

SEMINARIO DE ESPECIALIZACIÓN EN DERECHO Y ECONOMÍA
Segundo Semestre de 2011
Programa y Bibliografía

Nota: Ciertos documentos requieren usuario y contraseña, que serán informados al inicio del curso.

- 1. Orden espontáneo, Información y Conocimiento.** Enrique Bour, [Introducción a Hayek](#), Agosto de 2011. Friedrich A. Hayek, [Law, Legislation and Liberty](#). Volume 1, Rules and Order, The University of Chicago Press, 1973, Chaps. 1-3. Friedrich A. Hayek, [The Use of Knowledge in Society](#), reprinted from The American Economic Review, XXXV, No. 4. pp. 519-30, September, 1945, by Liberty Fund, Inc. 2002. Amy J. Cohen, [Governance Legalism: Hayek and Sabel on Reason and Rules, Organization and Law](#), Organization and Law (April, 2010). Wisconsin Law Review; SSRN. Philip Mirowski, [Naturalizing the market on the road to revisionism: Bruce Caldwell's Hayek's challenge and the challenge of Hayek interpretation](#), Journal of Institutional Economics (2007), 3: 3, 351-372. Friedrich A. Hayek, [The Pretence of Knowledge](#), The American Economic Review, Volume 79, Issue 6 (December, 1989), 3-7. Petter Boettke, [Hayek, Arrow, and the Problems of Democratic Decision-Making](#), Journal of Public Finance and Public Choice, Vol. XX, 2002. Jack Birner, [The surprising place of cognitive psychology in the work of F.A. Hayek](#), History of Economic Ideas, Anno VII, 1999/1-2. Henry Manne, [Insider Trading: Hayek, Virtual Markets and the Dog that Did Not Bark](#), bepress Legal Series, 2005. Eliana M. Santanatoglia, [La influencia de Hayek en el pensamiento evolucionista actual](#), Fundación Friedrich A. von Hayek, Segundo Congreso Internacional "La Escuela Austríaca en el Siglo XXI", August 2008, Fundación Hayek, Argentina. Alfredo Martín Navarro, [Relaciones entre Economía, Econometría y Epistemología: la visión de Hayek](#), Asociación Argentina de Economía Política, 2000.
- 2. Instituciones y Estado.** Enrique Bour, [Introducción a la Economía de las Instituciones](#), Enero 2008. Douglass C. North, [Instituciones](#), traducción de Institutions, The Journal of Economic Perspectives, Volume 5, Issue 1, Winter, 1991 (secciones 1 a 5); y de Institutions Matter, en D. C. North, Institutions, Institutional Change, and Economic Performance. Pranab Bardhan, [Historia, Instituciones y Subdesarrollo](#), traducción del capítulo 1 del libro Scarcity, Conflicts and Cooperation: Essays in Political and Institutional Economics of Development (MIT Press, December 2004). Enrique Bour, [Introducción a Anthony de Jasay, The State](#). Anthony de Jasay, [The State](#), Library of Economics and Liberty, first published 1985.
- 3. Elección Pública.** Dennis C. Mueller, [Public Choice: A Survey](#), Journal of Economic Literature, Vol. 14, No. 2 (Jun., 1976), pp. 395-433. Ejan MacKaay, [La Teoría de los Juegos se Apodera del Derecho](#), traducido de [Le droit saisi par le jeu](#), Droit et Société, 17/18, 1991.
- 4. Normas.** Jon Elster, [Las Normas Sociales y la Teoría económica](#), (1989), traducción de Social Norms and Economic Theory, Journal of Economic Perspectives, 3 (4). Richard H. McAdams y Eric Bennett Rasmusen, [Norms in Law and Economics](#), July 2004. Remo F. Entelman, [El Conflicto: Dilema para Abogados](#), Dic. 1997, Suplemento Resolución de Conflictos (R.C.) de La Ley. Ofer H. Azar, [What Sustains Social Norms and How They Evolve? The Case of Tipping](#), Working Paper, SSRN, April

2003. Andreas Engert, [Norms, Rationality, and Communication: A Reputation Theory of Social Norms](#), Working Paper, SSRN, August 2002. Anastassios Karayiannis y Aristides N. Hatzis, Morality, [Social Norms and Rule of Law as Transaction Cost-Saving Devices: The Case of Ancient Athens](#), SSRN, July 2007. Francesco Parisi y Georg Von Wangenheim, [Legislation and Countervailing Effects from Social Norms](#), in *The Evolution and Design of Institutions*, C. Schubert and G. Von Wangenheim, eds., Routledge, 2006.

5. Mercados y Contratos. Axel Leijonhufvud, [Capitalism and the Factory System](#), in *Economic as a Process: Essays in the New Institutional Economics* (Edited by R.N. Langlois), New York, 1986. Steven N. S. Cheung, [The Contractual Nature of the Firm](#), *The Journal of Law and Economics*, Vol. XXVI (1), April 1983. Daniel L. Rubinstein y Robert Cooter, [Economic Analysis of Legal Disputes and their Resolution](#), *Journal of Economic Literature*, Sept. 1989, pp. 1067-1097. Steven Shavell, [On the Writing and the Interpretation of Contracts](#), *The Journal of Law, Economics, & Organization*, Vol. 22, No. 2 (January 2006). Ian Ayres y Robert Gertner, [Strategic Contractual Inefficiency and the Optimal Choice of Legal Rules](#), 101 *Yale L.J.* 729 (1991-1992). Patrick Bajari y Steven Tadelis, [Incentives versus Transaction Costs: A Theory of Procurement Contracts](#), *The RAND Journal of Economics*, Vol. 32, No. 3 (Autumn, 2001), pp. 387-407. Alfredo Garcia, James D. Reitzes, y Juan Benavides, [Incentive Contracts for Infrastructure, Litigation and Weak Institutions](#), *Journal of Regulatory Economics*; 27:1 5-24, 2005. Steven N. S. Cheung, [The Structure of a Contract and the Theory of a Non-Exclusive Resource](#), *Journal of Law and Economics*, Vol. 13, No. 1 (Apr., 1970), pp. 49-70. James M. Buchanan, [A Contractarian Paradigm for Applying Economic Theory](#), *The American Economic Review*, Vol. 65, No. 2, Papers and Proceedings of the Eighty-seventh Annual Meeting of the American Economic Association (May, 1975), pp. 225-230. David D. Friedman, [An Economic Analysis of Alternative Damage Rules for Breach of Contract](#), *Journal of Law and Economics*, Vol. XXXII, October 1989.

6. Sistemas Capitalista y Socialista. El Legado de Hayek. John E. Roemer, [Socialismo](#), *New Palgrave Dictionary of Economics*, January 5, 2005. János Kornai, [¿Qué Significa y qué no es un 'Cambio de Sistema' del Socialismo al Capitalismo?](#), *Journal of Economic Perspectives*-Volume 14, Number I-Winter 2000-Pages 27-42, traducción de Enrique Bour. Hernando de Soto, [The Mystery of Capital](#), *Finance & Development*, March 2001, Volume 38, Number 1. Derived from Chapter 3 of the author's book, *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere*. Peter J. Boettke, [Information and Knowledge: Austrian Economics in Search of its Uniqueness](#), *Review of Austrian Economics*, Vol. 15, No. 4, pp. 263-274, 2002; SSRN. Peter Hammond, [El rol de la información en Economía](#), in *L'Informazione nell' Economia e nel Diritto* (Milan, 1990).

7. Regulación: Funciones, Razones, Instituciones. Importancia de su Diseño. Anthony Ogus, [Regulation: Legal Form and Economic Theory](#): Oxford. Clarendon Press: The Clarendon Law Series. Pp. Xv, 355. 1994. FIEL, [La Regulación de la competencia y de los servicios públicos - teoría y experiencia reciente](#), 1998: Cap. 1 Mercados Competitivos, Desempeño e Intervención Pública; Cap. 2 La Teoría Moderna de la Regulación de los Servicios Públicos. pp. 9-90. IERAL, [Las Regulaciones en Argentina](#), Trabajo presentado en la Reunión Anual de la Asociación de Bancos de

Argentina, 1999. Asian Development Bank, [Public-Private Partnership \(PPP\) Handbook](#), September 2008.

8. Asociaciones Público-Privadas. International Monetary Fund, [Public-Private Partnerships](#), Approved by Teresa Ter-Minassian, March 12, 2004. Ronald W. McQuaid and Walter Scherrer, [Public Private Partnership in the European Union: Experiences in the UK, Germany and Austria](#), Uprava, letnik VI, 2/2008. Eric Maskin y Jean Tirole, [Public-Private Partnerships and Government Spending Limits](#), July, 2006. International Journal of Industrial Organization. Efraim Sadka, [Public-Private Partnerships: A Public Economics Perspective](#), Tel Aviv University - Eitan Berglas School of Economics Working Paper Series, May 2006. Antonio Estache y Tomas Serebrisky, [Where Do We Stand on Transport Infrastructure Deregulation and Public-Private Partnership?](#), World Bank Policy Research Working Paper, July 6, 2004. Eduardo Engel, Ronald Fischer y Alexander Galetovic, [The Basic Public Finance of Public-Private Partnerships](#), July 2007, Revised February 2008, Cowles Foundation Discussion Paper. The World Bank Group, [Public-Private Partnerships in Education](#), 2009.

9. La Asociación Público-Privada como Instrumento Regulatorio con Características Diferenciales entre la Concesión y la Privatización. International Monetary Fund, [Public-Private Partnerships](#), Approved by Teresa Ter-Minassian, March 12, 2004. Ronald W. McQuaid y Walter Scherrer, [Public Private Partnership in the European Union: Experiences in the UK, Germany and Austria](#), Uprava, letnik VI, 2/2008. J. Luis Guasch, Jean-Jacques Laffont y Stéphane Straub, [Infrastructure concessions in Latin America: government-led renegotiations](#), World Bank Policy Research Working Paper, 2005. Klaus M. Schmidt, [The political economy of mass privatization and the risk of expropriation](#), European Economic Review, Volume 44, Issue 2, February 2000, Pages 393-421. John Vickers y George Yarrow, [Economic Perspectives on Privatization](#), The Journal of Economic Perspectives, Vol. 5, Issue 2 (Spring, 1991), 111-132. Sunita Kikeri y John Nellis, [An Assessment of Privatization](#), World Bank Res. Obs. (2004) 19 (1): 87-118.

10. La Asociación Público-Privada como Vehículo de Transferencia de Funciones del Sector Público al Sector Privado. International Monetary Fund, [Public-Private Partnerships](#), Approved by Teresa Ter-Minassian, March 12, 2004. William L. Megginson y Jeffrey M. Netter, [From State To Market: A Survey Of Empirical Studies On Privatization](#), Journal of Economic Literature (June 2001). William J. Baumol, [On the Perils of Privatization](#), May 1993, C.V. Center for Applied Economics.

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13. Formas Jurídico-Administrativas de las PPP. Fortalezas y Debilidades International Monetary Fund, [Public-Private Partnerships](#), Approved by Teresa Ter-Minassian, March 12, 2004. Ronald W. McQuaid y Walter Scherrer, [Public Private Partnership in the European Union: Experiences in the UK, Germany and Austria](#), Uprava, letnik VI, 2/2008.