

Klaus Ulrich Schmolke

Grenzen der Selbstbindung im Privatrecht

Rechtspaternalismus und Verhaltensökonomik im Familien-, Gesellschafts- und Verbraucherrecht

[The Limits of Self-Commitment in Private Law. Legal Paternalism and Behavioral Economics in Family Law, Corporate Law and Consumer Law.]



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In spite of its liberal stance, German private law has numerous regulations aimed at protecting the contracting party from the disadvantages of his/her own decision. Based on this fact, Klaus Ulrich Schmolke traces the requirements and limits of legal paternalistic intervention in the freedom of contract and, using the insight gained from this, he develops a concept of the conditions for the justification of legal paternalism in private contractual relationships.

Klaus Ulrich Schmolke ist Inhaber des Lehrstuhls für Bürgerliches Recht, Handels-, Gesellschafts- und Wirtschaftsrecht an der Friedrich-Alexander-Universität Erlangen-Nürnberg.

<https://orcid.org/0000-0001-5610-531X>

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