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Tytuł pracy w języku polskim: Bogactwo czy dobrobyt – spór o kryterium normatywne w ramach ekonomicznej analizy prawa

Tytuł pracy w języku angielskim: Wealth versus welfare - a dispute over the normative criterion within the economic analysis of law

Rozprawa doktorska napisana pod kierunkiem prof. dr. hab. Wojciecha Załuskiego

Streszczenie pracy w języku angielskim

*The purpose of the paper is to investigate the dispute over the choice of a normative criterion for the economic analysis of law between the proponents of the wealth-maximization approach and the proponents of the welfare-maximization approach. The research issue presented in the paper is whether the differences between these approaches are deep enough to cause discrepancies in the results of the economic analysis under the two approaches of the same legal issues, or whether the dispute is purely theoretical and concerns only the choice of an appropriate definition of legal efficiency and how to justify, why legal efficiency should be pursued. The implementation of the research question consisted of a comparison of the title normative criterions on a theoretical level and an analysis of the application of normative criterions to four selected legal issues. In the course of implementing the research issue, seven specific hypotheses were verified, of which four were confirmed, two were refuted, and one gave rise to the formulation of a new hypothesis. The reaserch led to the conclusion that the dispute over the choice of the normative criterion for the economic analysis of law is not purely theoretical, and the results of the economic analysis of the same legal issues may differ depending on which normative criterion is used.*

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