

**Economics and the Law in Europe in the 20<sup>th</sup> century –  
History and Methodology  
University of Paris Ouest Nanterre La Défense  
University Paris Dauphine  
September 25-26, 2014**

Organizers: Sophie Harnay (Université Paris Ouest Nanterre, EConomix CNRS UMR 7235) ;  
Thierry Kirat (University Paris Dauphine, IRISSE CNRS UMR 7170)

**PROGRAM**

<b>Thursday, 25 September – University Paris Ouest Nanterre La Défense, Building B, Conference room</b>
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8.30-9.00: *Welcome coffee and breakfast*

9.00-9.15: Opening and words of welcome

**SESSION 1: 9.15-13.05**

**Chair: Nicholas MERCURO** (Michigan State University)

9.15-10.05: **Steven G. MEDEMA** (University of Colorado Denver)

“Crossing the Atlantic: The Coase Theorem and Two Early Moments in European Economic Analysis of Law”

*Discussion:* Olivier Favereau (University Paris Ouest Nanterre La Défense, EconomiX) & Claude Ménard (University Paris Panthéon-Sorbonne, CES)

10.05-10.55: **Elodie BERTRAND** (CNRS & Phare)

“An underrated originality of « The problem of social cost » : The LSE source”

*Discussion:* Alain Marciano (University of Montpellier & LAMETA) & Nicholas Mercurio (Michigan State University)

10.55-11.25: *coffee break*

11.25-12.15: **Mathias SIEMS** (Durham University, UK)

“Why do we do what we do? Comparing legal methods in five law schools through survey evidence”

*Discussion:* Elodie Bertrand (CNRS & PHARE) & Frédéric Marty (CNRS & Université de Nice, GREDEG)

12.15-13.05: **Roberto PARDOLESI** (LUISS G. Carli, Rome)

“Law and economics : the Italian job”

*Discussion:* Francesca Carocchia (Universita degli studie dell’Aquila) & Raphaël Dalmasso (University of Lorraine)

### **13.05-14.30: LUNCH BREAK**

#### **SESSION 2: 14.30-17.30**

**Chair: Jérôme BOYER DES ROCHES** (University Paris Dauphine)

14.30-15.20: **Cécile BOURREAU-DUBOIS & Myriam DORIAT-DUBAN** (Université de Lorraine, BETA UMR 7522)

“Law and Economics of Alimony: marriage or divorce?”

*Discussion:* Camille Bourdaire-Mignot (University Paris Ouest Nanterre La Défense) & Aurore Chaigneau (Université Picardie – Jules Verne)

15.20-16.10: **Tatiana SACHS** (University Nanterre Paris Ouest La Défense, IRERP)

““ Rethinking legal norms : a legal approach to incentives”

*Discussion:* Guillemette de Larquier (University Nanterre Paris Ouest La Défense, EconomiX) & Dominique Meurs (University Nanterre Paris Ouest La Défense, EconomiX)

16.10-16.40: *coffee break*

16.40-17.30: **Samuel FEREY** (University of Lorraine)

“The economic analysis of legal liability in French law”

*Discussion:* Pierre Bentata (Université Paris 2, ERMES) & Thierry Kirat (University Paris Dauphine, IRISSO)

### **20.00: DINNER**

<b>Friday, 26 September – University Paris Dauphine, Hall A2-A3</b>
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8.30-9.00: *Welcome coffee and breakfast*

#### **SESSION 3: 9.00-13.00**

**Chair: Alain MARCIANO** (University of Montpellier & LAMETA)

9.00-9.50: **Sophie HARNAY** (University Paris Ouest Nanterre La Défense, EconomiX CNRS UMR 7235)

“A short history of the economic analysis of law in France 1980-2010 – preliminary milestones”

*Discussion:* Samuel Ferey (University of Lorraine, BETA) & Thierry Kirat (University Paris Dauphine, IRISSO)

9.50-10.40: **Michel COUTU** (School of Industrial Relations, Université de Montreal)

“A Sociological Perspective on Law and Economics: Karl Diehl and John R. Commons”

*Discussion:* Véronique Dutraive (University Lyon 2, Triangle) & Cyril Hédoïn (University Reims Champagne Ardenne, REGARDS)

10.40-11.10: *coffee break*

11.10-12.00: **Thierry KIRAT** (University Paris Dauphine)

“Gény and Lambert – two legal scholars on the path of the relationship between economics and the law”

*Discussion:* Laure Bazzoli (University Lyon 2, Triangle) & Arnaud Raynouard (University Paris Dauphine)

12.00-12.50: **Juergen BACKHAUS** (University of Erfurt, Krupp Chair)

“A note on the history of law and economics with a German twist”

*Discussion:* Michel Coutu (University of Montreal, CRDP) & Bertrand Du Marais (University Paris Ouest Nanterre La Défense & Conseil d’Etat)

**12.50-14.15: LUNCH BREAK**

**SESSION 4: 14.15-17.15**

**Chair: Juergen BACKHAUS (University of Erfurt, Krupp Chair)**

14.15-15.05: **Régis LANNEAU** (University Paris Ouest Nanterre La Défense)

“To what extent did European legal theory pave the way for an economic analysis of law? Insights from Kelsen, Hart and Del Vecchio”

*Discussion:* Bénédicte Reynaud (CNRS University Dauphine, IRISSO) & Matthieu Galey (University Paris 2)

15.05-15.55: **Elisabeth KRECKE** (Aix Marseille Université, GREQAM)

“Posnerian economic analysis of law and Kelsenian legal positivism: how similar are they?”

*Discussion:* Régis Lanneau (University Paris Ouest Nanterre La Défense) & Lionel Zevounou (University Paris Ouest Nanterre La Défense)

15.55-16.25: *coffee break*

16.25-17.15: **Bernard REMICHE**

“The influence of Jacquemin of the Belgian school of economic law”

*Discussion:* Anne-Lise Sibony (University of Liège) & Yves Chaput (Université Paris 1)

**End of the workshop**