

## The financial crisis in constitutional perspective : the dark side of functional differentiation

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### Abstrak

"This volume presents the first thorough sociologically-informed legal analysis of the financial crisis which unfolded in 2008. It combines a multitude of theoretically informed analyses of the causes, dynamics and reactions to the crisis and contextualises these within the general structural transformations characterising contemporary society. It furthermore explores the constitutional implications of the crisis and suggests concrete changes to the constitutional set-up of contemporary society. Although the question of individual responsibility is of crucial importance, the central idea animating the volume is that the crisis cannot be reduced to a mere failure of risk perception and management for which individual and collective actors within and outside of financial organisations are responsible. The 2008 crisis should rather be understood as a symptom of far deeper structural transformations. For example contemporary society is characterised by massive accelerations in the speed with which societal processes are reproduced as well as radical expansions in the level of globalisation. These transformations have, however, been asymmetrical in nature insofar as the economic system has outpaced its legal and political counterparts. The future capability of legal and political systems to influence economic reproduction processes is therefore conditioned by equally radical transformations of their respective operational forms and self-understanding. Potentially the 2008 crisis, therefore, has far-reaching constitutional implications"--Provided by publisher.

### Contents

Constitutional moment? The logics of 'hitting the bottom' /&#8203; Gunther Teubner

Towards a general theory of function system crises /&#8203; Rudolf Stichweh

Financial market crisis : a case of network failure? /&#8203; Karl-Heinz Ladeur

Death by complexity : the financial crisis and the crisis of law in world society /&#8203; Moritz Renner

Political epidemiology and the financial crisis /&#8203; Urs Stäheli

Return of crisis /&#8203; Hauke Brunkhorst

Culture form of crisis /&#8203; Dirk Baecker

What is a crisis? /&#8203; Jean Clam

Eroding boundaries : on financial crisis and an evolutionary concept of regulatory reform /&#8203; Marc Amstutz

Failure of regulatory institutions : a conceptual framework /&#8203; Alberto Febbrajo

Struggles for law : global social rights as an alternative t financial market capitalism /&#8203; Kolja Möller

Ethics of the financial crisis /&#8203; Aldo Mascareño

Future of the state /&#8203; Chris Thornhill

Law and order within and beyond national configurations /&#8203; Poul F. Kjaer.