing effects including proposals to increase the amount of political speech mechanisms designed to insulate democratic outcomes from flawed decision making and programs of public education The first book to develop a behavioral theory of democracy Framing Democracy has important insights for democratic theory the social scientific understanding of political decision making economics and legal theory **Affect and Legal Education** Caroline Maughan,Paul Maharg,2016-03-23

The place of emotion in legal education is rarely discussed or analysed and we do not have to seek far for the reasons The difficulty of interdisciplinary research the technicisation of legal education itself the view that affect is irrational and antithetical to core western ideals of rationality all this has made the subject of emotion in legal education invisible Yet the educational literature on emotion proves how essential it is to student learning and to the professional lives of teachers This text the first full length book study of the subject seeks to make emotion a central topic of research for legal educators and restore the power of emotion in our teaching and learning Part 1 focuses on the contribution that neuroscience can make to legal learning a theme that is carried through other chapters in the book Part 2 explores the role of emotion in the working lives of academics and clinical staff while Part 3 analyses the ways in which emotion can be used in learning and teaching The book interdisciplinary and wide ranging in its reference breaks new ground in its analysis of the educational lifeworld of situations communities actors and interactions in legal education **Australian Cartel Regulation** Caron

Beaton-Wells,Brent Fisse,2011-04-25 Cartel regulation is a prime element of competition policy and an essential means of minimising the adverse effects of cartel activity on economic welfare However effective cartel regulation poses distinct challenges for governments competition authorities and commentators across the globe In Australian Cartel Regulation leading competition law experts Caron Beaton Wells and Brent Fisse reflect on developments in anti cartel law in Australia over the last 30 years They provide a comprehensive account of the current law on cartels as well as discussing key issues that may arise in the future This definitive volume not only identifies the practical and theoretical issues but also

recommends workable solutions and does so with the benefit of comparative analysis of the anti cartel laws of major overseas jurisdictions Many of the issues identified and discussed in Australian Cartel Regulation are common to any scheme designed to regulate cartel conduct **Great Minds in Management** Ken G. Smith,Michael A. Hitt,2005-09-22 In Great Minds In Management Ken G Smith and Michael A Hitt have brought together some of the most influential and original thinkers in management Their contributions to this volume not only outline their landmark contributions to management theory but also reflect on the process of theory development presenting their own personal accounts of the gestation of these theories The result is not only an ambitious and original panorama of the key ideas in management theory presented by their originators

but also a unique collection of reflections on the process of theory development an area which to date little has been written about by those who have actually had experience of building theory In their concluding chapter Ken G Smith and Michael A Hitt draw together some common themes about the development of management theory over the last half a century and suggest some of the conclusions to be drawn about how theory comes into being Contributors Chris Argyris Albert Bandura Jay B Barney Lee R Beach Kim Cameron Michael R Darby Robert Folger R Edward Freeman Michael Frese J Richard Hackman Donald C Hambrick Michael A Hitt Anne S Huff Gary P Latham Edwin A Locke Henry Mintzberg Terrence R Mitchell Richard T Mowday Ikujiro Nonaka Greg R Oldham Jeffrey Pfeffer Lyman W Porter Denise M Rousseau W Richard Scott Ken G Smith Barry M Staw Richard M Steers Victor H Vroom Karl E Weick Oliver E Williamson Sidney G Winter and Lynn Zucker     **For the People?** Charles R Beitz, Edwards S Sanford Professor of Politics Charles R Beitz, 2024-10-04 Many observers of American politics believe that representative government particularly in the Congress is failing This book examines the case for failure what are the outward signs and how do they reflect breaches of underlying norms of fair and effective representation The book argues that good representation demands healthy competition between parties but that in today s America that competition has run off the rails



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