



# FOUNDATIONS OF Corporate Law

Second Edition

Roberta Romano

FOUNDATION PRESS

# Foundations Of Corporate Law

**Eva Micheler**



## **Foundations Of Corporate Law:**

*Foundations of Corporate Law* Roberta Romano,1993 This anthology of current corporate law material reflects the last decade s changes in business organization and legal scholarship Covers such topics as capital markets agency theory state competition for corporate charters boards of directors shareholder voting rights takeovers and securities regulation

**Foundations of Corporate Law** ROMANO.,2001-05      **Foundations of Corporate Law** ,2011      **The Foundations of Anglo-American Corporate Fiduciary Law** David Kershaw,2018-08-23 This book explores the foundations and evolution of modern corporate fiduciary law in the United States and the United Kingdom Today US and UK fiduciary law provide very different approaches to the regulation of directorial behaviour However as the book shows the law in both jurisdictions borrowed from the same sources in eighteenth and nineteenth century English fiduciary and commercial law The book identifies the shared legal foundations and authorities and explores the drivers of corporate fiduciary law s contemporary divergence In so doing it challenges the prevailing accounts of corporate legal change and stability in the US and the UK

*The Proprietary Foundations of Corporate Law* John Armour,Michael J. Whincop,2005      **THE PROPRIETARY FOUNDATIONS OF CORPORATE LAW.** ,2005      **Philosophical Foundations of Fiduciary Law** Andrew S. Gold,Paul B. Miller,2014-08-14 Fiduciary law is a critically important body of law Fiduciary duties ensure the integrity of a remarkable variety of relationships institutions and organizations They apply to relationships of great personal significance including in some jurisdictions the relationship between parents and children They structure a wide variety of commercial relationships and they are essential to the regulation of relationships between professional service providers and their clients including relationships between lawyer and client doctor and patient and investment manager and client Fiduciary duties perhaps uniquely in private law challenge traditional ways of marking the boundaries between private and public law inasmuch as they figure prominently in public governance Indeed there is even a storied tradition of thinking of the authority of the state in fiduciary terms Notwithstanding its importance fiduciary law has been woefully under analysed by legal theorists Filling this gap with a series of chapters by leading theorists this book includes chapters on the nature of fiduciary relationships the connection between fiduciary duties and morality the content and significance of fiduciary loyalty the economic significance of fiduciary law the application of fiduciary principles to public law and international law the import of fiduciary relationships to theories of authority and various other fundamental topics in the field In many cases new and important questions are raised by the book s chapters Indeed this book not only offers a much needed theoretical assessment of fiduciary topics it defines the field going forward setting an agenda for future philosophical study of fiduciary law      **Seeding Global Collaboration** Patrick Brown,James Duffy,2016-09-02 Seeding Global Collaboration presents essays written for Functional Collaboration in the Academy a conference held at the University of British Columbia in July 2014 The essays attempt to explore and advance Bernard Lonergan s central achievement a revolutionary method for collaborative inquiry relevant to

both the natural sciences and the human sciences Each essay is an exercise focusing on a specific collaborative task in a particular area of interest These range from research in neuroscience to interpreting space and time from forging new housing policies and communicating macroeconomic dynamics to performing distinct collaborative tasks as part of a unified process of caring for ecosystems The essays attempt to illustrate the power of the method But they also seek to seed a new ethos of efficient collaboration and effective meaning Functional collaboration amounts to a novum organon for scientific and academic inquiry one potentially capable of meeting the daunting problems and global challenges of our time *The*

*Foundations of International Investment Law* Zachary Douglas, Joost Pauwelyn, Jorge E. Viñuales, 2014-05-01 International investment law is one of the fastest growing areas of international law It has led to the signing of thousands of agreements mostly in the form of investment contracts and bilateral investment treaties Also in the last two decades there has been an exponential growth in the number of disputes being resolved by investment arbitration tribunals Yet the legal principles at the basis of international investment law and arbitration remain in a state of flux Perhaps the best illustration of this phenomenon is the wide disagreement among investment tribunals on some of the core concepts underpinning the regime such as investment property regulatory powers scope of jurisdiction applicable law or the interactions with other areas of international law The purpose of this book is to revisit these conceptual foundations in order to shed light on the practice of international investment law It is an attempt to bridge the growing gap between the theory and the practice of this thriving area of international law The first part of the book focuses on the infrastructure of the investment regime or more specifically on the structural arrangements that have been developed to manage foreign investment transactions and the potential disputes arising from them The second part of the book identifies the common conceptual bases of an array of seemingly unconnected practical problems in order to clarify the main stakes and offer balanced solutions The third part addresses the main sources of regime stress as well as the main legal mechanisms available to manage such challenges to the operation of the regime Overall the book offers a thorough investigation of the conflicting theoretical positions underlying international investment law testing their worth by reference to concrete issues that have arisen in the jurisprudence It demonstrates that many of the most important practical questions arising in practice can be addressed by a carefully dosed resort to theory

*Company Law* Eva Micheler, 2021 This book advances a real entity theory of company law In this theory the company is a legal entity allowing an organization to act autonomously in law and company law establishes procedures facilitating autonomous organizational decision making The theory builds on the insight that organizations or firms are a social phenomenon outside of the law and that they are autonomous actors in their own right They are more than the sum of the contributions of their participants and they act independently of the views and interests of their participants The real entity theory advanced in this book explains company law as it stands at a positive level Companies are liable in tort and crime The statute creates roles for shareholders directors a company secretary and auditors and so facilitates a process leading to

organizational action The law also integrates the interests of creditors and stakeholders The book states the law as of 1 August 2021

The Advantage of Competitive Federalism for Securities Regulation Roberta Romano, 2002 In this analysis of securities regulation the author demonstrates that the current approach toward U S regulation exclusive jurisdiction of the Securities and Exchange Commission is misguided and should be revamped by implementing a regime of competitive federalism Under such a system firms would select their regulator from among the states the SEC or other nations The author asserts that competitive federalism harnesses the high powered incentives of markets to the regulatory state to produce regulatory arrangements most compatible with investors preferences The author contends that the empirical evidence does not indicate that the SEC is effective in achieving its stated objectives The commission s expansions of disclosure requirements over the years have not significantly enhanced investors wealth In addition she asserts evidence from institutional equity and debt markets and cross country listing practices demonstrates that firms voluntarily disclose substantial information beyond mandatory requirements to provide the information investors demand The author concludes that under competitive federalism the aspects of the SEC s regime that are valuable to investors will be retained those that are not will be discarded and the resulting securities regime will better meet investors needs than the present one

The Historical Foundations of Modern Company Law Ronald Ralph Formoy, 1923

The New CEOs Richard L. Zweigenhaft, G. William Domhoff, 2011-07-16 The New CEOs looks at the women and people of color leading Fortune 500 companies exploring the factors that have helped them achieve success and their impact on the business world and society more broadly As recently as fifteen years ago there had only been three women CEOs of Fortune 500 companies and no African Americans By now there have been more than 100 women African American Latino and Asian American CEOs of Fortune 500 companies Richard L Zweigenhaft and G William Domhoff look at these new CEOs closely Weaving compelling interview excerpts with new research the book traces how these new CEOs came to power questions whether they differ from white male Fortune 500 CEOs in meaningful ways asks whether the companies that hired them differ from other companies and discusses what we can learn about power in America from the emergence of these new CEOs As Americans continue to debate corporate compensation glass ceilings and colorblind relationships The New CEOs shares information critical to understanding our current situation and looks toward the future in our increasingly globalized world The paperback edition of The New CEOs features a new Introduction and an updated comprehensive list of new CEOs to date

**Equity** Irit Samet, 2018-12-06 This book sets out to defend the claim that Equity ought to remain a separate body of law the temptation to iron out the differences between neighbouring doctrines on the two sides of the Equity Common Law divide should in most cases be resisted The theoretical part of the book is argues that the characteristics of Equity namely appeal to conscience flexibility retroactivity and the use of morally freighted jargon are essential for the implementation of a legal ideal that has been neglected by the Common Law Accountability Correspondence According to this fundamental legal ideal liability imposed by

legal rules should correspond to the pattern of moral duty in the circumstances to which the rules apply Equity promotes this ideal in the fields of property and obligations by disallowing parties to exploit the rule like nature of Common Law norms in a way that breaches their moral duty to the other party By reference to various equitable doctrines it is argued that the faults identified by critics of Equity especially from the perspective of the Rule of Law are highly exaggerated and that the criticism often reflects a political belief in the supremacy of individualism and free market over empathy and social justice The theoretical part is followed by three chapters each dedicated to an in depth analysis of the equitable doctrines of fiduciary duties proprietary estoppel and clean hands For each doctrine it is shown how their equitable characteristics are indispensable for achieving their social ethical and economic purpose

**An Anatomy of Tax Havens** Paul R. Beckett, 2023-10-24 Tax havens in offshore lands like Switzerland the Cayman Islands and the Bahamas were once considered a rarity the preserve of the super rich Today they are big business available to the masses Their goal To avoid any form of accountability Own nothing Possess everything Be answerable to no one Where are these tax havens What forms can they take What future lies in store for them and why should we care An Anatomy of Tax Havens Europe the Caribbean and the United States of America answers these questions and more in the first comparative study in one volume of European Caribbean and United States tax havens It examines their simple origin to the extreme forms some take today delving into the murky subculture that has deliberately made them impenetrably obscure Uniquely it combines detailed technical expertise regulatory regimes financial crime legal and equitable structuring with an analysis of their impact on domestic and global political economic environmental and social concerns An Anatomy of Tax Havens is a fascinating informative read for a broad readership from legal accountancy and tax practitioners to compliance regulators law enforcement agencies and students and researchers interested in business studies taxation and crime

**ABA Journal** ,1975-02 The ABA Journal serves the legal profession Qualified recipients are lawyers and judges law students law librarians and associate members of the American Bar Association

Foundations and Government Marion R. Fremont-Smith, 1965-12-14 Concentrates on the historical statutory judicial and administrative aspects of philanthropic foundations It begins with a general survey of the rise of foundations particularly as a legal concept and examines existing provisions for state registration and supervision with special attention to the role of the attorney general There are field reports on ten states with programs aimed at following charitable activities closely The concluding chapter provides appraisals and recommendations and appendices include state legal requirements for charitable trusts and corporations selected state acts rules reporting forms and a list of cases

*J.W. McConnell* William Fong, 2008-10-24 J W McConnell 1877 1963 born to a poor farming family in Ontario became one of the wealthiest and most powerful businessmen of his generation in Canada and internationally Early in his career McConnell established the Montreal office of the Standard Chemical Company and began selling bonds and shares in both North America and Europe establishing relationships that would lead to his enormous financial success He was involved in

numerous businesses from tramways to ladies fashion to mining and served on the boards of several corporations For nearly fifty years he was president of St Laurence Sugar and late in life he became the owner and publisher of the Montreal Star McConnell was an indefatigable and formidable fundraiser for the YMCA the war effort of 1914 18 hospitals and McGill University where he served as governor for almost three decades In 1937 he established what would become The J W McConnell Family Foundation the first major foundation in Canada and still one of the best endowed J W McConnell was a principled and brilliant visionary with a strong work ethic and a deep commitment to the public good a Rockefellerian figure in both big business and high society who quietly became one of the greatest philanthropists of his time His life story told in uncompromising detail by William Fong is a study of raising spending and giving away money on the grandest scale The Nonprofit Sector Walter W. Powell, Richard Steinberg, 2006-01-01 Provides a multi disciplinary survey of nonprofit organizations and their role and function in society This book also examines the nature of philanthropic behaviours and an array of organizations international issues social science theories and insight Legal and Political Foundations of Capitalism Jamee K. Moudud, 2025-03-19 Institutions matter is a common refrain among all economists including many who have proposed progressive alternatives to free market fundamentalism However this sentiment does not go far enough This book draws principally on the Original Institutional Economics and American Legal Realist traditions to propose a theory of legal institutionalism or institutional political economy By arguing that society is a political community it challenges the private law versus public law or state versus markets distinction Focusing on property money and credit constitutional law and corporations this book argues that laissez faire has never existed and that state intervention versus de regulation and market failures versus free markets are false dichotomies This book proposes the need to engage with legal economic theory and history to understand what institutions are what economic regulation means law s intrinsic connection to the economy and the distribution of power relations within capitalism This book will be of interest to readers of economics law public policy international and development studies and all those seeking to explore progressive alternatives in this period of multiple crises

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