

# New Institutional Economics

## *A Guidebook*

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*Edited by*

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## 20 The Theory of the Firm and Its Critics: A Stocktaking and Assessment

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*Nicolai J. Foss and Peter G. Klein*

### 20.1 Introduction

Since it emerged in the early 1970s new institutional economics (NIE) has been the subject of intense debate. As an important part of NIE, the modern theory of the firm – mainly transaction cost economics (TCE) and property rights theory, but also agency theory and team theory – is no exception.<sup>1</sup> Much of the debate on the theory of the firm has been “internal,” in the sense that it has been conducted between scholars who are generally sympathetic to the new institutional approach (e.g. Hart 1995; Kreps 1996; Maskin and Tirole 1999; Brousseau and Fares 2000; Foss and Foss 2001; Furubotn 2002; MacLeod 2002).

However, there also exists a substantial, though somewhat amorphous, set of “external” critiques, arising from sociologists, heterodox economists (“old” institutionalist, Austrian, and evolutionary), and management scholars, mainly in the organization and strategy fields. Williamson’s TCE has been a favorite *Prügelknabe* for about three decades (e.g. Richardson 1972; Hodgson 1989; Perrow 2002), but agency theory has also drawn a fair amount of fire (Donaldson 1996). For instance, early critics argued that TCE ignored the role of differential capabilities in structuring economic organizations (Richardson 1972); neglected power relations (Perrow 1986), trust, and other forms of social embeddedness (Granovetter 1985); and overlooked evolutionary considerations, including Knightian uncertainty and market processes (Langlois 1984). Such critiques have been echoed and refined in numerous contributions, and criticizing NIE remains a thriving industry. The incumbents are mainly sociologists (Freeland 2002; Buskens, Raub, and Snijders 2003; Lindenberg 2003) and non-mainstream economists (Hodgson 1998; Loasby 1999; Witt 1999; Dosi and Marengo 2000), but new entrants are increasingly recruited from the ranks of management scholars (Pfeffer 1994), in particular from the strategic management field (Kogut and Zander 1992; Conner and Prahalad 1996; Ghoshal and Moran 1996; Madhok 1996).

This chapter offers an idiosyncratic review and assessment of this critical literature.<sup>2</sup> Our assessment aims to be constructive, in that we ask if the critiques can advance the modern economic theory of the firm by identifying weak points, suggesting improvements, and the like. We do not claim to be comprehensive; unavoidably many authors, papers, and insights must be left out. However, we aim to capture what we see as the fundamental critiques.

We begin with a brief summary of core ideas in the modern economic theory of the firm, highlighting the key assumptions at which the critics have concentrated their fire. We turn next to the substance of these critiques, focussing on cognitive and behavioral issues, firm heterogeneity and production costs, and market characteristics such as path dependence, the survivor principle, and other evolutionary issues. As we consider each challenge, we discuss its implications for theoretical and applied research on the firm. In other words, we ask what, if anything, each critique suggests about how to address the three key *explananda* of the theory of the firm: existence, boundaries, and internal organization.

## 20.2 The Coasian theory of the firm

### 20.2.1 *Coase and later work on the theory of the firm*

The basic features of the emergence of the theory of the firm are well known. As the story is normally told, the theory of the firm traces its existence back to Coase's (1937) landmark article, "The Nature of the Firm," with its key conjecture that the main *explananda* of the theory of the firm (existence, boundaries, and internal organization) may be explained by incorporating the "costs of using the price mechanism" into standard economic analysis. For various reasons, Coase's seminal analysis was neglected for more than three decades; the analysis was known, but not used, as Coase (1972, p. 68) himself has noted. However, about the same time as Coase's lamentation, serious work on the theory of firm began to emerge, with four seminal contributions defining the central streams of research in the theory of the firm, namely TCE (Williamson 1971), the property rights or nexus-of-contracts approach (Alchian and Demsetz 1972), agency theory (Ross 1973), and team theory (Marschak and Radner 1972).

Of these four approaches, only the transaction costs approach and the property rights approach are conventionally considered theories of the firm in the strict sense. Neither team theory nor principal-agent theory explains the boundaries of the firm, defined in terms of asset ownership

(Hart 1995). Such an explanation must presuppose that contracts are incomplete, otherwise everything can be stipulated contractually and there is no need for ownership, the “residual right” to make decisions under conditions not specified by contract. TCE and property rights theory, by contrast, assume that contracts are incomplete, meaning that some contingencies or outcomes are not specified in the contract. Accordingly, our main emphasis will be on the latter two approaches.<sup>3</sup>

20.2.2 *A simple representation*

The basic incomplete contracting argument is illustrated by the strategic-form games shown in Figure 20.1. We choose this representation not for its own sake, but, rather, because it brings out many of the crucial underlying assumptions in the modern theory of the firm.

Following Hurwicz (1972), we can imagine economic agents choosing game forms, and the resulting equilibria, for regulating their trade. Efficiency requires that agents choose the game form and equilibrium that maximizes the gains from trade. The two players begin by confronting Game 1. The problem here, of course, is that the Pareto criterion is too weak to select a unique equilibrium since both {up, left} and {down, right} are Pareto-efficient. However, the {down, right} equilibrium has a higher joint surplus than the {up, left} equilibrium, so that it will be in A’s interest to bribe B to play {right}. Given complete contracting, as in agency theory,  $u$ , the side payment, may be chosen ( $1 < u < 2$ ) to implement the equilibrium in which A plays {down} and B plays {right}. But under incomplete contracting, side payments may not be sustainable in equilibrium.<sup>4</sup>

The inefficiency may be remedied by contract; for example, A may agree to pay a penalty to B if he does not pay  $u$ , or B may agree to pay a

Game 1			Game 2		
	B			B	
	left	right		left	right
up	2,2	0,0	up	2,2	0,0
	A			A	
down	0,0	4,1	down	0,0	4-u,1+u

**Figure 20.1** Conflict in organizations.

penalty to A if he does not play {right} after receiving  $u$ . However, such contracts may not always be feasible. Contracts cannot completely safeguard against the reduction of surplus or loss of welfare stemming from incentive conflicts (given risk preferences). The analytical enterprise is therefore one of comparing alternative contracting arrangements, all of them imperfect. For example, we may compare Nash equilibria that result from different distributions of bargaining power (e.g. as given by ownership patterns) (Hart 1995).

### 20.2.3 *Basic characteristics of the modern theory of the firm*

The above strategic-form representation helps illustrate several crucial underlying assumptions of the modern theory of the firm:

*Cognition.* Particularly in its formal versions, the theory of the firm follows neoclassical economics in making strong assumptions about the cognitive powers of agents. This reflects the dependence of the modern theory of the firm on mainstream information economics and game theory. Although bounded rationality is invoked by some writers (in particular Williamson 1985, 1996), virtually all the contracting problems studied in the modern theory of the firm may be modeled using the more tractable notion of asymmetric information (Hart 1990). Moreover, the Bayesian notion of uncertainty underlying game-theoretic models of contracting leaves no room for “Knightian,” “deep,” or “radical” uncertainty. In the above representation, players can thus never experience genuine surprise.

*Everything is given.* Because of strong assumptions about agents’ cognitive powers, modern theories of the firm portray decision situations as always unambiguous and “given.” The choice of efficient economic organization is portrayed as a standard maximization problem, as in contract design, or as a choice among given “discrete, structural alternatives” (Williamson 1996), as in the choice of governance structure. There is no learning, no need for entrepreneurial creation or discovery, and explicit room for the emergence of new contractual or organizational forms. In the representation above, the strategy spaces are fully specified *ex ante*.

*Motivation.* In the modern theory of the firm motivation is assumed to be wholly extrinsic (Frey 1997). Stronger monetary incentives always call forth more effort (in at least a particular dimension). Low-powered incentives play a role only in multi-task agency problems (Holmström and Milgrom 1991).

*Explaining economic organization.* Problems of economic organization may be represented as games where the Nash equilibrium is not Pareto

optimal. Whilst this includes some coordination games, such as the stag-hunt game (Camerer and Knez 1996), the modern theory of the firm generally disregards coordination problems. The focus is on aligning incentives, rather than coordinating actions. The function of contracts, hierarchies, reputation, and the like is to give agents incentives to choose the strategies that result in a Pareto-superior equilibrium. Transaction costs, and not production costs, are seen as the main obstacles to achieving first-best outcomes.

*Methodological individualism.* Aggregates play no independent role in explaining economic organization. The aim is to explain contractual and organizational form in terms of individual actions. Thus, aggregate constructs such as trust, embeddedness, organizational cognition, and capabilities are not considered part of the *explanans* of the modern theory of the firm; moreover, they are only seldom treated as *explanandum* phenomena (an exception is Kreps 1990, on corporate culture).

*Mode of explanation.* As a first approximation, efficient economic organization is supposed to be consciously chosen by well-informed, rational agents. If pressed on the issue economists of organization may also invoke evolutionary processes that are assumed to perform a sorting between organizational forms in favor of the efficient ones (Williamson 1985). Thus, explanation is either fully “intentional” or “functional-evolutionary” (Elster 1983; Dow 1987).

#### 20.2.4 What are the critics criticizing?

Most of the above characteristics are not particular to the economic theory of the firm; they also describe any part of game-theoretic micro-economics. Critics of the theory of the firm may thus appear simply to be criticizing modern micro-economics more generally. However, while this may indeed be the case for some critics, a different interpretation is possible: the critics are protesting the application of concepts designed for analysis of *market exchange* to the study of firm organization. While some economists maintain that there is no real difference between firms and markets (Alchian and Demsetz 1972; Cheung 1983), and most economists would agree that the same analytical tools are applicable to firms as well as to markets, the critics seem to argue that firms are essentially different from markets; many of the critics (in particular sociologists) argue that firms need to be studied using different tools (Freeland 2002).

Thus, while some critics may balk at methodological individualism and assumptions of full, instrumental rationality in general, they are likely to find such assumptions *particularly* objectionable when they are applied to the theory of the firm. In the literature that criticizes the

modern theory of the firm firms are often portrayed in rosy terms as “mini-societies” (Freeland 2002) which provide “identity” (Kogut and Zander 1996), “higher-order organizing principles” (Kogut and Zander 1992), trust relations (Ghoshal and Moran 1996), and collective learning (Hodgson 1998) that, purportedly, “atomistic” markets cannot provide. Firms exist because and to the extent that they can supply “identity,” “collective learning,” and so on.

Although we are skeptical of such arguments, we acknowledge that they may point to unresolved issues and weak spots in the modern theory of the firm. For example, we may reject methodological holism and still hold that there are firm-specific cultures and capabilities, the understanding of which is inadequate in the modern theory of the firm (in spite of the efforts of, for example, Kreps 1990). Or one can argue that there is too little room for bounded rationality in this body of theory. In the following sections, we discuss and assess a number of such critiques of the modern theory of the firm in greater detail.

## 20.3 Cognitive and motivational issues

### 20.3.1 *Bounded rationality*

Formal, mainstream economics typically assumes that agents hold the same, correct model of the world and that this model does not change. The theory of the firm is no exception. More precisely, these assumptions are built into formal contract theory through the assumption that payoffs, strategies, and the like are common knowledge. These assumptions are clearly at variance with the notion of bounded rationality (Simon 1955). Indeed, the game-theoretic models used in most theoretical research on the theory of the firm ignore bounded rationality altogether, although it may play a role in the “rhetorical” motivation of such research (*see* Foss 2003).

In contrast, bounded rationality is often invoked in Oliver Williamson’s (1985, 1996) less formal work. “But for bounded rationality,” he argues (1996, p. 36), “all issues of organization collapse in favor of comprehensive contracting of either Arrow–Debreu or mechanism design kinds.” What Williamson calls “comprehensive contracting” does not allow for “governance structures” in the sense of mechanisms which handle the coordination and incentive problems produced by unanticipated change (Williamson 1996). However, the role of bounded rationality in Williamson’s work is mainly to provide a reason why contracts are incomplete.<sup>5</sup> It is a sort of background assumption that, while necessary, never really assumes a central role. Indeed, many critics have observed



that to the extent that bounded rationality enters the theory of the firm, it is in rather “thin” forms (e.g. MacLeod 2000; Foss 2003). The reason is presumably that the theory is taken up with comparative institutional exercises, focusing on transaction cost economizing, and hence has no room for the process aspects introduced by more substantive notions of bounded rationality (e.g. Furubotn 2002).

Still, even the rather limited use of bounded rationality in the theory of the firm has been criticized. Hart (1990) argues that bounded rationality may not be necessary at all, because asymmetric information (in the form of imperfect verifiability) can do the job that bounded rationality is supposed to do, and may do so more elegantly and more consistently with mainstream modeling (see also Posner 1993). From a different position, Dow (1987) argues that it is inconsistent to invoke bounded rationality as a necessary assumption in the analysis of contracts and governance structures, and then assume that substantively rational choices can be made with respect to the contracts and governance structures (that are imperfect because of bounded rationality). This point is echoed in Kreps’s (1996) critique of contract theory. Contract theory assumes that although the parties to a contract cannot describe the benefits from an exchange relationship, they can perfectly anticipate the benefits produced by the different contractual arrangements that can structure such a relationship. Of course, this assumption is made to rationalize the *ex ante* choice of ownership or incentive structures. While it may make formal sense (see Maskin and Tirole 1999), “not everything that is logically consistent is credulous,” as Kreps (1996, p. 565) laconically observes in a comment on Maskin and Tirole. He argues that the Maskin and Tirole argument (and virtually all of contract theory) simply takes rationality too far, and that more attention should be paid to bounded rationality.<sup>6</sup>

In contrast, bounded rationality has long been a central assumption in organization theory (e.g. March and Simon 1958; Cyert and March 1963). In fact, recent critics of the theory of the firm have drawn explicitly on these older sources to develop alternative, evolutionary views emphasizing the role of bounded rationality in problem solving, and the role of firms as cognitive structures around such problem-solving efforts (e.g. Dosi and Marengo 1994). Other critics, also echoing behaviorist organization theory, argue that a key characteristic of firms is that they tend to shape employee cognition (Kogut and Zander 1996; Hodgson 1998; Witt 1999). For example, starting with social learning theory, Witt (1999) argues that individual cognitive frames are socially shaped and that firms can accomplish such shaping. In particular, entrepreneurs form business conceptions that underlie their “cognitive

leadership,” making employees internalize and collectively share the cognitive categories embodied in the business conception.

### 20.3.2 *Motivation*

Whilst the role of bounded rationality in the theory of the firm has given rise to a fair amount of debate, it is nothing compared to the enormous amount of critical writings on the motivational assumptions. Opportunism, in particular, seems to be the favorite *bête noire*. The critique of opportunism takes various forms. Empirically, the relevance of opportunism is dismissed by pointing to difficulty in observing it, for instance in industrial networks or in long-term associations between firms and their suppliers (*see* Håkansson and Snehota 1990). The obvious problem with such arguments is that they misunderstand the counterfactual nature of reasoning in the theory of the firm: opportunistic behavior is seldom observed because governance structures are chosen to mitigate opportunism. Another claim is that opportunism is not a necessary assumption in the theory of the firm (e.g. Kogut and Zander 1992), but this line of reasoning fails to provide convincing alternative accounts.

According to a more recent and more sophisticated set of arguments, the primary problem with the treatment of motivation in the theory of the firm is not opportunism *per se*, but rather that modern economic approaches assume that all motivation is of the “extrinsic” type (Ghoshal and Moran 1996; Osterloh and Frey 2000). In other words, all behavior is understood in terms of encouragement from an external force, such as the expectation of a monetary reward. (In contrast, when “intrinsically” motivated, individuals wish to undertake a task for its own sake.) These arguments do not necessarily deny the reality of opportunism, moral hazard, and so on; they assert instead that there are other, better ways of handling these problems besides providing monetary incentives, sanctions, and monitoring. The arguments are often based on social psychology (notably Deci and Ryan 1985) and on experimental economics (e.g. Fehr and Gächter 2000).

In one version of the argument, Pfeffer (1994) and Ghoshal and Moran (1996) argue that the theory of the firm misconstrues the causal relation between motivation (e.g. the tendency to shirk) and the surrounding environment (the type of governance structure in place). For example, Ghoshal and Moran (1996, p. 21) claim that individuals within an organization perform not according to the incentives and opportunities offered, but to their “feelings for the entity.” “Hierarchical” controls, they state, reduce organizational loyalty and thus increase shirking. Reliance on internal governance in the presence of relationship-specific

investments, they hold, causes the very problems it is designed to alleviate: Williamson's approach becomes a "self-fulfilling prophecy," and is therefore "bad for practice."<sup>7</sup> In another version of the argument Osterloh and Frey (2000) ask which organizational forms are conducive to knowledge creation and transfer. They note that elements of market control (e.g. high-powered incentives) are often introduced in firms to accomplish this. However, Osterloh and Frey argue that this only works to the extent that there is no "motivation crowding-out effect," in which extrinsic motivation does not crowd out intrinsic motivation. They draw on Deci and Ryan (1985) and other contributions to social psychology to argue that motivation may be harmed when agents perceive that their actions are subject to external control (as with a performance-pay system). Osterloh and Frey argue that forms of internal organization that foster intrinsic motivation can more successfully create and transfer tacit knowledge because such activities cannot be compelled – only enabled.

### 20.3.3 *Challenges to the theory of the firm?*

Few economists of organization have reacted to the above critiques. We suspect this is partly because taking these critiques seriously means questioning fundamental tenets of mainstream economic modeling. For example, taking bounded rationality seriously opens up a Pandora's box because bounded rationality challenges the game-theoretic foundations underlying the formal literature on the theory of the firm (subjective expected utility theory, the independence of payoff utilities, the irrelevance of labeling, and common prior beliefs [Camerer 1998]). Organizational economists may also question what bounded rationality adds to the theory (Hart 1990). Williamson (1999c, p. 12) notes that "organization can and should be regarded as an instrument for utilizing varying cognitive and behavioral propensities to best advantage," and that the many ramifications of bounded rationality should be explored to help identify those regularities in decision making that differ from the classical von Neumann–Morgenstern–Savage model. The implications of these regularities for efficient organization can then be developed and incorporated into the theory of the firm (Williamson 1999c, p. 18). However, Williamson (1999c) mainly emphasizes that the findings of cognitive psychology are consistent with "[t]he transaction cost economics triple for describing human actors – bounded rationality, far-sighted contracting, and opportunism." Moreover, many bounds on rationality are substantially mitigated by organization, because organization has recourse to specialization, which allows for economizing with cognitive effort. Such

arguments cast doubt on the belief that taking bounded rationality more seriously will yield theoretical advances.

However, a handful of contributions, mainly to contract theory, do try to model agents that are boundedly rational in a more substantive sense. For example, Mookerjee (1998) shows how ambiguity may lead to incomplete contracting; Carmichael and MacLeod (2003) show that if boundedly rational agents care about sunk costs, the hold-up problem may be solved. There are various problems with such approaches. Notably, there may be too many “degrees of freedom,” in the sense that virtually any cognitive bias may be thrown into a standard contracting model, thus producing a non-standard result. Moreover, how does the theorist decide which manifestation of bounded rationality to model? The danger is that we end up with a string of unconnected and extreme partial models with no apparent connection to empirical reality.

In our opinion, working with alternative motivational assumptions may be a more fruitful way forward. It is easier to doctor utility functions than cognitive assumptions. There is established social psychology work, the insights of which may be fed relatively directly into modeling efforts (*see* Benabou and Tirole 2003). Moreover, the implications for economic organization may also seem more immediate (*see* Lazear 1991; Fehr and Gächter 2000 for concrete examples).

## 20.4 Firm heterogeneity, capabilities, and production costs

### 20.4.1 *The knowledge-based view*

A growing number of writers within heterodox economics (in particular evolutionary economics) and strategic management now embrace “capabilities,” “dynamic capabilities,” or “competence” approaches (e.g. Winter 1988; Langlois 1992; Kogut and Zander 1992; Foss 1993; Dosi and Marengo 1994; Teece and Pisano 1994; Langlois and Robertson 1995; Loasby 1999). We lump all these together here under the heading “knowledge-based view of the firm.” Contributions to the knowledge-based view are usually launched on a background of critique of NIE, in particular Williamson’s version of TCE. The critique concerns the reliance on opportunism and the neglect of differential capabilities (i.e. firm heterogeneity) and dynamics (e.g. Winter 1988; Langlois 1992; Kogut and Zander 1992).

In contrast, contributors to the knowledge-based view typically begin from the empirical generalization that firm-specific knowledge is sticky and tacit, and develops through path-dependent processes. This implies that organizations are necessarily limited in what they know how to do

well.<sup>8</sup> Differential capabilities imply differences in terms of the efficiency with which resources are deployed. Superior capabilities, if hard to imitate, can generate long-lived rents (Lippman and Rumelt 1982; Wernerfelt 1984; Barney 1991; Peteraf 1993). Beginning perhaps with Kogut and Zander (1992) and Langlois (1992), adherents of the knowledge-based view have also argued that the characteristics of capabilities that make them relevant to the study of competitive advantage are also crucial for the study of the main issues in economic organization. Thus, knowledge-based writers argue that a theory of the firm should be based on considerations of knowledge, rather than incentives, opportunism, and transaction costs.

#### 20.4.2 *The knowledge-based view as a theory of economic organization*

The idea that knowledge matters for economic organization is hardly new. George B. Richardson (1972) suggested that we begin, not from the Coasian idea of transaction costs, but from the idea that production may be broken down into activities underpinned by firm-specific capabilities. Some activities are similar, in that they draw on the same general capabilities; activities may be complementary, in that they are connected in the chain of production; and similarity and complementarity may obtain to varying degrees. The main point in Richardson (1972) is that the boundaries of the firm are strongly influenced by these dimensions of activities.<sup>9</sup> However, it is unclear in Richardson's paper how exactly capabilities are supposed to influence economic organization.

Some papers (e.g. Kogut and Zander 1992; Langlois 1992) argue that differential capabilities give rise to different production costs, and that such cost differentials may crucially influence the make-or-buy decision. Thus, firms may internalize activities because they can carry out these activities in a more production (not transaction) cost-efficient way than other firms are capable of. The factors that make capabilities distinctive and costly to imitate (e.g. complexity and tacitness) also make such differences in production costs long-lived. Thus, one firm's agents may literally fail to understand what another firm wants (e.g. in supplier contracts) or is offering (e.g. in license contracts). The costs of making contacts with potential partners, of educating potential licensees and franchisees, of teaching suppliers what it is we need from them, and so on – what Langlois (1992) christens “dynamic transaction costs,” to distinguish them from the transaction costs usually considered in the theory of the firm – may influence where the boundaries of the firm are placed.

Knowledge-based writers also claim that the existence of the firm may be explained in knowledge terms and without invoking opportunism

(Hodgson 2004a). Demsetz (1988) argues that firms exist for reasons of economizing on expenditures on communicating and coordinating knowledge. Thus, the employment contract, and hierarchy more generally, may exist because it is efficient to have the less knowledgeable being directed by the more knowledgeable. A very different argument is forwarded by Kogut and Zander (1992), who argue that firms exist because they can create certain assets – such as learning capabilities or a “shared context” – that markets purportedly cannot create: “organizations are social communities in which individual and social expertise is transformed into economically useful products and services by the application of a set of higher-order organizing principles. Firms exist because they provide a social community of voluntaristic action structured by organizing principles that are not reducible to individuals” (Kogut and Zander 1992, p. 384). This view, they claim, “differs radically from that of the firm as a bundle of contracts that serves to allocate efficiently property rights.” Firms’ advantages over markets derive from their being able to supply “organizing principles that are not reducible to individuals” (Kogut and Zander 1992, p. 384).

The problem with this argument is that it does not apply exclusively to *firms*: markets may also cultivate learning capabilities and shared context (as in industrial districts, for instance). Moreover, embeddedness of the kind that Kogut and Zander talk about does not require firm organization: in a moral utopia, characterized by the absence of opportunistic proclivities, the gains from embeddedness could be realized over *the market*. Agents could simply meet under the same factory roof, own their own pieces of physical capital equipment or rent it to each other, and develop value-enhancing “organizing principles” (to use Kogut and Zander’s term) among themselves, or in other ways integrate their specialized knowledge (as a team). Firms would not be necessary.<sup>10</sup>

#### 20.4.3 *Challenges to the theory of the firm?*

Whilst we are skeptical of the specific knowledge-based explanations for economic organization, we acknowledge that the knowledge-based view does point to some weak points in the theory of the firm.<sup>11</sup> For example, differential capabilities probably do play a role in determining the boundaries of the firm (Walker and Weber 1984; Monteverde 1995; Argyes 1996). However, there are two major problems in this area that may hinder progress. The first is that the nature of the central construct (i.e. capabilities) is highly unclear. It is not clear how capabilities are conceptualized, dimensionalized, and measured, and it is not clear how capabilities emerge and are changed by individual action (Felin and

Foss 2004). The second problem partly follows from the first: the mechanisms between capabilities and economic organization are unclear (Heiman and Nickerson 2002; Foss 2005).

One of the few attempts to provide such a mechanism is Langlois (1992), who gives a key role to dynamic transaction costs. In other words, economizing with costs of communication (i.e. dynamic transaction costs) is a possible determinant of the boundaries of the firm (*see* Monteverde 1995 for this). More generally, the genuine challenges that the knowledge-based view represents has more probably more to do with the non-standard transaction problems relating to the exchange of knowledge than with the fuzzy notion of “firm capability.” In other words, exchanging knowledge may lead to contractual frictions and hazards that do not involve opportunism and it may involve transaction costs that have nothing to do with misaligned incentives and everything to do with costly communication.

## 20.5 Entrepreneurship

A major problem with modern economic theories of the firm is that they ignore the entrepreneur (Furubotn 2002; Foss and Klein 2005). Thus, Furubotn (2002, pp 72–73) points out that “profit is always in the background of TCE analysis because it is impossible to say whether a particular action (and contractual arrangement) undertaken by the firm is desirable or not purely on the basis of the costs of transacting . . . There is reason, then, to give greater consideration to the question of how profits are generated.” And this leads to the theory of entrepreneurship. However, in the modern theory of the firm reference to entrepreneurship is passing at best. These approaches are largely static and “closed,” meaning that they focus on solutions to given optimization problems.<sup>12</sup>

### 20.5.1 *Concepts of entrepreneurship*

Probably the best-known concept of entrepreneurship in economics is Schumpeter’s (1934) idea of the entrepreneur as innovator, who introduces “new combinations” – new products, production methods, markets, sources of supply, or industrial combinations – shaking the economy out of its previous equilibrium. Entrepreneurship can also be conceived as “alertness” to profit opportunities. Although present in older notions of entrepreneurship, this concept has been elaborated most fully by Kirzner (1973). Kirzner’s formulation emphasizes the nature of competition as a discovery process: the source of entrepreneurial profit is superior foresight – the discovery of something (new products, cost-saving

technology) unknown to other market participants. Success, in this view, comes not from following a well-specified maximization problem, but from having some knowledge or insight that no one else has. None of these accounts, however, links entrepreneurship closely to the theory of the firm. Small-business management is only one manifestation of entrepreneurship. Creativity, innovation, and alertness are undoubtedly important, but neither activity must take place within a firm. Charismatic leaders work with teams, but need not own physical assets, around which the boundaries of the firm are drawn.

### *20.5.2 Putting entrepreneurship into the theory of the firm*

Various attempts to put entrepreneurship into the theory of the firm exist (e.g. Langlois and Robertson 1995; Casson 1997). An attempt that stays relatively close to the new institutional theory of the firm is Foss and Klein (2005). They outline an alternative account of entrepreneurship as judgmental decision making under conditions of uncertainty. Judgment refers primarily to business decision making when the range of possible future outcomes, let alone the likelihood of individual outcomes, is generally unknown (what Knight [1921] terms uncertainty, rather than mere probabilistic risk). The concept of entrepreneurship as judgment has a direct and natural link to the theory of the firm. Because markets for judgment are closed, the exercise of judgment requires starting a firm; moreover, judgment implies asset ownership. In this approach, resource uses are not data, but are created as entrepreneurs envision new ways of using assets to produce goods. The entrepreneur's decision problem is aggravated by the fact that capital assets are heterogeneous, and it is not immediately obvious how they should be combined. Asset ownership facilitates experimenting entrepreneurship: acquiring a bundle of property rights is a low-cost means of carrying out commercial experimentation. Moreover, important features of internal organization such as delegation and contractual incompleteness may be understood in terms of employers' attempts to facilitate "productive" entrepreneurship while discouraging non-productive forms of decision making. In short, firm boundaries and internal organization may be understood as responses to entrepreneurial processes of experimentation.

### *20.5.3 Challenges to the theory of the firm?*

Will these insights be incorporated into the economic theory of the firm? Because these concepts lie fundamentally outside the standard constrained optimization framework, they are inherently difficult to



model mathematically. Modern economists have difficulty appreciating ideas that are not expressed in this familiar language. Indeed, most recent theoretical advances in the economic theory of the firm have been developed within the more formal framework associated with Grossman, Hart, and Moore (Grossman and Hart 1986; Hart and Moore 1990), not the more “open” framework associated with Williamson.<sup>13</sup> Relaxing this constraint may lead to considerable advances in economists’ understanding of the firm.

## 20.6 Process issues

### 20.6.1 *Path dependence*

The claim that the theory of the firm, because of its emphasis on efficiency at a point in time and on cross-sectional variation, is a-historical and neglects process has often been made by economists and management scholars within both the knowledge-based and the evolutionary perspective. Thus, according to Winter (1988, p. 178), “in the evolutionary view – perhaps in contrast to the transaction cost view – the size of a large firm at a particular time is not to be understood as the solution to some organizational problem. General Motors does not sit atop the Fortune 500 . . . because some set of contemporary cost minimization imperatives (technological or organizational) require a certain chunk of the US economy to be organized in this manner. Its position at the top reflects the cumulative effect of a long string of happenings stretching back into the past.”

One way to interpret this critique is that the theory of the firm seeks to explain the governance of individual transactions (Williamson 1996), or clusters of attributes (Holmström and Milgrom 1994), without identifying how the governance of a particular transaction may depend on how *previous* transactions were governed. Argyres and Liebeskind (1999) term this historical dependency “governance inseparability.” Where governance inseparability is present, firms may rely on governance structures that appear inefficient at a particular time, but which make sense as part of a longer-term process. Changes in governance structure affect not only the transaction in question, but the entire temporal sequence of transactions. This may make organizational form appear more “sticky” than it really is.

This criticism will sound familiar to Austrian and evolutionary economists, who have long argued for a “process” view of economic activity that takes time seriously (Hayek 1948; Kirzner 1973; Dosi 2000). Hayek (1948) distinguished between the neoclassical economics

notion of “competition,” identified as a set of equilibrium conditions (number of market participants, characteristics of the product, and so on), and the older notion of competition as a rivalrous process. Practices that appear inefficient or even anti-competitive at a given moment are better understood as part a process of competition through time; it is the process that should be evaluated in welfare terms, not the conditions that obtain at a particular moment in the process.

Williamson (1996), recognizing the need to incorporate history into TCE, has introduced the notion of remediableness as a welfare criterion. The outcome of a path-dependent process is suboptimal, he argues, only if it is remediable; that is, an alternative outcome can be implemented with net gains. Merely pointing to a hypothetical superior outcome, if it is not attainable, does not establish suboptimality. Thus, a governance structure or contractual arrangement “for which no superior *feasible* alternative can be described and *implemented* with expected net gains is *presumed* to be efficient” (Williamson 1996, p. 7) (for a critique, see Furubotn 2002, pp 89–90).

### 20.6.2 Selection and survival: are all organizations “efficient”?

The explanation of economic organization in terms of efficiency has been one of the most frequently criticized characteristics of the theory of the firm: Assuming that agents can figure out the efficient organizational arrangements seems to collide with the assumption of bounded rationality (Dow 1987; Furubotn 2002). Presumably in response to this problem, early work in the theory of the firm often explicitly assumed that market forces work to cause an “efficient sort” between transactions and governance structures, an assumption that is not in general tenable.

While appealing to market selection, Williamson (1988, p. 174) also clearly recognizes that the process of transaction cost economizing is not automatic. Still, he maintains that the efficiency presumption is reasonable, offering the argument that inefficient governance arrangements will *tend* to be discovered and undone.<sup>14</sup> Clearly, this assumption is not an innocuous one. It is in fact a key underlying assumption in virtually all empirical work in the theory of the firm. A general problem with the empirical literature on organizational form is that we usually observe only the business arrangements actually chosen. However, *if* these arrangements are presumed to be efficient, *then* we can draw inferences about the appropriate alignment between transactional characteristics and organizational form simply by observing what firms do. The problem is that the efficiency assumption has always been taken as an essential, but untested, background assumption.

In one of the few attempts to grapple empirically with the efficiency assumption, Lien and Klein (2004) examine the assumption that decisions or behaviors that occur frequently in a population of competitive firms are on average more efficient than those that occur rarely. They conduct the test in the context of corporate diversification. If the survivor principle holds, those pairs of industries most frequently combined within firms (“related” businesses) should tend to represent more efficient combinations than those pairs that are rarely combined. As firms strive to improve their performance, they tend to exit “unrelated” industries, that is, industries that are poor matches for their other businesses. Using detailed data on firms’ business portfolios from the AGSM/Trinet database for the early 1980s, Lien and Klein (2004) show that the survivor-based measure of relatedness is a strong predictor of exit, even when controlling for other firm and industry characteristics which might affect the decision to withdraw from a particular industry. During that period, then, the competitive selection process did tend to filter out inappropriate business combinations.<sup>15</sup>

Another approach is to see if “appropriately” organized firms, that is, firms organized along the lines recommended by the theory of the firm, out perform the feasible alternatives. Several papers in the empirical TCE literature use a two-step procedure in which organizational form (in particular, the relationship between transactional characteristics and governance structure) is endogenously chosen in the first stage, and then used to explain performance in the second stage. By endogenizing both organizational form and performance this approach also mitigates the selection bias associated with OLS regressions of performance on firm characteristics.<sup>16</sup>

These evolutionary approaches shed considerable light on the processes by which organizations adapt and change, along with the costs of misalignment or maladaptation. However, reliance on evolutionary models introduces additional problems. In many cases, survival may not be the best measure of performance, compared with profitability or market value. Poorly performing firms may survive due to inefficient competitors, regulatory protection, or legal barriers to exit such as anti-takeover amendments or an overprotective bankruptcy code. In short, efficient alignment between transactions and governance should be expected only if the selection environment is strong. Moreover, when market conditions change rapidly and unexpectedly, *ex post* survival may not be a good measure of *ex ante* efficiency; a particular organizational form may be right for the times, but the times change. Indeed, the optimal organizational forms may be those that adapt most readily to new circumstances (Boger, Hobbs, and Kerr 2001).

## 20.7 Conclusion

Almost two decades ago Milgrom and Roberts (1988, p. 450) argued that the “incentive-based transaction costs theory has been made to carry too much of the weight of explanation in the theory of organizations,” and predicted that “competing and complementary theories” would emerge, “theories that are founded on economizing on bounded rationality and that pay more attention to changing technology and to evolutionary considerations.” However, despite the importance in the management literature of knowledge-based or capabilities theories of the firm, this body of thought cannot yet be considered a serious competitor to the “incentive-based transaction costs theory.” No other serious competitors have emerged.

There are many reasons for this. One possible reason is that the conventional theory of the firm is sufficiently successful, theoretically and empirically, that competitors have a hard time gaining a foothold. Still, as we have stressed throughout this chapter, many of the critiques do, in fact, point to weaknesses in the theory of the firm that should ideally be remedied. A further reason is that the critics tend to focus on phenomena that are difficult to model, phenomena that are not readily “tractable” in the sense familiar to mainstream economists. Innovation, entrepreneurship, bounded rationality, learning, evolutionary processes, and differential capabilities are examples of such phenomena. We should not expect to see these phenomena integrated into the mainstream economic theory of the firm until the formal tools that can handle them have been developed. Moreover, the empirical literature supporting the challenges outlined above tends to be idiosyncratic, based on experimental or qualitative work rather than the standard econometric analysis familiar to economists. Finally, the various critiques are not separate but overlapping or complementary. For example, the claim that the theory of the firm neglects bounded rationality is very close to the claim that it ignores differential capabilities, learning, and path dependence. In turn, the complaint that the theory of the firm neglects the latter phenomena is closely related to concerns that it assumes, uncritically, that selection forces operate to produce efficiency. In other words, the critiques come in a package, so that embracing one critique may be taken as embracing the rest – which would mean abandoning the theory of the firm as we know it.

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## References

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- Abbink, K., Brandts, J., Tanga McDaniel, T. 2003. "Asymmetric Demand Information in Uniform and Discriminatory Call Auctions: An Experimental Analysis Motivated by Electricity Markets," *J. Regul. Econ.*, 23, 2, pp 125–144.
- Abowd, J.M. and Allain, L. 1996. "Compensation Structure and Product Market Competition," *Ann. Econ. Statist.*, 41:42, pp 207–218.
- Abreu, D. 1986. "Extremal Equilibria of Oligopolistic Supergames," *J. Econ. Theory*, 39, pp 191–225.
- Acemoglu, D. 2003. "Root Causes: A Historical Approach to Assessing the Role of Institutions in Economic Development," *Finance Devel.*, 40, 2, pp 27–30.
2005. "Constitutions, Politics and Economics: A Review Essay on Persson and Tabellini's *The Economic Effects of Constitutions*," *J. Econ. Lit.*, 43, 4, pp 1025–1048.
- Acemoglu, D. and Johnson, D. 2005. "Unbundling Institutions". *Journal of Political Economy*, 113, 949–995.
- Acemoglu, D. and Robinson, J.A. 2000. "Why Did the West Extend the Franchise?" *Quart. J. Econ.*, 115, pp 1167–1199.
- Acemoglu, D., Johnson, S., and Robinson, J.A. 2001. "The Colonial Origins of Comparative Development: An Empirical Investigation," *Amer. Econ. Rev.*, 91, pp 1369–1401.
- Acheson, J.M. 1985. "The Main Lobster Market: Between Market and Hierarchy," *J. Law, Econ., Organ.*, 1, 2, pp 385–398.
- Akerberg, D.A. and Botticini, M. 2002. "Endogenous Matching and the Empirical Determinants of Contract Form," *J. Polit. Economy*, 110, 3, pp 564–591.
- Ackerman, B. 2000. "The New Separation of Powers," *Harvard Law Rev.*, 113, 3, pp 633–639.
- Adserà, A., Boix, C., and Payne, M.E. 2001. "Are You Being Served? Political Accountability and Quality of Government," *J. Law, Econ., Organ.*, 19, 2, pp 445–490.
- Afuah, A. 2001. "Dynamic Boundaries of the Firm: Are Firms Better off Being Vertically Integrated in the Face of a Technological Change?" *Acad. Manage. J.*, 44, 6, pp 1211–1228.
- Agarwal, S. and Ramaswamy, S.N. 1992. "Choice of Foreign Market Entry Mode: Impact of Ownership, Location and Internalization Factors," *J. Int. Bus. Stud.*, 23, pp 1–27.
- Aghion, P. and Bolton, P. 2003. "Incomplete Social Contracts," *J. Europ. Econ. Assoc.*, 1, 1, pp 38–67.

- Aghion, P., Alesina, A.F., and Trebbi, F. 2004. "Endogenous Political Institutions," *Quart. J. Econ.*, 119, 2, pp 565–611.
- Aghion, P., Dewatripont, M., and Rey, P. 1994. "Renegotiation Design with Unverifiable Information," *Econometrica*, 62, 2, pp 257–282.
- Akerlof, G.A. 1970. "The Market for 'Lemons' Quality, Uncertainty and the Market Mechanism," *Quart. J. Econ.*, 84, 3, pp 488–500.
1976. "The Economics of Caste and of the Rat Race and Other Woeful Tales," *Quart. J. Econ.*, 90, 4, pp 599–617.
- Alchian, A.A. 1961. *Some Economics of Property*. Santa Monica, CA: Rand Corporation.
- Alchian, A.A. and Demsetz, H. 1972. "Production, Information Costs, and Economic Organization," *Amer. Econ. Rev.*, 62, pp 772–795.
- Alexander, R. 1987. *The Biology of Moral Systems*. Aldine de Gruyter: Hawthorne.
- Allais, M. 1943. *A la Recherche d'Une Discipline Economique*. Atelier Industria.
- Allen, D.W. and Lueck, D. 1998. "The Nature of the Farm," *J. Law Econ.*, 41, 2, pp 343–387.
1992. "Contract Choice in Modern Agriculture: Cash Rent versus Crop-share," *J. Law Econ.*, 35, 2, pp 397–426.
2002. *The Nature of the Farm – Contracts, Risk, and Organization in Agriculture*. Cambridge, MA, and London: MIT Press.
- Al-Najjar, N.I. 1995. "Incomplete Contracts and the Governance of Complex Contractual Relationships," *Amer. Econ. Rev.*, 85, 2, pp 433–436.
- Alston, L.J. and Ferrie, J.P. 1993. "Paternalism in Agricultural Labor Contracts in the U.S. South: Implications for the Growth of the Welfare State," *Amer. Econ. Rev.*, 83, 4, pp 852–875.
1999. *Paternalism and the American Welfare State: Economics, Politics, and Institutions in the U.S. South, 1865–1965*. Cambridge University Press.
- Alston, L.J. and Gallo, A. 2008. "Electoral fraud, the rise of Peron, and the demise of checks and balances in Argentina," IBS work. Paper PEC2008:0001, University of Colorado. (Available at: [www.colorado.edu/ibs/eb/alston](http://www.colorado.edu/ibs/eb/alston))
- Alston, L.J. and Higgs, R. 1982. "Contractual Mix in Southern Agriculture since the Civil War: Facts, Hypotheses, and Tests," *J. Econ. Hist.*, 42, pp 327–353.
- Alston, L.J. and Mueller, B. 2004. "Property Rights and the State," in Ménard, C. and Shirley, M.M., eds, *Handbook for New Institutional Economics*. Norwell, MA: Kluwer Academic Publishers, pp 573–590.
2006. "Pork for Policy: Executive and Legislative Exchange in Brazil," *J. Law Econ. Organ.*, 22, 1, pp 12–36.
- Alston, L.J., Datta, S.K., and Nugent, J.B. 1984. "Tenancy Choice in a Competitive Framework with Transaction Costs," *J. Polit. Economy*, 92, pp 1121–1133.
- Alston, L.J., Eggertsson, T., and North, D. 1996. *Empirical Studies in Institutional Change*. Cambridge University Press.
- Alston, L.J., Libecap, G.D., and Mueller, B. 1999a. "A Model of Rural Conflict: Violence and Land Reform Policy in Brazil," *Environ. Dev. Econ.*, 4, 2, pp 135–160.
- 1999b. *Titles, Conflict, and Land Use: The Development of Property Rights and Land Reform on the Brazilian Amazon Frontier*. Ann Arbor, MI: University of Michigan Press.

2000. "Land Reform Policies: The Sources of Violent Conflict, and Implications for Deforestation in the Brazilian Amazon," *J. Environ. Econ. Manage.*, 39, 2, pp 162–188.
- Alston, L. J., Libecap, G. D., and Schneider, R. 1996. "The Determinants and Impact of Property Rights: Land Titles on the Brazilian Frontier," *J. Law, Econ. Organ.*, 12, pp. 25–61.
- Alt, J. E. and Lassen, D. D. 2003. "The Political Economy of Institutions and Corruption in American States," *J. Theo. Polit.*, 5, 3, pp 341–365.
- Ames, B. 2001. *The Deadlock of Democracy in Brazil*. Ann Arbor, MI: University of Michigan Press.
- Anand, B. N. and Khanna T. 2000. "Do Companies Learn to Create Value?" *Strategic Manage. J.*, 21, 3, pp 295–316.
- Anderlini, L. and Felli, L. 1999. "Incomplete Contracts and Complexity Costs," *Theory Dec.*, 46, pp 23–50.
2004. "Bounded Rationality and Incomplete Contracts," *Res. Econ.*, 58, pp 3–30.
- Anderson, E. and Schmittlein, D. C. 1984. "Integration of the Sales Force: An Empirical Examination," *RAND J. Econ.*, 15, 3, pp 385–395.
- Anderson, J. and Young, L. 2002. "Imperfect Contract Enforcement," NBER work. paper, 8847, pp 1–50.
- Anderson, J. H., Lee, Y., and Murrell, P. 2000. "Competition and Privatization Amidst Weak Institutions: Evidence from Mongolia," *Econ. Inquiry*, 38, 4, pp 527–549.
- Anderson, T. L. and Hill, P. J. 2002. "Cowboys and Contracts," *J. Legal Stud.*, 31, 2, pp 489–514.
- Anderson, T. L. and McChesney, F. 2003. *Property Rights: Cooperation, Conflict and Law*. Princeton, NJ: Princeton University Press.
- Ansoff, I. H. and Brandenburg, R. C. 1967. "A Program of Research in Business Planning," *Manage. Sci.*, 13, 6, pp 219–241.
- Ansolabehere, S., de Figueiredo, J. M., and Snyder, J. M. 2003. "Why Is There So Little Money in US Politics?" *J. Econ. Perspect.*, 17, 1, pp 105–130.
- Ansolabehere, S., Snyder, J. M., and Tripathi, M. 2002. "Are PAC Contributions and Lobbying Linked? New Evidence from the 1995 Lobby Disclosure Act," *Bus. Polit.*, 4, 2, pp 131–155.
- Aoki, M. 1984. *The Co-operative Game Theory of the Firm*. Oxford: Clarendon Press.
1988. *Information, Incentives and Bargaining in the Japanese Economy*. Cambridge University Press.
1995. "Controlling Insider Control: Issues of Corporate Governance in Transition Economies," in Aoki, M. and Hyung-Ki, K., eds, *Corporate Governance in Transitional Economies: Insider Control and the Role of Banks*. Washington, DC: World Bank, pp 3–30.
2001. *Towards a Comparative Institutional Analysis*. Cambridge, MA: MIT Press.
2004. "An Organizational Architecture of T-Form: Silicon Valley Clustering and Its Institutional Coherence," *Ind. Corp. Change*, 13, 6, pp 473–487.
- Argyres, N. S. 1995. "Technology Strategy, Governance Structure and Inter-divisional Coordination," *J. Econ. Behav. Organ.*, 28, pp 337–358.

- 1996a. "Capabilities, Technological Diversification and Divisionalization," *Strategic Manage. J.*, 17, 5, pp 395–410.
- 1996b. "Evidence on the Role of Firm Capabilities in Vertical Integration Decisions," *Strategic Manage. J.*, 17, pp 129–150.
- Argyres, N. S. and Bigelow, L. 2005. "Do transaction costs matter for survival at all stages of the industry life cycle?" Work paper, Boston University, presented at the 2004 ISNIE meetings in Tucson, AZ. (Available at: [http://smgnet.bu.edu/mgmt\\_new/profiles/ArgyresNicholas.html](http://smgnet.bu.edu/mgmt_new/profiles/ArgyresNicholas.html)).
- Argyres, N. S. and Liebeskind, J. P. 1999. "Contractual Commitments, Bargaining Power, and Governance Inseparability: Incorporating History into Transaction Cost Theory," *Acad. Manage. Rev.*, 24, 1, pp 49–63.
- Argyres, N. S. and Mayer, K. J. 2004. "Learning to Contract: Evidence from the Personal Computer Industry," *Organization Sci.*, 15, 4, pp 394–410.
- Argyres, N. S. and Silverman, B. S. 2004. "R&D, Organizational Structure, and the Development of Corporate Technological Knowledge," *Strategic Manage. J.*, 25, pp 929–958.
- Armour, H. O. and Teece, D. J. 1978. "Organizational Structure and Economic Performance: A Test of the Multidivisional Hypothesis," *Bell J. Econ.*, 9, 1, pp 106–122.
- Aron, J. 2000. "Growth and Institutions: A Review of the Evidence," *World Bank Res. Observer*, 15, 1, pp 99–135.
- Arrow, K. 1971. *Essays in the Theory of Risk*. Amsterdam, North Holland Publishing.
1987. "Reflections on the Essays," in Feiwel, G., ed. *Arrow and the Foundations of the Theory of Economic Policy*. New York University Press, pp 727–734.
- Arruñada, B. 2001. "The Role of Institutions in the Contractual Process," in Deffains, B. and Kirat, T., eds, *Law and Economics in Civil Law Countries*. Amsterdam: Elsevier Science, pp 177–196.
2003. "Third Party Moral Enforcement: The Rise and Decline of Christian Confession," Universitat Pompeu Fabra, Economics and Business. Work paper 653. (Available at: [www.econ.upf.es/cgi-bin/onepaper?653](http://www.econ.upf.es/cgi-bin/onepaper?653)).
2004. "The Economic Effects of Christian Moralities," Universitat Pompeu Fabra, Economics and Business. Work paper 743. (Available at: [www.econ.upf.es/cgi-bin/onepaper?743](http://www.econ.upf.es/cgi-bin/onepaper?743)).
- Arruñada, B and Andonova, V., forthcoming. "Judges' Cognition, and Market Order," *Review of Law and Economics*.
2005. "Market Institutions and Judicial Rulemaking," in Ménard, C. and Shirley, M., eds, *Handbook of New Institutional Economics*, Norwell, MA: Kluwer Academic Publishers, pp 229–50.
- Arruñada, B. and Garoupa, N. 2005. "The Choice of Titling System in Land," *J. Law Econ.*, 48, 2, pp 709–727.
- Arruñada, B., González Díaz, M., Fernández, A. 2004. "Determinants of Organizational Form: Transaction Costs and Institutions in the European Trucking Industry," *Ind. Corp. Change*, 13, 6, pp 687–692.
- Arruñada, B., Garicano, L., and Vázquez, L. 2001. "Contractual Allocation of Decision Rights and Incentives: The Case of Automobile Distribution," *J. Law Econ. Organ.*, 17, 1, pp 257–284.



- Arthur, B. W. 1989. "Competing Technologies, Increasing Returns, and Lock-in by Historical Events," *Econ. J.*, 99, 394, pp 116–131.
- Austen-Smith, D. 2000. "Redistributing Income under Proportional Representation," *J. Pol. Econ.*, 108, 6, pp 1235–1269.
- Austen-Smith, D. and Wright, J. R. 1994. "Counteractive Lobbying," *Amer. J. Polit. Sci.*, 38, 1, pp 25–44.
- Axelrod, R. 1997. *The Complexity of Cooperation – Agent-Based Models of Competition and Collaboration*. Princeton University Press.
- Backhaus, J. 1999. "Introduction," in *The Elgar Companion to Law and Economics*. Cheltenham: Edward Elgar, pp 1–4.
- Bai, C.-E. and Zhijian, T. 2000. "Contract Mixing in Franchising as a Mechanism for Public-Goods Provision," *J. Econ. Manage. Strategic.*, 9, 1, pp 85–113.
- Bailey, M. J. 1992. "Approximate Optimality of Aboriginal Property Rights," *J. Law Econ.*, 35, pp 183–198.
- Bajari, P. and Tadelis, S. 2001. "Incentives versus Transactions Costs: A Theory of Procurement Contracts," *RAND J. Econ.*, 32, 3, pp 387–407.
- Baker G. P. and Hubbard, T. N. 2001. "Empirical Strategies in Contract Economics: Information and the Boundary of the Firm," *Amer. Econ. Rev.*, 91, 2, pp 189–194.
2003. "Make or Buy in Trucking: Assets Ownership, Job Design and Information," *Amer. Econ. Rev.*, 93, 3, pp 551–572.
2004. "Contractibility and Asset Ownership: On-Board Computers and Governance in US Trucking," *Quart. J. Econ.*, 119, 4, pp 1443–1479.
- Baker, G. P., Gibbons, R., and Murphy, K. 2004. "Strategic Alliances: Bridges Between 'Islands of Conscious Power'," Work paper: Harvard Business School, Massachusetts Institute of Technology, University of Southern California.
- Baker, M. 2001. *The Atoms of Language*. New York, NY: Basic Books.
- Bakken, H. and Schaars, M. 1937. *The Economics of Cooperative Marketing*. New York, NY: McGraw-Hill.
- Bakos, Y. and Dellarocas, C. 2003. "Cooperation Without Enforcement? A Comparative Analysis of Litigation and Online Reputation as Quality Assurance Mechanisms," MIT Sloan Work paper 4295-03, pp 1–33.
- Balakrishnan, S. and Wernerfelt, B. 1986. "Technical Change, Competition and Vertical Integration," *Strategic Manage. J.*, 7, 4, pp 347–359.
- Baland, J.-M. and Platteau, J.-P. 1996. *Halting Degradation of Natural Resources – Is There a Role for Rural Communities?* Oxford: Clarendon Press.
- Baldwin, C. and Clark K. 2000. *Design Rules: The Power of Modularity*. Boston, MA: MIT Press.
- Bambaci, J., Spiller, P. T. and Tommasi, M. 2001. "Bureaucracy and Public Policy in Argentina," *American Political Science Association Meetings*.
- Banerjee, A. V. and Duflo, E. 2000. "Reputation Effects and the Limits of Contracting: A Study of the Indian Software Industry," *Quart. J. Econ.*, 15, 3, pp 989–1017.
- Banerjee, A. V. and Iyer, L. 2004. "History, Institutions, and Economic Performance: The Legacy of Colonial Land Tenure Systems in India," Mimeo, MIT. (Available at: [http://econ-www.mit.edu/faculty/download\\_pdf.php?id=517](http://econ-www.mit.edu/faculty/download_pdf.php?id=517)).

- Banerjee, A. V. and Munshi, K. D. 2004. "How Efficiently is Capital Allocated? Evidence from the Knitted Garment Industry in Tirupur," *Rev. Econ. Stud.*, 71, 1, pp 19–42.
- Banfield, E. 1958. *The Moral Basis of a Backward Society*. New York, NY: Free Press.
- Barker, R. P., and Ricker, W. H., 1982. "A Political Theory of Regulation with some Observations on Railway Abandonments," *Public Choice*, 39, pp 73–106.
- Barnard, Chester. 1938. *The Functions of the Executive*. Cambridge: Harvard University Press.
- Barney, J. B. 1991. "Firm Resources and Sustained Competitive Advantage," *J. Manage.*, 17, 1, pp 99–120.
- Baron, D. P. 1994. "Electoral Competition with Informed and Uninformed Voters," *Amer. Polit. Sci. Rev.*, 88, 1, pp 33–47.
2000. *Business and Its Environment*, third edition. Englewood Cliffs, NJ: Prentice Hall.
- Barquin, J., Bergman, L., Crampes, C., Green, R., Glachant, J.-M., Hirschhausen, C., et al. 2006. "The Acquisition of Endesa by Gas Natural: Why the Anti-trust Authorities Are Right to Be Cautious," *Electricity J.*, 19, 2, pp 62–68.
- Barzel, Y. 1982. "Measurement Cost and Organization of Markets," *J. Law Econ.* 25, pp 27–48.
1989. *Economic Analysis of Property Rights*. New York, NY: Cambridge University Press.
2002. *A Theory of the State: Economic Rights, Legal Rights, and the Scope of the State*. New York, NY: Cambridge University Press.
- Basu, K. 2000. *Prelude to Political Economy – A Study of the Social and Political Foundations of Economics*. Oxford: Oxford University Press.
- Basu, K., Jones, E., and Schlicht, E. 1987. "The Growth and Decay of Custom: The Role of the New Institutional Economics in Economic History," *Explorations Econ. Hist.* 24, 1, pp 1–21.
- Bates, R., Greif, A., Levi, M., Rosenthal, J.-L., and Weingast, B. 1998. *Analytic Narratives*. Princeton University Press.
- Baum, J. A. C., Calabrese, T., and Silverman, B. S. 2000. "Don't Go It Alone: Alliance Networks and Startup Performance in Canadian Biotechnology," *Strategic. Manage. J.* 21, 3, pp 267–294.
- Baum, J. A. C., Shipilov, A. V., and Rowley, T. J. 2003. "Where Do Small Worlds Come From?" *Industrial Corpor. Change.*, 12, 4, pp 697–725.
- Baumol, W. and Sidak, G. 1994. *Toward Competition in Local Telephony*, Boston, MA: MIT Press.
- Beales, H. J. and Muris, T. J. 1995. "The Foundation of Franchise Regulation: Issues and Evidence," *J. Corp. Finan.*, 2, pp 157–197.
- Beck, T., Clarke, G., Groff, A., Keefer, P., and Walsh, P. 2000. "New Tools and New Tests," in *Comparative Political Economy: The Database of Political Institutions*, Washington, DC: World Bank.
- Beers, G., Beulens, A., and van Dalen, J. 1998. "Chain Science as an Emerging Discipline," in Ziggers, G. W., Trienekens, J. H., and Zuurbier, P. J. P, eds, *Proceedings of the Third International Conference on Chain Management in Agribusiness and the Food Industry*. Wageningen University, Management Studies Group, pp 295–330.

- Benabou, R. and Tirole, J. 2003. "Intrinsic and Extrinsic Motivation," *Rev. Econ. Stud.*, 70, 3, pp 489–520.
- Bennedsen, M. and Feldmann, S. E. 2002. "Lobbying Legislatures," *J. Polit. Econ.*, 110, 4, pp 919–948.
- Benz, M. and Stutzer, A. 2004. "Are Voters Better Informed when They Have a Larger Say in Politics? Evidence for the European Union and Switzerland," *Public Choice*, 119, 1–2, pp 31–59.
- Bercovitz, J. 2001. *An Analysis of Contract Provisions in Business-Format Franchise Agreement*. Mimeo, Duke University, Fuqua School of Business.
2003. *The Option to Expand: The Use of Multi-Unit Opportunities to Support Self-Enforcing Agreements in Franchise Relationships*. Mimeo, Duke University, Fuqua School of Business.
- Bercovitz, J., Jap, S. and Nickerson, J. A. 2006. "The Antecedents and Performance Implications of Cooperative Exchange Norms," *Organization Science*, 17, 6, pp 724–740.
- Bergara, M., Richman, B. D., and Spiller, P. T. 2003. "Modeling Supreme Court Strategic Decision Making: the Congressional Constraint," *Legisl. Stud. Quart.*, 28, pp 247–80.
- Bernstein, L. 1992. "Opting out of the Legal System: Extralegal Contractual Relations in the Diamond Industry," *J. Legal Stud.*, 21, 1, pp 115–157.
2001. "Private Commercial Law in the Cotton Industry: Creating Cooperation through Norms, Rules, and Institutions," *Mich. Law Rev.*, 99, pp 1724–1788.
- Besanko, D., Dranove, D., and Shanley, M. 1996. *Economics of Strategy*. New York, NY: John Wiley & Sons.
- Besley, T. and Payne, A. 2003. "Judicial Accountability and Economic Policy Outcomes: Evidence from Employment Discrimination Charges." Mimeo, June.
- Bhattacharyya, S. and Lafontaine, F. 1995. "Double-Sided Moral Hazard and the Nature of Share Contracts," *RAND J. Econ.*, 26, 4, pp 761–781.
- Bhide, A. 1990. "Reversing Corporate Diversification," *J. Appl. Corp. Fin.*, 3, 2, pp 70–81.
- Bigelow, L. 2003. "Transaction Alignment and Survival: Performance Implications of Transaction Cost Alignment," Work paper, Olin School of Business, Washington University.
2006. "Technology Choice, Transaction Alignment and Survival: The Impact of Sub-Population Organizational Structure," *Advan. Strategic. Manage.*, 23, pp 301–334.
- Binmore, K. 1992. *Funs and Games: A Text on Game Theory*. Cambridge, MA: DC Heath & Co.
- Blankart, C. B. 2000. "The Process of Government Centralization: A Constitutional View," *Constit. Polit. Econ.*, 11, 1, pp 27–39.
- Bliss, C. and Stern, N. 1982. *Palanpur*. Oxford University Press.
- Blomberg, B. S., Hess, G. D., and Weerapana, A. 2004. "The Impact of Voter Initiatives on Economic Activity," *Europ. J. of Polit. Econ.*, 20, 1, pp 207–226.
- Blumm, M. C. and Schwartz, T. 1995. "Mono Lake and the Evolving Public Trust in Western Water," *Arizona Law Rev.*, 37, pp 701–738.

- Boehmke, F.J., Gailmard, S., and Patty, J.W. 2005. "Whose Ear to Bend? Information Sources and Venue Choice in Policy Making," *Quart. J. of Polit. Sci.*, 1, pp 139–169.
2005. "Patterns of Interest Group Lobbying Across Venues and Policies," paper presented at the 2005 Annual Meetings of the Midwest Political Science Association.
- Boemare, C. and Quirion, P. 2002. "Implementing Greenhouse Gas Trading in Europe – Lessons from Economic Theory and International Experiences," *Ecolog. Econ.*, 43, 2–3, pp 213–230.
- Boerner, C. and Macher, J. 2001. "Transaction Cost Economics: An Assessment of Empirical Research in the Social Science," Georgetown University, work paper. (Available at: [www.msb.edu/faculty/jtm4/Macher.CV.htm](http://www.msb.edu/faculty/jtm4/Macher.CV.htm)).
- Boger, S., Hobbs, J.E., and Kerr, W.A. 2001. "Supply Chain Relationships in the Polish Pork Sector," *Suppl. Chai. Manage.*, 6, 2, pp 74–83.
- Boisot, M. and Child, J. 1996. "From Fiefs to Clans and Network Capitalism: Explaining China's Emerging Economic Order," *Admin. Sci. Quart.*, 41, 4, pp 600–628.
- Boix, C. 1999. "Setting the Rules of the Game: The Choice of Electoral Systems in Advanced Democracies," *Amer. Polit. Sci. Rev.*, 93, 3, pp 609–724.
- Bolton, G.E. 1991. "A Comparative Model of Bargaining: Theory and Evidence," *Amer. Econ. Rev.*, 81, 5, pp 1097–1136.
- Boomgard, J.J., Davies, S.P., Haggblade, S.J., and Mead, D.C. 1991. "A Subsector Approach to Small Enterprise Promotion and Research," *Worl. Devel.* 19, pp 199–212.
- Bowles, S. 2004. *Microeconomics – Behavior, Institutions, and Evolution*. New York, NY: Russell Sage Foundation and Princeton, NJ: Princeton University Press.
- Bowles, S. and Gintis, H. 1999. "Power in Competitive Exchange," in Bowles, S., Franzini, M., and Pagano, U., eds, *The Politics and the Economics of Power*. London: Routledge, pp 13–31.
- Boyd, R. and Richerson, P. 1985. *Culture and the Evolutionary Process*. Chicago University Press.
- Braddach, J.L. 1997. "Using the Plural Form in the Management of Restaurant Chains," *Admin. Sci. Quart.*, 42, 2, pp 276–303.
- Brennan, G. and Hamlin, A. 1994. "A Revisionist View of the Separation of Powers," *J. Theo. Polit.*, 6, 3, pp 345–368.
- Brennan, G. and Kliemt, H. 1994. "Finite Lives and Social Institutions," *Kyklos*, 47, 4, pp 551–571.
- Brickley, J.A. 1999. "Incentives Conflicts and Contractual Restraints: Evidence from Franchising," *J. Law Econ.*, 42, 2, pp 745–774.
2002. "Royalty Rates and Upfront Fees in Share Contracts: Evidence from Franchising," *J. Law Econ. Org.*, 18, 2, pp 511–535.
- Brickley, J.A. and Dark, F.H. 1987. "The Choice of Organizational Form: the Case of Franchising," *J. Finan. Econ.*, 18, pp 401–420.
- Brickley, J.A., Dark, F.H., and Weisbach, W.S. 1991. "The Economic Effects of Franchise Termination Laws," *J. Law Econ.*, 34, 1, pp 101–132.
- Bronars, S.G. and Lott, J.R., Jr. 1997. "Do Campaign Donations Alter How A Politician Votes? Or, Do Donors Support Candidates Who Value the Same Things That They Do?" *J. Law Econ.*, 40, 2, pp 317–350.

- Brousseau, E. 2000a. "Confiance ou Contrat, Confiance et Contrat," in Aubert, F. and Sylvestre, J.-P., eds, *Confiance et Rationalité*. INRA: Les Colloques, 97, pp 65–80.
- 2000b. "Processus Evolutionnaires et Institutions: Quelles alternatives à la rationalité parfaite ?" *Revue Economique*, Special Issue, 51, 5, pp 1185–1213.
- 2000c. "What Institutions to Organize Electronic Commerce: Private Institutions and the Organization of Markets," *Econ. Innovation New Tech.*, 9, 3, pp 245–273.
2004. "Property Rights in the Digital Space," in Colombatto, ed., *Companion to Economics of Property Rights*. Cheltenham, UK, and Northampton, MA: Edward Elgar, pp 438–472.
- Brousseau, E. and Bessy, C. 2006. "Public and Private Institutions in the Governance of Intellectual Property Rights," in Andersen, B., ed, *Intellectual Property Rights: Innovation, Governance and the Institutional Environment*. Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishers, pp 243–277.
- Brousseau, E. and Curien, N., eds. 2007. *Internet and Digital Economics: Principles Methods and Applications*. Cambridge University Press.
- Brousseau, E. and Fares, M. 2000. "Incomplete Contracts and Governance Structures: Are Incomplete Contract Theory and Transaction Cost Economics Substitutes or Complements?" in Ménard, C., ed., *Institutions, Contracts and Organizations: Perspectives from the New Institutional Economics*. Cheltenham: Edward Elgar, pp 399–421.
2002. "Règle de Droit et Exécution des Contrats : Réflexion d'Économistes sur le Droit comparé des Contrats," *Revue Econ. Politique*, N° Spécial "L'Economie du Droit", sld Deffains, B., 112, 6, pp 823–844.
- Brousseau, E. and Glachant, J. M. 2002. *The Economics of Contracts: Theories and Applications*. Cambridge: Cambridge University Press.
- Brousseau, E. and Raynaud, E. 2006. "The Economics of Private Institutions: An Introduction to the Dynamics of Institutional Frameworks and to the Analysis of Multilevel Multi-Type Governance," Mimeo, EconomiX, University of Paris X.
2007. "The Economics of Multilevel Governance," Mimeo, EconomiX, University of Paris X.
- Brown, D. 1991. *Human Universals*. New York, NY: McGraw-Hill.
- Brown, D. and Earle, J. 2000. "Privatization and Enterprise Restructuring in Russia: New Evidence from Panel Data on Industrial Enterprises." Work paper 1, RECEP, Moscow.
- Brown, M., Falk, A., and Fehr, E. 2003. "Relational Contracts and the Nature of Market Interactions," IZA Discussion Paper, 897.
- Brown Versus Board of Education of Topeka, Kansas*, 347 U.S. 483, 47 S. Ct. 686, 98 L. eds. 873.
- Buchanan, J. 1977. *Freedom in Constitutional Contract – Perspectives of a Political Economist*. London: College Station and Texas, TX: A&M University Press.
1984. "Sources of Opposition to Constitutional Reform," in *Constitutional Economics – Containing the Economic Powers of Government*. McKenzie, R. B., ed. Lexington: Lexington Books. pp 21–34.

1986. "Political Economy and Social Philosophy," in Buchanan, J., ed., *Liberty, Market and State – Political Economy in the 1980s*. New York, pp 261–274.
1987. "Constitutional Economics," in *The New Palgrave*. Basingstoke: Macmillan, pp 588–595.
- Buchanan, J. M. 1959. "Positive Economics, Welfare Economics, and Political Economy," *J. Law Econ.*, 2, pp 124–138.
- 1975a. "A Contractarian Paradigm for Applying Economic Theory: Conflict and Contract," *Amer. Econ. Rev.*, 65, 2, pp 225–230. (Papers and Proceedings of the Eighty-Seventh Annual Meeting of the American Economic Association.)
- 1975b. *The Limits of Liberty – Between Anarchy and Leviathan*. Chicago University Press.
- Buchanan, J. and Tullock, G. 1962. *The Calculus of Consent: Logical Foundations of Constitutional Democracy*. Ann Arbor, MI: Michigan University Press.
- Buchner, B., Carraro, C., and Ellerman, D. 2006. "The Allocation of European Union Allowances: Lessons, Unifying Themes and General Principles," FEEM work paper, 116, Milan.
- Bueno de Mesquita, E. and Stephenson, M. 2006. "Legal Institutions and the Structure of Informal Networks," *J. Theoret. Pol.*, 18, 1, pp 40–67.
- Bull, J. and Watson, J. 2001. "Evidence Disclosure and Verifiability," *J. Econ. Theory*, 118, 1, pp 1–31.
- Burt, R. 1992. *Structural Holes: The Social Structure of Competition*. Cambridge, MA: Harvard University Press.
- Buskens, V., Raub, W., and Snijders, C. 2003. *The Governance of Relations in Markets and Organizations*. Amsterdam: JAI Press.
- Cafaggi, F., Nicita, A. and Pagano, U. 2007. "Law, economics and institutional complexity: An introduction," in *Legal Orderings and Economics Institutions*. in Cafaggi, F., Nicita, A. and Pagano, U., eds. London, Routledge.
- Calabresi, G. 1965. "The Decision for Accidents: An Approach to Non-Fault Allocation for Costs," *Harvard Law Rev.*, 78, 4, pp 713–745.
1968. "Transaction Costs, Resource Allocation and Liability Rules: A Comment," *J. Law Econ.*, 11, 1, pp 67–73.
1970. *The Costs of Accidents: A Legal and Economic Analysis*. New Haven, CT: Yale University Press.
- Calabresi, G. and Melamed, D. A. 1972. "Property Rules, Liability Rules, and Inalienability: One View of the Cathedral," *Harvard Law Rev.*, 85, 6, pp 1089–1128.
- Calvert, R. L. 1985. "Robustness of the Multidimensional Voting Model: Candidate Motivations, Uncertainty, and Convergence," *Amer. J. Polit. Sci.*, 29, 1, pp 69–95.
- Camara de Senadores de la Nacion. 1947. *Diario de Sesiones del Honorable Senado de la Nacion. Constituido en Tribunal*. 4, Buenos Aires.
- Camerer, C. F. 1998. "Behavioral Economics and Nonrational Organizational Decision Making," in Halpern, J. J. and Stern, R. N., eds, *Debating Rationality*. Ithaca, NY: Cornell University Press, pp 53–77.
1999. "Behavioral Economics: Reunifying Psychology and Economics," *Proceed. National Acad. Sci.*, 9, 19, pp 10575–77.

2003. *Behavioral Game Theory: Experiments in Strategic Interaction*. New York, NY: Princeton University Press and Russell Sage Foundation.
- Camerer, C. F. and Ho, T.-H. 1999. "Experienced-Weighted Attraction Learning in Normal Form Games," *Econometrica*, 67, 4, pp 827–874.
- Camerer, C. F. and Thaler, R. H. 1995. "Anomalies: Ultimatums, Dictators and Manners," *J. Econ. Perspect.*, 9, 2, pp 209–219.
- Camerer, C. F. and Knez, M. 1996. "Coordination, Organizational Boundaries and Fads in Business Practice," *Industrial Corp. Change*, 5, 1, pp 89–112.
- Carey, J. M. and Shugart, M. S. 1995. "Incentives to Cultivate a Personal Vote: A Rank Ordering of Electoral Formulas," *Elect. Stud.*, 14, 4, pp 417–439.
- Carmichael, L. H. and MacLeod, B. W. 2003. "Caring About Sunk Costs: A Behavioral Solution to the Hold-up Problem," *J. Law Econ. Organ.*, 19, pp 106–118.
- Cashdan, E. A. 1980. "Egalitarianism Among Hunters and Gatherers," *Amer. Anthropol.*, 82, 1, pp 116–120.
- Casson, M. 1997. *Information and Organization*. Oxford University Press.
- Castalia Strategic Advisor. 2005. *Explanatory Notes on Key Topics in the Regulation of Water and Sanitation Services*, World Bank edition.
- Caves, R. E. and Murphy, W. F. 1976. "Franchising: Firms, Markets and Intangible Assets," *Southern Econ. J.*, 42, 4, pp 572–586.
- Chakravarty, S. and MacLeod, B. 2004. "On the Efficiency of Standard Form Contracts: The Case of Construction," USC CLEO Research paper series, C04-17.
- Chamberlin, E. H. 1948. "An Experimental Imperfect Market," *J. Polit. Econ.*, 56, 2, pp 95–108.
- Chao, H.-P., and Peck, S., 1998. "Reliability management in competitive electricity markets," *Journal of Regulatory Economics*, 14, pp 189–200.
- Chao, H.-P. and Huntington, H. 1998. *Designing Competitive Electricity Markets*. Kluwer Academic Press.
- Che, J. and Qian, Y. 1998. "Insecure Property Rights and Government Ownership of Firms," *Quart. J. Econ.*, 113, 2, pp 467–496.
- Che, Y.-K. and Hausch, D. B. 1999. "Cooperative Investments and the Value of Contracting," *Amer. Econ. Rev.*, 89, 1, pp 125–148.
- Cheung, S. N. S. 1970. "The Structure of a Contract and the Theory of a Non-Exclusive Resource," *J. Law Econ.*, 13, 1, pp 49–70.
1973. "The Fable of the Bees: An Economic Investigation," *J. Law Econ.*, 16, 1, pp 11–33.
1983. "The Contractual Nature of the Firm," *J. Law Econ.*, 26, 1, pp 1–21.
- Coase, R. H. 1937. "The Nature of the Firm," *Economica*, pp 386–405. Reprinted in Coase, R. H. 1988. *The Firm, the Market and the Law*. Chicago University Press, pp 55–57.
1946. "The Marginal Cost Controversy," in Coase, R. H., 1988.
1959. "The Federal Communications Commission," *J. Law Econ.*, 2, 2, pp 1–40.
1960. "The Problem of Social Cost," *J. Law Econ.*, 3, 1, pp 1–44.
1964. "The Regulated Industries – Discussion," *American Economic Review*, 54, 3, pp 194–197.

1972. "Industrial Organization: A Proposal for Research," in Coase, R. H. 1988, pp 57-74.
1974. "The Lighthouse in Economics," in Coase, R. H., 1988, Chapter 7.
1976. "Adam Smith View of Man," *J. Law Econ.*, 19, 3, pp 529-546.
1988. *The Firm, the Market, and the Law*. Chicago University Press.
1988. "The Nature of the Firm: Origin, Meaning, Influence," *J. Law Econ. Org.*, 4, pp 3-59.
1992. "The Institutional Structure of Production," *Amer. Econ. Rev.*, 82, 4, pp 713-719.
- 1993a. "Coase on Posner on Coase and Concluding Comment," *J. Inst. Theoretical Econ.*, 149, 1, pp 73-87.
- 1993b. "Law and Economics at Chicago," *J. Law Econ.*, 36, pp 239-254.
1998. "The New Institutional Economics," *Amer. Econ. Rev.*, 88, 2, pp 72-74
2000. "The Acquisition of Fisher Body by General Motors," *J. Law Econ.*, 43, 1, pp 15-31.
- Codognet, M. K., Glachant, J. M., L  v  que, F., and Plagnet, M. A. 2003. "Mergers and Acquisitions in the European Electricity Sector." GRJM and CERNA,   cole Nationale Sup  rieure des Mines de Paris.
- Coen, D. 1998. "The European Business Interest and the Nation State: Large Firm Lobbying in the European Union and Member States," *J. of Public Polit.*, 118, 1, pp 75-100.
- Coeurderoy R. and Qu  lin, B. 1997. "Transaction Cost Theory: A Survey of Empirical Studies on Vertical Integration," *Rev. Econ. Polit.*, 107, 2, pp 145-181.
- Cohen, M. D., Burkhart, R., Dosi, G., Egidi, M., Marengo, L., Warglien, M., and Winter, S. G. 1996. "Routines and Other Recurring Action Patterns of Organizations," *Contemp. Res. Issues, Industrial and Corporate Change*, 5, 3, pp 653-698.
- Cohen, W. M. and Levinthal, D. A. 1990. "Absorptive Capacity: A New Perspective on Learning and Innovation," *Administ. Scien. Quart.*, 35, 1, pp 128-152.
- Colby, B. G. 1990. "Transaction Costs and Efficiency in Western Water Allocation," *Amer. J. Agr. Econ.*, 72, 5, pp 1184-1192.
- Collis, D. and Montgomery, C. 1995. "Competing on Resources: Strategy in the 1990s," *Harvard Bus. Rev.*, 73, 4, pp 118-128.
- Commons, J. R. 1924. *Legal Foundations of Capitalism*. Clifton: Augustus M. Kelley, reprinted: Transaction Publishers, 1995.
- 1932-1933. "The Problems of Correlating Law, Economics and Ethics," *Wisconsin Law Rev.* 8, 1, pp 3-26.
- Conner, K. R. and Prahalad, C. K. 1996. "A Resource-based Theory of the Firm: Knowledge versus Opportunism," *Organ. Sci.*, 7, 5, pp 477-502.
- Contractor, F. J. and Lorange, P. 1988. "Why Should Firms Cooperate? The Strategy and Economics Basis for Cooperative Ventures," in Contractor, F. J. and Lorange, P., eds., *Cooperative Strategies in International Business*. Lexington, MA: Lexington Books.
- Cook, M. L. 1995. "The Future of U.S. Agricultural Cooperatives: A Neo-Institutional Approach," *Amer. J. Agr. Econ.*, 77, 5, pp 1153-59.



- Cook, M. and Iliopoulos, C. 2000. "Ill-defined Property Rights in Collective Action: The Case of US Agricultural Cooperatives," in Ménard, C., ed., *Institutions, Contracts and Organizations*. Cheltenham: Edward Elgar, pp 335–348.
- Cook, M. L. and Chaddad, F. R. 2004. "Redesigning Cooperative Boundaries: The Emergence of New Models," *Amer. J. Agr. Econ.* 86, 5, pp 1249–1253.
- Cooter, R. D. and Janet, L. T. 1984. "Personal versus Impersonal Trade: The Size of Trading Groups and Contract Law," *Int. Rev. Law Econ.* 4, 1, pp 15–22.
- Cooter, R. D. and Rubinfeld L. D. 1989. "Economic Analysis of Legal Dispute and Their Resolution," *J. Econ. Lit.*, 27, 3, pp 1067–1097.
- Corts, K. S. and Singh, J. 2004. "The Effect of Repeated Interaction on Contract Choice: Evidence from Offshore Drilling," *J. Law, Econ. Organ.*, 20, 1, pp 230–260.
- Cosmides, L. 1985. "Deduction or Darwinian Algorithms? An Explanation of the Elusive Content Effect of the Wason Selection Task." PhD dissertation, Department of Psychology, Harvard University.
1989. "The Logic of Social Exchange: Has Natural Selection Shaped How Humans Reason? Studies with the Wason Selection Task," *Cognition*, 31, 3, pp 187–196.
- Cosmides, L. and Tooby, J. 1992. "Cognitive Adaptations for Social Exchange," in Barkow, J. H., Cosmides, L., and Tooby, J., eds, *The Adapted Mind*. New York, NY: Oxford University Press, pp 163–228.
1994. "Better than Rational: Evolutionary Psychology and the Invisible Hand," *Amer. Econ. Rev.*, 84, 2, pp 327–332.
- Craswell, R. 2001. "Two Economic Theories of Enforcing Promises," in Benson, P., ed., *Readings in the Theory of Contract Law*. Cambridge University Press.
- Crawford, V. P. and Broseta, B. 1998. "What Price Coordination? The Efficiency-Enhancing Effect of Auctioning the Right to Play," *Amer. Econ. Rev.*, 88, 1, pp 198–225.
- Crisp, B. F., Escobar-Lemmon, M. C., Jones, B. S., Jones, M. P., and Taylor-Robinson, M. M. 2004. "Vote-Seeking Incentives and Legislative Representation in Six Presidential Democracies," *J. Polit.*, 166, 3, pp 823–846.
- Crocker, K. J. and Masten, S. E. 1988. "Mitigating Contractual Hazards: Unilateral Options and Contract Length," *RAND J. Econ.*, 19, 3, pp 327–343.
1991. "Pretia ex Machina?: Prices and Process in Long Term Contracts," *J. of Law and Econ.*, 34, pp 64–99.
1996. "Regulation and Administered Contracts Revisited: Lessons From Transaction-Cost Economics for Public Utility Regulation," *J. Regul. Econ.*, 9, pp 5–40.
- Crocker, K. J. and Reynolds J. K. 1993. "The Efficiency of Incomplete Contracts: An Empirical Analysis of Air Force Engine Procurement," *RAND J. Econ.*, 24, 1, pp 126–146.
- Cyert, R. and March, J. 1963. *A Behavioral Theory of the Firm*. Englewood Cliffs, NJ: Prentice Hall.
- Dahlman, C. J. 1979. "The Problem of Externality," *J. Law Econ.*, 22, 1, pp 141–162.

- Dal Bó, E. 2006a. *Bribing Voters*. Mimeo: Haas School of Business, University of California, Berkeley.
- 2006b. *Regulatory Capture: A Review*. Mimeo: Haas School of Business, University of California, Berkeley.
- Dal Bó, E., Dal Bó, P., and Di Tella, R. 2006. "Plato O Plomo? Bribe and Punishment in a Theory of Political Influence," *Amer. Polit. Sci. Rev.*, 100, 1, pp 41–53.
- Damasio, A. 1994. *Descartes' Error: Emotion, Reason and the Human Brain*. New York, NY: Grosset/Putnam.
- Datta, S. K., O'Hara, D. J., and Nugent, J. B. 1986. "Choice of Agricultural Tenancy in the Presence of Transaction Costs," *Land Econ.*, 62, 2, pp 145–158.
- David, P. A. 1985. "Clio and the Economics of QWERTY," *Amer. Econ. Rev.* 75, 2, pp 332–337.
- Davis, D. and Holt, C. 1993. *Experimental Economics*. Princeton University Press.
- Davis, J. and Goldberg, R. 1957. *A Concept of Agribusiness*. Boston, MA: Division of Research, Harvard Business School.
- Davis, L. and North, D. 1971. *Institutional Change and American Economic Growth*. New York, NY: Cambridge University Press.
- Davoodi, H. and Heng-fu Z. 1998. "Fiscal Decentralization and Economic Growth: A Cross-Country Study," *J. Urban Econ.*, 43, 2, pp 244–257.
- Dawkins, R. 1976. *The Selfish Gene*. Oxford University Press.
1982. *The Extended Phenotype*. Oxford University Press.
- Day, G. S. and Klein, S. 1987. "Cooperative Behavior in Vertical Markets: The Influence of Transaction Costs and Competitive Strategies," *Rev. Marketing*, pp 39–66.
- De Figueiredo, J. M. 1998. "Litigating Regulation: Corporate Strategy in Telecommunication," unpublished manuscript.
2005. "Strategic Plaintiffs and Ideological Judges in Telecommunications Litigation," *J. Law, Econ., Organ.*, 21, 2, pp 501–523.
- De Figueiredo, J. M. and De Figueiredo, R. J. P., Jr. 2002. "The Allocation of Resources by Interest Groups: Lobbying, Litigation, and Administrative Regulation," *Bus. Politics*, 14, 2, pp 161–181.
- De Figueiredo, J. P. R., Jr. and Edwards, G. 2004. "Why Do Regulatory Outcomes Vary So Much? Economic, Political and Institutional Determinants of Regulated Prices in the US Telecommunications Industry." Work paper, Haas School of Business, University of California, Berkeley.
- De Figueiredo, J. M. and Silverman, B. S. 2002. "Academic Earmarks and the Returns to Lobbying," *J. Law, Econ., Organ.*, 49, pp 597–625.
- De Figueiredo, J. P. R., Jr., Spiller, P. T., and Urbiztondo, S. 1999. "An Informational Perspective on Administrative Procedures," *J. Law, Econ., Organ.*, 15, 1, pp 283–305.
- De Janvry, A., Gordillo, G., Platteau, J.-P., and Sadoulet, E. 2001. *Access to Land, Rural Poverty, and Public Action*. Oxford University Press.
- Deakin, S. and Michie, J. 1997a. "Contracts, Co operation, and Competition," in *Studies in Economics, Management, and Law*. Oxford University Press.

- 1997b. "Contracts and Competition," *Cambridge Journal of Economics*, 21, 2, pp 121–25.
- Deci, E. and Ryan, R. 1985. *Intrinsic Motivation and Self-Determination in Human behavior*. New York, NY: Plenum.
- Deffains, B. and Kirat, T. 2001, in Mercurio, N., ed., *Law and Economics in Civil Law Countries, the Economics of Legal Relationship*. Amsterdam: JAI Press, Elsevier Science BV.
- Dellarocas, C., Fan, M., and Wood, C. 2004. "Self-Interest, Reciprocity, and Participation in Online Reputation Systems," MIT Sloan work paper 4500–04 (Available at: <http://ssrn.com/abstract=585402>).
- Demsetz, H. 1967. "Toward a Theory of Property Rights," *Amer. Econ. Rev.*, 57, 2, pp 347–359.
1968. "Why Regulate Utilities?" *J. Law Econ.*, 11, 1, pp 55–65.
1969. "Information and Efficiency: Another Viewpoint," *J. Law Econ.*, 12, 1, pp 1–22.
1988. "Profit as a Functional Return: Reconsidering Knight's Views," in Demsetz, H., ed., *Ownership, Control and the Firm. The Organization of Economic Activity*. Oxford and New York, NY: Blackwell, pp 236–247.
- Dennen, T. R. 1976. "Cattlemen's Associations and Property Rights in Land in the American West," *Explorations Econ. Hist.*, 13, 4, pp 423–436.
- Denton, M. J., Rassenti, S. J., Smith, V. L., and Backerman, S. R. 2001. "Market Power in a Deregulated Electrical Industry," *Decision Support Systems*, 30, 3, pp 357–381.
- Denzau, A. T. and Munger, M. C. 1986. "Legislators and Interest Groups: How Unorganized Interests get Represented," *Amer. Polit. Sci. Rev.*, 80, 1, pp 89–106.
- Dick, A. R. 1996. "When are Cartels Stable Contracts?" *J. Law Econ.*, 39, 1, pp 241–283.
- DiMaggio, P. 1994. "Culture and Economy," in Smelser, N. and Swedberg, R., eds, *The Handbook of Economic Sociology*. Princeton University Press, pp 27–57.
- Dixit, A. 1996. *The Making of Economic Policy: A Transaction Cost Politics Perspective*. Cambridge, MA: MIT Press.
2004. *Lawlessness and Economics. Alternative Modes of Governance*. Princeton University Press.
- Dixit, A. and Nalebuff, B. 1993. *Thinking Strategically: The Competitive Edge in Business, Politics, and Every Day Life*. New York, NY: W.W. Norton & Co.
- Djankov, S. and Murrell, P. 2002. "Enterprise Restructuring in Transition: A Quantitative Survey," *J. Econ. Lit.*, 40, 3, pp 793–837.
- Djankov, S., Glaeser, E., La Porta, R., Lopez de Silanes, F., and Shleifer, A. 2003. "The New Comparative Economics," *J. Compar. Econ.*, 31, 4, pp 595–619.
- Djankov, S., La Porta, R., Lopez de Silanes, F., and Shleifer, A. 2002. "The Regulation of Entry," *Quart. J. Econ.*, 117, 1, pp 1–37.
- Dnes, A. W. 1993. "A Case-Study Analysis of Franchise Contracts," *J. Legal Stud.*, 22, 2, pp 367–393.

- Donaldson, L. 1996. *For Positivist Organization Theory: Proving the Hard Core*. London: Sage.
- Dosi, G. 2000. *Innovation, Organization, and Economic Dynamics: Selected Essays*. Cheltenham: Edward Elgar.
- Dosi, G. and Marengo, L. 1994. "Some Elements of an Evolutionary Theory of Organizational Competences," in Englander, R. W., ed., *Evolutionary Concepts in Contemporary Economics*. Ann Arbor, MI: Michigan University Press, pp 157–178.
2000. "On the Tangled Discourse between Transaction Cost Economics and Competence-based Views of the Firm: Some Comments," in Foss, N. J. and Mahnke, V., eds, *Competence, Governance, and Entrepreneurship*. Oxford University Press, pp 80–92.
- Dow, G. K. 1987. "The Function of Authority in Transaction Cost Economics," *J. Econ. Behav. Organ.*, 8, 1, pp 13–38.
- Dubois, W. E. B. 1965. *Three Negro Classics: Up from Slavery. The Souls of Black Folks. The Autobiography of an Ex-Colored Man*. New York, NY: Avon Books.
- Dufwenberg, M. and Kirchsteiger, G. 2004. "A Theory of Sequential Reciprocity," *Games Econ. Behav.*, 47, 2, pp 268–298.
- Dussauge, P., Garrette, B., and Will, M. 2000. "Learning from Competing Partners: Outcomes and Durations of Scale and Link Alliances in Europe, North America and Asia," *Strategic Manag. J.*, 21, 2, pp 99–126.
- Dutta, S., Bergen, M., Heide, J. B., and John, G. 1995. "Understanding Dual Distribution: The Case of Rep and House Accounts," *J. Law, Econ., Organ.*, 11, 1, pp 189–204.
- Duverger, M. 1954. *Political Parties: Their Organization and Activity in the Modern State*. New York, NY: Wiley.
- Duxbury, N. 1995. *Patterns of American Jurisprudence*. Oxford: Clarendon Press.
- Dyer, J. H. 1997. "Effective Interfirm Collaboration: How Firms Minimize Transaction Costs and Maximize Transaction Value," *Strategic Manage. J.*, 18, 7, pp 535–356.
- Easterly, W. 2001. *The Elusive Quest for Growth: Economists' Adventures and Misadventures in the Tropics*. Cambridge, MA: MIT Press.
- Edlin, A. S. 1998. "Breach Remedies," in *The New Palgrave Dictionary of Economics and the Law*. London: Macmillan, pp 174–179.
- Edlin, A. S. and Reichelstein, S. J. 1996. "Holdups, Standard Breach Remedies, and Optimal Investment," *Amer. Econ. Rev.*, 86, 3, pp 478–01.
- EDRD (European Bank for Reconstruction and Development). 2004. Transition Report : Infrastructure, London.
- Eggertsson, T. 1990. *Economic Behaviour and Institutions*. Cambridge University Press.
- Eilers, C. and Campbell Hanf, C. 1999. "Contracts between Farmers and Farmers Processing Cooperatives: A Principal Agent Approach for the Potato Starch Industry," in Galizzi, G. and Venturini, L., eds, *Vertical Relationships and Coordination in the Food System*. Hiedelberg: Physica, pp 267–284.
- Elazar, D. J. 1995. "From Statism to Federalism: A Paradigm Shift," *Publius*, 25, 2, pp 5–18.

- Elfenbein, D.W. and Lerner, J. 2003. "Ownership and Control Rights in Internet Portal Alliances, 1995–1999," *RAND J Econ.*, 34, 2, pp 356–369.
- Elster, J. 1983. *Explaining Technical Change. A Case Study in the Philosophy of Science*. Cambridge: Cambridge University Press.
1994. "Arguing and Bargaining in Two Constituent Assemblies," unpublished manuscript, remarks given at the University of California, Berkeley.
- Enikolopov, R. and Zhuravskaya, E. 2003. "Decentralization and Political Institutions," CEPR Discussion paper 3857.
- Ensminger, J. 1992. *Making a Market: The Institutional Transformation of an African Society*. Cambridge University Press.
- Epstein, D. and O'Halloran, S. 1995. "A Theory of Strategic Oversight: Congress, Lobbyist and the Bureaucracy," *J. Law, Econ. Organ.*, 11, 2, pp 227–255.
- Epstein, L. 1985. *Conservatives in Court*. Knoxville, TN: Tennessee University Press.
- Esckridge J. R., William N. 1991. "Overriding Supreme Court Statutory Interpretation Decisions," *Yale Law J.*, 101, 2, pp 331–355.
- Fafchamps, M. 1996. "The Enforcement of Commercial Contracts in Ghana," *World Devel.*, 24, 3, pp 427–448.
- Fan, J.P.H. 2000. "Price Uncertainty and Vertical Integration: An Examination of Petrochemical Firms," *J. Corp. Finan: Contracting, Governance, and Organ.*, 6, 4, pp 345–376.
- Fan, J.P.H. and Lang, L.H.P. 2000. "The Measurement of Relatedness: An Application to Corporate Diversification," *J. Bus.*, 73, 4, pp 629–660.
- Fares, M. and Saussier, S. 2002. "Contrats Incomplets et Coûts de Transaction," *Rev. Fr. Econ.*, pp 193–230.
- Fearon, J. 1999. "Electoral Accountability and the Control of Politicians: Selecting Good Types versus Sanctioning Poor Performance," in Manin, B., Przeworski, A., and Stokes, S., eds, *Democracy, Accountability, and Representation*. Cambridge, MA: Cambridge University Press,
- Fehr, E. and Fischbacher, U. 2002. "Why Social Preferences Matter. The Impact of Non Selfish Motives on Competition, Cooperation and Incentives," *Econ. J.*, 112, 478, pp C1–C33.
- Fehr, E. and Gächter, S. 2000. "Fairness and Retaliation: The Economics of Reciprocity," *J. Econ. Perspect.*, 14, pp. 159–181.
2002. "Do Incentive Contracts Crowd-out Voluntary Cooperation?" Work paper W34. (Available at: [www.iew.unizh.ch/wp/iewwp034.pdf](http://www.iew.unizh.ch/wp/iewwp034.pdf)).
- Fehr, E. and Gächter, S. 2006. "Reciprocity and Contract Enforcement," *Handbook of Experimental Economics*, in press.
- Fehr, E. and Schmidt, K. M. 1999. "A Theory of Fairness, Competition, and Cooperation," *Quart. J. Econ.*, 114, pp 769–816.
- Fehr, E., Klein, A., and Schmidt, K. 2001. "Fairness, Incentives and Contractual Incompleteness," CESifo work paper W445, Zurich IEER work paper W72. (Available at: <http://ssrn.com/abstract=262015>).
- Fein, A.J. and Anderson, E. 1997. "Patterns of Credible Commitments: Territory and Brand Selectivity in Industrial Distribution Channels," *J. Marketing*, 61, 2, pp 19–34.

- Feld, L. P. and Kirchgässner, G. 2001. "The Political Economy of Direct Legislation: Direct Democracy and Local Decision-Making," *Econ. Pol. Rev.*, 33, pp 329–367.
- Feld, L. P. and Savioz, M. R. 1997. "Direct Democracy Matters for Economic Performance: An Empirical Investigation," *Kyklos*, 50, 4, pp 507–538.
- Feld, L. P. and Voigt, S. 2003. "Economic Growth and Judicial Independence: Cross-Country Evidence Using a New Set of Indicators," *Europ. J. Polit. Economy*, 19, 3, pp 497–527.
2004. "Making Judges Independent – Some Proposals Regarding the Judiciary," CESifo work paper W1260.
- Feld, L., Kirchgässner, G., and Schaltegger, C. 2003. "Decentralized Taxation and the Size of Government: Evidence from Swiss State and Local Governments," CESifo Work paper W1087.
- Feld, L., Zimmermann, H., and Doring, T. 2004. "Federalism, Decentralization and Economic Growth," Discussion Paper Series Work papers 200430, Philipps-Universität Marburg, Faculty of Business Administration and Economics, Department of Economics (Volkswirtschaftliche Abteilung).
- Felin, T. and Foss, N. 2004. "Methodological Individualism and the Organizational Capabilities Approach," Work paper W2004-5, Center for Knowledge Governance, Copenhagen Business School. (Available at [www.cbs.dk/ckg](http://www.cbs.dk/ckg)).
- Ferejohn, J. 1999. "Accountability and Authority: Toward a Theory of Political Accountability," in Manin, B., Przeworski, A., and Stokes, S., eds, *Democracy, Accountability, and Representation*. Cambridge, MA: Cambridge University Press.
- Ferejohn, J. and Shipan Charles, C. 1990. "Congressional Influence on Bureaucracy," *J. Law, Econ., Organ.*, 6, pp 1–20.
- Festré, A. and Garrouste P. 2006. "Incentives and Motivations: To What Extent Can Economics Benefit from Psychology?" Mimeo, ATOM, University of Paris 1.
- Figueiredo, R. J. and Weingast, B. R. 2005. "Self-Enforcing Federalism," *J. Law, Econ., Organ.*, 21, 1, pp 103–135.
- Fiorina, M. P. 1982. "Legislative Choice of Regulatory Forms: Legal Process or Administrative Process?" *Public Choice*, 39, 1, pp 33–66.
- Fisher, F. M. 1989. "Games Economists Play: A Non-Cooperative View," *RAND J. Econ.*, 20, 1, pp 113–124.
- Fisman, R. J. and Gatti, R. 2002. "Decentralization and Corruption: Evidence Across Countries," *J. Public Econ.*, 83, pp 325–345.
- Foss, K. and Foss, N. J. 2001. "Assets, Attributes and Ownership," *Int. J. Econ. Bus.*, 8, pp 19–37.
- Foss, N. J. 1993. "Theories of the Firm: Contractual and Competence Perspectives," *J. Evolutionary Econ.*, 3, 2, pp 127–144.
2000. *The Theory of the Firm*. London: Routledge.
2002. "The Rhetorical Dimensions of Bounded Rationality: Herbert A. Simon and Organizational Economics," in Rizzello S., ed., *Cognitive Paradigms in Economics*. London: Routledge, pp 158–176.
2003. "Herbert Simon's Grand Theme in the Economics of Organization: Much Cited and Little Used," *J. Econ. Psych.*, 24, pp 245–264.

2005. *Strategy and Economic Organization in the Knowledge Economy*. Oxford: Oxford University Press.
- Foss, N.J. and Klein, P. 2005. "Entrepreneurship and the Theory of the Firm: Any Gains From Trade?" in Agarwal, R., Alvarez, S. A., and Sorenson, O., eds, *Handbook of Entrepreneurship: Disciplinary Perspectives*. New York, NY: Kluwer.
- Frank, R.H. 1987. "If Homo Economicus Could Choose His Own Utility Function, Would He Want One with a Conscience?" *Amer. Econ. R.*, 79, 3, pp 594–596.
- Frank, S.D. and Henderson, D.R. 1992. "Transaction Costs as Determinants of Vertical Coordination in the US Food Industries," *Amer. J. Agr. Econ.*, 74, 4, pp 941–950.
- Freeland, R.F. 2002. "The Firm as a Minisociety," draft manuscript.
- Frey, B.S. 1997. *Not Just for the Money: An Economic Theory of Personal Motivation*. Aldershot: Edward Elgar.
- Frey, B.S. and Oberholzer-Gee, F. 1997. "The Cost of Price Incentives: An Empirical Analysis of Motivation Crowding-Out," *Amer. Econ. Rev.*, 87, 4, pp 746–755.
- Frey, B.S. and Stutzer, A. 2006. "Direct Democracy: Designing a Living Constitution," in Congleton, R., ed., *Democratic Constitutional Design and Public Policy – Analysis and Evidence*, Cambridge, MA: MIT Press.
- Friedman, D. 1998. "Law and Economics," in *The New Palgrave. A Dictionary in Economics*. London: Macmillan, pp 144–147.
- Friedman, J.W. 1971. "A Non-Cooperative Equilibrium for Supergames," *Rev. Econ. Stud.*, 28, pp 1–12.
- Friedman, M. 1997. "Modern Macroeconomics and its Evolution from a Monetarist Perspective," *Rev. Econ. Stud.*, 24, 4, pp 192–222.
- Fuller, L. 1969. *The Morality of Law*. New Haven, CT and London: Yale University Press.
- Furquim de Azevedo, P. and Dos Santos Silva, V.L. 2001. "Contractual Mix Analysis in the Brazilian Franchising," Work paper, University of Sao Paulo.
- Furubotn, E. 2002. "Entrepreneurship, Transaction-Cost Economics, and the Design of Contracts," in Brousseau, E. and Glachant, J.-M., eds, *The Economics of Contracts*. Cambridge University Press, pp 72–97.
- Furubotn, E. and Richter, R. 1997. *Institutions and Economic Theory: An Introduction to and Assessment of the New Institutional Economics*. Ann Arbor, MI: University of Michigan Press.
2000. *Institutions and Economics Theory: The Contributions of the New Institutional Economics*. Ann Arbor, MI: University of Michigan Press.
- Gagne, M. and Deci, E.L. 2005. "Self-Determination Theory and Work Motivation," *J. Organ. Behavior*, 26, pp 331–362.
- Gallini, N.T. and Lutz, N.A. 1992. "Dual Distribution and Royalty Fees in Franchising," *J Law, Econ. Organ.* 8, 3, pp 471–501.
- Gallo, A. 2003. *The Political Economy of Argentine Development*. PhD dissertation, University of Illinois at Urbana-Champaign.
- Gambetta, D. 1988. *Trust, Making and Breaking Cooperative Relations*. Oxford: Basil Blackwell.

- Gandal, N., Salant, D., and Waverman, L. 2003. "Standards in Wireless Telephone Networks," *Telecommunications Pol.* 27, pp 325–332.
- Garcia-Canal, E. 1996. "Contractual Form in Domestic and International Strategic Alliances," *Organization Studies*, 17, 5, pp 773–794.
- Garicano, L. 2000. "Hierarchies and the Organization of Knowledge in Production," *J. Polit. Economy*, 108, 5, pp 874–904.
- Garrouste, P. 2004. "The New Property Rights Theory of the Firm," in Colombatto, E., ed., *The Edward Elgar Companion to the Economics of Property Rights*, E. Cheltenham: Edward Elgar, pp 370–382.
- Garrouste, P. and Saussier, S. 2005. "Looking for a Theory of the Firm," *J. Econ. Behav. Organ.*, 58, 2, pp 178–199.
- Geddes, R.R. 1997. "Ownership, Regulation, and Managerial Monitoring in the Electric Utility Industry," *J. Law Econ.*, 40, 1, pp 261–288.
- Gely, R. and Spiller, P. T. 1990. "A Rational Choice Theory of Supreme Court Statutory Decisions with Applications to the State Farm and Grove City Cases," *J. Law, Econ., Organ.*, 6, 2, pp 263–300.
- 1992a. "The Political Economy of Supreme Court Constitutional Decisions: The Case of Roosevelt's Court-Packing Plan," *Int. Rev. Law Econ.*, 12, 1, pp 45–67.
- Georgescu-Roegen, N. 1971. *The Entropy Law and Economic Process*. Cambridge, MA: Harvard University Press.
- Geringer, M.J. and Hebert, L. 1989. "The Importance of Control in International Joint Ventures," *J. Int. Bus. Stud.*, 20, pp 235–254.
1991. "Measuring Performance of International Joint Ventures," *J. Int. Bus. Stud.*, 22, 2, pp 249–264.
- Gersbach, H. 2004. "Fiscal Constitutions," *Constit. Polit. Economy*, 15, 1, pp 3–25.
- Ghosh, M. and John, G. 1999. "Governance Value Analysis and Marketing Strategy," *J. Marketing*, 63, pp 131–145.
- Ghoshal, S. and Moran, P. 1996. "Bad for Practice: A Critique of the Transaction Cost Theory," *Acad. Man. Rev.*, 21, 1, pp 13–47.
- Gibbons, R. S. 1992. *Game Theory for Applied Economists*. Princeton University Press.
2000. "Why Organizations Are Such a Mess (and What an Economist Might Do About It)?" MIT Sloan work paper. (Available at: [http://web.mit.edu/rgibbons/www/Org\\_mess.pdf](http://web.mit.edu/rgibbons/www/Org_mess.pdf)).
2001. "Trust in Social Structures: Hobbes and Coase Meet Repeated Games," in Cook, K., ed., *Trust in Society*. New York, NY: Russell Sage Foundation, pp 332–353.
2005. "Four Formalizeable Theories of the Firm," *J. Econ. Behav. Organ.*, 58, 2, pp 200–245.
- Gigerenzer, G. 2000. *Adaptive Thinking: Rationality in the Real World*. New York, NY: Oxford University Press.
- Gigerenzer, G. and Todd, P. 1999. "Fast and Frugal Heuristics: The Adaptive Toolbox," in Gigerenzer G., Todd, P. M., and the ABC Research Group, eds, *Simple Heuristics That Make Us Smart*. G. New York, NY: Oxford University Press, pp 3–34.
- Ginsburg, T. 2002. "Economic Analysis and the Design of Constitutional Courts," *Theoretical Inquiries in Law*, 3, 1, pp 49–85.



- Glachant, J.-M. 1998. "England Wholesale Electricity Market," *Utilities Policy*, 7, pp 63–74.
2002. "Why Regulate Deregulated Network Industries?" *J. Network Industries*, 3, pp 297–311.
- Glachant, J.-M. and Finon, D. 2000. "Why do the European Union's electricity industries continue to differ? A new institutional analysis," in Claude Ménard, eds., *Institutions, Contracts and Organizations*. Edward Elgar, pp. 313–34.
2003. *Competition in European Electricity Markets: A Cross Country Comparison*. Cheltenham: Edward Elgar.
2006. "France Electricity Reform: A Competitive Fringe in the Shadow of a State Owned Incumbent," in *Energy Journal*, 26.
- Glachant, J.-M. and Lévêque, F. 2007. *European Union Electricity Internal Market: Towards an Achievement?* Cheltenham: Edward Elgar.
- Glachant, J.-M., Dubois, U., Perez, Y. 2007. "Deregulating with No Regulator: Is the German Electricity Transmission Regime Institutionally Correct?" *Energy Policy*, 36, pp 1600–1610.
- Glaeser, E. L. and Shleifer, A. 2003. "The Rise of the Regulatory State," *J. Econ. Lit.*, 41, 2, pp 401–425.
- Glaeser, E. L., La Porta, R., Lopez-de-Silanes, F., and Shleifer, A. 2004. "Do Institutions Cause Growth?" *J. Econ. Growth*, 9, 3, pp 271–303.
- Gneezy, U. and Rustichini, A. 2000. "Pay Enough or Don't Pay at All," *Quart. J. Econ.*, 115, 3, pp 791–810.
- Goldberg, V. P. 1976. "Regulation and Administered Contracts" *Bell J. Econ.*, 7, 2, pp 426–452.
- Gomes-Casseres, B. 1989. "Ownership Structures of Foreign Subsidiaries: Theory and Evidence," *J. Econ. Behav. Organ.*, 11, 1, pp 1–25.
1994. "Group vs. Group: How Alliance Networks Compete," *Harvard Bus. Rev.*, 72, 4, pp 62–74.
1996. *The Alliance Revolution*. Boston, MA: Harvard University Press.
- Gomez-Ibanez, J. 2003. *Regulating Infrastructure: Monopoly, Contracts and Discretion*. Boston, MA: Harvard University Press.
- Gompers, P. A. and Lerner, J. 1996. "The Use of Covenants: An Empirical Analysis of Venture Partnership Agreements," *J. Law Econ.*, 39, 2, pp 405–434.
- González-Díaz, M., Arruñada, B., and Fernández, A. 1998. "Regulation as Cause of Firm Fragmentation: The Case of Spanish Construction Industry," *Int. Rev. Law Econ.*, 18, 4, pp 433–450.
- Gordon, Scott H. 1954. "The Economic Theory of A Common-property Resource: The Fishery," *J. Polit. Economy*, 62, 2, pp 124–42.
- Goshal, S. and Moran, P. 1996. "Bad Practice: A Critique of Transaction Cost Theory," *Academy of Management Review*, 21, 1, pp 13–47.
- Grafton, Q. R., Squires, D., and Fox, K. J. 2000. "Private Property and Economic Efficiency: A Study of a Common-Pool Resource," *J. Law Econ.*, 43, pp 679–713.
- Granovetter, M. 1985. "Economic Action and Social Structure: The Problem of Embeddedness," *Amer. J. Sociology*, 91, 3, pp 481–510.
- Greene, W. 2003. *Econometric Analysis*. Upper Saddle River, NJ: Prentice Hall.

- Green, R., Lorenzoni, A., Perez, Y. and Pollitt, M. 2006. "Benchmarking in the European Union," work paper, University of Cambridge.
- Greif, A. 1989. "Reputation and Coalitions in Medieval Trade: Evidence on the Maghribi Traders," *J. Econ. Hist.*, 49, 4, pp 857–882.
1992. "Institutions and International Trade: Lessons from the Commercial Revolution," *Amer. Econ. Rev.*, 82, 2, pp 128–33.
1993. "Contract Enforceability and Economic Institutions in Early Trade: The Maghribi Traders Coalition," *Amer. Econ. Rev.*, 83, 3, pp 525–548.
1994. "Cultural Beliefs and the Organization of Society: A Historical and Theoretical Reflection on Collectivist and Individualist Societies," *J. Pol. Econ.*, 102, 5, pp 912–950.
1997. "Microtheory and Recent Developments in the Study of Economic Institutions Through Economic History," in Kreps, D. and Wallis, K., eds, *Advances in Economic Theory*. Cambridge University Press, pp 79–113.
1998. "Historical and Comparative Institutional Analysis," *Amer. Econ. Rev.*, 88, 2, pp 80–89.
2000. "Economic History and Game Theory: A Survey," in Aumann, R. and Hart, S., eds, *Handbook of Game Theory*. Amsterdam: North Holland.
2004. *Institutions: Theory and History*. Cambridge University Press.
2005. "Commitment, Coercion and Markets: The Nature and Dynamics of Institutions Supporting Exchange," in Ménard, C. and Shirley, M. M., eds, *Handbook of New Institutional Economics*, New York, NY: Kluwer Academic Press, pp 727–786.
2006. *Institutions and the Path to the Modern Economy: Lessons from Medieval Trade*. Cambridge University Press.
- Greif, A., Milgrom, P., and Weingast, B. R. 1994. "Coordination, Commitment and Enforcement: The Case of the Merchant Guild," *J. Polit. Economy*, 102, 4, pp 745–776.
- Griffin, R. C. and Boadu, F. O. 1992. "Water Marketing in Texas: Opportunities for Reform," *Natural Res. J.*, 32, pp 265–288.
- Grimes, G., Plain, R., and Meyer, S. 2004. "US Hog Marketing Contract Study," University of Missouri, Work paper AEW P 2004–07.
- Grosfeld, I. and Nivet, J.-F. 1999. "Insider Power and Wage Setting in Transition: Evidence from a Panel of Large Polish Firms," *Europ. Econ. Rev.*, 43, 4, pp 1137–1147.
- Grossman, S. J. and Hart, O. D. 1986. "The Costs and Benefits of Ownership: A Theory of Vertical and Lateral Integration," *J. Polit. Economy*, 94, 4, pp 691–719.
- Guash, J. L. 2004. *Granting and Renegotiating Infrastructure Concessions: Doing It Right*. Washington, DC: World Bank Institute.
- Guash, J. L. and Spiller, P. 1999. *Managing the Regulatory Process: Design, Concepts, Issues, and the Latin America and Caribbean Story*, Washington, DC: International Bank for Reconstruction and Development, Chapter 6.
- Gulati, R. 1995a. "Does Familiarity Breed Trust? The Implications of Repeated Ties for Contractual Choice in Alliances," *Academy of Manage. J.*, 38, 1, pp 85–112.
- 1995b. "Social Structure and Alliance Formation Patterns: A Longitudinal Analysis," *Administrative Science Quarterly*, 40, 4, pp 619–650.

1999. "Network Location and Learning: The Influence of Network Resources and Firm Capabilities on Alliance Formation," *Strategic Manage. J.*, 20, 5, pp 397–420.
- Gulati, R. and Nickerson, J. 2005. *Interorganizational-Trust: The Choice of Make, Buy, or Ally; and the Performance of Interorganizational Relationships in the U.S. Auto Industry*. Manuscript, Olin School of Business.
- Gulati, R. and Nickerson J. A., forthcoming. "Inter-organizational Trust: the Choice of Make, Buy, or Ally; and the Performance of Interorganizational Relationships in the US. Auto Industry", *Organization Science*.
- Gulati, R., Lawrence, P. R., and Puranam, P. 2005. "Adaptation in Vertical Relationships: Beyond Incentive Conflict," *Strategic Manage. J.*, 26, 5, pp 415–40.
- Güth, W., Schmittberger, R., Bernd Schwarz, B. 1982. "An Experimental Analysis of Ultimatum Bargaining," *J. Econ. Behav. Organ.*, 3, pp 367–388.
- Haas, R., Glachant, J.-M., Perez, Y., Auer, H., and Keseric, N. 2007. "The Liberalisation of the Continental European Electricity Market," *Energy Stud. Rev.*, 14, 2, pp 1–29.
- Hadfield, G. K. 1990. "Problematic Relations: Franchising and the Law of Incomplete Contracts," *Stanford Law Rev.*, 42, pp 927–992.
2000. "Privatizing Commercial Law: Lessons from the Middle and the Digital Ages," Work paper 195, John M. Olin program in Law and Economics, Stanford Law School.
2005. "The Many Legal Institutions that Support Contractual Commitments," in Ménard, C. and Shirley, M. M., eds, *Handbook of New Institutional Economics*. New York, NY: Kluwer Academic Publishers, pp 175–204.
- Haggard, S. 2000. "Interest, Institutions and Policy Reform," in Krueger, A. O., ed., *Economic Policy Reform: The Second Stage*. Chicago University Press, pp 21–61.
- Håkansson, H. and Snehota, I. 1990. "No Business is an Island: The Network Concept of Business Strategy," *Scand. J. Man.*, 5, pp 187–200.
- Hamel, G. 1991. "Competition for Competence and Inter-Partner Learning within International Strategic Alliances," *Strategic Manage. J.*, 12, pp 82–103.
- Hamilton, B. H. and Nickerson, J. A. 2003. "Correcting for Endogeneity in Strategic Management Research," *Strategic Organ.*, 1, 1, pp. 53–80.
- Hamilton, B. H., Nickerson, J. A., and Owan, H. (2003) "Team Incentives and Worker Heterogeneity: An Empirical Analysis of the Impact of Teams on Productivity and Participation," *Journal of Political Economy*, 111, 3, pp 465–497.
- Hamilton, W. D. 1963. "The Evolution of Altruistic Behavior," *Amer. Naturalist*, 97, pp 354–356.
1964. "The Genetical Evolution of Social Behaviour I and II," *J. Theoretical Biology*, 7, pp 1–52.
- Hannan, M. T. and Freeman, J. 1984. "Structural Inertia and Organizational Change," *Amer. Sociological Rev.*, 49, pp 149–164.
1989. *Organizational Ecology*. Cambridge, MA: Harvard University Press.
- Hansmann, H. and Kraakman, R. 2002. "Property, Contract, and Verification: The Numerus Clausus Problem and the Divisibility of Rights," Harvard Law School Public Law Research paper 37.

- Hanssen, A.F. 2004. "Is There a Politically Optimal Level of Judicial Independence?" *Amer. Econ. Rev.*, 94, 3, pp 712–729.
- Hardin, R. 1989. "Why a Constitution?" in Grofman, B. and Wittman, D., eds, *The Federalist Papers and the New Institutionalism*. New York, NY: Agathon Press, pp 100–120.
- Harrigan, K.R. 1985. "Vertical Integration and Corporate Strategy," *Acad. Manage. J.*, 28, 2, pp 397–425.
- Hart, O.D. 1988. "Incomplete Contracts and the Theory of the Firm," *J. Law, Econ., Organ.*, 4, pp 119–141. Reprinted in Williamson O.E. and Winter S.G., eds, 1991, *The Nature of the Firm*. Oxford University Press, pp 138–159.
1990. "Is 'Bounded Rationality' an Important Element of a Theory of Institutions?" *J. Inst. Theoretical Econ.*, 146, pp 696–702.
1995. *Firms, Contracts and Financial Structure*. Oxford University Press.
- Hart, O.D. and Holmström, B. 1987. "The Theory of the Contracts," in Bewley, T., ed., *Advances in Economic Theory, Fifth World Congress*. Cambridge University Press, pp 71–85.
2002. "A Theory of Firm Scope," Mimeo. (Available at: [http://econ-www.mit.edu/faculty/download\\_pdf.php?id=514](http://econ-www.mit.edu/faculty/download_pdf.php?id=514)).
- Hart, O.D. and Moore, J. 1988. "Incomplete Contracts and Renegotiation," *Econometrica*, 56, 4, pp 755–785.
1990. "Property Rights and the Nature of the Firm," *J. Polit. Economy*, 98, pp 1119–1158.
1999. "Foundations of Incomplete Contracts," *Rev. Econ. Stud.*, 66, 1, pp 115–138.
2004. "Agreeing Now to Agree Later: Contracts that Rule Out but do not Rule In," Harvard Law and Economics Discussion Paper, 465.
2005. "On the Design of Hierarchies: Coordination Versus Specialization with John Moore," *J Political Econ.*, 113, 4, pp 675–702.
- Harvey, J. S. Jr. 2005. "Why Did You Do That? An Economic Examination of the Effect of Extrinsic Compensation on Intrinsic Motivation and Performance," *J. Econ. Psych.*, 26, 4, 549–566.
- Hatzis, A. 2000. "The Anti-Theoretic Nature of Civil Law Contract Scholarship and the Need for an Economic Theory," Mimeo, Chicago Law School, and University of Thessalonica.
2006. "Civil Contract Law and Economic Reasoning: An Unlikely Pair?" in Grundmann, S. and Schauer, M., eds, *The Architecture of European Codes and Contract Law*. Kluwer Law International, Private Law in European Context Series, 8, pp 159–191.
- Hayami, Y. 1998. "Introduction," in *Toward the Rural-Based Development of Commerce and Industry: Selected Experiences from East Asia*, Washington, DC: World Bank.
- Hayami, Y. and Kikuchi, M. 1981. *Asian Village Economy at the Crossroads: An Economic Approach to Institutional Change*. Tokyo University Press, Baltimore, MD, and London: Johns Hopkins University Press.
2000. *A Rice Village Saga – Three Decades of Green Revolution in the Philippines, Lanham*. Boulder, CO, and New York, NY: Barnes & Noble.

- Hayek, F. A. 1944. *The Road to Serfdom*. Chicago University Press.
1945. "The Use of Knowledge in Society," *Amer. Econ. Rev.*, 35, pp 519–530.
1948. *Individualism and Economic Order*. Chicago University Press.
1973. *Law, Legislation and Liberty, Vol. 1: Rules and Order*. Chicago University Press.
- Hayo, B. and Voigt, S. 2007. "Explaining De Facto Judicial Independence," *Int. Rev. Law Econ.*, 27, 3, 269–290.
- Heiman, B. A. and Nickerson, J. A. 2002. "Towards Reconciling Transaction Cost Economics and the Knowledge-based View of the Firm: The Context of Interfirm Collaborations," *Int. J. Econ. Bus.*, 9, pp 97–116.
2004. "Empirical Evidence Regarding the Tension between Knowledge Sharing and Knowledge Expropriation in Collaborations," *Managerial Dec. Econ.*, 25, pp 401–420.
- Helland, E. and Sykuta, M. 2004. "Regulation and the Evolution of Corporate Boards: Monitoring, Advising, or Window Dressing?" *J. Law Econ.*, 47, 1, pp 167–194.
- Heller, M. A. 1998. "The Tragedy of the Anticommons: Property in the Transition from Marx to Markets," *Harvard Law Rev.*, 111, 3, pp 621–688.
- Hellman, J. S., Jones, G., and Kaufmann, D. 2003. "Seize the State, Seize the Day: State Capture and Influence in Transition Economies," *J. Comp. Econ.*, 31, 4, pp 751–773.
- Helm, D. 2004. *Energy, the State and the Market: British Energy Policy Since 1979*. Oxford University Press.
- Hendrikse, G. W. J. and Bijman, J. 2002. "Ownership Structure in Agrifood Chains: The Marketing Cooperative," *Amer. J. Agr. Econ.*, 84, pp 104–119.
- Hendrikse, G. W. J. and Veerman, C. P. 2001a. "Marketing Cooperatives and Financial Structure: A Transaction Cost Economics Analysis," *J. Agr. Econ.*, 26, pp 205–216.
- 2001b. "Marketing Cooperatives: An Incomplete Contracting Perspective," *J. Agr. Econ.*, 52, pp 53–64.
- Henisz, W. J. 2000a. "The Institutional Environment for Economic Growth," *Econ. Politics*, 12, 1, pp 1–31.
- 2000b. "The Institutional Environment for Multinational Investment," *J. Law, Econ., Organ.*, 16, 2, pp 334–364.
- Henisz, W. J. and Williamson, O. E. 1999. "Comparative Economic Organization – Within and Between Countries," *Bus. Polit.*, 1, 3, pp 261–276.
- Hennart, J.-F. 1991. "The Transaction Cost Theory of Joint Ventures: An Empirical Study of Japanese Subsidiaries in the US," *Manage. Sci.*, pp 483–497.
1993. "Explaining the Swollen Middle: Why Most Transactions Are a Mix of Market and Hierarchy," *Organization Sci.*, 4, 4, pp 529–547.
- Henrich, J., Boyd, R., Bowles, S., Camerer, C., Fehr, E., Gintis, H., and McElreath, R. 2001. "Cooperation, Reciprocity and Punishment in Fifteen Small-Scale Societies," *Amer. Econ. Rev.*, 91, pp 73–78.
- Henrich, J., Boyd, R., Bowles, S., Camerer, C., Fehr, E., Gintis, H., et al. 2005. "'Economic Man' in Cross-Cultural Perspective: Behavioral Experiments in fifteen Small-Scale Societies," *Behavioral and Brain Science*, 28, pp 795–815.

- Herbert, S.A. 1962. "The Architecture of Complexity," *Proceedings of the American Philosophical Society*, 106, pp 467–482.
- Hill, C.A. 2001. "Why Contracts are Written in Legalese," *Chicago Kent Law Rev.*, 77, 1, pp 59–85.
- Hillman, A.J. and Hitt, M.A. 1999. "Corporate Political Strategy Formulation: A Model of Approach, Participation, and Strategy Decisions," *Academy Manage. Rev.*, 24, 4, pp 825–842.
- Hiroux, C. 2004. "Shallow Cost and Deep Cost, An Assessment," Work paper GRJM, Université Paris-Sud 11.
- Hirschmann, A. 1970. *Exit, Voice and Loyalty: Responses to Decline in Firms, Organizations and States*. Cambridge, MA: Harvard University Press.
- Ho, T.-H. and Weigelt, K. 1996. "Task Complexity, Equilibrium Selection, and Learning: An Experimental Study," *Manage. Sci.*, 42, pp 659–679.
- Hodgson, G.M. 1989. *Economics and Institutions: A Manifesto for a Modern Institutional Economics*. Oxford: Polity Press.
1998. "Competence and Contract in the Theory of the Firm," *J. Econ. Behav. Organ.*, 35, pp 179–201.
- 2004a. *The Evolution of Institutional Economics: Agency, Structure and Darwinism in American Institutionalism*. London and New York, NY: Routledge.
- 2004b. "Veblen and Darwinism," *International R. Sociology*, 14, pp 343–361.
- Hoetker, G. 2005. "How Much You Know versus How Will I Know You: Supplier Selection for Innovative Components," *Strategic Manage. J.*, 26, 1, pp 75–96.
- Hohfeld, W.N. 1919. *Fundamental Legal Conceptions*. New Haven, CT and London: Yale University Press.
- Hojnacky, M. and Kimball, D.C. 1998. "Organized Interests and the Decision of Whom to Lobby in Congress," *Amer. Polit. Sci. Rev.*, 92, 4, pp 775–790.
- Holburn, G. and Spiller, P. 2002. "Institutional or Structural: Lessons from International Electricity Sector Reforms," in Brousseau, E. and Glachant, J.-M., eds, *The Economics of Contracts: Theories and Applications*. Cambridge University Press, pp 463–502.
- Holburn, G., and van den Burgh, R. 2004. "Influencing Agencies through Pivotal Political Institutions," *Journal of Law, Economics and Organization*, 20, 2, pp 458–483.
- Holmström, B. 1999. "The Firm as a Subeconomy," *J. Law, Econ. Organ.*, 1, pp 74–102.
- Holmström, B. and Milgrom, P. 1991. "Multitask Principal–Agent Analysis: Incentive Contracts, Asset Ownership and Job Design," *J. Law, Econ., Organ.*, 7, pp 24–54.
1994. "The Firm as an Incentive System," *Amer. Econ. Rev.*, 84, pp 972–991.
- Holmstrom, B. and Roberts, J. 1998. "The Boundaries of the Firm Revisited," *J. Econ. Perspect.*, 12, pp 73–94.
- Hotelling, H. 1938. "The General Welfare in Relation to Problems of Taxation and of Railway and Utility Rates," *Econometrica*, 6, 3, pp 242–269.
- Houser, D. and Wooders, J. 2005. "Reputation in Auctions: Theory and Evidence from eBay," *J. Econ. Manage. Strategy*, 15, 2, pp 353–369.
- Hovenkamp, H. 1994. *Federal Antitrust Policy: The Law of Competition and its Practice*. St. Paul, MN: West Publishing Co.

- Howe, C. W., Boggs, C. S., and Butler, P. 1990. "Transaction Costs as Determinants of Water Transfers," *University of Colorado Law R.*, 61, pp 393–405.
- Hubbard, G. R. and Weiner, R. J. 1991. "Efficient Contracting and Market Power: Evidence from the U.S. Natural Gas Industry," *J. Law Econ.*, 34, 1, pp 25–68.
- Hubbard, T. N. 2001. "Contractual Form and Market Thickness in Trucking," *RAND J. Econ.*, 32, 2, pp 369–386.
- Huet, F. 2006. "Partenariats Publics–Privés et Concurrence pour le Marché: Quelles Avancées depuis Demsetz (1968)?" Work paper ATOM, Université Paris 1.
- Huntington, S. 1996. *The Clash of Civilizations and the Remaking of World Order*. New York, NY: Simon & Schuster.
- Hurwicz, L. 1972. "On Informationally Decentralized Systems," in McGuire, C. B. and Radner, R., eds, *Decision and Organization*. Amsterdam: North-Holland, pp 297–336.
- Iaryczower, M., Spiller, P. T., and Tommasi, M. 2002. "Judicial Independence in an Unstable Environment, Argentina 1935–1998," *Amer. J. Politic. Sci.*, 46, 4, pp 699–716.
2006. "Judicial Lobbying: The Politics of Labor Law Constitutional Interpretation," *Amer. J. Politic. Sci.*, 100, 1, pp 85–97.
- IEA (International Energy Agency). 2001. *Regulatory Institutions in Liberalised Electricity Markets*. AIE OCDE.
- Inman, R. P. and Rubinfeld, D. L. 1997. "Rethinking Federalism," *J. Econ. Perspect.*, 11, 4, pp 43–64.
- Iverson, T. and Soskice, D. 2006. "Electoral Institutions and the Politics of Coalitions: Why Some Democracies Redistribute more Than Others," *American Political Science Review*, 100, pp 165–181.
- Jacquemin, A. and Slade, M. 1989 "Cartels, Collusion, and Horizontal Merger," in Schmalensee, R. and Willig R. D., eds, *Handbook of Industrial Organization*. Amsterdam: North-Holland, pp 415–473.
- James, H. S. Jr. and Sykuta, M. E. 2004. "Generalized and Particularized Trust in Organizations," University of Missouri, work paper, presented at the 2004 ISNIE meetings in Tucson, AZ. (Available at: <http://cori.missouri.edu/jamesh/>).
2005. "Organizational Antecedents of Trust in Producer-Owned Firms," *Ann. Public Coop. Econ.*, 76, 4.
2006. "Farmer Trust in Producer- and Investor-Owned Firms: Evidence from Missouri Corn and Soybean Producers," *Agribusiness: An International Journal*, 22, 1, pp 135–153.
- Johnson, R. N. and Libecap, G. D. 1982. "Contracting Problems and Regulation: The Case of the Fishery," *Amer. Econ. Rev.*, 72, 5, pp 1005–1022.
1994. *The Federal Civil Service System and the Problem of Bureaucracy: The Economics and Politics of Institutional Change*. Chicago University Press.
2001. "Information Distortion and Competitive Remedies in Government Transfer Programs: The Case of Ethanol," *Econ. Governance*, 2, 2, pp 1001–1034.
- Johnson, S., McMillan, J., and Woodruff, C. 2000. "Entrepreneurs and the Ordering of Institutional Reform," *Econ. Transition*, 8, 1, pp 1–36.

- 2002a. "Courts and Relational Contract," *J. Law, Econ., Organ.*, 18, 1, pp 221–277.
- 2002b. "Property Rights and Finance," *Amer. Econ. Rev.*, 92, 5, pp 1335–1356.
- Jolls, C., Sunstein, C. R., and Thaler, R. 1998. "A Behavioral Approach to Law and Economics," *Stanford Law Rev.*, 50, pp 683–668.
- Jones, C., Hesterly, W. S. and Borgatti, S.P. 1997. "A General Theory of Network Governance: Exchange Conditions and Social Mechanisms," *Academy of Management Review*, 22, 4, pp 911–945.
- Jones, D. C. and Mygind, N. 2000. "The Effects of Privatization upon Productive Efficiency: Evidence from the Baltic Republics," *Ann. Public Coop. Econ.*, 71, 3, pp 415–439.
- Jones, M. P., Saiegh, S., Spiller, P. T., and Tommasi, M. 2002. "Amateur Legislators – Professional Politicians: The Consequences of Party-Centered Electoral Rules in a Federal System," *Amer. J. Politic. Sci.*, 46, 3, pp 656–669.
- Joskow, P. L. 1985. "Vertical Integration and Long Term Contracts: The Case of Coal Burning Electric Generating Plants," *J. Law, Econ. Organ.*, 1, 1, pp 33–80.
1987. "Contract Duration and Relationship-Specific Investment: Empirical Evidence from Coal Markets," *Amer. Econ. Rev.*, 77, 1, pp 168–185.
1988. "Asset Specificity and the Structure of Vertical Relationships: Empirical Evidence," *J. Law, Econ., Organ.*, 4, 95–117.
1991. "The Role of Transaction Cost Economics in Antitrust and Public Utility Regulation," *J. Law Econ. Organ.*, 7, pp 53–83.
1996. "Introducing Competition into Regulated Network Industries: From Hierarchies to Markets in Electricity," *Ind. Corp. Change*, 5, 2, pp 341–383.
2002. "Transaction Costs Economics, Antitrust Rules and Remedies," *J. Law, Econ. Organ.*, 18, 1, pp 95–16.
2003. "New Institutional Economics: A Report Card," *ISNIE Presidential Address*: Budapest, Hungary.
2004. "Vertical Integration," in Ménard, C. and Shirley, M. M., eds, *Handbook of New Institutional Economics*. Norwell, MA: Kluwer Academic Publishers, pp 319–348.
- Joskow, P. L. and Schmalensee, R. 1983. *Markets for Power*, Cambridge, MA: MIT Press.
- Joskow, P. L. and Tirole, J. 2000. "Transmission Rights and Market Power on Electric Power Network I: Financial Rights," *RAND J. Econ.*, 31, 3, pp 450–487.
- Kagel, J. and Roth, A. 1995. *The Handbook of Experimental Economics*. Princeton University Press.
- Kahn, A. 1970–1971. *The Economics of Regulation: Principles and Institutions*. Chichester: Wiley.
- Kahneman, D. and Tversky, A. 1979. "Prospect Theory: An Analysis of Decisions Under Risk," *Econometrica*, 47, pp 263–291.
- Kale, P., Singh, H., and Perlmutter, H. 2000. "Learning and Protection of Proprietary Assets in Strategic Alliances: Building Relational Capital," *Strategic Manage. J.*, 21, pp 217–237.



- Kale, P., Dyer, J.H., and Singh H. 2002. "Alliance Capability, Stock Market Response, and Long-Term Alliance Success: The Role of the Alliance Function," *Strategic Manage. J.*, 23, pp 747–767.
- Kalnins, A. and Lafontaine, F. 2004. "Multi-Unit Ownership in Franchising: Evidence from the Texan Fast-Food Industry," *RAND J. Econ.*, 35, 4, pp 747–761.
- Kalnins, A. and Mayer J.K. 2004. "Relationships and Hybrid Contracts: An Analysis of Contract Choice in Information Technology," *J. Law Econ. Organ.*, 20, 1, pp 207–229.
- Kaplan, H. and Hill, K. 1985. "Food Sharing among Ache Foragers: Test of Explanatory Hypotheses," *Current Anthropology*, 26, pp 223–239.
- Kaufmann, P.J. and Lafontaine, F. 1994. "Costs of Control: The Source of Economic Rents for McDonald's Franchisees," *J Law Econ.*, 37, pp 417–454.
- Keefer, P. and Knack, S. 1997. "Why Don't Poor Countries Catch Up? A Cross-National Test of an Institutional Environment," *Econ. Inquiry*, 35, pp 590–602.
- Keeley, L. 1996. *War Before Civilization: The Myth of the Peaceful Savage*. New York, NY: Oxford University Press.
- Kelsen, H. 1992. *Introduction to the Problems of Legal Theory*. A translation of the first edition of the *Reine Rechtlehere*. Oxford: Clarendon Press.
- Kessides, L. 2004. "Reforming Infrastructure: Privatization, Regulation, and Competition," World Bank Policy Research Report. Washington, DC: World Bank and Oxford: Oxford University Press.
- Khanna, T., Gulati, R., and Nitin N. 1998. "The Dynamics of Learning Alliances: Competition, Cooperation and Relative Scope," *Strategic Manage. J.*, 19, 3, pp 193–210.
- Killing, P. 1983. *Strategies for Joint Venture Success*. London: Croom Helm.
1988. "Understanding Alliances: The Role of Task and Organizational Complexity," in Contractor, F. and Lorange, P., eds, *Cooperative Strategies in International Business*. Lexington, MA: Lexington Books.
- Kim, C.W. and Hwang, P. 1992. "Global Strategy and Multinationals' Entry Mode Choice," *J. Int. Bus. Stud.*, 23, 1, pp 29–53.
- Kirchgässner, G. and Frey, B. 1990. "Volksabstimmung und direkte Demokratie: Ein Beitrag zur Verfassungsdiskussion," in Klingmann, H. D. and Kaase, M., eds, *Wahlen und Wähler – Analysen aus Anlaß der Bundestagswahl*. Westdeutscher Verlag: Opladen, pp 42–69.
- Kirstein, R. and Voigt, S. 2006. "The Violent and the Weak: When Dictators Care About Social Contracts," *Amer. J. Econ. Sociology*, 65, 4, pp 863–889.
- Kirzner, I. 1973. *Competition and Entrepreneurship*. Chicago University Press.
- Kiwit, D. and Voigt, S. 1998. "The Role and Evolution of Beliefs, Habits, Moral Norms, and Institutions," in Giersch, H., ed., *Merits and Limits of Markets*. Berlin: Springer, pp 83–108.
- Klein, B. 1980. "Transaction Cost Determinants of Unfair Contractual Arrangements," *Amer. Econ. Rev.*, 70, pp 356–362.
1988. "Vertical Integration as Organizational Ownership: The Fisher Body–General Motors Relationship Revisited," *J. Law, Econ., Organ.*, 4, 1, pp 199–213.

1995. "The Economics of Franchise Contracts," *J. Corp. Finan.*, 2, 1/2, pp 9–37.
1996. "Why Hold-Ups Occur? The Self Enforcing Range of Contractual Relationships," *Econ. Inquiry*, 34, pp 444–463.
- Klein, B. and Leffler, K. B. 1981. "The Role of Market Forces in Assuring Contractual Performance," *J. Polit. Economy*, 89, 41, pp 615–41.
- and Murphy, K. 1997. "Vertical Integration as a Self-Enforcing Contractual Arrangement," *Amer. Econ. Rev.*, 87, 2, pp 415–420.
- Klein, B. and Saft, L. F. 1985. "The Law and Economics of Franchise Tying Contracts," *J. Law Econ.*, 27, pp 345–361.
- Klein, B., Crawford, R. G., and Alchian, A. A. 1978. "Vertical Integration, Appropriable Rents, and the Competitive Contracting Process," *J. Law Econ.*, 21, 2, pp 297–326.
- Klein, P. G. 2005. "The Make-or-Buy Decision: Lessons from Empirical Studies," in Ménard, C. and Shirley, M. M., eds, *Handbook on New Institutional Economics*. New York, NY: Springer, pp 435–464.
- Kleithner, G. D., Krebs, M., Doherty, M. E., Garavan, H., Chadwick, R., and Brake, G. 1997. "Do Subjects Understand Base Rates," *Orga. Behav. Human Dec. Process.*, 72, pp 25–61.
- Klemperer, P. 2002. "What Really Matters in Auction Design," *J. Econ. Perspect.*, 16, 1, pp 169–190.
- Knack, S. and Keefer, P. 1997. "Does Social Capital Have an Economic Payoff? A Cross-Country Investigation," *Quart. J. Econ.*, 112, 4, pp 1251–1288.
- Knight, F. 1921. *Risk, Uncertainty, and Profit*. 1964 reprint. New York, NY: Augustus M. Kelley.
- Knight, Jack. 1992. *Institutions and Social Conflict*. Cambridge University Press.
- Knoeber, C. R. 1989. "A Real Game of Chicken: Contracts, Tournaments, and the Production of Broilers," *J. Law Econ. Organ.*, 5, pp 271–292.
2000. "Land and Livestock Contracting in Agriculture: A Principal-Agent Perspective," in Bouckaert, B. and De Geest, G., eds, *Encyclopedia of Law and Economics*. Aldershot, Edward Elgar, pp 1133–1153.
- Kogut, B. 1988. "Joint Ventures: Theoretical and Empirical Perspectives," *Strategic Manage. J.*, 9, pp 319–332.
- Kogut, B. and Zander, U. 1992. "Knowledge of the Firm, Combinative Capabilities, and the Replication of Technology," *Organ. Sci.*, 3, pp 383–397.
1996. "What Firms Do? Coordination, Identity, and Learning," *Organ. Sci.*, 7, pp 502–518.
- Koh, J. and Venkatraman N. 1991. "Joint Venture Formations and Stock Market Reactions: An Assessment in the Information Technology Sector," *Academy Manag. J.*, 34, pp 869–892.
- Korobkin, R. 2003. "Bounded Rationality and Unconscionability: A Behavioral Theory of Policing Form Contracts," law and economics research paper. University of California, School of Law.
- Kosters, M. H. 1997. "New Employment Relationships and the Labor Market," *J. Lab. Res.*, 18, pp 551–559.
- Kranton, R. E. 1996. "Reciprocal Exchange: A Self-Sustaining System," *Amer. Econ. Rev.*, 86, 4, pp 830–851.

- Krehbiel, K. 1991. *Information and Legislative Organization*, Ann Arbor, MI: University of Michigan Press.
- Kremer, M. 1993. "Population Growth and Technological Change: One Million BC to 1990," *Quart. J. Econ.*, 108, pp 681–716.
- Kreps, D. M. 1990. "Corporate Culture and Economic Theory," in Alt, J. and Shepsle, K., eds, *Perspectives on Positive Political Economy*. New York, NY: Cambridge University Press.
1996. "Markets and Hierarchies and (Mathematical) Economic Theory," *Ind. Corp. Change*, 5, pp 561–595.
- Kreps, D. M., Milgrom, P., Roberts, J., and Wilson, R. B. 1982. "Rational Cooperation in the Finitely Repeated Prisoner's Dilemma," *J. Econ. Theory*, 27, pp 245–252.
- Kuran, Timur. 1995. *Private Truths, Public Lies – The Social Consequences of Preference Falsification*. Cambridge, MA & London: Harvard University Press.
- Kurzban, R. and Houser, D. 2005. "Experiments Investigating Cooperative Types in Humans: A Complement to Evolutionary Theory and Simulations," *Proceedings of the National Acad. Sci.*, 102, pp 1803–1807.
- La Porta, R., Lopez-de-Silanes, F., Schleifer, A., and Vishny, R. 1999. "The Quality of Government," *J. Law Econ. Organ.*, 15, 1, pp 222–282.
- Laffont, J.-J. 2000. *Incentives and Political Economy*. Oxford University Press.
2005. *Regulation and Development*. Cambridge University Press.
- Laffont, J.-J. and Maskin, E. 1982. "The Theory of Incentives: An Overview," in Hildenbrand, W. (with Laffont, J.-J.), eds, *Advances in Economic Theory* (invited lectures from the 4th World Congress of the Econometric Society.) Cambridge University Press, pp 31–94.
- Laffont, J.-J. and Matoussi, M.-S. 1995. "Moral Hazard, Financial Constraints and Sharecropping in El Oulja," *Rev. Econ. Stud.*, 62, pp 381–399.
- Laffont, J.-J. and Tirole, J. 1993. *A Theory of Incentives in Procurement and Regulation*. Cambridge, MA: MIT Press.
2000. *Competition in Telecommunications*. Cambridge, MA: MIT Press.
- Lafontaine, F. 1992. "Agency Theory and Franchising: Some Empirical Results," *RAND J. Econ.*, 23, 2, pp 263–283.
1993. "Contractual Arrangement as Signaling Devices: Evidence from Franchising," *J. Law Econ. Organ.*, 9, pp 256–289.
- Lafontaine, F. and Oxley, J. E. 2002. "International Franchising Practices in Mexico: Do Franchisors Customize Their Contracts," *J. Econ. Manage. Strategy*, 13, 1, pp 95–123.
- Lafontaine, F. and Raynaud, E. 2002. "The Role of Residual Claims and Self-Enforcement in Franchise Contracting," in Brousseau, E. and Glachant, J.-M., eds, *The Economics of Contract in Prospect and Retrospect*. Cambridge University Press, pp 315–336.
- Lafontaine, F. and Shaw, K. L. 2005. "Targeting Managerial Control: Evidence from Franchising," *RAND J. Econ.*, 36, 1, pp 131–150.
- Lafontaine, F. and Slade, M. 2002. "Incentive Contracts and the Franchising Decision," in Chatterjee, K. and Samuelson, W., eds, *Game Theory and Business Applications*. New York, NY: Kluwer Academic Press, pp 133–188.

- Lajili, K., Barry, P., Sonka, S., and Mahoney, J. T. 1997. "Farmers Preferences for Crop Contracts," *J. Agr. Resource Econ.*, 22, pp 264–280.
- Lal, R. 1990. "Improving Channel Coordination through Franchising," *Management. Sci.*, 9, pp 299–318.
- Lamoreaux, N. R. and Rosenthal, J.-L. 2004. "Legal Regime and Business's Organizational Choice: A Comparison of France and the United States During the Mid-Nineteenth Century," NBER Work paper 10288, pp 1–47.
- Landes, W. M. and Posner, R. A. 1975. "The Independent Judiciary in an Interest-Group Perspective," *J. Law Econ.*, 18, 3, pp 875–911.
- Lane, P. J. and Lubatkin M. 1998. "Relative Absorptive Capacity and Inter-organizational Learning," *Strategic. Manage. J.*, 19, 5, pp 461–477.
- Langlois, R. 1984. "Internal Organization in a Dynamic Context: Some Theoretical Considerations," in Jussawalla, M. and Ebenfield, H., eds, *Communication and Information Economics: New Perspectives*. Amsterdam, North-Holland, pp 23–49.
1992. "Transaction Cost Economics in Real Time," *Ind. Corp. Change*, 1, pp 99–127.
- Langlois, R. and Robertson, P. 1995. *Firms, Markets, and Economic Change: A Dynamic Theory of Business Institutions*. London: Routledge.
- Lanjouw, P. and Stern, N. 1998. *Economic Development in Palanpur Over Five Decades*. Oxford: Clarendon Press.
- Lazear, E. P. 1991. "Labor Economics and the Psychology of Organizations," *J. Econ. Perspect.*, 5, pp 89–110.
- Lazzarini, S. G., Chaddad, F. R., and Cook, M. L. 2001. "Integrating Supply Chain and Network Analyses: The Study of Netchains," *J. Chain Network Sci.*, 1, pp 7–22.
- Lazzarini, S. G., Miller, G. J., and Zenger, T. 2004. "Order with Some Law: Complementarity vs. Substitution of Formal and Informal Arrangements." *J. Law Econ. Org.*, 20, 2, pp 261–298.
- Leal, D. 2005. *Evolving Property Rights in Marine Fisheries*, Lanham, MD: Rowman & Littlefield.
- Leiblein, M. J., Reuer, J. J., and Dalsace, F. 2002. "Do Make or Buy Decisions Matter? The Influence of Organizational Governance on Technological Performance," *Strategic Manage. J.*, 23, pp 817–833.
- Lenfle, S. and Baldwin, C. Y. 2007. "From Manufacturing to Design: An Essay on the Work of Kim B. Clark," Work paper CRG, Paris.
- Lerner, A. 1944. *The Economics of Control*. London: Macmillan.
- Lévéque, François. 2006a. "La mise en uvre du droit de la concurrence dans les industries électriques et gazières – problèmes et solutions," *Concurrence*.
- 2006b. *Competitive Electricity Markets and Sustainability*. London: Edward Elgar Publishers.
- Levy, B. and Spiller, P. T. 1994. *Regulations, Institutions, and Commitment: Comparative Studies of Telecommunications Regulations, Institutions, and Commitment*. Cambridge University Press.
1994. "The Institutional Foundations of Regulatory Commitment," *J. Law, Econ., Organ.*, 10, 2, pp 201–246.

- Lewin-Solomons, S. 1999. "The Plural Form in Franchising: A Synergism of Market and Hierachy," Mimeo, Dept. of Applied Economics, University of Cambridge.
- Libecap, G. D. 1989. *Contracting for Property Rights*, New York, NY: Cambridge University Press.
2002. "A transaction costs approach to the analysis of property rights," in Brousseau É. and Glachant J.-M. eds, *The Economics of Contracts: Theories and Applications*, Cambridge University Press, Chapter 9.
2006. *Chinatown: A Re-examination of the Owens Valley Water Transfer to Los Angeles and What It Means for Western Water Today*. Stanford University Press, in press.
2007. *Owens Valley Revisited: a Reassessment of the West's First Great Water Transfer*. Stanford: Stanford University Press.
- Libecap, G. D. and Smith, J. L. 1999. "The Self-Enforcing Provisions of Oil and Gas Unit Operating Agreements: Theory and Evidence," *J. Law Econ., Organ.*, 15, 2, pp 526–548.
2000. "The Economic Evolution of Petroleum Property Rights in the United States," *J. Legal Stud.*, 31, 2, pp 558–608.
- Libecap, G. D. and Wiggins, S. N. 1985. "The Influence of Private Contractual Failure on Regulation: The Case of Oil Field Unitization," *J. Polit. Economy*, 93, 4, pp 690–714.
- Liebowitz, S. J. and Margolis, S. E. 1995. "Path Dependence, Lock-in and History," *J. Law, Econ., Organ.*, 11, 1, pp 205–226.
- Lien, L. B. and Klein, P. G. 2004. "Can the Survivor Principle Survive Diversification?" Norwegian School of Economics and Business Administration work paper. (Available at: <http://euro.nhh.no/sol/tceworkshop/>).
- Lindenberg, S. M. 1992. "An Extended Theory of Institutions and Contractual Discipline," *J. Inst. Theoretical Econ.*, 148, 2, pp 125–154.
2003. "The Cognitive Side of Governance," *Research in the Sociology of Organizations*, 20, pp 47–76.
- Lippman, S. A. and Rumelt, R. P. 1982. "Uncertain Imitability: An Analysis of Interfirm Differences in Efficiency under Competition," *Bell J. Econ.*, 13, pp 418–438.
- Littlechild, S. 1983. *Regulation of British Telecom Profitability*. London: HMSO.
- 2006a. "Beyond Regulation," ESNIE lecture, Cargèse, May.
- 2006b. "Foreword," in Sioshani, F. P. and Pfaffenberger, W., eds, *Electricity Markets around the World*. Amsterdam: Elsevier.
- Lizzeri, A. and Persico, N. 2001. "The Provision of Public Goods Under Alternative Electoral Incentives," *Amer. Econ. R.*, 91, 1, pp 225–239.
- Llewellyn, K. N. 1931. "What Price Contract? An Essay in Perspective," *Yale Law J.*, 40, pp 701–751.
- Loasby, B. 1999. *Knowledge, Institutions, and Evolution in Economics*. London: Routledge.
- Londregan, J. and Snyder, J. M. Jr. 1994. "Comparing Committee and Floor Preferences," *Legislative Studies Quarterly*, 19, 2, pp 233–66.
- Lorange, P. and Roos, J. 1992. *Strategic Alliances: Formation, Implementation and Evolution*. Cambridge, MA: Blackwell.

- Lucking-Reiley, D., Bryan, D., Prasad, N., and Reeves, D. 2007. "Pennies from eBay: The Determinants of Price in Online Auctions," *J. Ind. Econ.*, 55, 2, pp 223–233.
- Lueck, D. 1998. "First Possession," in Newman, P., ed., *The New Palgrave Dictionary of Economics and the Law*. London: Macmillan, pp 132–144.
- Luo, Y. and Park, S. H. 2004. "Multiparty Cooperation and Performance in International Equity Joint Ventures," *J. Int. Bus. Stud.*, 35, pp 142–160.
- Lupia, A. and McCubbins, M. D. 1994. "Learning from Oversight: Fire Alarms and Police Patrols Reconstructed," *J. Law, Econ., Organ.*, 10, 1, pp 96–125.
- Lutz, N. A. 1995. "Ownership Rights and Incentives in Franchising," *J. Corp. Finan.*, 2, pp 56–74.
- Macaulay, S. 1963. "Non Contractual Relations in Business: A Preliminary Study," *Amer. Sociological Rev.*, 45, pp 151–175.
- MacDonald, J., Perry, J., Ahearn, M., Banker, D., Chambers, W., Dimitri, C., et al. 2004. *Contracts, Markets, and Prices: Organizing the Production and Use of Agricultural Commodities*, Agricultural Economic Report No. 837, US Department of Agriculture, Economic Research Service.
- MacDonnell, L. 1990. *The Water Transfer Process as a Management Option for Meeting Changing Water Demands*. Washington, DC: USGS.
- Macher, J. 2006. "Technological Development and the Boundaries of the Firm: A Knowledge-Based Examination in Semiconductor Manufacturing," *Manage. Sci.*, 52, 6, pp 826–843.
- Macintyre, A. 2001. "Institutions and Investors: The Politics of the Economic Crisis in Southeast Asia," *Int. Organ.*, 55, 1, pp 81–22.
2003. *The Power of Institutions, Political Architecture and Governance*. New York, NY: Cornell University Press.
- Mackaay, E. 1999. "History of Law and Economics," in Bouckaert, B. and De Geest, G., eds, *Encyclopedia of Law and Economics*, pp 65–117. (Available at: <http://allserve.rug.ac.be/~gdegeest>).
- MacLeod, B. W. 2002. "Complexity and Contract," in Brousseau, E. and Glachant, J.-M., eds, *The Economics of Contracts*. Cambridge University Press, pp 213–240.
- MacNeil, I. R. 1974. "The Many Future of Contracts," *Southern California Law Review*, 47, pp 691–716.
1978. "Contracts: Adjustment of Long-Term Economic Relations under Classical, Neoclassical and Relational Contract Law," *Northwest. U. Law Rev.*, 72, pp 854–906.
- Maddala, G. S. 1983. *Limited-Dependent and Qualitative Variables in Econometrics*. Cambridge University Press.
- Maddison, A. 1995. *Monitoring the World Economy, 1820–1992*. Paris: OECD.
- Madhok, A. 1996. "The Organization of Economic Activity: Transaction Costs, Firm Capabilities, and the Nature of Governance," *Organ. Sci.*, 7, pp 577–590.
- Maness, R. 1996. "Incomplete Contracts and the Choice between Vertical Integration and Franchising," *J. Econ. Behav. Organ.*, 31, pp 101–115.
- March, J. and Simon, H. 1958. *Organizations*. New York, NY: Wiley.
- Marin, D. and Schnitzer, M. 2002. *Contracts in Trade and Transition. The Resurgence of Barter*. Cambridge, MA: MIT Press.

2003. "Creating Creditworthiness through Reciprocal Trade," *Rev. Int. Econ.*, 11, 1, pp 159–174.
- Marion, Bruce. 1976. "Vertical Coordination and Exchange Arrangements: Concepts and Hypotheses," in B.W. Marion eds, *Coordination and Exchange in Agricultural Subsectors*, North Central Regional Research Publication 228, 2, Madison, Wisconsin, USA, pp 179–95.
- Markoczy, L. and Goldberg, J. 1998. "Management, Organization and Human Nature: An Introduction," *Managerial Dec. Econ.*, 19, pp 387–409.
- Marschak, J. and Radner, R. 1972. *Economic Theory of Teams*. New Haven, CT: Cowles Foundation and Yale University Press.
- Marshall, A. and Pigou, A. 1920. *Principles of Economics*, 8th edn. London: Macmillan.
- Martinez, S. 1999. *Vertical Coordination in the Pork and Broiler Industries: Implications for Pork and Chicken Products*, Agricultural Economic Report No. 777, US Department of Agriculture, Economic Research Service.
2002. "A Comparison of Vertical Coordination in the US Poultry, Egg, and Pork Industries," *Current Issues in Economics of Food Markets, Agriculture Information Bulletin* 747, 05, US Department of Agriculture, Economic Research Service.
- Martinez, S. and Reed, L. 1996. *From Farmers to Consumers: Vertical Coordination in the Food Industry*. Washington, D. C.: U.S. Department of Agriculture, Economic Research Service.
- Maskin, E. 1985. "The Theory of Implementation in Nash Equilibrium: A Survey," in Hurwicz, L., Schmeidler, D., and Sonnenschein, H., eds, *Social Goals and Social Organization: Volume in Memory of Elisha Pazner*. Cambridge University Press, pp 173–204.
- Maskin, E. and Tirole, J. 1999. "Unforeseen Contingencies and Incomplete Contracts," *Rev. Econ. Stud.*, 66, 1, pp 139–149.
- Masten, S.E. 1984. "The Organization of Production: Evidence from the Aerospace Industry," *J. Law Econ.*, 23, 2, pp 403–417.
1993. "Transaction Costs, Mistakes, and Performance: Assessing the Importance of Governance," *Managerial Dec. Econ.*, 14, pp 119–129.
1996. *Case Studies in Contracting and Organization*. Oxford: Oxford University Press.
1999. "Contractual Choice," in Boukaert, B. and De Geest, G., eds, *Encyclopedia of Law and Economics*. Cheltenham: Edward Elgar and the University of Ghent.
2001. "Transaction-Cost Economics and the Organization of Agricultural Transactions," *Ind. Organ. Rev.*, 9, pp 173–195.
2002. "Modern Evidence on the Firm," *Amer. Econ. Rev.*, 92, 2, pp 428–432.
- Masten, S.E. and Saussier, S. 2002. "Econometrics of Contracts: An Assessment of Developments in the Empirical Literature of Contracting," in Brousseau, E. and Glachant, J.-M., eds, *Economics of Contracts: Theories and Applications*. Cambridge University Press, pp 273–293.
- Masten, S.E. and Snyder, E.A. 1993. "*United States v. Shoe Machinery Corporation*: On the Merits," *J. Law Econ.* 36, pp 33–70.

- Masten, S. E., Meehan, J. W., and Snyder, E. A. 1991. "The Costs of Organization," *J. Law Econ. Organ.*, 7, 1, pp 1–25.
- Mathewson, F. G. and Winter, R. A. 1985. "The Economics of Franchise Contracts," *J. Law Econ.*, 28, pp 503–526.
- Matsusaka, J. G. 1995. "Fiscal Effects of the Voter Initiative: Evidence From the Last 30 Years," *J. Polit. Economy*, 102, 2, pp 587–623.
2004. *For the Many or the Few. The Initiative, Public Policy, and American Democracy*, Chicago University Press.
2005. "Discrete Democracy Works," *Journal of Economic Perspectives*, 19, 2, 185–206.
- Mattei, U. 1994. "Why the Wind changed: Intellectual Leadership in Western Law," *Amer. J. Comp. Law*, 42, pp 195–218.
- Matthews, R. C. O. 1986. "The Economics of Institutions and the Sources of Economic Growth," *Econ. J.*, 96, pp 903–918.
- Mayer, K. 2005. *The Role of Prior Relationships on Contract Design: An Analysis of Early Termination Provisions*. University of Southern California, unpublished manuscript.
- Mayer, K. J. and Argyres, N. S. 2004. "Learning to Contract: Evidence from the Personal Computer Industry," *Organization Sci.*, 15, 4, pp 394–410.
- Mayer, K. J. and Nickerson, J. 2005. "Antecedents and Performance Implications of Contracting for Knowledge Workers: Evidence from Information Technology Services," *Organization Sci.*, 1, 3, pp 225–242.
- Maynard Smith, J. 1964. "Group Selection and Kin Selection," *Nature*, 201, pp 1145–1147.
1982. *Evolution and the Theory of Games*, Cambridge University Press.
- Maynard Smith, J. and Price, G. R. 1973. "The Logic of Animal Conflicts," *Nature*, 246, pp 15–18.
- Maze, Armelle. 2002. "Retailer's Branding Strategy: Contract Design, Organizational Change, and Learning," *J. Chain Network Sci.* 2, pp 33–45.
- McCabe, K. and Smith V. 1998. *Strategic Analysis by Players in Games*, unpublished manuscript.
- McCabe, K., Smith, V. and Le Pore, M. (2000) "Internationality Detection and 'Mind Reading': Why Does Game Form Matter?", *Proceedings of the National Academy of Sciences*, 97(8), pp 4404–9.
- McClure, S. M., Laibson, D. I., Loewenstein, G., and Cohen, J. D. 2004. "Separate Neural Systems Value Immediate and Delayed Monetary Rewards," *Science*, 306, pp 503–507.
- McCubbins, M. D. and Schwartz, T. 1984. "Congressional Oversight Overlooked: Police Patrol vs. Fire Alarms," *Amer. J. Politic. Sci.*, 24, 1, pp 165–179.
- McCubbins, M. D., Noll, R. G. 1987. "Administrative Procedures as Instruments of Political Control," *J. Law Econ. Organ.*, 3, pp 243–277.
1989. "Structure and Process, Politics and Policy: Administrative Arrangements and the Political Control of Agencies," *Virginia Law Rev.*, 75, 2, pp 431–482.
- McGahan, A. M. and Belen, V. 2005. "The Choice among Acquisitions, Alliances and Divestitures," *Strategic Manag. J.*, 26, pp 1183–1208.



- McMillan, J. and Woodruff, C. 1999. "Dispute Prevention without Courts in Vietnam," *J. Law, Econ., Organ.*, 15, 13, pp 637–58.
2000. "Private Order under Dysfunctional Public Order," *Mich. Law Rev.*, 98, pp 2421–2458.
2002. "The Central Role of Entrepreneurs in Transition Economies," *J. Econ. Perspect.*, 16, 3, pp 153–170.
- Meidinger, C., Robin, S., and Ruffieux, B. 1999. "Confiance, Réciprocité et Cheap Talk," *Revue Econ.*, 50, 1, pp 5–44.
- Ménard, C. 1996. "On Clusters, Hybrids and other Strange Forms: The Case of the French Poultry Industry," *J. Inst. Theoretical Econ.*, 152, pp 154–183.
1997. "Le pilotage des formes organisationnelles hybrides," *Revue Économique*, 42, 3, pp 741–750.
1998. "Maladaptation of Regulation to Hybrid Organizational Forms," *Int. Rev. Law Econ.*, 18, pp 403–417.
2001. "Methodological Issues in New Institutional Economics," *J. Econ. Methodology*, 8, 1, pp 85–92.
- 2004a. *The Foundations of New Institutional Economics, the International Library of New Institutional Economics*, Cheltenham: Edwards Elgar.
- 2004b. "The Economics of Hybrid Organizations," *J. Inst. Theoretical Econ.*, 160, 3, pp 1–32.
- Ménard, C. and Klein 2004. "Organisational Issues in the Agrifood Sector: Toward a Competitive Approach," *American Journal of Agricultural Economics*, 86, pp 750–755.
- Ménard, C. and Saussier, S. 2000. "Contractual Choice and Performance: The Case of Water Supply in France," *Revue Econ. Ind.*, 92, pp 285–304.
- Mercurio, N. and Medema, S. 1997. *Economics and the Law: From Posner to Post-Modernism*, Princeton University Press.
- Merville, L. J. and Osborne, D. K. 1990. "Constitutional Democracy and the Theory of Agency," *Constit. Polit. Economy*, 1, pp 21–47.
- Michael, S. C. and Moore, H. J. 1995. "Return to Franchising," *J. Corp. Finan.*, 2, 1/2, pp 133–155.
- Milgrom, P. 2004. *Putting Auction Theory to Work*. Cambridge University Press.
- Milgrom, P. and Roberts, J. D. 1988. "Economic Theories of the Firm: Past, Present, and Future," *Can. J. Econ.*, 21, pp 444–458.
1990. "Rationalizability, Learning and Equilibrium Games with Strategic Complementarities," *Econometrica*, 59, pp 511–528.
1992. *Economics, Organization and Management*. Englewood Cliffs, NJ: Prentice-Hall International.
- Milgrom, P., North, D. C., and Weingast, B. R. 1990. "The Role of Institutions in the Revival of Trade: The Law Merchant, Private Judges, and the Champagne Fairs," *Econ. Politics*, 2, 1, pp 1–23.
- Minkler, A. P. 1990. "An Empirical Analysis of a Firm Decision to Franchise," *Econ. Letters*, 34, pp 77–82.
- Minkler, A. P. and Park, T. A. 1994. "Asset Specificity and Vertical Integration in Franchising," *Rev. Ind. Organ.*, 9, pp 409–423.
- Moe, T. M. 1980. *The Organization of Interests: Incentives and the Internal Dynamics of Political Interest Groups*, Chicago, IL: University of Chicago Press.

1987. "An Assessment of the Positive Theory of Congressional Dominance," *Legislative Studies Quarterly*, 12, 4, pp 475–520.
- Moe, T.M. and Howell, W.G. 1999. "The Presidential Power of Unilateral Action," *J. Law Econ. Organ.*, 15, 1, pp 132–179.
- Mohr, J.J. and Spekman, R.E. 1994. "Characteristics of Partnership Success: Partnership Attributes, Communication Behavior, and Conflict Resolution Techniques," *Strategic Manage. J.*, 15, pp 135–152.
- Mokyr, J. 1977. "Demand vs Supply in the Industrial Revolution," *J. Econ. Hist.*, 37, 4, pp 981–1008.
- Montet, C. and Serra, D. 2003. *Game Theory and Economics*. London: Palgrave Macmillan.
- Monteverde, K. 1995. "Technical Dialog as an Incentive for Vertical Integration," *Manage. Sci.*, 41, pp 1624–1638.
- Monteverde, K. and Teece, D.J. 1982. "Supplier Switching Costs and Vertical Integration in the Automobile Industry," *Bell J. Econ.*, 13, 1, pp 206–213.
- Mookerjee, S. 1998. "Ambiguity Aversion and Incompleteness of Contractual Form," *Amer. Econ. Rev.*, 88, pp 1207–1231.
- Mookherjee, D. and Sopher, B. 1997. "Learning and Decision Costs in Experimental Constant Sum Games," *Games Econ. Behav.*, 19, 1, pp 97–132.
- Moran, P. and Ghoshal, S. 1996. "Theories of Economic Organization: The Case for Realism and Balance," *Acad. Manage. Rev.*, 21, pp 58–72.
- Moravcsik, A. 1993. "Preferences and Power in the European Community. A Liberal Intergovernmentalist Approach," *J. Common Market Stud.*, 31, pp 473–523.
1994. *Why the European Community Strengthens the State. Domestic Politics and International Cooperation*. Cambridge, MA: Harvard University Press.
- Mowery, D. C. 1987. *Alliance Politics and Economics: Multinational Joint Ventures in the Commercial Aircraft Industry*. New York, NY: Ballinger Publishing Company.
- Mowery, D. C., Oxley, J. E., and Silverman, B. S. 1996. "Strategic Alliances and Inter-Firm Knowledge Transfer," *Strategic Manage. J.*, 17, pp 77–91.
1998. "Technological Overlap and Interfirm Cooperation: Implications for the Resource-Based View of the Firm," *Res. Pol.*, 27, pp 507–523.
2002. "The Two Faces of Partner-Specific Absorptive Capacity: Learning and Co-specialization in Strategic Alliances," in Contractor, F. and Lorange, P., eds, *Cooperative Strategies and Alliances*. London: Elsevier.
- Mueller, D. 1996. *Constitutional Democracy*. Oxford University Press.
- Mueller, W. F. and Geithman, F. E. 1991. "An Empirical Test of the Free-Rider and Market Power Hypotheses," *Rev. Econ. Statist.*, pp 301–308.
- Murdock, K. 2002. "Intrinsic motivation and optimal incentive contracts," *RAND J. Econ.*, 33, 4, pp 650–71.
- Myers, R. A. and Worm, B. 2003. "Rapid Worldwide Depletion of Predatory Fish Communities," *Nature*, 423, pp 280–283.
- Myerson, R. 1991. *Game Theory – Analysis of Conflict*. Boston, MA, and London: Harvard University Press.
- Nakamura, M., Shaver, J. M., and Yeung, B. 1996. "An Empirical Investigation of Joint Venture Dynamics: Evidence from US–Japan Joint Ventures," *Int. J. Ind. Organ.*, 14, pp 521–541.

- Nee, V. 1992. "Organizational Dynamics of Market Transition: Hybrid Forms, Property Rights, and Mixed Economy in China," *Administrative Science Quarterly*, 37, pp 1–27.
1998. "Sources of the New Institutionalism," in Brinton, M. and Nee, V., eds, *The New Institutionalism in Sociology*. New York: Russell Sage, pp 1–16.
2005. "Organizational Dynamics of Institutional Change; China's Market Economy," in Nee, V. and Swedberg, R., eds, *The Economic Sociology of Capitalism*. Princeton University Press, pp 53–74.
- Nee, V. and Ingram, P. 1998. "Embeddedness and Beyond: Institutions, Exchange, and Social Structure," in Brinton, M. and Nee, V., eds, *The New Institutionalism in Sociology*. New York: Russell Sage Foundation, pp 19–45.
- Nee, V. and Opper, S. 2007. "On Politicized Capitalism," in Nee, V. and Swedberg, R., eds, *On Capitalism*. Stanford University Press.
- Nee, V. and Su, S. 1996. "Institutions, Social Ties, and Credible Commitment: Local Corporatism in China," in McMillan, J. and Naughton, B., eds, *Reforming Asian Economies: The Growth of Market Institutions*. Ann Arbor, MI: University of Michigan Press, pp 111–134.
- Nee, V. and Swedberg, R. 2005. "Economic Sociology and New Institutional Economics," in Ménard, C. and Shirley, M.M., eds, *Handbook of New Institutional Economics*. New York, NY: Springer, pp 789–818.
- Nelson, R. and Winter S. 1982. *An Evolutionary Theory of Economic Change*. Cambridge University Press.
- Newbery, D.M. 2000. *Privatization, Restructuring, and Regulation of Network Utilities*. Cambridge, MA: MIT Press.
2002. "Issues and options for restructuring electricity supply industries," DAE work paper WP 0210, University of Cambridge.
- Newell, A. 1990. *United Theories of Cognition*. Cambridge, MA: Harvard University Press.
- Nicita, A. 2001. "The Firm as an Evolutionary Enforcement Device," in Nicita, A. and Pagano, U., eds, *The Evolution of Economic Diversity*. London: Routledge, pp 240–270.
- Nicita, A. and Rizzolli, M. 2004. "Much Ado about the Cathedral: Property Rules and Liability Rules when Rights are Incomplete," University of Siena, Simple: Siena memos and papers in law and economics, 22:04. (Available at: [www.unisi.it/lawandeconomics/simple/022\\_Nicita\\_Rizzolli.pdf](http://www.unisi.it/lawandeconomics/simple/022_Nicita_Rizzolli.pdf)).
- Nickerson, J.A. 1997. *Toward an Economizing Theory of Strategy*. Dissertation. US Berkeley Haas School of Business.
- Nickerson, J.A. and Silverman, B.S. 2003. "Why Firms Want to Organize Efficiently and What Keeps Them From Doing So: Inappropriate Governance, Performance, and Adaptation in a Deregulated Industry," *Administrative Science Quarterly*, 48, 3, pp 433–465.
- Nickerson, J.A. and Zenger, T.R. 2002. "Being Efficiently Fickle: A Dynamic Theory of Organizational Choice," *Organization. Sci.*, 13, pp 547–567.
2004. "A Knowledge-Based Theory of Governance Choice," *Organization. Sci.*, 15, 6, pp 617–632.
- Nickerson, J.A., Hamilton, B.H., and Wada, T. 2001. "Market Position, Resource Profile, and Governance: Linking Porter and Williamson in the

- Context of International Courier and Small Package Services in Japan," *Strategic Manage. J.*, 22, 3, pp 251–273.
- Noll, Juergen. 2004. *Some Findings on Contractual Penalties*. Mimeo, University of Vienna, Department of Business Studies.
- North, D. C. 1981. *Structure and Change in Economic History*. New York, NY: Norton.
1990. *Institutions, Institutional Change and Economic Performance*. Cambridge University Press.
1991. "Institutions," *J. Econ. Perspect.*, 5, 1, pp 97–112.
1994. "Economic Performance Through Time," *Amer. Econ. Rev.*, 84, 3, pp 359–368.
1995. "The New Institutional Economics and Third World Development," in Harriss, J., Hunter, J., and Lewis, C. M., eds, *The New Institutional Economics and Third World Development*. London: Routledge, pp 17–26.
2005. *Understanding the Process of Institutional Change*. Princeton University Press.
- North, D. C. and Thomas, R. 1973. *The Rise of the Western World: A New Economic History*. Cambridge University Press.
- North, D. C. and Weingast, B. R. 1989. "Constitutions and Commitment: The Evolution of Institutional Governing Public Choice in Seventeenth-Century England," *J. Econ. Hist.*, 49, 4, pp 803–832.
- Norton, S. W. 1988. "An Empirical Look at Franchising as an Organizational Form," *J. Bus.*, 61, 2, pp 197–217.
- Oates, W. E. 1999. "An Essay on Fiscal Federalism," *J. Econ. Lit.*, 37, pp 1120–1149.
- Ocana, Carlos. 2002. "Trends in Management of Regulation: A Comparison of Energy Regulators in Member Countries of the OECD," *Int. J. Reg. Governance*, 3, 1, pp 13–32.
- OECD. 1994. *Competition Policy and Vertical Restraints: Franchising Agreements*, Paris: Publication de l'OECD.
- Ogus, A. 1995. "Rethinking Self-Regulation," *Oxford J. Legal Studies*, 15, pp 97–108.
- Olson, M., Jr. 1965. *The Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge, MA: Harvard University Press.
1971. *The Logic of Collective Action*. New York, NY: Schocken.
1990. "Interest-Group Litigation in Federal District Court: Beyond the Political Disadvantage Theory," *J. Politics*, 52, 3, pp 854–882.
- Opper, S. 2004. "The Political Economy of Privatization: Empirical Evidence from Transition Economies," *Kyklos*, 57, 4, pp 567–594.
- Ordeshook, P. C. 1992. "Constitutional Stability," *Constit. Polit. Economy*, 3, 2, pp 137–175.
- Oren, Shmuel. 1997. "Economic Inefficiency of Passive Transmission Rights in Congested Electricity Systems with Competitive Generation," *Energy J.*, 1, 18, pp 63–83.
- Ornstein, N., Mann, T., and Malbin, M. 1998. *Vital Statistics on Congress*. American Enterprise Institute, Washington D. C.
- Osborne, M. and Rubinstein, A. 1995. *A Course in Game Theory*. Cambridge, MA: MIT Press.

- Osterloh, M. and Frey, B. 2000. "Motivation, Knowledge Transfer and Organizational Form," *Organ. Sci.*, 11, pp 538–550.
- Ostrom, E. 1990. *Governing the Commons: The Evolution of Institutions for Collective Action*. New York, NY: Cambridge University Press.
2000. "Collective Action and the Evolution of Social Norms," *J. Econ. Perspect.*, 14, 3, pp 137–158.
- Oxley, J.E. 1997. "Appropriability Hazards and Governance in Strategic Alliances: A Transaction Cost Approach," *J. Law Econ. Organ.*, 13, 2, pp 387–409.
1999. "Institutional Environment and the Mechanisms of Governance: The Impact of Intellectual Property Protection on the Structure of Inter-firm Alliances," *J. Econ. Behav. Organ.*, 38, 3, pp 283–309.
2003. "Learning versus Protection in Interfirm Alliances: A False Dichotomy", in Pedersen, T. and Mahnke, V., eds., *Knowledge, Governance and the MNC*. Basingstoke: Palgrave Macmillan.
- Oxley J.E. and Sampson, R. C. 2004. "The Scope and Governance of International R&D Alliances," *Strategic Manage. J.*, 25, pp 8–9.
- Oxley, J.E. and Tetsuo, W. 2007. "Alliance Structure and the Scope of Knowledge Transfer: Evidence from US-Japan Agreements," paper presented at the DRUID Summer Conference on Appropriability, Proximity, Routines and Innovation.
- Pagano, U. 2000. "Public Markets, Private Orderings and Corporate Governance," *Int. Rev. Law Econ.*, 20, 4, pp 453–477.
2002. "Legal Position and Institutional Complementarities." Unpublished manuscript, University of Siena (Italy).
2005. "Legal Positions and Institutional Complementarities," in *Legal Orderings and Economics Institutions*. Cafaggi, F., Nicita, A., and Pagano, U., eds. London, Routledge.
2007. "Legal Positions and Institutional Complementarities" in Fabrizio, C., Nicita, A., and Pagano, U., eds, *Legal Orderings and Economics Institutions*. London: Routledge.
- Pagano, U. and Rossi, M. A. 2004. "Incomplete Contracts, Intellectual Property and Institutional Complementarities," *Europ. J. Law Econ.*, 18, 1, pp 55–76.
- Park, S.-H. and Luo, Y. 2001. "Guanxi and Organizational Dynamics: Organizational Networking in Chinese firms," *Strategic Manage. J.*, 22, pp 455–477.
- Parkhe, A. 1993. "Strategic Alliance Structuring: A Game Theoretic and Transaction Costs Examination of Interfirm Cooperation," *Academy Manage. J.*, 36, pp 794–829.
- Peltzman, S. 1976. "Toward a More General Theory of Regulation," *J. Law Econ.*, 68, pp 211–240.
- Pénard, T., Raynaud, E., and Saussier, S. 2003. "Dual Distribution and Royalty Rates in Franchised Chains: An Empirical Exploration using French Data," *J. Marketing Channel*, 10, 3/4, pp 5–29.
- Peng, Y. 2001. "Chinese Villages and Townships as Industrial Corporations: Ownership, Governance and Market Discipline," *Amer. J. Sociology*, 106, 5, pp 1338–1370.
- Perez, Y. 2002. "L'Analyse Néo-Institutionnelle des Réformes Electriques Européennes." Thèse de doctorat, Université de Paris I Panthéon-Sorbonne.

- Perrow, C. 1986. *Complex Organizations: A Critical Essay*, third edition. New York, NY: McGraw-Hill.
2002. "Economic Theories of Organization," *Central Currents in Organization Theory*, 4, pp 244–271.
- Persson, T. 2005. "Forms of Democracy, Policy and Economic Development." Mimeo, January.
- Persson, T. and Tabellini, G. 2000. *Political Economics – Explaining Economic Policy*. Cambridge, MA: MIT Press.
2003. *The Economic Effects of Constitutions*. Cambridge, MA: MIT Press.
- Persson, T., Roland, G., and Tabellini, G. 1997. "Separation of Powers and Political Accountability," *Quart. J. Econ.*, 112, pp 310–327.
- Peteraf, M.A. 1993. "The Cornerstones of Competitive Advantage: A Resource-Based View," *Strategy. Manage. J.*, 14, pp 179–191.
- Pfeffer, J. 1994. *Competitive Advantage through People: Unleashing the Power of the Work Force*. Boston, MA: Harvard Business Press.
- Pigou, A. 1920. *Economics of Welfare*. London: Macmillan.
- Pinker, S. 1994. *The Language Instinct: How the Mind Creates Language*. New York, NY: Morrow.
2002. *The Blank Slate: The Modern Denial of Human Nature*. New York, NY: Viking.
- Pirrong, S.C. 1993. "Contracting Practices in Bulk Shipping Markets: A Transactions Cost Explanation," *J. Law Econ.*, 36, 2, pp 937–976.
- Pisano, G.P. 1989. "Using Equity Participation to Support Exchange: Evidence from the Biotechnology Industry," *J. Law Econ. Organ.*, 5, 1, pp 109–126.
1990. "The R&D Boundaries of the Firm: An Empirical Analysis," *Administrative Sci. Quart.*, 35, pp 153–176.
- Pisano, G.P., Russo, M., and Teece, D. 1988. "Joint Ventures and Collaborative Arrangements in the Telecommunications Equipment Industry," in Mowery, D., ed., *International Collaborative Ventures in U.S. Manufacturing*. Cambridge, MA: Ballinger.
- Platteau, J.-P. 2000. *Institutions, Social Norms and Economic Development*, London: Harwood Academic Publishers.
- Platteau, J.-P. and Nugent, J. 1992. "Share Contracts and their Rationale: Lessons from Marine Fishing," *J. of Dev. Stud.*, 28, 3, pp 386–422.
- Plott, C.R. 1989. "An Updated Review of Industrial Organization: Applications of Experimental Methods," in Schmalensee, R. and Willig, R, eds, *Handbook of Industrial Organization*. Amsterdam: North-Holland, pp 1109–1176.
1997. "Laboratory Experimental Testbeds: Application to the PCS Auction," *J. Econ. Manage. Strategy*, 6, pp 605–638.
- Plunket, A. and Saussier, S. 2004. "Theories of the Firm: How to Rule Out Competing Views?" *Economie et Institutions*, 3, pp 103–130.
- Podsakoff, P.M. and Organ, D.W. 1986. "Self-Reports in Organizational Research: Problems and Prospects," *J. Manage.*, 12, pp 531–544.
- Polanyi, K. 1944. *The Great Transformation*, Boston, MA: Bacon Press.
- Polsby, Nelson W. 1968. "The Institutionalization of the U.S. House of Representatives," *Amer. Polit. Sci. Rev.*, 62, 1, pp 144–68.
- Pommerehne, W.W. 1978. "Institutional Approaches to Public Expenditure," *J. Public Econ.*, 9, pp 255–280.

- Poppo, L. and Zenger, T. 1998. "Testing Alternative Theories of the Firm: Transaction Cost, Knowledge-Based, and Measurement Explanations for Make-or-Buy Decisions in Information Services," *Strategic Manage. J.*, 19, pp 853–877.
2002. "Do Formal Contracts and Relational Governance Function as Substitutes or Complements?" *Strategic Manage. J.*, 23, 8, pp 707–725.
- Porter, M. 1980. *Competitive Strategy*, New York, NY: Free Press.
1996. "What Is Strategy?" *Harvard Bus. Rev.*, vol pp 61–78.
- Posner, E. A. 2003. "Economic Analysis of Contract law after three Decades: Success or Failure?" *Yale Law J.* 112, 4, pp 829–80.
- Posner, R. A. 1975. "The Economic Approach to Law," *Texas Law Review*, 53, pp 757–782.
1987. "The Law and Economics Movement," *Amer. Econ. Rev.*, 77, pp 1–13.
1993. "The New Institutional Economics Meets Law and Economics," *J. Inst. Theoretical Econ.*, 149, 1, pp 73–87.
2003. *Economic Analysis of Law*, 6<sup>th</sup> ed., New York, NY: Aspen Publishers.
2005. "The Law and Economics of Contract Interpretation," hosted by the *Berkeley Electronic Press, American Law & Economics Association Annual Meetings*. American Law & Economics Association 15th Annual Meeting, 56, pp 1–49.
- Powell, W. W., Koput, K. W., and Smith, L. D. 1996. "Interorganizational Collaboration and the Locus of Innovation: Networks of Learning in Biotechnology," *Administrative Sci. Quart.*, 41, 1, pp 116–145.
- Prosser, T. 2005. "Regulatory Contracts and Stakeholder Regulation," *Ann. Public Coop. Econ.*, 76 1, pp 35–57.
- Putnam, R., Leonardi, R., and Nanetti, R. 1993. *Making Democracy Work: Civic Traditions in Modern Italy*. Princeton University Press.
- Rabin, M. 1993. "Incorporating Fairness into Game Theory and Economics," *Amer. Econ. Rev.*, 83, pp 1281–1302.
- Rabin, M. and Thaler, R. 2001. "Risk Aversion," *J. Econ. Perspect.*, 15, 1, pp 219–232.
- Ramachandran, V. 2004. *A Brief Tour of Human Consciousness. From Impostor Poodles to Purple Numbers*, New York, NY: PI Press.
- Ramseyer, M. J. 1994. "The Puzzling (In)dependence of Courts: A Comparative Approach," *J. Legal Stud.*, 23, 2, pp 721–747.
- Ramseyer, M. J. and Rasmusen, E. B. 1997. "Judicial Independence in a Civil Law Regime: The Evidence from Japan," *J. Law Econ. Organ.*, 13, 2, pp 259–286.
- Rasmusen, E. B. 2001. "A Model of Negotiation not Bargaining: Explaining Incomplete Contracts," Harvard Law and Economics Discussion paper, 324.
- Rassenti, S. J. and Smith, V. L. 1986. "Electric Utility Deregulation," *Pricing Electric, Gas and Telecommunication Services*. Institute for the Study of Regulation.
- Rassenti, S. J., Smith, V. L., and Wilson, B. J. 2002. "Using Experiments to Inform the Privatization/Deregulation Movement in Electricity," *The Cato J.*, 21, 3, pp 515–544.
2003. "Controlling Market Power and Price Spikes in Electricity Networks: Demand-Side Bidding," *PNAS*, 100, 5, pp 2989–3003.

- Raynaud, E., Sauvée, L., and Valceschini, E. 2002. "Quality Strategies and Producers Organization in the European Agro-Food Sector: Competition Policy and Consumer Information," INRA Work paper.
- Reder, M. 1999. *Economics: The Culture of a Controversial Science*. Chicago University Press.
- Rees, J. 1988. "Reforming the Workplace: A Study of Self-Regulation in Occupational Safety," University of Pennsylvania Press.
- Resnick, P. and Zeckhauser, R. 2002. "Trust Among Strangers in Internet Transactions: Empirical Analysis of eBay's Reputation System," in Baye, M., ed., *Advances in Applied Microeconomics*, vol 11. Amsterdam: Elsevier Science, pp 127–157.
- Resnick, P., Zeckhauser, R., Swanson, J., and Lockwood, K. 2006. "The Value of Reputation on eBay: A Controlled Experiment," *Exper. Econ.*, 9, 2, pp 79–101.
- Ruer, J.J. and Arino, A. 2002. "Contractual Renegotiations in Strategic Alliances," *J. Manage.*, 28, 1, pp 51–74.
- Ruer, J.J., Arino, A., and Mellewigt, T. 2005. "Entrepreneurial Alliances as Contractual Forms," *J. Bus. Venturing*, 21, 3, pp 306–325.
- Rey, P. and Stiglitz, J. E. 1995. "The Role of Exclusive Territories in Producers Competition," *RAND J. Econ.*, 26, 3, pp 431–451.
- Richardson, G. B. 1972. "The Organization of Industry," *Econ. J.*, 82, pp 883–996.
- Richman, B. 2002. *Community Enforcement of Informal Contracts: Jewish Diamond Merchants in New York*, John M. Olin Center for Law Economics and Business Discussion paper 384.
- Ricketts, M. 1994. *The Economics of Business Enterprise: An Introduction to Economic Organisation and the Theory of the Firm*. New York, NY: Harvester Wheatsheaf.
- Riker, W. 1964. *Federalism: Origins, Operation, Significance*. Boston, MA: Little Brown.
- Ring, P. S. and Van De Ven, A. H. 1992. "Structuring Cooperative Relationships Between Organizations," *Strategic Management Journal*, 13, pp 483–498.
- Rious, V. 2005. "Comparaison de Deux Questionnaires de Réseau de Transport Electrique: PJM et NGC," Work paper GRJM.
- Robinson, D. and Stuart, T. 2007. "Network Effects in the Governance of Biotech Strategic Alliances," *J. Law, Econ., Organ.*, 23, 1, pp 242–273.
- Rodden, J. A. 2003. "Reviving Leviathan: Fiscal Federalism and the Growth of Government," *Int. Organ.*, 57, pp 695–729.
- Rodrik, D. 2003. *In Search of Prosperity: Analytic Narratives on Economic Growth*. Princeton University Press.
2006. "Institutions for High-Quality Growth: What They are and How to Acquire Them," in Boy, P. C. and Siredas, J., eds, *Institutions, Globalization and Empowerment*. Business and Economics, pp 19–55.
- Roland, G. 2000. *Transition and Economics. Politics, Markets, and Firms*. Cambridge, MA: MIT Press.
2004. "Understanding Institutional Change: Fast-Moving and Slow-Moving Institutions," *Studies in Comparative Industrial Development*, 28, 4, pp 109–131.
- Ross, S. A. 1973. "The Economic Theory of Agency: The Principal's Problem," *Amer. Econ. Rev.*, 63, pp 134–139.



- Roth, A. E. 1993. "On the Early History of Experimental Economics," *J. Hist. Econ. Thought*, 15, pp 184–209.
1995. "Introduction to Experimental Economics," in Kagel, J.H. and Roth, A. E., eds, *The Handbook of Experimental Economics*. Princeton University Press, pp 3–109.
- Roth, A. E. and Erev, I. 1995. "Learning in Extensive-Form Games: Experimental Data and Simple Dynamic Models in the Intermediate Term," *Games Econ. Behav.*, 8, pp 164–212.
- Roumasset, J. A. and Uy, M. 1980. "Piece Rates, Time Rates, and Teams: Explaining Patterns in the Employment Relation," *J. Econ. Behav. Organ.*, 1, pp 343–360.
- Royer, James and Rogers, R. 1998. *The Industrialization of Agriculture: Vertical Coordination in the U.S. Food System*. Aldershot, U. K.: Ashgate Publishers.
- Rubin, P. H. 1978. "The Theory of the Firm and the Structure of Franchise Contract," *J. Law Econ.*, 21, 1, pp 223–232.
2002. *Darwinian Politics: The Evolutionary Origin of Freedom*. New Brunswick: Rutgers University Press.
- Rufin, C. 2003. *The Political Economy of Institutional Change in the Electricity Supply Industry*. Cheltenham: Edward Elgar.
- Rumelt, R. P., Schendel, D., and Teece, D. J. 1991. "Strategic Management and Economics," *Strategic Manage. J.*, 12, pp 5–29.
- Rutherford, M. 2003. "Chicago Economics and Institutionalism," Mimeo, University of Victoria.
- Ryall, M. and Sampson, R. 2003. *Do Prior Alliances Influence Contract Structure? Evidence from Technology Alliance Contracts*. Manuscript, University of Maryland.
- Saleth, Maria and Dinar, A. 2004. *Institutional Economics of Water: A Cross-Country Analysis of Institutions and Performance*. World Bank Publications.
- Salop, S. 1986. "Practices That (Credibly) Facilitate Oligopoly Co-ordination," in Stiglitz, J. and Mathewson, G. F., eds, *New Developments in the Analysis of Market Structure*. Cambridge, MA: MIT Press, pp 265–290.
- Salzberger, E. and Fenn, P. 1999. "Judicial Independence: Some Evidence from the English Court of Appeal," *J. Law Econ.*, 42, 2, pp 831–847.
- Sampson, R. C. 2004. "The Costs of Misaligned Governance in R&D Alliances," *J. Law Econ. Organ.*, 20, 2, pp 484–526.
2006. "R&D Alliances and Firm Performance: The Impact of Technological Diversity and Alliance Organization on Innovation," *Academy of Management Journal*, 50, pp 364–386.
- Samuels, D. J. 2002. "Pork Barreling is Not Credit-Claiming or Advertising: Campaign Finance and the Sources of Personal Vote in Brazil," *J. Politics*, 64, 3, pp 845–863.
- Samuelson, P. 1979. *Economics: An Introductory Analysis*. New York, NY: McGraw-Hill.
- Sass, T. R. and Saurman, D. S. 1993. "Mandate Exclusive Territories and Economic Efficiency: An Empirical Analysis of the Malt-Beverage Industry," *J. Law Econ.*, 36, pp 153–177.
- Saussier, S. 2000a. "Transaction Costs and Contractual Completeness," *J. Econ. Behav. Organ.*, 42, pp 189–206.

- 2000b. "When Incomplete Contract Theory Meets Transaction Cost Economics: A Test," in Ménard, C., ed., *Institutions, Contracts and Organizations: Perspectives from the New Institutional Economics*. Cheltenham: Edward, pp 376–398.
- Sauvé, L. 1998. "Toward an Institutional Analysis of Vertical Coordination in Agribusiness," in Royer, R. and Rogers, R., eds, *The Industrialization of Agriculture*, Aldershot: Ashgate Publishing Co, pp 27–72.
2000. "Effectiveness, Efficiency, and the Design of Network Governance," in Trienekens, J. H. and Zuurbier, P. J. P., eds, *Proceedings of the Fifth International Conference on Chain Management in Agribusiness and the Food Industry*, Wageningen University Press.
- Savage, L. 1954. *The Foundation of Statistics*. New York, NY: Wiley.
- Savedorff, W. and Spiller, P. 1999. *Spilled Water: Institutional Commitment in the Provision of Water Services*. Inter-American Development Bank editor.
- Sax, J. L. 1990. "The Constitution, Property Rights and the Future of Water Law," *U. Colorado Law Rev.*, 61, pp 257–282.
- Schotter, A. 1981. *The Economic Theory of Social Institutions*, New York: Cambridge University Press.
- Schumpeter, J. 1934. *The Theory of Economic Development: An Inquiry into Profits, Capital, Credit, Interest and the Business Cycle*. Cambridge, MA: Harvard University Press.
- Schwartz, A. and Scott, R. E. 2003. "Contract Theory and the Limits of Contract Law," *Yale Law J.*, 113, pp 1–84.
- Schwartz, A. and Watson, J. 2004. "The Law and Economics of Costly Contracting," *J. Law, Econ., Organ.*, 20, 1, pp 2–31.
- Scott, F. A. 1995. "Franchising vs. Company Ownership as a Decision Variable for the Firm," *Rev. Ind. Organ.*, 10, pp 69–81.
- Scott, R. E. 2003. "A Theory of Self-Enforcing Indefinite Agreements," *Columbia Law Rev.* 102, 302, pp 1–70.
- Scully, G. W. 1988. "The Institutional Framework and Economic Development," *J. Polit. Economy*, 96, 1, pp 652–662.
- Segal, J. A. 2000. "Correction to Separation-of-Powers Games in the Positive Theory of Congress and Courts," *Amer. Polit. Sci. Rev.*, 92, 4, pp 923–26.
- Selten, R. 1975. "Reexamination of the Perfectness Concept for Equilibrium Points in Extensive Games," *Int. J. Game Theory*, 4, pp 25–55.
- Shaffer, J. D. 1983. "Preference Articulation and Food System Performance," in Farris, P., ed, *Future Frontiers in Agricultural Marketing Research*. Ames, Iowa: Iowa State University Press.
- Shapley, L. S. and Shubik, M. 1969. "On the Core of an Economic System with Externalities," *Amer. Econ. Rev.*, 59, 4, pp 678–84.
- Shavell, S. 1995. "The Design of Contracts and Remedies for Breach," *Quart. J. Econ.*, 99, 1, pp 121–48.
- 2003a. "Economic Analysis of Contract Law," NBER work paper 9696, pp 1–74.
- 2003b. *Foundations of Economic Analysis of Law*. Boston, MA: Harvard University Press.

2005. "Contracts, Holdup and Legal Intervention," NBER work paper 11284, pp 1–34.
2006. "On the Writing and the Interpretation of Contracts," *J. Law, Econ., Organ.*, 22, 2, pp 289–314.
- Shaver, M.J. 1998. "Accounting for Endogeneity when Assessing Strategy Performance: Does Entry Mode Choice Affect FDI Survival?" *Manage. Sci.*, 44, pp 571–585.
- Shelanski, H. A. 2004. "Transaction-Level Determinants of Transfer-Pricing Policy: Evidence from the High-Technology Sector," *Ind. Corp. Change*, 13, pp 953–966.
- Shelanski, H. A. and Klein, P. G. 1995. "Empirical Research in Transaction Cost Economics: A Review and Assessment," *J. Law, Econ., Organ.*, 11, 2, pp 335–361.
- Shepsle, K. 1978. *The Giant Jigsaw Puzzle: Democratic Committee Assignments in the Modern House*. University of Chicago Press.
- Shleifer, A. and Vishny, R. 1991. "Takeovers in the '60s and '80s: Evidence and Implications," *Strat. Man. J.*, 12, pp 51–59.
- Shugart, M. and Haggard, S. 2001. "Institutions and Public Policy in Presidential Systems," in Haggard, S. and McCubbins, M. D., eds, *Presidents, Parliaments, and Policy*. New York, NY: Cambridge University Press.
- Silverman, B. 2002. "Organizational Economics," in Baum, J. A. C., ed, *Companion to Organizations*. London: Blackwell Publishing.
- Silverman, B. S. and Baum, J. A. C. 2002. "Alliance-Based Competitive Dynamics," *Academy Manage. J.*, 45, 4, pp 791–806.
- Silverman, B. S., Nickerson, J. A., and Freeman, J. 1997. "Profitability, Transactional Alignment, and Organizational Mortality in the US Trucking Industry," *Strategic Manage. J.*, (Special Issue) 18, pp 31–52.
- Simon, H. A. 1947. *Administrative Behavior*. New York, NY: MacMillan.
1951. "A Formal Theory of the Employment Relationship," *Econometrica*, 19, pp 293–305.
1955. "A Behavioral Model of Rational Choice," *Quart. J. Econ.*, 69, pp 99–118.
1956. "Rational Choice and the Structure of Environments," *Psychological Rev.*, 63, pp 129–138.
1957. *Models of Man*. New York: John Wiley.
1962. "The Architecture of Complexity," *Proceedings of the American Philosophical Society*, 106, pp 467–82.
1976. "From Substantive to Procedural Rationality," in Latsis, S., ed, *Methods and Appraisals in Economics*, Cambridge University Press, pp 129–148.
1992. *Economics, Bounded Rationality, and the Cognitive Revolution*. Brookfield, CT: Edward Elgar.
1997. *An Empirically Based Microeconomics*. New York, NY: Cambridge University Press.
- Sioshansi, F. and Pfaffenberger, W. 2006. *Electricity Markets around the World*. Amsterdam: Elsevier.
- Slade, M. B. 1998. "Strategic Motives for Vertical Separation: Evidence from Retail Gasoline Market," *J. Law Econ., Organ.*, 14, 1, pp 84–113.

- Smeers, Y. 2004. "TSO, electricity markets and market power," presentation in *European Regulatory TSO benchmarking*. Den Haag.
- Smelser, N. and Swedberg, R. 2005. *The Handbook of Economic Sociology*, second edition. Princeton, NJ and New York, NY: Princeton University Press and the Russell Sage Foundation.
- Smith, A. 1759. *The Theory of Moral Sentiments*.
- Smith, Henry E. 2000. "Semicommon Property Rights and Scattering in the Open Fields," *J. Legal Stud.*, 29, 1, pp 131–70.
- Smith, R. 1994. "Sinking or Swimming in Water Policy?" *Regulation*, 17, 3, pp 35–43.
- Smith, V. L. 1962. "An Experimental Study of Competitive Market Behavior," *J. Polit. Economy*, 70, pp 111–137.
1976. "Experimental Economics: Induced Value Theory," *Amer. Econ. Rev.*, 66, 2, pp 274–279.
1981. "An Empirical Study of Decentralize Institutions of Monopoly Restraints," in Horwick, G. and Quirk, J. P., eds, *Essays in Contemporary Fields of Economics in Honor of Emanuel T. Weiler (1914–1979)*. West Lafayette, IN: Purdue University Press.
2002. "Method in Experiment: Rhetoric and Reality," *Exper. Econ.*, 5, 2, pp 91–110.
2003. "Constructivist and Ecological Rationality in Economics," *Amer. Econ. Rev.*, 93, pp 465–508.
- Smyth, R. 1998. "New Institutional Economics in the Post-Socialist Transformation Debate," *J. Econ. Surveys*, 12, 4, pp 361–398.
- Snyder, J. M. 1990. "Campaign Contributions as Investments: The US House of Representatives, 1980–1986," *J. Polit. Economy*, 98, 6, pp 1195–1227.
1991. "On Buying Legislatures," *Econ. Politics*, 3, pp 93–109.
- Solow, R. 2001. "A Native Informant Speaks," *J. Econ. Methodology*, 8, pp 111–112.
- Sperber, D. 1996. *Explaining Culture: A Naturalistic Approach*, London: Blackwell.
- Spier, K. E. and Whinston, M. D. 1995. "On the Efficiency of Privately Stipulated Damages for Breach of Contract: Entry Barriers, Reliance and Renegotiation," *RAND J. Econ.*, 26, 2, pp 180–202.
- Spiller, P. T. 1990. "Politicians, Interest Groups, and Regulators: A Multiple-Principals Agency Theory of Regulation, or Let Them Be Bribed," *J. Law Econ.*, 33, 1, pp 65–101.
1992. "Agency Discretion Under Judicial Review," in *Formal Theory of Politics II*, a special issue of *Mathematical and Computer Modelling*, 16, pp 185–200.
- 1996a. "Institutions and Commitment," *Ind. Corp. Change*, 5, 2, pp 421–452.
- 1996b. "A Positive Political Theory of Regulatory Instruments: Contracts, Administrative Law or Regulatory Specificity?" *USC Law Rev.*, 69, 2, pp 477–515.
- Spiller, P. T. and Gely, R. 1992. "Congressional Control or Judicial Independence: The Determinants of US Supreme Court Labor-Relations Decisions, 1949–1988," *RAND J. Econ.*, 23, 4, pp 463–492.
- Spiller, P. T. and Martorell, L. V. 1996. "How Should It Be Done? Electricity Regulation in Argentina, Brazil, Uruguay, and Chile," in Gilbert, R. J.

- and Kahn, E. P., eds, *International Comparisons of Electricity Regulation*. Cambridge University Press, pp 82–125.
- Spiller, P. T. and Tommasi, M. 2003. "The Institutional Foundations of Public Policy: A Transactions Approach with Application to Argentina," *J. Law Econ., Organ.*, 19, 2, pp 281–306.
- Staatz, J. 1987. "The Structural Characteristics of Farmer Cooperatives and Their Behavioral Consequences," in Royer, J., ed., *Cooperative Theory: New Approaches*. Washington, DC: US Department of Agriculture. ACS Service Report 18, pp 33–60.
1989. "Farmer Cooperative Theory: Recent Developments," ACS Research Report 84. Washington, DC: US Department of Agriculture, Agricultural Cooperative Service.
- Stahl, D. O. 1996. "Boundedly Rational Rule Learning in a Guessing Game," *Games Econ. Behav.*, 16, 2, pp 303–330.
- Stark, D. 1996. "Recombinant Property in East European Capitalism," *Amer. J. Sociology*, 101, 4, pp 993–1027.
- Stegarescu, D. 2004. "Public Sector Decentralization: Measurement Concepts and Recent International Trends," ZEW discussion paper 04–74.
- Stigler, G. J. 1971. "The Theory of Economic Regulation," *Bell J. Econ. Manage Sci.*, 2, pp 3–21.
1981. "Comments," in Joskow, P., Noll, R., and Fromm, G., eds, *Studies in Public Regulation: Regulation in Theory and Practice*. Boston, MA: MIT Press.
1983. "Comments," in Kitch, E. W., ed., "The Fire of Truth: A Remembrance of Law and Economics at Chicago, 1932–1970," *J. Law Econ.*, 26, pp 163–234.
- Stiglitz, J. E. 1974. "Incentives and Risk Sharing in Sharecropping," *Rev. Econ. Stud.*, 41, 2, pp 219–255.
1977. "Monopoly Nonlinear Pricing and Imperfect Information: The Insurance Market," *Rev. Econ. Stud.*, 44, pp 407–430.
1989. "Rational Peasants, Efficient Institutions, and a Theory of Rural Organization: Methodological Remarks for Development Economics," in Bardham, P., ed., *The Economic Theory of Agrarian Institutions*. Oxford: Clarendon Press, pp 18–29.
- Stratmann, T. 1998. "The Market for Congressional Vote: Is Timing of Contributions Everything?" *J. Law Econ.*, 41, 1, pp 85–113.
- Strøm, K. 1997. "Rules, Reasons and Routines: Legislative Roles in Parliamentary Democracies," *Journal of Legislative Studies*, 3, 1, pp 155–174.
- Sugden, R. 1986. *The Economics of Rights, Co-operation and Welfare*, Oxford: Basil Blackwell.
1989. "Spontaneous Order," *J. Econ. Persp.*, 3, 4, pp 85–97.
- Sunder, S. 1995. "Experimental Asset Markets: A survey," in Kagel, J. H. and Roth, A. E., eds, *The Handbook of Experimental Economics*, Princeton University Press, pp 445–500.
- Sykuta, M. E. and Cook, M. L. 2001. "A New Institutional Economics Approach to Contracts and Cooperatives," *Amer. J. Agr. Econ.*, 83, 5, pp 1273–1279.

- Sykuta, M. E. and James, H. S. Jr. 2004. "Organizational Economic Research in the U.S. Agricultural Sector and the Role of the Contracting and Organizations Research Institute," *Amer. J. Agr. Econ.*, this issue.
- Sykuta, M. E. and Parcell, J. L. 2003. "Contract Structure and Design in Identity Preserved Soybean Production," *Rev. Agr. Econ.*, 25, 2, pp 332–350.
- Tanzi, V. 2000. "Some Politically Incorrect Remarks on Decentralization and Public Finance," in Dethier, J.-J., ed., *Governance, Decentralization and Reform in China, India and Russia*. Boston, MA: Kluwer, pp 47–63.
- Teece, D.J. 1980. "Economies of Scope and the Scope of the Enterprise," *J. Econ. Behav. Organ.*, 1, pp 223–247.
1981. "Internal Organization and Economic Performance: An Empirical Analysis of the Profitability of Principal Firms," *J. Ind. Econ.*, 30, pp 173–199.
1986. "Profiting from Technological Innovation: Implications for Integration, Collaboration, Licensing and Public Policy," *Res. Pol.*, 15, pp 285–305.
- Teece, D.J. and Pisano, G. 1994. "The Dynamic Capabilities of Firms: An Introduction," *Ind. Corp. Change*, 3, pp 537–556.
- Teece D.J., Rumelt, R., Dosi, G., and Winter G.S. 1994. "Understanding Corporate Coherence: Theory and Evidence," *J. Econ. Behav. Organ.*, 23, pp 1–30.
- Temin, P. and Galambos, L. 1987. *The Fall of the Bell System: A Study in Prices and Politics*. New York, NY: Cambridge University Press.
- Thaler, R. 1992. *The Winner's Curse*, Princeton University Press.
- 2003b. *Fiscal Federalism in Western European and Selected Other Countries: Centralization or Decentralization? What is Better for Economic Growth*. DIW Berlin.
- Thiessen, U. 2003. "Fiscal Decentralization and Economic Growth in High Income OECD Countries," *Fisc. Stud.*, 24, 3, pp 237–274.
- Thompson, B.H. 1993. "Institutional Perspectives on Water Policy and Markets," *California Law Rev.*, 81, p. 673.
- Tietz, R. 1990. "On Bounded Rationality: Experimental Work at the University of Frankfurt/Main," *J. Inst. Theoretical Econ.*, 146, 4, pp 659–672.
- Tirole, J. 1999. "Incomplete Contracts: Where Do We Stand?" *Econometrica*, 67, 4, pp 741–781.
- Tooby, J. and Cosmides, L. 1992. "The Psychological Foundations of Culture," in Barkow, J.H., Cosimedes, L., and Tooby, J., eds, *The Adapted Mind: Evolutionary Psychology and the Generation of Culture*. New York, NY: Oxford University Press, pp 19–36.
- Tooby, J. and DeVore, I. 1987. "The Reconstruction of Hominid Behavioral Evolution Through Strategic Modeling," in Kinzey, W.G., ed., *Primate Models of Hominid Behavior*. Albany, NY: SUNY Press, pp 183–237.
- Toye, J. 1995. "The New Institutional Economics and Its Implications for Development Theory," in Harriss, J., Hunter, J., and Lewis, C.M., eds, *The New Institutional Economics and Third World Development*. London: Routledge, pp 49–68.
- Treisman, D.S. 2000. "The Causes of Corruption: A Cross-National Study," *J. Public Econ.*, 76, pp 399–457.

- Triantis, G. 2002 "The Efficiency of Vague Contract Terms," University of Virginia, School of Law: Law & Economics Research Paper Series, 02-7.
- Trivers, R. 1985. *Social Evolution*. Menlo Park, CA: Benjamin Cummings.
- Trivers, R.L. 1971. "The Evolution of Reciprocal Altruism," *Quart. Rev. Biology*, 46, pp 35-57.
- Tsebelis, G. 1995. "Decision-Making in Political Systems: Veto Players in Presidentialism, Parliamentarism, Multicameralism and Multipartyism," *Br. J. Political Sci.*, 25, 3, pp 289-325.
2002. *Veto Players. How Political Institutions Work*. Princeton University Press.
- Tullock, G. 1965. *The Politics of Bureaucracy*. Washington, DC: Public Affairs Press.
1972. "The Purchase of Politicians," *Western Econ. J.*, 10, pp 354-355.
- Umbeck, J. 1981. *A Theory of Property Rights: With Application to the California Gold Rush*. Ames, IO: Iowa State University Press.
- Usher, D. 1998. "The Coase Theorem is Tautological, Incoherent or Wrong," *Econ. Letters*, 61, 1, pp 3-11.
- Usman, Murat. 2002. "Verifiability and Contract Enforcement: A Model with Judicial Moral Hazard," *J. Law, Econ., Organ.*, 18, 1, pp 67-94.
- Uzzi, B. 1997. "Social Structure and Competition in Interfirm Networks: The Paradox of Embeddedness," *Administrative Sci. Quart.*, 42, pp 35-67.
- Valley, K.L., Thompson, L.L., Gibbons, R.S., and Bazerman, M.H. 2002. "How Communication Improves Efficiency in Bargaining Games," *Games Econ. Behav.*, 38, pp 127-155.
- Van Hoek, R.I. 1999. "From Reversed Logistics to Green Supply Chains," *Supply Chain Manag.*, 4, pp 129-134.
- Vannoni, D. 2002. "Empirical Studies of Vertical Integration: The Transaction Cost Orthodoxy," *Int. Rev. Econ. Bus.*, 49, pp 113-141.
- Vaubel, R. 1996. "Constitutional Safeguards Against Centralization in Federal States: An Independent Cross-Section Analysis," *Constit. Polit. Economy*, 7, 2, pp 79-102.
- Voigt, S. 1999. *Explaining Constitutional Change - A Positive Economics Approach*. Cheltenham: Edward Elgar.
2005. "The Economic Effects of Judicial Accountability - Some Preliminary Insights." Mimeo, University of Kassel.
2006. "Constitutional Political Economy - Conceptual Foundations, Recent Trends, Possible Developments" Mimeo, University of Kassel.
2008. "The Economic Effects of Judicial Accountability," *European Journal of Law and Economics*, 25, pp 95-123.
- Voigt, S. and Blume, L. 2006. "The Economic Effects of Direct Democracy - A Cross-Country Assessment," University of Kassel, discussion paper.
- Von Neumann, J. and Morgenstern, O. 1944. *Theory of Games and Economic Behavior*. Princeton University Press.
- Vromen, J. 1995. *Economic Evolution - An Enquiry into the Foundations of New Institutional Economics*. London & New York: Routledge.
- Walker, G. and Poppo, L. 1991. "Profit Centers, Single-Source Suppliers, and Transaction Costs," *Admin. Sci. Quart.*, 36, pp 66-87.

- Walker, G. and Weber, D. 1984. "A Transaction Cost Approach to Make-or-Buy Decisions," *Admin. Sci. Q.*, 29, pp 373–391.
- Weingast, B.R. 1981. "Regulation, Reregulation and Deregulation: The Political Foundations of Agency Clientele Relationships," *Law Contemp. Prob.*, 44, 1, pp 147–177.
1995. "The Economic Role of Political Institutions: Market-Preserving Federalism and Economic Development," *J. Law Econ., Organ.*, 11, 1, pp 269–296.
2007. *Self-Enforcing Institutions*. Cambridge University Press.
- Weingast, B.R. and Marshall, W.J. 1988. "The Industrial Organization of Congress; or Why Legislatures, Like Firms, are Not Organized as Markets," *J. Polit. Economy*, 96, 1, pp 132–163.
- Weingast, B.R. and Moran, M.J. 1983. "Bureaucratic Discretion or Congressional Control? Regulatory Policy-making by the Federal Trade Commission," *J. Polit. Economy*, 91, 5, pp 765–800.
- Wernerfelt, B. 1984. "A Resource-Based View of the Firm," *Strat. Man. J.*, 5, pp 272–280.
- Westin, A.F. 1953. "The Supreme Court, the Populist Movement and the Campaign of 1896," *J. Politics*, 15, 1, pp 3–41.
- Whinston, M.D. 2001. "Assessing the Property Rights and Transaction-Cost Theories of Firm Scope," *Amer. Econ. Rev.*, 91, 2, pp 184–188.
2003. "On the Transaction Cost Determinants of Vertical Integration," *J. Law Econ., Organ.*, 19, pp 1–23.
- Whyte, M.K. 1995. "The Social Roots of China's Economic Development," *China Quart.*, 144, pp 999–1019.
- Wicksell, K. 1896. *Finanztheoretische Untersuchungen*. Jena: Fischer.
- Wiggins, S.N. and Libecap, G.D. 1985. "Oil Field Unitization: Contractual Failure in the Presence of Imperfect Information," *Amer. Econ. Rev.*, 75, 3, pp 368–385.
- Williams, G.C. 1966. *Adaptation and Natural Selection: A Critique of Some Current Evolutionary Thought*. Princeton University Press.
- Williams, G.C. and Williams, D.C. 1957. "Natural Selection of Individually Harmful Social Adaptations among Sibs with Special Reference to Social Insects," *Evolution*, 11, pp 32–39.
- Williamson, O.E. 1971. "The Vertical Integration of Production: Market Failure Considerations," *Amer. Econ. Rev.*, 61, pp 112–123.
1973. "Organizational Forms and Internal Efficiency. Markets and Hierarchies: Some Elementary Considerations," *Amer. Econ. Rev.*, 3, pp 316–325.
1975. *Markets and Hierarchies: Analysis and Antitrust Implications. A Study in the Economics of Internal Organization*. New York, NY: Free Press.
1976. "Franchise Bidding for Natural Monopolies – In General and With Respect to CATV," *Bell J. Econ.*, 7, pp 73–104.
1979. "Transaction Cost Economics: The Governance of Contractual Relations," *J. Law Econ.*, 22, pp 233–261.
1981. "The Modern Corporation: Origins, Evolution, Attributes," *J. Econ. Lit.*, 19, pp 1537–68.
1993. "Credible Commitments: Using Hostages to Support Exchange," *The American Economic Review*, 734, 519–540.



- 1985a. *The Economic Institutions of Capitalism: Firms, Markets and Relational Contracting*. New York, NY: Free Press.
- 1985b. "Reflections on the New Institutional Economics," *J. Institutional and Theoretical Econ.*, 141, pp 187–95.
1988. "Economics and Sociology," in Farkas, G. and England, P., eds, *Industries, Firms, and Jobs*. New York, NY: Plenum Press, pp 159–186.
- 1991a. "Comparative Economic Organization: The Analysis of Discrete Structural Alternatives," *Admin. Sci. Quart.*, 36, pp 269–296.
- 1991b. "Strategizing, Economizing, and Economic Organization," *Strategic Manage. J.*, 12 (special issue), pp 75–94.
1993. "Calculativeness, Trust, and Economic Organization," *J. Law Econ.*, 36.
1994. "Transaction Cost Economics and Organizational Theory," in Smelser, N. and Swedberg, R., eds, *The Handbook of Economic Sociology*. Princeton University Press, pp 77–107.
1996. *The Mechanisms of Governance*. New York, NY: Oxford University Press.
1998. "The Institutions of Governance," *Amer. Econ. Rev.*, 88, 2, pp 75–79.
- 1999a. "Public and Private Bureaucracies: A Transaction Cost Economics Perspective," *J. Law Econ., Organ.*, 15, pp 306–342.
- 1999b. "Strategy Research: Governance and Competence Perspectives," *Strategic Manage. J.*, 20, 12, pp 1087–1208.
- 1999c. "Human Actors and Economic Organization," Business and Public Policy Work paper BPP-72, University of California: Berkeley.
2000. "The New Institutional Economics: Taking Stock, Looking Ahead," *J. Econ. Lit.*, 38, pp 595–613.
- 2002a. "The Lens of Contract: Private Ordering," *Amer. Econ. Rev.*, 92, 2, pp 438–443.
- 2002b. "The Theory of the Firm as Governance Structure: From Choice to Contract," *J. Econ. Perspect.*, 16, pp 171–195.
2003. "Transaction Cost Economics and Agriculture: An Excursion," *European Agriculture Economics Meeting*, an Invited Address, Antwerp, Belgium.
2005. "The Economics of Governance," *Amer. Econ. Rev.*, 95, pp 1–18.
- Willinger, M. and Keser, C. 2000. "La Théorie des Contrats dans un Contexte Expérimental: Un Survol des Expériences sur la Relations Principal-Agent," *Revue d'Economie Industrielle*, 92, pp 237–253.
- Wilson, J. A. 1980. "Adaptation to Uncertainty and Small Numbers Exchange: The New England Fresh Fish Market," *Bell J. Econ.*, 4, pp 491–504.
- Wilson, R. B. 2002. "Architecture of Power Markets," *Econometrica*, 70, 4, pp 1299–1240.
- Winter, S. G. 1988. "On Coase, Competence, and the Corporation," *J. Law Econ., Organ.*, 4, 1, pp 63–80.
1990. "Survival, Selection, and Inheritance in Evolutionary Theories of Organization," in Singh, J. V., ed., *Organizational Evolution: New Directions*. Newbury Park, CA: Sage Publications.
- Witt, U. 1999. "Do Entrepreneurs Need Firms? A Contribution to a Missing Chapter in Austrian Economics," *Rev. Austrian Econ.*, 11, pp 99–110.
- Womack, J. 1989. *The Machine that Changed the World*. New York, NY: Rawson Associates.

- Wong, S. M. L., Opper, S., and Hu, R. 2004. "Shareholding Structure, De-Politicization and Enterprise Performance: Lessons from China's Listed Companies," *Econ. Transition*, 12, 1, pp 29–66.
- World Bank. 1995. *Bureaucrats in Business: The Economics and Politics of Government Ownership*. Oxford: Oxford University Press.
2006. *Handbook for Evaluating Infrastructure Regulatory Systems*. Washington, DC: World Bank.
- Xin, K. R. and Pearce, J. L. 1996. "Guanxi: Connections as Substitutes for Formal Institutional Support," *Academy Manage. J.*, 39, 6, pp 1641–1658.
- Yeon-Koo, C. and Hausch, D. B. 1999. "Cooperative Investments and the Value of Contracting," *Amer. Econ. Rev.*, 89, 1, pp 125–48.
- Young, A. and Levy, D. 2005. "Explicit Evidence on an Implicit Contract," Emory Law and Economics Research paper, 4–05.
- Young, P. H. 1994. *Equity – In Theory and Practice*. Princeton University Press.
1996. "The Economics of Convention," *J. Econ. Persp.*, 10, 2, pp 105–122.
1998. *Individual Strategy and Social Structure An Evolutionary Theory of Institutions*, Princeton University Press.
- Young, P. H. and Burke, M. A. 2001. "Competition and Custom in Economic Contracts: A Case Study of Illinois Agriculture," *Amer. Econ. Rev.*, 91, 3, pp 559–573.
- Yvrande-Billon, A. 2004. "Franchising Public Services: An Analysis of the Duration of Passenger Rail Franchises in Great Britain," in *Economics and Management of Franchising Networks*. Hendrikse, G., Windsperger, J., Cliquet, G., and Tuunanen, M., eds, Heidelberg: Physica/Springer, pp 174–87.
- Zhang, X. and Li, G. 2003. "Does *Guanxi* Matter to Nonfarm Employment?" *J. Compar. Econ.*, 21, pp 315–331.