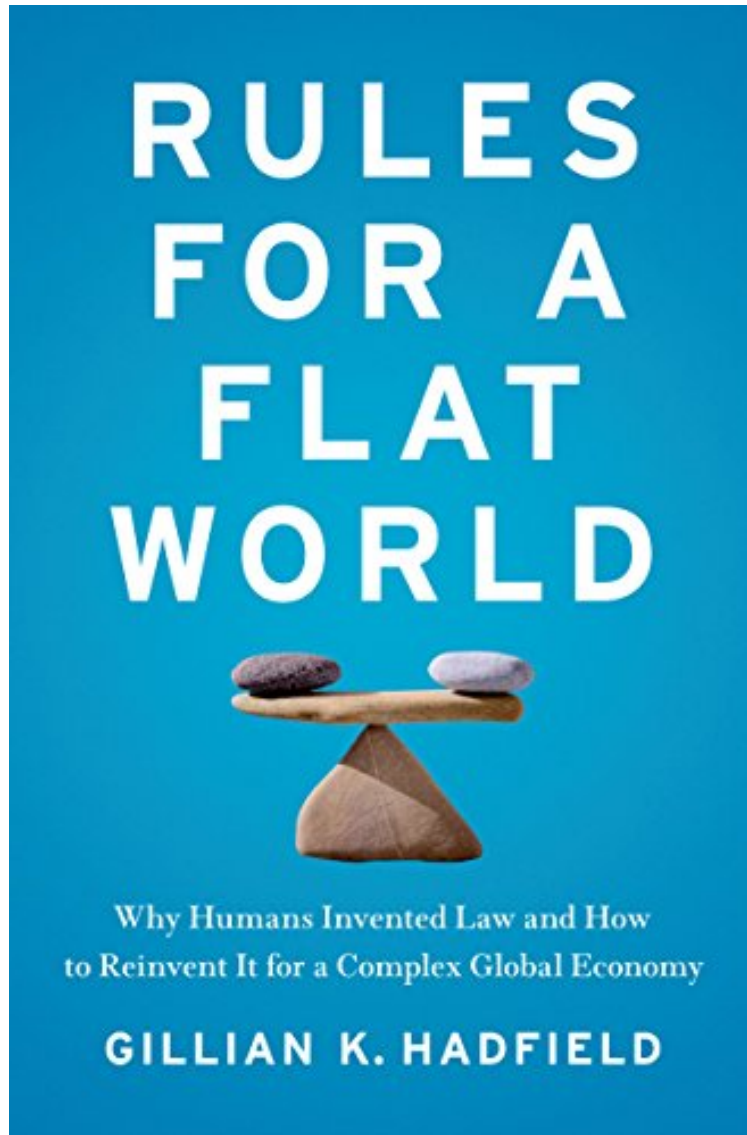


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Rules for a Flat World: Why Humans Invented Law and How to Reinvent It for a Complex Global Economy

Gillian Hadfield

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Gillian Hadfield : Rules for a Flat World: Why Humans Invented Law and How to Reinvent It for a Complex Global Economy before purchasing it in order to gage whether or not it would be worth my time, and all praised Rules for a Flat World: Why Humans Invented Law and How to Reinvent It for a Complex Global Economy:

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Kevin Really enjoying her hypothesis and the examples she uses to illustrate her points. Required reading for my Contracts course, but very much enjoying it. 3 of 4 people found the following review helpful. Brilliant in its historical sweep and contemporary implications for the rule of law in both developed and developing countries. 2 of 2 people found the following review helpful. **TIME TO MOVE PAST LAWYERS** By C. B. McCarthy This ambitious book is really three books in one: Part I: a return to first principles in order to consider what a legal system is good for, with a lot of anthropological examples to demonstrate basic concepts; Part II: an analysis regarding the structural shortcomings of the present market for legal services, with a historical explanation of how we got to be that way, plus suggestions on what needs to change, using a markets-driven approach; and Part III: an investigation into "access to justice" issues that fail to be addressed by current legal systems, with some examples of innovation. The point of Part I is that "law" is a way in which governments provide, among other things, the mundane rules to support economic life - giving individuals and firms the ability to protect property, get compensated for work and investments, hold sellers of goods and services accountable for the standards of quality they advertised, allow reasonable access to credit and insurance, etc. Importantly, there is a chicken-and-egg effect: without such legal infrastructure in place, it is difficult to generate the wealth required to sustain a strong and responsible government in the first place. The problem is that as economic activity evolves, governments have fallen behind in continuing to create usable legal infrastructure subject to politically accountable oversight. Part II explains how the provision of legal services in the United States became a "closed loop" that, by its fundamental structure, now stifles the necessary innovation and risk taking which characterizes improvements in other areas of society and the economy. She covers court oversight of legal services despite courts having woefully inadequate resources, the protectionist ways in which legal ethical rules prevent collaboration between lawyers and technology providers, etc. Hadfield's basic narrative is that the American Bar Association during the industrial age managed to vest lawyers and courts alone with the power to regulate how legal services are provided, and now we need to unbundle that structure because it can no longer address fundamental problems such as improper pricing, too much complexity and lack of fairness. Her proposed course out of this current quandary is market driven, because markets are an essential tool for innovation. Despite this free market creed, she nevertheless highlights the imperative of governments to ensure that systems are politically accountable. Currently, the legal service industry lacks diversity of thought, lack of appropriate feedback for the service providers, and lack of risk-taking opportunity. Which leads to her great question: "WHERE ARE THE GARAGE GUYS IN LAW"?? Answer: nowhere, because of the structural limitations that she ably describes. (Every "legal tech" entrepreneur should at least read this section of her book, to grasp the institutional rigidity of the legal profession that they're up against.) Part III is called Global Legal Innovation. It seems to meld access to justice issues, insofar as she talks a lot about lack of legal rights and services for people socioeconomically at the Bottom of the Pyramid (BOP), with a lot of discussion of cross-border and international defining of rights in a globalized world. Her conclusion includes prescriptions about what needs to change: (1) Change the conversation - so that building an appropriate legal infrastructure for the 21st century rises in priority to other big issues such as climate change and disease eradication; (2) DON'T LEAVE IT TO THE LAWYERS - because their closed loop (of standard education, group-think, lack of external feedback, etc.) makes them now uniquely unhelpful in leading necessary change; (3) Change the rules - which essentially means that legal policy is the same as economic policy; (4) Catalyze and fund research on these topics, rather than focus on the navel-gazing and self-referential "professional" topics studied by most law schools; (5) Invest in legal Innovation - for example we need things like tech-driven solutions for specific legal services, new tech-driven regulatory systems provided by third party service providers, and tech-driven legal infrastructure generally. Overall this is an impressive book. It attempts to bring together the very disparate yet necessary lines of thinking into one comprehensive look at how we might rethink the making of laws and rules. It also explores the strands of thought needed in order to rethink the services being offered to allow individuals and firms benefit from those rules.

The ground is shifting beneath our feet. Technology and globalization continue to uproot and reshape daily life and economics. Global supply chains are growing more deeply embedded in every region of the world. Digital platforms connect billions around the planet in ever more complex networks of data and exchange. In 2005, Thomas Friedman reduced these phenomena to one phrase, the title of his massively successful book: *The World is Flat*. The flat world is one of tremendous possibility, but it also poses new challenges to stability and shared prosperity. How will we come up with the new rules we need to make sure we continue to innovate and grow but also become a fairer, safer, and more inclusive global community? Law and economics professor Gillian K. Hadfield picks up where Friedman's book left off, peeling back the technological layer to look at the rule systems that guide global integration-our legal infrastructure-and argues that our existing approaches to making rules are no longer working. They are not only too slow, costly, and localized for increasingly complex advanced economies. Our rules also fail to address looming challenges such as poverty, instability, and oppression for the four billion living in poor and developing countries, largely outside of any formal legal framework. Following a rich and sweeping overview of the long-term evolution of

social rules that made complex human societies and economic interdependence possible, Hadfield makes the case for building a more agile market-based and globally-oriented legal infrastructure. Combining an impressive grasp of contemporary economic globalization with an ambitious re-envisioning of our global legal system, *Rules for a Flat World* will transform our understanding of how to best achieve a more sustainable and vibrant global economy.

"Impassioned, compelling, highly readable book" -Peter J. Leithart, *First Things*; "We give far too little thought to how our institutions work and whether they are doing their job in the midst of rapid social and technological change. This book is a treasure trove of fresh thinking on these deep topics." -Steven Pinker, Johnstone Professor of Psychology, Harvard University, and author of *The Better Angels of Our Nature*; "A rare book: both an advocacy charter for a more rational and inclusive legal system and a scholarly tome that tells the story of law...a most absorbing read." -Kaushik Basu, Chief Economist and Senior Vice President, *World Bank*; "A thoughtful and thought-provoking look at one of the compelling questions of our time: in the face of massive changes to commerce, culture, and community, can our legal systems and infrastructure adapt to keep pace with the change? . . . Engagingly written, I highly recommend this book to lawyers, business people, and all of us who are caught up in the arc of global change." -Bruce Sewell, *Senior Vice President and General Counsel, Apple*; "Technology is putting stress on laws that were developed primarily for the industrial revolution. In this fantastic book, Hadfield shows how we got where we are, and demonstrates how markets can help build better law. This book is an essential and delightful read for anyone interested in economics, politics, international relations, the impact of technology on people, and, of course, law." -R. Preston McAfee, *Chief Economist, Microsoft*; "At once an education and a manifesto. Drawing on economics, jurisprudence and legal history, Hadfield argues with authority that our legal institutions are out of step with advances in the digital world." -Richard Susskind, *co-author of The Future of the Professions*; "In this engrossing book, Hadfield takes us from Athens to modern times to help set the stage for dealing with the kinds of legal complexities we are now starting to encounter, such as autonomous vehicles governed by machine learning algorithms or cloud computing that crosses so many international boundaries that governance issues become almost unfathomable. A fascinating book for fascinating times." -John Seely Brown, *former Chief Scientist Xerox and Director Xerox PARC*; "Gillian Hadfield brings uncommon clarity, reach, and depth to her analysis of these trends and their causes. Her important book will open the reader's eyes to the legal challenges shaping all the major economies of the world." -Shane Greenstein, *Harvard Business School*; and author of *How the Internet Became Commercial*; "A tour de force from an omnivorous intellect." -Colin Rule, *Founder and COO, Modria.com*; "I never expected I would say about a book on the legal system, 'I couldn't put it down.'" -Mark Chandler, *Senior Vice President and General Counsel Cisco Systems*
About the Author Gillian Hadfield is the Daniel R. Fischel and Sylvia M. Neil Distinguished Visiting Professor of Law at the University of Chicago, and the Richard L. and Antoinette Kirtland Professor of Law and Professor of Economics at the University of Southern California. She is the Director of the USC Center for Law and Social Science, and is a member of the Global Future Council on the Future of Technology, Values and Policy for the World Economic Forum.