Robert E. Scott Publications

**Books and Book Chapters**

(with Mitu Gulati)

CONTRACT LAW AND THEORY, LexisNexis, 5th ed. 2013
(with Jody S. Kraus)

FOUNDATIONS OF COMMERCIAL LAW, Foundation Press 2010
(with George G. Triantis)


PAYMENT SYSTEMS AND CREDIT INSTRUMENTS, Foundation Press, 2nd ed. 2007
(with Clayton P. Gillette and Alan Schwartz)

THE LIMITS OF LEVIATHAN -- CONTRACT THEORY AND THE ENFORCEMENT OF INTERNATIONAL LAW, Cambridge Univ. Press, 2006
(with Paul B. Stephan)


(with Elizabeth S. Scott).

(with Douglas L. Leslie)
COMMERCIAL TRANSACTIONS: PRINCIPLES AND POLICIES, Foundation Press, 2d ed. 1991
(with Alan Schwartz)

SALES LAW AND THE CONTRACTING PROCESS, Foundation Press, 2d. ed. 1991
(with Alan Schwartz)

Articles

(Boden Memorial Lecture)

Third Party Beneficiaries and Contractual Networks, 7 J. Legal Analysis 325 (2015)
(with Alan Schwartz)

(with Darius Palia)

(with Elizabeth S. Scott)

Text and Context: Contract Interpretation as Contract Design, 100 Cornell L. Rev. 23 (2014)
(with Ronald J. Gilson & Charles F. Sabel)

(with Ronald J. Gilson & Charles F. Sabel)

(with Mark Weidenmaier & Mitu Gulati)

Braiding: The Interaction of Formal and Informal Contracting in Theory, Practice and Doctrine 110 Colum. L. Rev. 1377 (2011)
(With Ronald J. Gilson & Charles F. Sabel)

Rethinking the Good Faith Purchase, 111 Colum. L. Rev 1332 (2011)
(with Alan Schwartz)

Contract Interpretation Redux, 119 Yale L. J. 926 (2010)
(with Alan Schwartz)

(with Jody S. Kraus)


(with Ronald Gilson and Charles Sabel)

(with Alan Schwartz)

Precontractual Liability and Preliminary Agreements, 120 Harv. L. Rev. 661 (2007)
(with Alan Schwartz)


(with George G. Triantis)

(essay with George G. Triantis)

(with Clayton P. Gillette)

Embedded Options and the Case Against Compensation in Contract Law, 104 Colum. L. Rev. 1428 (2004)
(with George G. Triantis)

(Wright Memorial Lecture)

Self-Enforcing International Agreements and the Limits of Coercion, 2004 Wis. L. Rev. 551(with Paul B. Stephan)


Rethinking the Default Rule Project, 6 Va. J. 84 (2003) (essay)

The Rise and Fall of Article 2, 63 La. L. Rev. 1109 (2002) (Hawkland Symposium)

Is Article 2 the Best We Can Do?, 52 Hastings L. J. 677 (2001) (essay)

The Limits of Behavioral Theories of Law and Social Norms, 86 Va. L. Rev. 1603 (2000)


Marriage as Relational Contract, 84 Va. L. Rev. 1225 (1998) (with Elizabeth S. Scott)

The Truth About Secured Financing, 82 Cornell L. Rev. 1436 (1997)


The Mythology of Article 9, 79 Minn. L. Rev. 853 (1995) (comment)

The Politics of Article 9, 80 Va. L. Rev. 1783 (1994)


The Case for Market Damages: Revisiting the Lost Profits Puzzle, 57 U. Chi. L. Rev. 1155 (1990)

Sharing the Risks of Bankruptcy: Timbers, Ahlers and Beyond, 1989 Colum. Bus. L. Rev. 183

Rethinking the Regulation of Coercive Creditor Remedies, 89 Colum. L. Rev. 730 (1989)

(with Thomas H. Jackson)


A Relational Theory of Secured Financing, 86 Colum. L. Rev. 901 (1986)


(with Charles J. Goetz)

(with Charles J. Goetz)

(with Charles J. Goetz)

Enforcing Promises: An Examination of the Basis of Contract, 89 Yale L.J. 1261 (1980) (with Charles J. Goetz)

(with Charles J. Goetz)

(with Charles J. Goetz)

(with Diane M. Strictland)


Work in Progress


Contractual Arbitrage, forthcoming in Oxford Handbook of International Governance (2016) (with Steven Choi & Mitu Gulati)

The Cost of Encrusted Contract Terms (with Steven Choi & Mitu Gulati)

Spiderless Networks (with Ariel Porat)