PHILIP A. WALLACH

LEGALITY, LEGITIMACY,
AND THE RESPONSES
TO THE 2008
FINANCIAL CRISIS

TO THE EDGE

To The Edge Legality Legitimacy And The Responses To The 2008 Financial Crisis

Robin Geiß,Nils Melzer

To The Edge Legality Legitimacy And The Responses To The 2008 Financial Crisis:

To the Edge Philip A. Wallach,2015-04-21 Were the radical steps taken by the Treasury Department and Federal Reserve to avert the financial crisis legal When and why did political elites and the general public question the legitimacy of the government s responses to the crisis In To The Edge Legality Legitimacy and the Responses to the 2008 Financial Crisis Philip Wallach chronicles and examines the legal and political controversies surrounding the government s responses to the recent financial crisis The economic devastation left behind is well known but some allege that even more lasting harm was inflicted on America s rule of law tradition and government legitimacy by the ambitious attempts to limit the fallout In probing these claims Wallach offers a searching inquiry into the meaning of the rule of law during crises The book provides a detailed analysis of the policies undertaken from the rescue of Bear Stearns in March 2008 through the tumultuous events of September 2008 the passage of the TARP and its broad usage the alphabet soup of emergency Federal Reserve programs the bankruptcies of Chrysler and GM and the extended public ownership of AIG Fannie Mae and Freddie Mac Throughout Wallach probes the legal bases of the government s actions and explores why concerns about the legitimacy of government actions were only sporadically grounded in concerns about legality and sometimes ran directly against them The public s sense that government officials operated through ad hoc responses that favored powerful interests has helped bring the legitimacy of American governmental institutions to historic lows Wallach s book recommends constructive and sensible reforms policymakers should take to ensure accountability and legitimacy before the government faces another crisis

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reforms policymakers should take to ensure accountability and legitimacy before the government faces another crisis

Market Rules Mark H. Rose,2018-12-28 Although most Americans attribute shifting practices in the financial industry to the invisible hand of the market Mark H Rose reveals the degree to which presidents legislators regulators and even bankers themselves have long taken an active interest in regulating the industry In 1971 members of Richard Nixon s Commission on Financial Structure and Regulation described the banks they sought to create as supermarkets Analogous to the twentieth century model of a store at which Americans could buy everything from soft drinks to fresh produce supermarket banks would accept deposits make loans sell insurance guide mergers and acquisitions and underwrite stock and bond issues The supermarket bank presented a radical departure from the financial industry as it stood composed as it was of local savings and loans commercial banks investment banks mutual funds and insurance firms Over the next four decades through a process Rose describes as grinding politics supermarket banks became the guiding model of the financial industry As the banking industry consolidated it grew too large while remaining too fragmented and unwieldy for politicians to regulate and for regulators to understand until in 2008 those supermarket banks such as Citigroup needed federal help to survive and prosper once again Rose explains the history of the financial industry as a story of individuals some well known like Presidents Kennedy Carter Reagan and Clinton Treasury Secretaries Donald Regan and Timothy Geithner and JP Morgan CEO Jamie Dimon and some less so though equally influential such as Kennedy s Comptroller of the Currency James J Saxon Citicorp CEO Walter Wriston and Bank of America CEOs Hugh McColl and Kenneth Lewis Rose traces the evolution of supermarket banks from the early days of the Kennedy administration through the financial crisis of 2008 and up to the Trump administration s attempts to modify bank rules Deeply researched and accessibly written Market Rules demystifies the major trends in the banking industry and brings financial policy to life *The Governance of Macroprudential Policy* Tracy C Maguze,2024-01-11 This book critically examines the theoretical foundations and legal framework for macroprudential policy its tools and governance in the UK the US and the EU It goes deeper into a normative discussion of the legitimacy of macroprudential policy in these jurisdictions where the mandate for maintaining financial stability has been delegated to independent authorities The Global Financial Crisis of 2007 2008 reopened debates regarding legitimacy of the independent regulatory state given its democratic deficit The response to a perceived legitimacy gap has been to increase political oversight in financial policymaking and regulation The book posits that the real problem is not a lack of democracy but rather a lack of social justice Across the globe there is growing dissatisfaction with a financial system and regulatory process that appear depersonalised and perpetuate inequalities Citizens are calling for more socially just systems of governance and the future success of financial policymakers and regulators will hinge on this Given the marked distributional effects that have been noted in some macroprudential policy tools the book questions whether macroprudential policy should be solely based on highly rationalised and strongly quantitative reasons By proposing that macroprudential policymakers should have a social justice mandate alongside their financial stability mandate as well as legal mechanisms for operationalising the added authority the book contributes to the growing discourse on the role of social justice in public policy **Nothing Is Too Big to Fail** Kerry Killinger,Linda Killinger,2021-03-23 No institution government or country is too big to fail A behind the scenes account of what led to the 2008 crisis and may soon lead to a bigger one Written by two bank executives with firsthand experience of several financial crises Nothing is Too Big to Fail holds a stiff warning about the future of finance and social justice revealing how the US government s fiscal and monetary policies are creating asset and debt bubbles that could burst at any time The COVID 19 pandemic is just one of many risks that could derail our highly leveraged and fragile economic system The authors also tell how government actions and an unregulated shadow banking system are leading to inequitable distribution of wealth destroying the middle class reducing trust in government and accelerating racial injustice No institution government or country is too big to fail This book offers lessons learned from past crises and recommended actions for business and government leaders to take today to return our economic system and our democracy to a safer trajectory **Banking Bailout Law** Virág Blazsek,2020-10-27 Setting forth the building blocks of banking bailout law this book reconstructs a regulatory framework that might better serve countries during future crisis situations It builds upon recent carefully selected case studies from the US the EU the UK Spain and Hungary to answer the questions of what went wrong with the bank bailouts in the EU why the US performed better in terms of crisis management and how bailouts could be regulated and conducted more successfully in the future Employing a comparative methodology it examines the different bailout and bank resolution techniques and tools and identifies the pros and cons of the different legal and regulatory options and their underlying principles In the post 2008 legal regulatory architecture financial institution specific insolvency proceedings were further developed or implemented on both sides of the Atlantic Ten years after the most recent financial crisis there is sufficient empirical evidence to evaluate the outcomes of the bank bailouts in the US and the EU and to examine a number of cases under the EU s new bank resolution regime This book will be of interest of anyone in the field of finance banking central banking monetary policy and insolvency law **The Routledge Course on Media, Legal and Technical Translation** Mahmoud Altarabin,2020-10-26 The Routledge Course on Media Legal and Technical Translation English Arabic English is an indispensable and engaging coursebook for university students wishing to develop their English Arabic English translation skills in these three text types Taking a practical approach the book introduces Arab translation students to common translation strategies in addition to the linguistic syntactic and stylistic features of media legal and technical texts This book features texts carefully selected for their technical relevance The key features include comprehensive four chapters covering media legal and technical texts which are of immense importance to Arab translation students detailed and clear explanations of the lexical syntactic and stylistic features of English and Arabic media legal and technical texts up to date and practical translation examples in both directions offering students actual experiences of professional translators authentic texts extracted from various sources to promote students familiarity with language features and use extensive range of exercises following each section of the book to enable students to test and practice the knowledge and skills they developed from reading previous sections glossaries following most exercises containing the translation of difficult words and a list of recommended readings following each chapter The easy practical and comprehensive approach adopted in the book makes it a must have coursebook for intermediate and advanced students studying translation between English and Arabic University instructors and professional translators working on translation between English and Arabic will find this book particularly useful **The Power and Independence of the Federal Reserve** Peter Conti-Brown,2017-10-10 An in depth look at the history leadership and structure of the Federal Reserve Bank The independence of the Federal Reserve is considered a cornerstone of its identity crucial for keeping monetary policy decisions free of electoral politics But do we really understand what is meant by Federal Reserve independence Using scores of examples from the Fed s rich history The Power and Independence of the Federal Reserve shows that much common wisdom about the nation s central bank is inaccurate Legal scholar and financial historian Peter Conti Brown provides an in depth look at the Fed s place in government its internal governance structure and its relationships to such individuals and groups as the president Congress economists and bankers Exploring how the Fed regulates the global economy and handles its own internal politics and how the law does and does not define the Fed s power Conti Brown captures and clarifies the central bank s defining complexities He examines the foundations of the Federal Reserve Act of 1913 which established a system of central banks and the ways that subsequent generations have redefined the organization Challenging the notion that the Fed Chair controls the organization as an all powerful technocrat he explains how institutions and individuals within and outside of government shape Fed policy Conti Brown demonstrates that the evolving mission of the Fed including systemic risk regulation wider bank supervision and as a guardian against inflation and deflation requires a reevaluation of the very way the nation s central bank is structured Investigating how the Fed influences and is influenced by ideologies personalities law and history The Power and Independence of the Federal Reserve offers a uniquely clear and timely picture of one of the most important institutions in the United States and the world **Fed Power** Lawrence R. Jacobs,Desmond S. King,2021 An eye opening analysis of the Federal Reserve s massive and unwarranted power in American life and how it favors the financial sector over everyone else The Federal Reserve created more than a century ago is the most powerful central bank in the world The Fed s power which derives from its ability to alter the money supply and move interest rates weighs heavily not only on the US economy but on the world economy as well Lawrence R Jacobs and Desmond King s Fed Power is the first sustained synthesis of the Fed s political role especially the way in which it uses its power to benefit some interest groups and not others since the 2008 financial crisis In this fully updated and revised second edition Fed Power addresses new developments during Trump s presidency particularly the Fed s massive and unprecedented injection of liquidity into the US economy following the COVID epidemic and offers fresh insights on the Fed s outsized role in picking winners and losers in the American economy King and Jacobs conclude with bold proposals to reform America s financial management to prevent future crises and to restore democratic accountability A powerful critique of how the Federal Reserve governs the American economy Fed Power will be essential reading for anyone interested in the role that the Fed s policies have played in increasing economic and racial inequality across both the Obama and Trump presidencies and the new directions pursued by the Biden administration and progressive activists **Pragmatism and Political Crisis Management** Christopher Ansell,Martin Bartenberger, p p1 margin 0 0px 0 0px 0 0px 0 0px font 10 0px Arial Crisis management has become one of the core challenges facing governments but successful crisis response depends on effective public leadership Building on insights from Pragmatist philosophy this deeply nuanced book provides guidance and direction for public leaders tackling the most challenging tasks of the 21st century **Law and Macroeconomics** Yair Listokin,2019-03-11 A distinguished Yale economist and legal scholar s argument that law of all things has the potential to rescue us from the next economic crisis After the economic crisis of 2008 private sector spending took nearly a decade to recover Yair Listokin thinks we can respond more quickly to the next meltdown by reviving and refashioning a policy approach whose proven success is too rarely acknowledged Harking back to New Deal regulatory agencies Listokin proposes that we take seriously law s ability to function as a macroeconomic tool capable of stimulating demand when needed and relieving demand when it threatens to overheat economies Listokin makes his case by looking at both positive and cautionary examples going back to the New Deal and including the Keystone Pipeline the constitutionally fraught bond buying program unveiled by the European Central Bank at the nadir of the Eurozone crisis the ongoing Greek crisis and the experience of U S price controls in the 1970s History has taught us that law is an unwieldy instrument of macroeconomic policy but Listokin argues that under certain conditions it offers a vital alternative to the monetary and fiscal policy tools that stretch the legitimacy of technocratic central banks near their breaking point while leaving the rest of us waiting and wallowing **The Oxford Handbook of the International Law of Global Security** Robin Geiß,Nils Melzer,2021-02-16 Understanding the global security environment and delivering the necessary governance responses is a central challenge of the 21st century On a global scale the central regulatory tool for such responses is public international law But what is the state role and relevance of public international law in today s complex and highly dynamic global security environment Which concepts of security are anchored in international law How is the global security environment shaping international law and how is international law in turn influencing other normative frameworks The Oxford Handbook of the International Law of Global Security provides a ground breaking overview of the relationship between international law and global security It constitutes a comprehensive and systematic mapping of the various sub fields of international law dealing with global security challenges and offers authoritative guidance on key trends and debates around the relationship between public international law and global security governance This Handbook highlights the central role of public international law in an effective global security architecture and in doing so addresses some of the most pressing legal and policy challenges of our time The Handbook features original contributions by leading scholars and practitioners from a wide range of professional and disciplinary backgrounds reflecting the fluidity of the concept of global security and the diversity of scholarship in this area

At War with Government Amy Fried,Douglas B. Harris,2021-08-03 Polling shows that since the 1950s Americans trust in government has fallen dramatically to historically low levels In At War with Government the political scientists Amy Fried and Douglas B Harris reveal that this trend is no accident Although distrust of authority is deeply rooted in American culture it is fueled by conservative elites who benefit from it Since the postwar era conservative leaders have deliberately and strategically undermined faith in the political system for partisan aims Fried and Harris detail how conservatives have sown distrust to build organizations win elections shift power toward institutions that they control and secure policy victories They trace this strategy from the Nixon and Reagan years through Gingrich s Contract with America the Tea Party and Donald Trump s rise and presidency Conservatives have promoted a political identity opposed to domestic state action used racial messages to undermine unity and cultivated cynicism to build and bolster coalitions Once in power they have defunded public services unless they help their constituencies and rolled back regulations perversely proving the failure of government Fried and Harris draw on archival sources to document how conservative elites have strategized behind the scenes With a powerful diagnosis of our polarized era At War with Government also proposes how we might rebuild trust in government by countering the strategies conservatives have used to weaken it *Moral Hazard* Juan Flores Zendejas,Norbert Gaillard,Rick Michalek,2021-12-30 Moral Hazard is a core concept in economics In a nutshell moral hazard reflects the reduced incentive to protect against risk where an entity is or believes it will be protected from its consequences whether through an insurance arrangement or an implicit or explicit guarantee system It is fundamentally driven by information asymmetry arises in all sectors of the economy including banking medical insurance financial insurance and governmental support undermines the stability of our economic systems and has burdened taxpayers in all developed countries resulting in significant costs to the community Despite the seriousness and pervasiveness of moral hazard policymakers and scholars have failed to address this issue This book fills this gap It covers 200 years of moral hazard from its origins in the 19th century to the bailouts announced in the aftermath of the COVID 19 outbreak The book is divided into three parts Part I deals with the ethics and other fundamental issues connected to moral hazard Part II provides historical and empirical evidence on moral hazard in international finance It examines in turn the role of the export credit industry the international lender of last resort and the IMF Finally Part III examines specific sectors such as automobile banking and the US industry at large This is the first book to provide an interdisciplinary analysis of moral hazard and explain why addressing this issue has become crucial today As such it will attract interest from scholars across different fields including economists political scientists and lawyers

Economic and Monetary Union at Twenty David Howarth,Amy Verdun,2021-05-19 The contributions to this book examine the two main asymmetries of the Euro Area as they have intensified during the second decade of Economic and Monetary Union EMU the first between monetary union more supranational governance versus economic union less centralised governance the second between those Euro Area member states of the so called core and those of the periphery EMU stands as one of the European Union s EU flagship integration achievements Set up in 1999 with the large majority of EU member states at the time EMU was described as asymmetrical even prior to its start From the outset it involved asymmetrical integration in monetary and economic union Although a major element of the blueprint that paved the way for the final stage of EMU the concept of economic union was insufficiently developed The second decade of the single currency gave rise to a second asymmetry namely one between those Euro Area member states of the core and those of the periphery The ten contributions to this volume speak to one or both of these asymmetries covering the major political political economy and policy dimensions of EMU and the ongoing debates about necessary policy and institutional reforms to overcome these asymmetries and bolster Euro Area stability The outbreak of the Coronavirus Covid 19 Crisis in 2020 created unprecedented socio economic challenges for Euro Area member states heightening the perceived urgency of reform The chapters in this book were originally published as a special issue of the Journal of European Integration *Looking Back on President Barack Obama's Legacy* Wilbur C. Rich,2018-12-12 When President Barack Hussein Obama left office January 20 2017 he left a fascinating legacy The Obama Presidency will remain an intriguing part of our nation s political history and we can now say that there were unexpected achievements and failures His tenure was both historical and complex and will inevitably be compared with his predecessors and successors The chapters in this volume are a serious assessment of President Obama s tenure written by a diverse team that includes political scientists sociologists historians and economists They provide critical insights into the man and his policies and more importantly are written in a manner that makes them available to laypersons journalists students and scholars Finance, Law, and the Courts Marco Lamandini,David Ramos Muñoz,2023-11-09 Law and courts are often neglected in finance The discipline is so permeated by economic analysis the enforcement of its rules so based on regulatory authorities that it often seems more natural to speak of financial regulation rather than financial law de emphasizing the role of courts Authored by leading experts in commercial law Finance Law and the Courts goes beyond this limited perspective The book demonstrates that law and courts are essential in providing finance with the certainty it needs to operate and the elasticity it needs to evolve As explored in Part I of the book these benefits result from law s status as an interpretative construct formed by rules and principles a construct shaped by a need for consistency When principles collide courts are often called to solve hard cases and in doing so the Law of Finance evolves Examining such hard cases Parts II and III analyze courts roles in influencing finance s key concepts and principles For Public Law this includes the impact of sovereign immunity separation of powers or individual rights on the justiciability of financial acts central banks mandates and the interplay between regulatory concepts and fundamental rights For Private Law these include the foundations of liability for misstatements the validity and interpretation of financial contracts and creditor creditor conflict The book further explores the interplay between specialist and generalist courts and other bodies in Part IV concluding with a case for limited specialization of finance justice in the EU Offering a comprehensive legal treatment of finance s regulatory sources this book is an unparalleled resource for law academics practitioners and policymakers seeking to better understand the complex financial cases that they may encounter **The Oxford Handbook of Time and Politics** Klaus Goetz,2024 The Oxford Handbook on Time and Politics is the first major publication that surveys time centered research in political science across its sub disciplines As such it integrates and consolidates an emergent body of knowledge but also aims to inspire future scholarship The Handbook highlights that paying systematic attention to time in political analysis yields questions and insights that are of relevance to a very broad range of political scientists working within different theoretical methodological and epistemological traditions The Handbook covers comparative politics and government public policy international relations and political theory Its authors are drawn from more than a dozen countries *Last Resort* Eric A. Posner,2018-04-02 The bailouts during the recent financial crisis enraged the public They felt unfair and counterproductive people who take risks must be allowed to fail If we reward firms that make irresponsible investments costing taxpayers billions of dollars aren t we encouraging them to continue to act irresponsibly setting the stage for future crises And beyond the ethics of it was the question of whether the government even had the authority to bail out failing firms like Bear Stearns and AIG The answer according to Eric A Posner is no The federal government freely and frequently violated the law with the bailouts but it did so in the public interest An understandable lack of sympathy toward Wall Street has obscured the fact that bailouts have happened throughout economic history and are unavoidable in any modern market based economy And they re actually good Contrary to popular belief the financial system cannot operate properly unless the government stands ready to bail out banks and other firms During the recent crisis Posner agues the law didn t give federal agencies sufficient power to rescue the financial system The legal constraints were damaging but harm was limited because the agencies with a few exceptions violated or improvised elaborate evasions of the law Yet the agencies also abused their power If illegal actions were what it took to advance the public interest Posner argues we ought to change the law but we need to do so in a way that also prevents agencies from misusing their authority In the aftermath of the crisis confusion about what agencies did do should have done and were allowed to do has prevented a clear and realistic assessment and may hamper our response to future crises Taking up the common objections raised by both right and left Posner argues that future bailouts will occur Acknowledging that inevitability we can and must look ahead and carefully assess our policy options before we need them

A Great Deal of Ruin James Gerber,2019-08-22 Illustrated with historical analysis case studies and accessible economic concepts this book explains what financial crises are how they are caused and what we can learn from them It will appeal to university students as well as general readers who are curious to learn more about the recent subprime crisis and other financial crises

Whispering the Secrets of Language: An Emotional Journey through **To The Edge Legality Legitimacy And The Responses To The 2008 Financial Crisis**

In a digitally-driven earth wherever monitors reign supreme and instant transmission drowns out the subtleties of language, the profound strategies and emotional nuances concealed within words frequently get unheard. However, set within the pages of **To The Edge Legality Legitimacy And The Responses To The 2008 Financial Crisis** a interesting literary treasure blinking with organic feelings, lies a fantastic journey waiting to be undertaken. Written by a talented wordsmith, that enchanting opus attracts readers on an introspective journey, softly unraveling the veiled truths and profound impact resonating within the very fabric of every word. Within the emotional depths of the emotional review, we will embark upon a sincere exploration of the book is core styles, dissect their captivating publishing model, and succumb to the strong resonance it evokes serious within the recesses of readers hearts.

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