

ALAIN MARCIANO

## Research Themes

History of Recent Economics, Law and Economics, Public Choice.

## Professional Appointments

|           |                                                                                |
|-----------|--------------------------------------------------------------------------------|
| from 2018 | Professor of Economics, <i>Université de Montpellier</i> .                     |
| from 2010 | Associate Professor of Economics, <i>Université de Montpellier</i> .           |
| 2002-2010 | Associate Professor of Economics, <i>Université de Reims Champagne Ardenne</i> |
| 1995-2002 | Associate Professor of Economics, <i>University of Corsica Pascal Paoli</i> .  |
| 1993-1995 | Assistant professor <i>University of Corsica Pascal Paoli</i> .                |

## Education and degrees

|      |                                                                                                                                                                               |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1995 | Habilitation à diriger des recherches, under the supervision of Pr. A. Leroux.                                                                                                |
| 1993 | Ph.D. (economics), <b>The Ethical Foundations of Economic Thought</b> (Les fondements éthiques de la pensée économique. Enquête sur la Liberté), University of Aix-Marseille. |

## Scientific affiliation

Montpellier-Research in Economics (Université de Montpellier).

Hoover Chair in Economic and Social Ethics (Catholic University, Louvain-la-Neuve, Belgium).

## Courses taught

|               |                                                                                                                                                                                                                                                              |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Undergraduate | Introduction to Economics, History of Economics, History of Economic Thought, Microeconomics, Law and Economics;                                                                                                                                             |
| Graduate      | Public Economics, Transition Economics, Law and Economics, Constitutional Political Economy, History and Methodology of Law and Economics (International doctorate program on “Institutions, Economics and Law”, Collegio Carlo Alberto, Moncalieri, Italy). |

## Grants

|           |                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2018      | Mercatus Center, Economics Department, George Mason University (Fairfax, VA, USA); Invited professor, 17 March-28 April.                                                                                                                                                                                                                                                                            |
| 2016      | TINT, Academy of Finland Center of Excellence in the Philosophy of Science (Helsinki, Finlande); Allocation de recherche de 3 mois, Avril-Mai-Août.                                                                                                                                                                                                                                                 |
| 2015      | University of Western Piedmont (Alessandria, Italy); Invited professor, June.<br>Mercatus Center, Economics Department, George Mason University (Fairfax, VA, USA); Invited professor, 8 March-25 April.                                                                                                                                                                                            |
| 2014      | Mercatus Center, Economics Department, George Mason University (Fairfax, VA, USA); Invited professor, 12-26 October.<br>Monash University, Department of Economics (Clayton, Victoria, Australie); 1 month research grant, August.<br>Center for International Research in the Humanities and Social Sciences (CIRHUS), CNRS-New-York University (NY, NY, USA), 2 months research grant, April-May. |
| 2010      | Center for the History of Political Economy Duke University (Durham, NC, USA), 4 months research grant, Jan-May.                                                                                                                                                                                                                                                                                    |
| 2009      | International Center for Economic Research, Torino (Italy), 2 months research grant, April-May.                                                                                                                                                                                                                                                                                                     |
| 2006-2007 | International Center for Economic Research , Torino (Italy), 3 months research grant, Oct-Nov and February.                                                                                                                                                                                                                                                                                         |
| 2002      | Hoover program in Social Ethics and Philosophy of Economics, Catholic University of Louvain-la-Neuve (Louvain-la-Neuve, Belgium), 2 months research grant, May-June.                                                                                                                                                                                                                                |

## Academic activities

### editorial activities

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|----------------|-----------------------------------------------------------------------------|
| 2016-2017      | co-Editor, <b>Encyclopedia in Law and Economics</b> (Springer).             |
| 2016-2017      | co-Editor, series in <b>Economics, Institutions and the Law</b> (Palgrave). |
| 2014-present   | co-editor in chief, <b>European Journal of Law and Economics</b> .          |
| 2014-present   | Editorial board, <b>Economia</b> .                                          |
| 2018-present   | Scientific Committee, <b>Journal of Public Choice and Public Finance</b> .  |
| 2011-present   | Associate editor <b>Ethical Perspectives</b> .                              |
| 2014-2019      | Editorial board, <b>History of Political Economy</b> .                      |
| 2012-2014      | Associate editor, <b>European Journal of Law and Economics</b> .            |
| 2007-June 2012 | co-editor <b>Revue de Philosophie Economique</b> .                          |

### Referee for journals

American Journal of Economics and Sociology, American Journal of Political Science, *Economie Appliquée*, European Journal of Law and Economics, History of Political Economy, *Homo oeconomicus*, International Review of Law and Economics, Journal of the History of Economic

Thought, Journal of Institutional Economics, Journal of British Studies, Raison Publique, Revue économique, Revue d'économie Politique, Review of Environmental Economics and Policy.

### Organization of conferences

- 2019 (8-9 july) “Annual conference of the Society for Economic Research in Copyright Issues” (local organizer), Faculté d'économie, Université de Montpellier.
- 2017 (1-2 june) “The Future of Law and Economics and the Contributions of Guido Calabresi” (with Wendy Gordon and Giovanni Ramello), Boston University.
- 2016 (27-28 june) 3<sup>rd</sup> conference on ‘Economic Analysis of Litigation’ (with G. Ramello, A. Melcarne and G. di Vita), Faculté d'économie, Université de Montpellier.
- 2015 (13 november) “Constitutions and economic analysis” (with A. Viala et P.-Y. Gadhoun), Faculté de Droit, Universitaires de Montpellier.
- 2014 (18-19 april) “Market Failure in Context”, 2014 History of Political Economy annual conference, Duke University (with S. Medema).
- 2012 “Guido Calabresi: The Place of Torts in Law and Economics: The Significance of the Liability Rule” (with Giovanni Ramello), Prague Conference on Political Economy, CEVRO Institute.
- 2000-2008 “Corsica Law and Economics Workshop”, annual conference, each year.
- 2005 “Intellectual property rights and theory of justice” (with Axel Gosseries et Alain Strowel), Faculté Universitaires de St-Louis (Brussels), 28 October.
- 2005 2<sup>nd</sup> workshop of the Revue de Philosophie Economique, “Economie et philosophie des Discriminations”, University of Aix-Marseille, September.
- 2004 1<sup>st</sup> workshop of the Revue de Philosophie Economique, “Economie et Idéologie”, University of Aix-Marseille, September.
- 2003 Member of the organizing committee of the 9<sup>th</sup> European Conference on the History of Economics (ECHE), University of Reims Champagne Ardenne.

### Publications

#### *Articles in peer reviewed journals*

1. “The scope for the strategic use of scandals” (with G. Grolleau and N. Mzoughi), **Kyklos**, forthcoming.
2. “How Buchanan’s concern for the South shaped his first academic works”, **Public Choice**, 2020, forthcoming.
3. “How Wicksell became important for Buchanan: a historical account of a (relatively) slow epiphany”, **Journal of Public Finance and Public Choice**, 2020, forthcoming, 1–23, DOI: 10.1332/251569119X15709869180845.
4. “Justice without romance. The history of the economic analyses of judges behavior – 1960-1993”, (with A. Melcarne and G. Ramello), **Journal of the History of Economic Thought**, 2020, 42 (2), 261-282.
5. “The Origins of Buchanan’s Views on Federalism, Chicago 1946-1947”, **Journal of Institutional Economics**, 2020, 16 (3), 319-335.
6. “Buchanan, Popular Myths and the Social Responsibility of Economists”, **Southern Economic Journal**, 2020, 86 (4), 1613-1629, <https://doi.org/10.1002/soej.12429>
7. “Retrospectives: Tragedy of the Commons After 50 Years”, (with B. M. Frischmann and G. B. Ramello), **Journal of Economic Perspectives**, 2019, 33 (4), 211-228.

8. "Law, economics and Calabresi on the future of law and economics", (with G. Ramello), **European Journal of Law and Economics**, 2019, 48 (1), 65–76.
9. "Buchanan and public finance: The Tennessee years", **Review of Austrian Economics**, 2019, 32 (1), 21–46.
10. "The economic importance of judicial institutions, their performance and the proper way to measure them" (with A. Melcarne and G. Ramello), **Journal of Institutional Economics**, 2019, 15 (1), 81–98.
11. "The Sound of Silence: A Review Essay of Nancy MacLean's *Democracy in Chains: The Deep History of the Radical Right's Stealth Plan for America*" (with J.-B. Fleury), **Journal of Economic Literature**, 2018, 56(4), 1492–1537.
12. "An Introduction to Juergen Backhaus's "Lawyers' economics vs. economic analysis of law"", **Munich Social Science Review**, New Series, 2 (2018), 5–8.
13. "The social cost problem, rights and the (non)empty core" (with S. Gonzalez and P. Solal), **Journal of Public Economic Theory**, 2018, DOI: 10.1111/jpet.12334.
14. "The Making of a Constitutionalist: James Buchanan on Education" (with J.-B. Fleury), **History of Political Economy**, 2018, 50 (3), 511–548 (Craufurd Goodwin Award for Best Article in the History of Economics 2019).
15. "Why Stigler's Coase theorem is Stiglerian after all? A Methodological Explanation", **Research in the History of Economic Thought & Methodology**, 2018, 36A, 127–155.
16. "A Theory of Tasteful and Distasteful Transactions" (with E. Khalil), **Kyklos**, 2018, 1, 110–131.
17. "De nouveaux éclairages sur le théorème de Coase et la vacuité du cœur" (with S. Gonzalez), **Revue d'économie Politique**, 2017, 127 (4), 585–606.
18. "How status seeking may prevent Coasean bargaining" (with G. Grolleau and N. Mzoughi), **Review of Law and Economics**, 2017 (DOI: 10.1515/rle-2016-0036).
19. "The distance between Buchanan's "An Economic Theory of Clubs" and Tiebout's "A Pure Theory of Local Public Expenditures". New insights based on an unpublished manuscript" (with P. Boettke), **European Journal of the History of Economic Thought**, 2017 (2): 205–237.
20. "Museums, Property Rights, and Photographs of Works of Art. Why Reproduction Through Photograph Should Be Free" (with N. Moureau), **Review of Economic Research on Copyright Issues**, 2016, 13 (1), 1–28.
21. "The perils of government enforcement" (with R. Romaniuc, K. Farrow, and L. Ibanez), **Public Choice**, 2016, 166 (1), 161–182.
22. "Buchanan's non-coercive economics for self-interested individuals: ethics, small groups and the social contract", **Journal of the History of Economic Thought**, 2016, 38 (1), 1–20.
23. "Accident costs, resource allocation and individual rationality: Blum, Kalven, and Calabresi" (with R. Romaniuc), **European Journal of the History of Economic Thought**, 2015, 22 (6), 1084–1114.
24. "Buchanan on pro-social behaviors: Why is ethics necessary", **Economia**, 2015, 5(3): 295–311.
25. "The Consent Dilemma in Libertarian Paternalism", **Homo (Economicus)**, 2015, 32 (2): 287–292.
26. "The Past, Present and Future of Virginia Political Economy" (with P. Boettke), **Public Choice**, 2015, 163 (1–2): 53–65.

27. "Understanding The Problem of Social Cost" (with B. Frischmann), **Journal of Institutional Economics**, 11 (1), 2015, 11: 2, 329-352.
28. "Consent, choice and Guido Calabresi's Heterodox Economic Analysis Of Law" (with G. Ramello), **Law and Contemporary Problems**, 2014, 77, 97-116.
29. "Ronald Coase: An Obituary", **History of Economic Ideas**, 2013, XXI (2), 11-27.
30. "Becker and Posner: Freedom of Speech and Public Intellectualship" (with J.-B. Fleury), **History of Political Economy**, 2013, 45 (suppl), 254-278.
31. "Buchanan on Market Imperfections, Voluntary Cooperation, and Externalities", **History of Political Economy**, 2013, 45 (2), 223-254.
32. "How far an Austrian law and economics should be Posnerian? A comment on Peter Leeson", **Review of Austrian Economics**, 2012, 25 (4), 351-354.
33. "Optimization, path dependence and the law: Can judges promote efficiency?" (with E. Khalil), **International Review of Law and Economics**, 2012, 32 (1), 72-82.
34. "Guido Calabresi's Economic Analysis of Law, Coase and the Coase theorem", **International Review of Law and Economics**, 2012, 32 (1), 110-118.
35. "L'analyse économique du droit. Éléments de rupture et de continuité des années 1970 à aujourd'hui" (with S. Harnay), **Économie Publique**, 2011 1/2, 71-92.
36. "Buchanan on externalities: An exercise in applied subjectivism", **Journal of Economic Behavior and Organisation**, 80 (2), 2011, 280-289.
37. "Seeking rents through class actions and legislative lobbying : a comparison" (with S. Harnay) **European Journal of Law and Economics**, 2011, 32 (2), 293-304.
38. "Economics, Political Economy and Social Philosophy: A Reaction to the Letter to the Queen", **Homo Oeconomicus**, 2010, 27(3), 365-367.
39. "Machiavelli's Possibility Hypothesis" (with Manfred Holler), **AUCO-Czech Economic Review**, 2010, 4 (1), 18-31 (hors ).
40. "The Equivalence of Neo-Darwinism and Walrasian Equilibrium: In Defense of Organismus economicus" (with E. Khalil), **Biology and Philosophy**, 2010, 25, 229-248.
41. "Should I help my Neighbor? Self-interest, Altruism and Economic Analyses of Rescue Laws" (with S. Harnay), **European Journal of Law and Economics**, 2009, 28, 103-131.
42. "Why Hayek is a Darwinian (after all)? Hayek and Darwin on social evolution", **Journal of Economic Behavior and Organisation**, 2009, 71, 52-61.
43. "Posner, Economics and the Law: From Law and Economics to an Economic Analysis of Law" (with S. Harnay), **Journal of the History of Economic Thought**, 2009, 31 (2), 215-232.
44. "Buchanan's critique of Robbins Definition of Economics", **Journal of Economic Methodology**, 2009, 16 (2), 125-138.
45. "Buchanan's Constitutional Political Economy: Exchange vs. Choice in Economics and in Politics", **Constitutional Political Economy**, 2009, 20, 42-56.
46. "Economists on Darwin's theory of human nature", **European Journal of the History of Economic Thought**, 2007, 14 (4), 681-700.
47. "Exchange and Value in Law and Economics, Buchanan and Posner compared", **Review of Austrian Economics**, 2007, 20 (2/3), 187-200.
48. "How the Court Made a Federation of the EU" (with J.-M. Josselin), **Review of International Organisation**, 2007, 2, 59-75 .

49. "David Hume's model of man: Classical Political Economy as 'Inspired' political economy", **Review of Social Economy**, 2006, 64 (3), 369-386.
50. "Where Economics and Philosophy Meet," **Economic Journal**, (with Peter Boettke et al), 2006, 116, F306-F325.
51. "Non-benevolence, sympathy and the proper role of government. From new political economy back to old political economy", *The Economic Theory of Government* (sous la direction de Peter Boettke et Steve Medema), **History of Political Economy (Annual Supplement)**, 2005, 37, 43-70.
52. "Judicial conformity versus dissidence: an economic analysis of judicial precedent" (with S. Harnay), **International Review of Law and Economics**, 2004, 23, 405-420.
53. "Federalism and Conflicts over principalship. Some insights into the American constitutional history" (with J.-M. Josselin), **Constitutional Political Economy**, 2004, 15 (3), 281-304; article indexé in *International Political Science Abstract* (hors ).
54. "Repenser l'économie du politique a partir de l'économie politique", **Cahiers d'Economie Politique**, 2004, 47, 69-93.
55. "Enlargement in a Constitutional Political Economy Perspective" (with J.-M. Josselin), **Year Book of Political Economy**, 2003, 22, 291-296.
56. "La théorie de l'évolution culturelle de Hayek à la lumière de La Descendance de l'homme de Darwin" (with M. Péliassier), **Economies et Sociétés: Oeconomia**, 2003, 12, 2121-2143.
57. "The making of the French civil code: An Economic Interpretation" (with J.-M. Josselin), **European Journal of Law and Economics**, 2002, 14, 193-203.
58. "Freedom of speech in a constitutional political economy perspective" (with J.-M. Josselin), **Journal of Economic Studies**, 2002, 29 (4/5), 324-331 (hors ).
59. "Les relations de mandat in les systèmes constitutionnels: Approche théorique et application au cas européen" (with J.-M. Josselin), **Revue d'Économie Politique**, 2002, 112 (6), 921-942.
60. "Public Decisions in the Scottish Enlightenment Tradition" (with J.-M. Josselin), **Journal of Economic Studies**, 2001, 27(6), 5-13 (hors classement).
61. "Comportements stratégiques et production de droit: le cas du droit communautaire européen" (with J.-M. Josselin), **Économie Appliquée**, 2001, LIV (3), 211-231.
62. "The Influence of Scottish Enlightenment on Darwin's Theory of cultural Evolution" (with M. Péliassier), **Journal of the History of Economic Thought**, 2000, 22 (2), 239-249.
63. "Displacing your Principal. Two Historical Case Studies of Some Interest for the Constitutional Future of Europe" (with J.-M. Josselin), **European Journal of Law and Economics**, 2000, 10 (3), 217-223.
64. "L'efficacité du droit spontané : une évaluation microéconomique" (with J.-M. Josselin), **Revue Internationale de Droit Economique**, 2000, XIV (2), 351-363.
65. "Unitary States and Peripheral Regions: A Model of Heterogeneous Spatial Clubs" (with J.-M. Josselin), **International Review of Law and Economics**, 1999, 19, December, 501-511.
66. "Une Approche Micro-Economique des Régions Périphériques" (with J.-M. Josselin), **Revue d'Economie Régionale et Urbaine**, 1998, 4, 547-564.
67. "The Paradox of Leviathan: How to Develop and Contain the Future European State" (with J.-M. Josselin), **European Journal of Law and Economics**, 1997, 4 (1), 5-21.
68. "Le Financement des Infrastructures de Transport in les Régions Périphériques. Une Approche par les Choix Publics" (with X. Peraldi), **Revue Économique**, 1997, 48 (2), 257-270.

69. "Démocratie Economique contre Démocratie Politique. Un Commentaire sur un Article de Ai Thu Dang", **Revue Économique**, 1997, 48 (6), 1561-1569.
70. "The Political Economy of Domestic Violence", **Journal of Public Finance and Public Choice**, 1996, 2-3, 163-173.
71. "Constitutionalism and Common Knowledge: Assessment and Application to a Future European Constitution" (with J.-M. Josselin), **Public Choice**, 1995, 85 (1-2), 173-188.

*Guest Editor, special issues – symposiums*

1. "The future of law and economics and the legacy of Guido Calabresi" (with W. Gordon and G. Ramello), special issue **European Journal of Law and Economics**, 2019, 48 (1), 1-8.
2. "The Empirics of Judicial Institutions", (with G. Ramello), special issue, **Journal of Institutional Economics**, 2019, 15 (1), 2019, 73-80, <https://doi.org/10.1017/S1744137418000322>.
3. "Cesare Beccaria: back to the future of law and economics (with G. Ramello), special issue **European Journal of Law and Economics**", 2018, 46 (3), 271-274.
4. "The Behavioural Turn in Law and Economics. Historical and Philosophical Assessments", (with M. Malecka), special issue, (*Economia*, 2017, 7-3.
5. "Law and Economics as an Applied Science. The Legacy of Guido Calabresi's *Some Thoughts on Risk Distribution and the Law of Tort*" (with G. Ramello), special issue, **Law and Contemporary Problems**, 2014, 77 (2).
6. "Rationalité et comportements pro-environnementaux" (with S. Roussel), symposium, **Revue d'économie Politique**, 2014, 124 (2).
7. "The Bright Side of Scandals" (with N. Moureau), symposium, **Homo Oeconomicus**, 2013, 30 (3).
8. "The comparative economics of regulated professions" (with J.-P. Domini), special issue, **European Journal of Comparative Economics**, 2013, 10 (2).
9. "Coase, "The Problem of Social Cost" and the Coase Theorem", special issue, **European Journal of Law and Economics**, 2011, 31 (1).
10. "Darwin, Darwinism and social Darwinism", (with R. Koppl), special issue, **Journal of Economic Behavior and Organisation**, 2009, 71.
11. "Early law and economics", symposium, **Journal of the History of Economic Thought**, 2008, 30 (3).
12. "Le principe de précaution" (with B. Tourrés), symposium d'**Economie Publique**, 2007, 2.
13. "The Political Element in Economic Thought" (with Philippe Fontaine), symposium de **History of Political Economy**, 2007, 39 (4).
14. "Économie et idéologie", special issue, **Revue de Philosophie économique**, 2005, June.

*Books*

*Authored or co-authored*

1. **James Buchanan**: *The Disillusionment of an Optimistic Economist*, under contract with Cambridge University Press.
2. **Reader in Law and Economics**, London, Routledge, 2009.
3. **Posner**. *L'analyse Economique du Droit* (with S. Harnay), Paris, Michalon, 2003.

4. **Éthique de l'économie. Introduction à l'étude des idées économiques**, Brussels, De Boeck, 1998.
5. **La Philosophie Economique** (with A. Leroux), Paris, P.U.F., 1998.

*Edited volumes*

6. **Law and Economics in Europe and the U.S.: The Legacy of Juergen Backhaus** (edited with G. Ramello), Springer, 2016.
7. **Market Failures** (edited with S. Medema), special issue of History of Political Economy. Duke University Press, 2015.
8. **Constitutional Mythologies: New Perspectives on Controlling the State**, Springer, 2011.
9. **Regards critiques sur le principe de précaution** (co-edited with B. Tourrés), Vrin, 2011.
10. **Intellectual Property Rights and Theories of Justice** (co-edited with Axel Gosseries et Alain Strowel), Palgrave MacMillan, 2008.
11. **Democracy, Freedom and Coercion. A Law and Economics Approach** (co-edited with J.-M. Josselin), Edward Elgar, 2007.
12. **Law and the State. A Political Economy Approach** (co-edited with J.-M. Josselin), Edward Elgar, 2005.
13. **Elgar Companion to Economics and Philosophy** (co-edited with John Davis et Jochen Runde), Edward Elgar, 2004.
14. **From Economic to Legal Competition. New Perspectives on Law and Institutions in Europe** (co-edited with J.-M. Josselin), Edward Elgar, 2003.
15. **The Economics of Harmonizing European Law** (co-edited with J.-M. Josselin), Edward Elgar, 2002.
16. **Traité de Philosophie Economique** (co-edited with A. Leroux), De Boeck Université, 1999.

*Translations*

17. **Exercices de Microéconomie**, Hal Varian et Ted Bergstrom, from English to French, Brussels, Editions de Boeck.

*Chapters in collective volumes*

1. "Disciplinary Collisions: Blum, Kalven, and the Economic Analysis of Accident Law at Chicago in the 1960s", (with S. Medema), in ed. P. Cserne and M. Małecka (eds), **Law and Economics as Interdisciplinary Practice**, Routledge, 2020, pp. 53-75.
2. "From Highway to Clubs: Buchanan and the Pricing of Public Goods", in R. E. Wagner (ed), **James M. Buchanan**, Springer, 2019, ch. 32, [https://doi.org/10.1007/978-3-030-03080-3\\_32](https://doi.org/10.1007/978-3-030-03080-3_32).
3. "Italian Influences on Buchanan's Research Program" (with M. Mosca), in R. E. Wagner (ed), **James M. Buchanan**, Springer, 2019, ch. 46, [https://doi.org/10.1007/978-3-030-03080-3\\_46](https://doi.org/10.1007/978-3-030-03080-3_46).
4. "Ronald H. Coase (1910-2013)", in R. McCord, **The Palgrave Companion to LSE Economics**, Palgrave MacMillan, 2019, 555-577, DOI: 10.1057/978-1-137-58274-4\_22.
5. "Guido Calabresi" (with G. Ramello), in A. Marciano et G.B. Ramello (eds), **Encyclopedia of Law and Economics**, Springer, 2019.

6. "Juergen Backhaus" (with G. Ramello), in A. Marciano et G.B. Ramello (eds), **Encyclopedia of Law and Economics**, Springer, 2019, [https://doi.org/10.1007/978-1-4614-7883-6\\_760-1](https://doi.org/10.1007/978-1-4614-7883-6_760-1).
7. "Richard A. Posner", in A. Marciano et G.B. Ramello (eds), **Encyclopedia of Law and Economics**, Springer, 2019.
8. "Rational Choice as Neo-Decisionism: Decision-Making in Political Science and Economics after 1945" (with N. Guilhot), in U. Mäki, Manuela Fernandez Pinto, et Adrian Walsh (eds), **Scientific Imperialism: Exploring the Boundaries of Interdisciplinarity**, 2017, chapitre 6.
9. "Economic Analysis of Law", in A. Marciano et G.B. Ramello (eds), **Encyclopedia of Law and Economics**, Springer, 2016, DOI: 10.1007/978-1-4614-7883-6\_598-1.
10. "The Law, The Economy, The Polity: Juergen Backhaus, A Thinker Outside the Box" (with J.-M. Josselin et G. B. Ramello), in A. Marciano et G. B. Ramello (eds.), **Law and Economics in Europe and the U.S.: The Legacy of Juergen Backhaus**, Springer, 2016, pp. 1-16.
11. "Order, Coordination, and Collective Action among the Undead" (with J.-B. Fleury), in Glen Whitman and James P. Dow, eds., **Economics of the Undead: Zombies, Vampires, and the Dismal Science**, Maryland: Rowman & Littlefield, 2014, pp. 77-86.
12. "Machiavelli's Possibility Hypothesis Revisited" (with M. Holler), in Sina Rummelshagen and Max Stobbe (eds), **Adam Smith meets Walras and Machiavelli**, Accedo Verlag, 2013, pp. 145-164.
13. "Collective litigation versus legislation: a rent-seeking approach to class actions" (with S. Harnay), in Juergen G. Backhaus, Alberto Cassone et Giovanni B. Ramello (eds), **The Law And Economics Of Class Actions In Europe. Lessons from America**, Elgar, 2011, chap. 12, pp. 219-236.
14. "The early European "federalism": Ambiguities of talks about how to walk towards a political union" (with J.-M. Josselin), in Louis Imbeau (ed.) **Do They Walk Like They Talk?** Springer, 2009, chap. 14, pp. 241-255.
15. "Economic Analysis of Administrative Law (agencies)" (with J.-M. Josselin), in David S. Clark (ed), **the Sage Encyclopedia of Law and Society: American And Global Perspectives**, Sage Publishing, 2007.
16. "A Contractual Approach to Multi-level Governance" (with E. Brousseau), in **Linking Government and Regions, Contracts for Regional Development**, edited by Eric Brousseau, OCDE, 2007, pp. 21-70.
17. "The Case of France", in Eric Brousseau (ed.) **Linking Government and Regions, Contracts for Regional Development**, OCDE, 2007, pp. 82-105.
18. "Intellectual property rights and judge-made law. An economic analysis of the production and diffusion of precedent" (with S. Harnay), in D. Porri et G. Ramello (eds) **Property Rights Dynamics in Third Millenium: A Law and Economics Perspective**, Routledge, 2006, pp. 198-218.
19. "Gary S. Becker", in Patrick Savidian et Sylvie Mesure (eds), **Dictionnaire des Sciences Humaines**, Presses Universitaires de France, 2006, pp. 72-73.
20. "Éthique médicale et comportement du patient: les conséquences paradoxales de l'altruisme du médecin", in Philippe Batifoulier et Maryse Gadreau (eds), **L'éthique médicale et les politiques de santé**, Economica, 2005, ch. 4.
21. "Administrative Law and Economics" (with J.-M. Josselin), in Jurgen G.Backhaus (ed.), **The Elgar Companion to Law and Economics** (2nd edition, revised), Edward Elgar, 2005, pp. 239-245.

22. "General Norms and Customs" (with J.-M. Josselin), in Juergen G. Backhaus (ed.), **The Elgar Companion to Law and Economics**, Edward Elgar, 2005, pp. 424-432.
23. "Federalism and Subsidiarity in National and International Contexts" (with J.-M. Josselin) in Juergen Backhaus et Richard E. Wagner (eds), **Handbook of Public Finance**, Dordrecht, Kluwer Academic Publisher, 2004, pp. 477-520.
24. "Entre Humanisme et Mercantilisme. Une Approche par l'Economie Constitutionnelle de la République de Jean Bodin", in G.-A. Pérouse, Nicole Dosckés-Lallement et J.-M. Servet (eds), **L'Œuvre de Jean Bodin**, Honoré Champion, 2004, pp. 207-233.
25. "The Historical and Philosophical Foundations of New Political Economy", in John Davis, Alain Marciano et Jochen Runde (eds), **The Elgar Companion to Economics and Philosophy**, Edward Elgar, 2004, pp. 24-41.
26. "Independence and Judicial Discretion in a Dualist Regime: The Case of France Administrative Judiciary" (with S. Harnay), in B. Deffains et T. Kirat (eds), **Law and Economics in Civil Law Countries**, Greenwich (CT), Jai Press, 2001, pp. 243-255.
27. "Economie Politique des décisions publiques" (with J.-M. Josselin), in A. Leroux et Alain Marciano, **Traité de Philosophie Economique**, Brussels, De Bock Université, 1999, pp. 63-83.
28. "Administrative Law and Economics", in Juergen Backhaus (ed), (with J.-M. Josselin), **The Elgar Companion to Law and Economics**, Aldershot, Edward Elgar, 1999, pp. 116-121.
29. "General Norms and Customs", in Juergen Backhaus (ed), (with J.-M. Josselin), **The Elgar Companion to Law and Economics**, Aldershot, Edward Elgar, 1999, pp. 233-239.
30. "Quel Statut Constitutionnel pour les Régions Périphériques? Une Approche par l'Economie Constitutionnelle" (with J.-M. Josselin), in Anne Meisterschein, **L'île laboratoire**, Ajaccio, Ed. A. Piazzola, 1999, pp. 67-71.
31. "Recherche de rente et croissance: une approche par l'économie politique" (with J.-M. Josselin), in Gilbert Benhayoun, Nathalie Gaussier et Bernard Planque (eds), **Régions Méditerranéennes et Développement Durable**, L'Harmattan, 1999, pp. 66-82.

## Introductions

1. "The future of law and economics and the legacy of Guido Calabresi" (with W. Gordon and G. Ramello), special issue **European Journal of Law and Economics**, 2019, 48 (1).
2. "Essays on the empirics of judicial institutions" (with G. Ramello), symposium, **Journal of Institutional Economics**, 2019, 15 (1), 73-80.
3. "Cesare Beccaria: back to the future of law and economics" (with G. Ramello), special issue **European Journal of Law and Economics**, 2018, 46 (3)
4. "Introduction to 'The Behavioural Turn in Law and Economics. Historical and Philosophical Assessments'", (avec M. Malecka), (*Economia*, 2017, 7-3, 299-303.
5. "Market Failure in Context: Introduction" (avec S. Medema) **History of Political Economy**, 2015, 47 (6): 1-19.
6. "Law and Economics as an Applied Science. The Legacy of Guido Calabresi's *Some Thoughts on Risk Distribution and the Law of Tort*" (with G. Ramello), **Law and Contemporary Problems**, 2014, 77, i-viii.
7. "Rationalité et comportements pro-environnementaux: An Introduction" (with S. Roussel), symposium, **Revue d'Économie Politique**, 2014, 124 (2), 155-158.
8. "The Bright Side of Scandals: An Introduction" (with N. Mourceau), symposium, **Homo Economicus**, 2013, 30 (3), 249-255.

9. "How much should professional markets be regulated? An introduction" (with J.-P. Domin), **European Journal of Comparative Economics**, 2013, 10 (2), 3-7.
10. "Introduction" (with B. Tourrès), in Alain Marciano et B. Tourrès (eds.), **Regards critiques sur le principe de précaution**, Vrin, 2011.
11. "Constitutional Myths: Introduction", in Alain Marciano (ed.), **Constitutional Mythologies: New Perspectives on Controlling the State**, New York, Springer, 2011.
12. "Coase, "The Problem of Social Cost" and the Coase Theorem: An Anniversary celebration", introduction, special issue, **European Journal of Law and Economics**, 2010, 31 (1), 1-9.
13. "Darwin, Darwinism and social Darwinism: What do we learn from Darwin's theory of social evolution?" (with R. Koppl), **Journal of Economic Behavior and Organisation**, 2009, 71, 1-3.
14. "Early law and economics: introduction", **Journal of the History of Economic Thought**, 2008, 30 (3), 279-282.
15. "Introduction" (with J.-M. Josselin), in Alain Marciano and J.-M. Josselin (eds.) **Democracy, Freedom and Coercion. A Law and Economics Approach**, Edward Elgar, 2007, pp. ix-xix.
16. "Le principe de précaution: introduction" (with B. Tourrès), symposium de **Economie Publique**, 2007, 2, 7-12 .
17. "The Political Element in Economic Thought: A Minisymposium" (with P. Fontaine), **History of Political Economy**, 2007, 39 (4), 567-570.
18. "Économie et idéologie: éditorial", **Revue de Philosophie Économique**, special issue on "economics and ideologie", 2005, 3-7.
19. "Making Sense of the State: A Political Economy Approach" (with J.-M. Josselin), in Alain Marciano and J.-M. Josselin (eds.) **Law and the State: A Political Economy Approach**, Edward Elgar, 2005.
20. "The Economics of the Constitutional Moment in Europe" (with J.-M. Josselin), in Alain Marciano et J.-M. Josselin (eds), **The Economics of Harmonizing European Law**, Edward Elgar, 2002, pp. 1-23.

#### Book reviews

1. Henry N. Butler and Jonathan Klick (eds), "*History of Law and Economics*", **Journal of the History of Economic Thought**, 2019, 41 (4), 652-655.
2. Claude Menard et Elodie Bertrand, *The Elgar Companion to Ronald Coase*, **Journal of the History of Economic Thought**, 2017, 39 (4), 618-620.
3. David McFarland, *The Biological Bases of Economic Behavior. A Concise Introduction*, **Journal of Bioeconomics**, online in march 2017.
4. David Reisman, *James Buchanan*, **eh.net**, [http : //eh.net/bookreviews/james-buchanan/](http://eh.net/bookreviews/james-buchanan/), 2016, October.
5. Edward P. Stringham, *Private Governance: Creating Order in Economic and Social Life*, **Cato Journal**, 2016, 36 (2), 444-448.
6. Maria Cristina Marcuzzo, *Fighting Market Failure. Collected essays in the Cambridge tradition of economics*, **Journal of the History of Economic Thought** 2016, 38 (2), 244-246.
7. Marc D. White, *The Virtues of Captain America: Modern-Day Lessons on Character from a World War II Superhero*, **Journal of Cultural Economics**, 2015, 48(4), 810-811.
8. Brett M. Frischmann, *Infrastructure: the social value of shared resources*, **Public Choice**, 2014, 160 (3-4), pp 559-562.

9. John Meadowcroft, *James M. Buchanan, Review of Austrian Economics*, 2012, 25 (3), pp 279-281.
10. Alexander Field, Altruistically Inclined? *The Behavioural Sciences, Evolutionary Theory and the Origins of Reciprocity*, **Review of Political Economy** 2009, 21 (3), 517-520.
11. Charles Rowley et Francesco Parisi (eds), *The Origins of Law and Economics. Essays by the Founding Fathers*, **Journal of the History of Economic Thought**, 2008, 30 (2), 265-270.
12. James R. Hackney Jr, "Under Cover of Science. American legal-economic theory and the quest for objectivity", Duke University Press, **Constitutional Political Economy**, 2008, juin, 19 (2), 165-168.
13. Ingo Barenz, Volker Caspari and Bertram Schefold (eds), *Political Events And Economic Ideas*, **Journal of the History of Economic Thought**, 2007, 29 (4), pp 497-502.
14. Ulrich Witt, *The Evolving Economy. Essays on the Evolutionary Approach to Economics*, **Journal of Economic Methodology**, 2005, 12 (1), 149-155.
15. Peter Koslowski (ed.), *Sociobiology and Bioeconomics: The Theory of Evolution in Biological and Economic Theory*, **Journal of Bioeconomics**, 2004, 6(3), 317-327.
16. Michel de Vroey, *Involuntary unemployment. The elusive quest for a theory*, **Revue de Philosophie Économique**, 2004, 5(2), 151-153.
17. Richard A. Posner, *The Problematics of Moral and Legal Theory*, (with S. Harnay), **Revue Internationale de Droit Economique**, 2001, XV (1), 101-109.
18. Jon Elster, *The Alchemistries of the Mind. Rationality and the Emotions*, **Revue de Philosophie Économique**, 2000, 2 (2), 167-177.
19. Thierry Kirat, *Economie du droit* (with J.-M. Josselin), **Revue Internationale de Droit Economique**, 1999, XIII (2), 295-302, 1999.

*Work in  
progress*

1. "Altruism, predation and the Samaritan's dilemma" (with S. Dughera)
2. "Forgive or Punish. The Impact of Altruistic Supervision on Shirking" (with S. Dughera)
3. "Scandals: A 'Reset Button' to Drive Change?" (with G. Grolleau and N. Mzoughi)
4. "How Research Scandals Can Benefit Research and Scandal Targets?" (with G. Grolleau and N. Mzoughi)
5. "Promoting Chicago Price Theory or Developing UCLA Economics? The contributions of Armen A. Alchian" (with J.-B. Fleury)
6. "How Economics Became a Science of Discipline" (with J.-B. Fleury)
7. "Integrity Entitlements contra Property Rights: Integrity as Input, Integrity as By-Product." (with E. Khalil)
8. "A Theory of Instrumental and Existential Rational Decisions: Smith, Weber, Mauss, and Tönnies after Martin Buber." (with E. Khalil)
9. "Other-Regarding Preferences: The Poverty of the Self/Other Dichotomy." (with E. Khalil)
10. "Coase and the Shakespearean puzzle: How to deal with property rights that destroy value" (with G. Ramello)
11. "Social Norms and Social coordination. In Defense of Sincerity in Human Interactions"
12. "Exploitation as Mutual Advantage and The Myth of the Samaritan's Dilemma"

## Speaking

### *Invited seminars*

"James Buchanan: The Journey of A Southern Gentleman", Workshop in Philosophy, Politics, and Economics, George Mason University (Mercatus Center), March 9th, 2017.

"Classical Liberalism, Social Darwinism and the Ambivalence of Sympathy", Workshop on "Liberalism and the Evolutionary Agenda" (Walter Eucken Institut & Max Planck Institute of Economics, Jena), Freiburg, December 2013.

"The false start an economic analysis of law: Walter Blum, Harry Kalven and Chicago in the 1960s", Université Paris 1, 24 April 2013.

"Interdisciplinarity in early law and economics at the University of Chicago", Walras-Pareto Center, University of Lausanne, December 2012.

"Buchanan on Externalities: an Exercise in Applied Subjectivism", EFSO conference in honor to James Buchanan, George Mason University, Sept. 2010.

"Why markets do not fail. Buchanan on voluntary cooperation and externalities", Colloquium, New York University, February 2010.

"Why markets do not fail. Buchanan on voluntary cooperation and externalities", Lunch Seminar, Center for the History of Political Economy, April 2010.

"Altruism, Efficiency and the Law. From Calabresi to Posner and an efficient judiciary", Efficiency and the Judiciary. Law and Economics Perspectives, Collegio Alberto, December 2009.

"Buchanan's theory of externalities", Amsterdam-Cachan Group on the History of Social Sciences, Amsterdam (Holland), December 2009.

"Le fédéralisme européen", "ANCo-Analyses Normatives Contemporaines" workshop, University of Paris 5, March 2009.

"Should I help my neighbor? Self-interest, altruism and economic analyses of rescue laws", Erfurt European Workshop in Law and Economics (keynote lecture), Erfurt (Germany), April 2008.

"Buchanan's catallactic criticism of Robbins definition of economics", Amsterdam-Cachan Group on the History of Social Sciences, Amsterdam (Hollande), December 2007.

"Buchanan's constitutional political economy: exchange vs. choice in economics and in politics", Summer Institute for the Preservation of the History of Economics (George Mason University), June 2007.

"Early Public Choice theory: choice in economics and in politics", Institute for socio-economics, University of Hambourg (Germany), April 2007.

"Posner, economics and the law: from 'law and economics' to an economic analysis of law", Séminaire H2S, University of Paris Ouest Nanterre la Défense, April 2007.

"From Public Choice to New Law and Economics: The Process of De-Legalisation of the Law", Erasmus Institute in Philosophy and Economics, University of Rotterdam (Holland), 31 January 2006.

"From Public Choice to New Law and Economics: The Process of De-Legalisation of the Law", Institute for socio-economics, University of Hambourg (Germany), 13 Juin 2006.

"The economists on Darwin's theory of social evolution and human behaviour", Amsterdam-Cachan Group on the History of Social Sciences, Amsterdam (Holland), December 2005.

"The economists on Darwin's theory of social evolution and human behaviour", Evolutionary Economics Group, Max Planck Institute, Jena (Germany), June 2005.

"Between Centralisation and Decentralisation: The Political Economy of the Ambiguous European Model of Federalism", Helsinki conference on law and economics, Université d'Helsinki, 15-16 August 2005.

"Europe before the constitution: The road to federalism and the economics of subsidiarity", University of Turin, Department of Economics, May 2004.

### *International conferences*

European Association of Law and Economics (1998, 1999, 2000, 2002), European Public Choice Society (1994, 1995, 2001, 2003, 2004, 2005, 2006, 2007, 2008), European Workshop in Law and Economics (Maastricht (1994-2000), Erfurt (2000-2004, 2008)), History of Economics Society

(1999, 2000, 2001, 2004, 2005, 2006, 2007, 2008, 2009, 2014, 2018, 2019), Public Choice Society (1995, 1996, 1999, 2000), Southern Economic Association (2006, 2011).