

# The Elgar Companion to the Economics of Property Rights

*Edited by*

Enrico Colombatto

*Professor of Economics, School of Economics, University of  
Turin, Italy*

**Edward Elgar**

Cheltenham, UK • Northampton, MA, USA

# Contents

<i>List of tables</i>	vii
<i>List of contributors</i>	viii
<i>Foreword</i> Steve Pejovich	xi
<i>Introduction</i> Enrico Colombatto	xiii

## PART I THE BIRTH AND EVOLUTION OF PROPERTY RIGHTS

1 Cultural and religious foundations of private property	3
<i>Leonard P. Liggio and Alejandro A. Chafuen</i>	
2 The ethics and economics of private property	48
<i>Hans-Hermann Hoppe</i>	
3 The origins and evolution of property rights systems	64
<i>Francesco Parisi</i>	
4 Empirical issues in culture and property rights	85
<i>Seth W. Norton</i>	
5 The effect of transaction costs in the definition and exchange of property rights: two cases from the American experience	108
<i>Gary D. Libecap</i>	

## PART II PROPERTY RIGHTS AND THE LAW

6 Judicial system and property rights	129
<i>Christian Barrere</i>	
1 On the coexistence of different property right systems – and its consequences for economic growth and development	154
<i>Stefan Voigt</i>	
8 Property rights in common and civil law	177
<i>Norman Barry</i>	
9 Can constitutions protect private property against governmental predation?	197
<i>Andrzej Rapaczynski</i>	
10 Property rights systems and the rule of law	222
<i>Ronald A. Cass</i>	

PART III CURRENT ISSUES FROM A PROPERTY RIGHTS  
PERSPECTIVE

11	Are property rights relevant for development economics? On the dangers of Western constructivism <i>Enrico Colombatto</i>	251
12	Germline engineering: whose right? <i>Lloyd Cohen</i>	270
13	The contractual nature of the environment <i>Terry L. Anderson and Bobby McCormick</i>	293
14	Government regulation and property rights <i>Dwight R. Lee</i>	310
15	Corruption <i>Bruce L. Benson and Fred S. McChesney</i>	328
16	Insider trading, takeovers and property rights <i>Pierre Garelo</i>	353
17	The new property rights theory of the firm <i>Pierre Garrouste</i>	370
18	On intellectual property rights: patents versus free and open development <i>Alan G. Isaac and Walter G. Park</i>	383
19	The governance of localized technological knowledge and the evolution of intellectual' property rights <i>Cristiano Antonelli</i>	414
20	Property rights in the digital space <i>Eric Brousseau</i>	438
21	Collective property rights for economic development: the case of the ceramics cultural district in Caltagirone, Sicily <i>Tiziana Cuccia and Walter Santagata</i>	473
22	Property rights in higher education <i>Ryan C. Amacher and Roger E. Meiners</i>	489
	<i>Index</i>	511