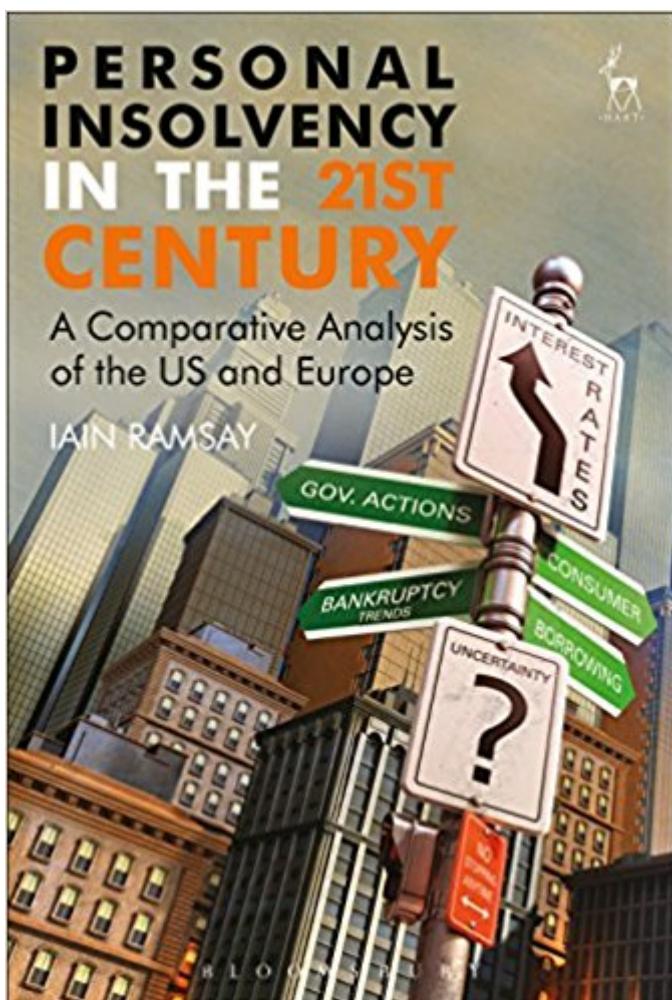


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Personal Insolvency In The 21st Century: A Comparative Analysis Of The US And Europe



Synopsis

Since 1979, the world has witnessed a remarkable cycle of individual bankruptcy law reform. Changes in capitalist economies, financial crises, and political interest groups all contributed to this cycle of reform. Differences exist between European systems in terms of access criteria, institutional frameworks, financing and discharge conditions. What explains these differences within Europe and those between Europe and the US? This book draws on insights from historical institutionalism to illustrate the role of timing, path dependency and unintended consequences in the development of individual bankruptcy law. Included here are case studies of individual bankruptcy law in the US, France, Sweden, and England and Wales. Author Iain Ramsey analyzes how, following the Great Recession of 2008, international financial institutions identified the significance of household debt and individual bankruptcy for financial architecture. The EU imposed individual bankruptcy reform on certain Member States, and proposed bankruptcy harmonization to promote individual entrepreneurialism. This book examines the likelihood of greater convergence on an EU individual bankruptcy paradigm, and how this fits conceptions of neo-liberalism and the social market. Also discussed is whether the international emergence of individual bankruptcy law represents a progressive step or a band-aid for the costs of neo-liberal policies, where a significant number of people live close to the precipice of over-indebtedness. [Subject: Banking & Finance Law, Comparative Law, Consumer Law]

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Iain Ramsay is Professor of Law at the University of Kent.

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