Armin Engländer

Grund und Grenzen der Nothilfe

[The Reason for and the Limits to the Defence of Another Person.]

Published in German.

For the first time, Armin Engländer studies the entire range of the legal institution of the defence of another person from the perspective of criminal law. In doing so, he explores the ratio legis of this defence, the relationship between self-defence and the defence of others, the relationship and the differences to government measures taken to avert an imminent danger, the problems of imposed defence of another person and the so-called social-ethical restrictions to this defence. Based on the right of the victim, the author develops a concept of defending another person as it relates to the rights of the individual, a concept which establishes the power to defend another person in accordance with section 32 of the German Penal Code and which determines its scope, explains the existing system of graduated emergency rights and the differences to the state's right to take measures to avert danger in a new way. In doing so, the author closes a research gap in the general section of criminal law.