

Jan Thiessen

Der Ausschluss aus der GmbH

als 'praktische Durchführung einer verbrecherischen Irrlehre' – eine Rechtsfortbildungsgeschichte

[Expelling Company Partners. A Lesson from History on Judicial Machinations Beyond the Law.]

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There is no provision to expel shareholders in Germany's Closed Corporations Act. In 1942, the German Supreme Court nevertheless adopted exactly this doctrine to the detriment of a Jewish shareholder. The infamous ruling, its controversial reception among practitioners and academic writers and eventually the fate of the expelled shareholder form this study's narrative.

Jan Thiessen ist Inhaber des Lehrstuhls für Bürgerliches Recht, Juristische Zeitgeschichte und Wirtschaftsrechtsgeschichte, Humboldt-Universität zu Berlin.



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