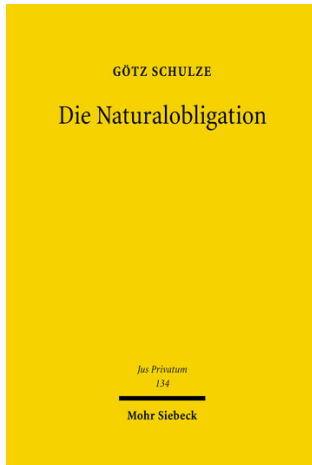


Götz Schulze

Die Naturalobligation

Rechtsfigur und Instrument des Rechtsverkehrs einst und heute – zugleich
Grundlegung einer zivilrechtlichen Forderungslehre

[The Natural Obligation. The Legal Institution and Instrument of Legal Relations in the Past and the Present – the Basic Principles of the Theory of the Claim in Civil Law.]



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Based on *obligatio naturalis*, which originated in classic Roman law, Götz Schulze describes the historical development of the imperfect obligation in theory and in practice and describes how it was included in European codifications. Thus the natural obligation can be seen as an obligatory claim for benefits, which cannot however be enforced by legal means. It has been given recognition in continental law, in particular in cases of a statute of limitations, games of chance and betting as well as moral duties. Further applications of unenforceable duties can be covered by the natural obligation. The natural obligation is suitable as a legal basis for gentlemen's agreements, since this makes it possible to place restrictions on the envisaged obligations which have no binding force.

Götz Schulze ist Inhaber des Lehrstuhls für Bürgerliches Recht, Europäisches Privatrecht, Internationales Privat- und Verfahrensrecht und Rechtsvergleichung an der Universität Potsdam und Richter am Oberlandesgericht Brandenburg.

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