



The Future of Family Property in Europe (European Family Law)

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This book covers five areas of family property law in Europe: matrimonial property law, family contracts (issues of autonomy), the legal protection of older people, the freedom of testation and protection of family members, and the unification of private international law. All of these issues are highly relevant as Europe is at a key stage in its development with all societies experiencing broadly similar demographic trends and facing the social and legal policy challenges that accompany them. The increase in international mobility and multi-jurisdiction couples poses increased pressure to provide private international law solutions and prompts calls for substantive harmonization. The high divorce rate in many jurisdictions means that matrimonial property and maintenance issues affect more families. Other social changes - such as an increased maternal labor market attachment - invite reconsideration of the basis for financial relief between spouses in divorce. All jurisdictions are also experiencing growth in cohabitation and extra-marital births. In short, family structures are becoming more complex. This raises questions concerning the division of property, both on separation or following death, where the appropriate priority among the diverse range of surviving family members needs to be resolved. Moreover, as fertility rates decline and populations age, increasing numbers of older people require costly personal and medical care, prompting a new set of questions for law and society to resolve. These issues are discussed throughout the book. (Series: European Family Law - Vol. 29)

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