

Great Debates In Company Law Palgrave Great Debates In Law

The legal regulation of company shares is a fundamental building block in a capitalist society. This insightful book provides an historical analysis of the phenomenon, investigating underlying policy issues and considering relevant aspects of current law to explore possible future trends. David Milman examines the phenomenon of the company share in a holistic way, tracing the origins of the share and exploring the diversity present within the family of shares. Using a comparative approach, key chapters consider the circumstances under which shares are acquired, the property law perspective relevant to shares and the rights and obligations of those who hold shares. The book concludes with speculation on how the share might evolve in the future in light of technological change and the development of other capital raising investments. This accessible book will provide valuable insight to scholars researching corporate law. It will also be beneficial for policymakers and practitioners wishing to understand more about the history of the company share, and how this may impact its future. Executives, investors, and the business press routinely chant the mantra that corporations are required to “maximize shareholder value.” In this pathbreaking book, renowned corporate expert Lynn Stout debunks the myth that corporate law mandates shareholder primacy. Stout shows how shareholder value thinking endangers not only investors but the rest of us as well, leading managers to focus myopically on short-term earnings; discouraging investment and innovation; harming employees, customers, and communities; and causing companies to indulge in reckless, sociopathic, and irresponsible behaviors. And she looks at new models of corporate purpose that better serve the needs of investors, corporations, and society.

Great Debates in Law is an evolving series offering engaging and thoughtful introductions to the more advanced concepts, written by authors who are amongst the foremost thinkers in their field. They are designed to provide a cutting edge for students who are looking to gain additional insights with which to excel. The series looks to go beyond what is covered in the main textbooks, presenting the key tensions and questions underlying a subject, setting legal developments in their philosophical and cultural context and exploring the issues as matters of current debate. The text draws upon the work of leading figures to elucidate the concepts addressed, illustrating how a subject has developed in the way that it has, and why.

This is a compilation of the most significant debates that have taken place in US history as conducted by the country's most brilliant statesmen. It includes introductory essays by many academics and is intended for any one with an interest in politics and the US.

This book explores the role of theory and research in criminology. Adopting a unique and refreshing approach to criminological theory, this book focuses on the

great debates in criminology from its inception as a field to the present day. It explores the debates that have motivated criminological thought, that have represented turning points in theoretical and empirical trajectories, that have offered mini-paradigm shifts, and that have moved the field forward. Coverage includes: Classical Debates, including the work of Lombroso, Durkheim and Sutherland, Sociological vs. psychological debates in criminology, Control theory and cultural deviance theory, Criminal career and trait-based theory, Theory testing in criminology, Critical theories in criminology, Debates on the state of criminology and criminal justice, Policy issues in criminology. Each chapter explores several key debates, summarizes key points, and offers a discussion of its current empirical status. This book is novel in emphasising the role of debate in criminology and offering an enlightening synthesis of theorists and their perspectives. It is essential reading for students taking courses on criminological theory and teachers of those theories. A companion website will include a sample syllabus, PowerPoint lecture slides, examples of assignments, and a test bank with sample exams for instructors, and video and website links, a glossary of important terms, audio content, and study guides for students.

An engaging introduction to the more advanced writings on property law, designed to provide the additional insights necessary to excel in the study of the subject.

As corporate states join the universe of nation states, the challenge of securing both corporate social responsibility and accountability becomes one of the core challenges facing the social and legal order. Bryan Horrigan's masterly, comprehensive account of this protean subject offers an assured guide for future thought and action. Paul Redmond, Professor, University of Technology, Sydney, Australia CSR continues to be one of the most important aspects of business in the global economy receiving much attention from business managers, government leaders and academics. While continuing to increase in prominence, there are many aspects and many approaches evolving in this global phenomenon. In this book Horrigan provides the most complete interdisciplinary analysis of these perspectives yet undertaken combining theoretical insights with practical examples while pointing the way forward towards future developments. David Crowther, Professor, De Montfort University, UK and Social Responsibility Research Network In this book Professor Horrigan brings together the many facets of, and perspectives on, the concept [of CSR]. . . and he places them in the context of the development of thought in the crossover from the 20th to the 21st century. . . I doubt whether such an ambitious and comprehensive account of the concept has been previously attempted. There is no doubt that it is a hugely important subject in today's world; and one which will not go away. I believe that the book will be valuable to all who need to deal with this issue, whether as government officials, regulators, businessmen, lawyers, academics, media commentators or concerned citizens. The Right Honourable Lord Butler of Brockwell KG, GCB, CVO, was Secretary of the United Kingdom Cabinet and

Head of the Home Civil Service from 1988 to 1998. 1998 2008 Master of University College Oxford and a Non-Executive Director of ICI plc and of HSBC Holdings, also Chairman of the Board's Corporate Social Responsibility Committee This timely and thorough book offers one of the most wide-ranging, inter-disciplinary, and cross-jurisdictional analyses of corporate social responsibility so far in the 21st century. Professor Bryan Horrigan spans subjects as diverse and topical as global corporate responsibility and governance debates, practical guidelines for responsible businesses and their professional advisers, governmental roles in corporate social responsibility, corporations and human rights, and the new era of enlightened shareholder value . He also highlights an emerging transnational and comparative body of law, regulation, and practice on corporate social responsibility. Illustrated throughout with meaningful controversies and examples, the book also highlights the major recent global developments in corporate social responsibility already this century, focusing especially on Europe, the UK, North America, and Australasia, and charting its future regulatory and research directions worldwide. The book's scholarly foundation, up-to-date coverage, and accessible style will appeal particularly to academic researchers and students of corporate social responsibility in the fields of law, business, management, economics, and political science in a number of countries. It will also be of great interest and use to those whose work involves corporate social responsibility within government, business, and civil society.

A compelling collection of essays by female scholars examining the relationships between sustainability, corporations and the role of gender.

Q. Who should take the lead in fixing market capitalism? A. Business—not government alone. The spread of capitalism worldwide has made people wealthier than ever before. But capitalism's future is far from assured.

Pandemics, income inequality, resource depletion, mass migrations from poor to rich countries, religious fundamentalism, the misuse of social media, and cyberattacks—these are just a few of the threats to continuing prosperity that we see dominating the headlines every day. How can capitalism be sustained? And who should spearhead the effort? Critics turn to government. In their groundbreaking book, *Capitalism at Risk*, Harvard Business School professors Joseph Bower, Herman Leonard, and Lynn Paine argue that while robust governments must play a role, leadership by business is essential. For enterprising companies—whether large multinationals, established regional players, or small startups—the current threats to market capitalism present important opportunities. In this updated and expanded edition of *Capitalism at Risk*, Bower, Leonard, and Paine set forth a renewed and more urgent call to action. With three additional chapters and a new preface, the authors explain how the eleven original disruptors of the global market system clash with the digital age, and they provide lessons on how to take action. Presenting examples of companies already making a difference, Bower, Leonard, and Paine show how

business must serve both as innovator and activist—developing corporate strategies that effect change at the community, national, and international levels. Filled with rich insights, this new edition of *Capitalism at Risk* presents a compelling and constructive vision for the future of market capitalism.

For more than two centuries, our political life has been divided between a party of progress and a party of conservation. In *The Great Debate*, Yuval Levin explores the origins of the left/right divide in America by examining the views of the men who best represent each side of that debate: Edmund Burke and Thomas Paine. In a groundbreaking exploration of the roots of our political order, Levin shows that American partisanship originated in the debates over the French Revolution, fueled by the fiery rhetoric of these ideological titans. Levin masterfully shows how Burke and Paine's differing views continue to shape our current political discourse—on issues ranging from gun control and abortion to welfare and economic reform. Essential reading for anyone seeking to understand Washington's often acrimonious rifts, *The Great Debate* offers a profound examination of what conservatism, liberalism, and the debate between them truly amount to.

An engaging introduction to the more advanced writings on family law, designed to provide the additional insights necessary to excel in the study of the subject. The second edition of *Critical Company Law* provides a framework in which to understand how the company functions in society and a thorough grounding in modern legal doctrine. It shows how modern company law is shaped by a multi-layered history of politics, ideology, economics and power. Through the lens of political economic theory the book shows how the company becomes the mechanism through which the state makes political choices about distributing societies' wealth and through which it responds to economic crises. The current law reflects an economy marked by a disjuncture between the low profits of the productive economy and the high profits of the finance economy. *Critical Company Law* examines areas of company law to show how they reflect a fragile economy inexorably drawn to social and economic inequality and short-termism. These include:

- The Doctrine of Separate Corporate Personality
- Groups of Companies and Tort Liabilities
- Company Formation and the Constitution
- Directors' Duties and Authority
- Corporate Capacity
- Shares and Shareholders
- Raising and Maintaining Capital
- Minority Protection

In this uniquely hybrid book the legal topics are treated with detail and clarity, providing an engaging introduction to the key topics required for a student of company law.

This textbook is an ambitious and engaging introduction to the more advanced writings on medical law and ethics, primarily designed to allow students to 'get under the skin' of the topic and begin to build their critical thinking and analysis skills. Each chapter is structured around key questions and debates that provoke deeper thought and, ultimately, a clearer understanding. The aim of the book is not to present a complete overview of theoretical issues in medical law and ethics, but rather to illustrate the current debates which are currently going on among those working in and shaping the

area. The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading. A perfect book for students taking a module in medical law, or for those wanting to deepen their knowledge. New to this Edition: - The Supreme Court decision in *Montgomery* receives extensive discussion and analysis - Recent developments on the best interests test under the Mental Capacity Act are explored - The latest case law on end of life decision making is set out - Debates over whether abortion should be decriminalised are examined - The Charlie Gard case is considered

Contemporary Australian Corporate Law is a highly-regarded introduction to corporate law in Australia that provides an authoritative, contextual and critical analysis of the law governing Australian corporations and financial markets. It explores the rules, principles, doctrines and policies that constitute corporate law in Australia within their legal, social, economic and political contexts. Clearly and precisely written, this edition has been thoroughly updated and refined to reflect current Australian corporate law, including recent case law, changes to the Corporations Act 2011 and the impact on the corporate sector of the Financial Services Royal Commission. Written by leading legal scholars, Contemporary Australian Corporate Law will assist students to develop a critically informed understanding of corporate law and the role of corporations in contemporary society.

An engaging introduction to some of the more advanced concepts in Company Law and corporate governance, providing a cutting edge for students who are looking to gain additional insights with which to excel. Readers are introduced to the many debates surrounding each core area and presented with the key tensions and questions underlying each topic.

A new and retitled edition of Great Debates in Property Law, this is an engaging introduction to the more advanced writings on property law, designed to provide the additional insights necessary to excel in the study of the subject. Includes new material on e-conveyancing, and the impact of the global financial crisis and austerity politics. Unlocking Company Law is the ideal resource for learning and revising Company Law. This 4th edition has been extensively updated, and this, along with its many pedagogical features, makes it the ideal companion for students studying Company Law. Each chapter in the book contains: • aims and objectives; • activities such as self-test questions; • charts of key facts to consolidate your knowledge; • diagrams to aid memory and understanding; • prominently displayed cases and judgments; • chapter summaries; • essay questions with answer plans. In addition, the book features a glossary of legal terminology, making the law more accessible.

This textbook is an ambitious and engaging introduction to the more advanced writings on Jurisprudence, primarily designed to allow students to 'get under the skin' of the topic and begin to build their critical thinking and analysis skills. Each chapter is structured around key questions and debates that provoke deeper thought and, ultimately, a clearer understanding. The aim of the book is therefore not to present a complete overview of theoretical issues in Jurisprudence, but rather to illustrate the current debates which are currently going on among those working in shaping the area. The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading. A perfect book for students taking a module in jurisprudence, or for those wanting to deepen their knowledge. New to this

Edition: - New debates on the nature and legitimacy of global justice, and the binding force of precedent. - Incorporates discussion of new contributions to jurisprudential writing by Mark Greenberg, Scott Hershowitz, David Howarth and Shona Stark, Matthew Kramer, Frederick Schauer, and Jeremy Waldron. - Includes substantially revised chapters on 'The nature of jurisprudence' and 'Morality and rights'

This textbook is an introduction to more advanced writings on criminal law, primarily designed to allow students to think critically and analyse specific topics. Each chapter is structured around key questions and debates that provoke deeper thought. It asks questions such as: Why do we have the laws that we have? Could the criminal law look differently? How should the law be applied to novel situations? Does the law in fact reflect prejudices? The aim of the book is not to present a complete overview of theoretical issues in criminal law, but rather to illustrate the current debates among those working in shaping the area. The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading. New to this Edition: - A new debate on the law on body modification - Fresh discussion of the law on dishonesty - Important new case law on causation - Detailed discussion of developments on the law on accessory - Significant developments on the law on sexual offences

Great Debates in Law is an evolving series of engaging and thoughtful introductions to more the advanced concepts, written by authors who are amongst the foremost thinkers in their field. The series focuses on the key tensions and questions underlying a subject, setting legal developments in their philosophical and cultural context and exploring the issues as matters of current debate. Going beyond what is covered in the main textbooks, the series provides a cutting edge for students who are looking to gain additional insights with which to excel. An engaging introduction to some of the more advanced concepts in Equity and Trusts, providing a cutting edge for students who are looking to gain additional insights with which to excel. Illuminated throughout with discussion of the specific issues which reveal the practical significance of different theoretical positions.

An engaging introduction to the more advanced writings on criminal law, designed to provide the additional insights necessary to excel in the study of the subject.

This collection offers a powerful and coherent study of the transformation of the multinational enterprise as both an object and subject of law within and beyond States. The study develops an analysis of the large firm as being a system of organization exercising vast powers through various instruments of private law, such as property rights, contracts and corporations. The volume focuses on the firm as the operational unit of governance within emerging systems of globalization, whilst exploring in-depth the forms within which the firm might be regulated as against the inhibiting parameters of national law. It connects, through the ordering concept of the firm in globalization, the distinct regimes of constitutionalization, national and international law. The study will be of interest to students and academics in globalization and the regulation of multinational corporations, as well as law, economics and politics on a global scale. It will also interest government leaders and NGOs working in the areas of MNE regulations.

What is the purpose of the company and its role in society? From their origin in medieval times to their modern incarnation as powerful transnational bodies, companies remain an important part of business and society at large. Drawing from a variety of perspectives, this book adopts a normative approach to understanding the modern company and provides insights into how companies should be conceptualized. It considers key topics such as the development of corporate theory, the rights and obligations of the company, and the means and ends of corporate governance. Written by leading experts of different jurisdictions, this book provides important international viewpoints on some of the most pressing corporate governance questions.

Currently, there exists a distrust of corporate activity in the continuing aftermath of the financial crisis and with increasing recognition of the threats of climate change and global, as well as national, inequalities. Despite efforts in the arena of corporate governance to address these, we are still beset with corporate scandals and witness companies facing large fines for their environmental and cost-cutting misdemeanours. Recognising that the usual responses to dealing with these corporate problems are not effective, this book asks whether the traditional form of the joint stock corporation itself lies at the heart of these problems. What are the features of the corporate form and how does its current regulation underscore these problems? Identifying such features provides a basis for the discussion to develop towards suggesting more progressive regulatory developments around the corporate form. More fundamentally, this book investigates a diverse range of corporate governance models that are emerging as alternatives to the shareholder corporation, including employee-owned, cooperative and social enterprises. The contributors are leading scholars from various backgrounds including law, management and organisation studies, finance and accounting, as well as experienced professionals and policy makers with expertise in social and cooperative business models and the role of employees in the corporation.

The first textbook to consider gender perspectives in relation to the whole undergraduate law curriculum in England and Wales. Gender is of central importance in every area of law and every area of people's lives but is rarely mentioned in the formal LLB syllabus; this book is designed to fill some of those gaps. 18 chapters, written by experts in the field, cover all the core modules on the English LLB together with 11 of the most popular options. Aimed at students and lecturers on undergraduate and postgraduate Gender and Law modules, the book will also be useful for all LLB and LLM students studying English law, who may use it to accompany their studies from their first to their final year, and also for prospective law students, legal scholars from outside England and Wales, and scholars in other disciplines.

The history of incorporations legislation and its administration is intimately tied to changes in social beliefs in respect to the role and purpose of the corporation. By studying the evolution of the corporate form in Britain and a number of its colonial possessions, the book illuminates debates on key concepts including the meanings of *laissez faire*, freedom of commerce, the notion of corporate responsibility and the role of the state in the regulation of business. In doing so, *A Social History of Company Law* advances our understanding of the shape, effectiveness and deficiencies of modern regulatory regimes, and will be of much interest to a wide circle of scholars.

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