

Jörg Benedict

Culpa in Contrahendo

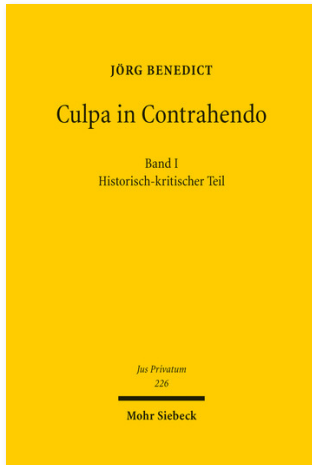
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In the Roman law tradition up to Savigny, *culpa* was not considered to be a *causa obligationis*. Rudolf v. Jhering rejected this dogma 150 years ago. His »discovery« of culpa in contrahendo finally introduced a general basis for liability in legal relations based on nothing but *bona fides* (good faith). However, the stage at which precontractual reliance becomes worthy of protection is not yet defined. In this study, the author explores why *culpa in contrahendo* is nevertheless still retained.

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