

Thomas Schindler

Rechtsgeschäftliche Entscheidungsfreiheit und Drohung

Die englische duress-Lehre in rechtsvergleichender Perspektive

[The Doctrine of Duress from a Comparative Perspective.]

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Thomas Schindler examines the historical development and current requirements of the doctrine of duress from a comparative perspective. Traditionally, common law is understood as having developed separately from civil law. However, a comparative analysis of the historical foundations of the doctrine of duress in both English and German law provides not only a common historical starting point in both legal systems but also a converging future development of English law. A comparative examination of the doctrine of economic duress with regard to the scenario of a contractual modification by threatened breach of contract is then taken as an example of the extent to which this convergence has already been established.

Thomas Schindler Geboren 1975; Studium der Rechtswissenschaften in Regensburg und Oxford; 2004 Promotion; zur Zeit Rechtsanwalt.



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