

Contents

Preface	V
1 Rights and Wrongs	1
<i>Dennis C. Mueller</i>	
1.1 The Choice of Voting Rule	1
1.2 From the Constitutional Voting Rule to Constitutional Rights....	5
1.3 Salient Characteristics of Constitutional Rights	8
1.4 The Relative Nature of Constitutional Rights.....	10
1.5 Rights and Liberal Democracy	12
1.5.1 Conditional Rights	13
1.5.2 Rights and the Tyranny of the Majority.....	13
1.5.3 Restrictions on Rights Once Again.....	15
1.6 Conclusions.....	16
References	17
2 Public Choice and New Institutional Economics: A Comparative Analysis in Search of Co-operation Potentials.....	19
<i>Christian Kirchner</i>	
2.1 Introduction.....	19
2.2 Public Choice.....	21
2.3 New Institutional Economics	23
2.4 Intermediary Result.....	27
2.5 Methodology and Research Programme of Economics: Two Mechanisms of Resource Allocation and Distribution.....	27
2.6 Developments in Public Choice and New Institutional Economics: A Process of Convergence?.....	31
2.6.1 Public Choice.....	31
2.6.2 New Institutional Economics	32
2.7 Co-operation Potentials.....	33
References	35
3 The Machiavelli Program and the Dirty Hands Problem.....	39
<i>Manfred J. Holler</i>	
3.1 Introduction.....	39
3.2 The Machiavelli Program	42
3.3 The Republic, the People, and the Law	44
3.4 The Circle of Life and the Course of History	49
3.5 Learning About Cruelties.....	53
3.6 Dirty Hands, Secrets and Secret of the State	56
3.7 Conclusions.....	60

References	61
4 Esteem, Norms of Participation and Public Goods Supply	63
<i>Geoffrey Brennan, Michael Brooks</i>	
4.1 The Issue	63
4.2 The Normative Relevance of Esteem	65
4.3 The Esteem Model	67
4.4 What Level of Compliance Do We Want?	70
4.5 What Levels of Compliance Are Feasible?	73
4.6 Normative Evaluation, Feasibility Constrained	75
4.7 Summary and Conclusions	76
References	79
5 Fairness, Rights, and Language Rights: On the Fair Treatment of Linguistic Minorities	81
<i>Bengt-Arne Wickström</i>	
5.1 Introduction.....	81
5.2 Rights, Freedom from Envy, <i>Status Quo</i> , and Extended Fairness.....	83
5.2.1 Efficiency and Distribution.....	85
5.3 An Envy Free Initial Allocation of Rights in the Case of Exclusive Rights.....	87
5.3.1 Envy Free Initial Allocation of Rights and Pareto Improvements.....	87
5.3.2 The Case of Many Individuals	88
5.3.3 Efficiency.....	89
5.3.4 Extendedly Fair Allocations	89
5.4 Non-Exclusive Rights	90
5.4.1 Language Rights	90
5.4.2 Efficient Allocation of Non-Exclusive Rights	91
5.4.3 Envy Free Status Quo	91
5.4.4 Pareto Improvements	92
Absolutism	92
Liberalism	92
Comparison.....	93
5.5 An Example	94
5.5.1 Ex Post Fair Allocations	96
5.5.2 Laissez-Faire Allocations	96
5.5.3 Extended Fairness	97
5.5.4 Comparison.....	99
5.6 Concluding Remark	99
References	100

6	Fiscal Federalism, Decentralization and Economic Growth	103
	<i>Lars P. Feld, Horst Zimmermann, Thomas Döring</i>	
6.1	From Efficiency Aspects in Fiscal Federalism to Economic Growth	103
6.2	Economic Growth, Innovation, and Federalism: Theoretical Approaches	104
6.2.1	Federalism as an Efficiency Enhancing and Growth-Generating Process	105
6.2.2	Federalism and Innovation	109
6.2.3	Federalism and Agglomeration Economies	112
6.2.4	Federalism and Structural Change	114
6.3	The Results of Previous Empirical Work	115
6.3.1	Cross-Country Studies	116
6.3.2	Single Country Studies	120
	Fiscal Federalism and Economic Growth in Transition Countries	122
	Fiscal Federalism and Economic Growth in Developed Countries	123
6.4	Concluding Remarks	126
	References	128
7	Government Bankruptcy and Inflation	135
	<i>Peter Bernholz</i>	
7.1	Introduction	135
7.2	Theoretical Relationship Between Government Deficit, Money Creation and Inflation for a Closed Economy.	136
7.3	Empirical Evidence for Veiled Government Bankruptcy by Hyperinflation	139
7.4	Government Deficits and Creeping or Moderate Inflation	141
7.5	Conclusions	145
	References	145
8	Political Support for Tax Complexity: A Simple Model	147
	<i>Pio Baake, Rainald Borck</i>	
8.1	Introduction	147
8.2	The Model	149
8.3	Optimal Tax Deductions and Progressivity	151
8.4	Politics in a Numerical Example	152
8.5	Discussion	155
	References	156

9	Does the Shadow Economy Pose a Challenge to Economic and Public Finance Policy? - Some Preliminary Findings	157
	<i>Friedrich Schneider</i>	
9.1	Introduction.....	157
9.2	Defining and Measuring the Shadow Economy	158
9.3	The Development and Size of the Shadow Economy in German-Speaking and Other OECD-Countries	159
9.4	Interactions Between the Shadow and Official Economies	171
9.4.1	Allocation Effects	171
9.4.2	Distribution Effects.....	173
9.4.3	Stabilisation Effects	173
9.4.4	Impact on Public Revenues.....	174
9.4.5	Conclusion	175
9.5	Measures Against and Reducing the Shadow Economy.....	176
	References	178
10	The Rankings and Evaluations Mania.....	181
	<i>Bruno S. Frey</i>	
10.1	The Market and the Public Spheres	181
10.2	Economists Evaluated.....	185
10.3	Academic Institutions Evaluated	187
10.4	What to Do?.....	188
10.5	Is a Change in Policy to Be Expected?	190
	References	191
11	University Education as Welfare?.....	193
	<i>Roland Vaubel</i>	
11.1	What Are the Positive External Effects of a University Education?.....	193
11.2	Is the Current Subsidy to German Higher Education Optimal?.....	194
11.3	Efficient Redistribution?.....	197
11.4	Conclusion	199
	References	199
12	The Economics of Environmental Liability Law – A Dynamic View.....	201
	<i>Alfred Endres, Regina Bertram, Bianca Rundshagen</i>	
12.1	Introduction.....	201
12.2	The Social Optimum.....	204
12.3	Abatement and Investment Equilibria Under Liability Law	206
12.3.1	Strict Liability	206

Distortive Private Discounting.....	206
Welfare Comparison	207
12.3.2 Negligence	207
The Simple Negligence Rule	207
Distortive Private Discounting.....	209
Welfare Comparison	211
The Double Negligence Rule.....	212
Welfare Comparison	214
12.4 Summary and Welfare Implications	214
12.5 Example	215
12.6 Conclusions.....	217
References	219
13 On the Efficiency of a Public Insurance Monopoly: The Case of Housing Insurance in Switzerland	221
<i>Gebhard Kirchgässner</i>	
13.1 Introduction.....	221
13.2 The Empirical Evidence.....	227
13.3 Why Are the Cantonal Monopolies Cheaper?	232
13.4 Possible Reasons for Abolishing the Public Monopoly.....	235
13.5 Concluding Remarks.....	239
References	240
14 A Note on David Hansemann as a Precursor of Chadwick and Demsetz	243
<i>Bernhard Wieland</i>	
14.1 Introduction.....	243
14.2 Demsetz, Chadwick, and Hansemann.....	244
14.3 Biographical Sketch of Hansemann.....	249
14.4 Conclusion	253
References	254
15 ‘Stepping Stones’ and ‘Access Holidays’: The Fallacies of Regulatory Micro-Management	257
<i>Günter Knieps, Patrick Zenhäusern</i>	
15.1 Introduction.....	257
15.2 The Fallacies of Regulatorily Promoted Infrastructure Competition.....	260
15.2.1 Systematisation of Micro-Managed Regulation	260
Unbundling and the ‘Stepping Stones Hypothesis’	260
Regulation of Breather Permissions (‘Access Holidays’).....	262
15.2.2 A Critical Appraisal of Micro-Managed Regulation	263

- 15.2.3 Europe vs. United States: The Opposite Reform Process 267
- 15.3 Regulatory Reform Towards Rule-Based Regulation 270
 - 15.3.1 Monopolistic Bottlenecks and the Concept of ‘Essential Facilities’ 270
 - 15.3.2 Application of Regulatory Instruments to Monopolistic Bottlenecks 272
 - 15.3.3 Incentive Regulation of Access Charges 272
- 15.4 Recommendations on the EU Communications Reform Process 273
 - 15.4.1 Exploiting Further Phasing-Out Potentials of Sector-Specific Market Power Regulation 273
 - 15.4.2 Implementing Pragmatic ‘Double-’ and ‘Triple Play Tests’ 274
- Acknowledgments 275
- References 275
- List of Contributors 279**