

Caroline Meller-Hannich

Verbraucherschutz im Schuldvertragsrecht

Private Freiheit und staatliche Ordnung

[Consumer Protection in the Law of Contracts. Private Freedom and Government Order.]

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Whereas the contract law according to the German Civil Code was originally based on freedom and equality of the legal citizens, European consumer law is often regarded as overly regulated and legally incapacitating. In this work, Caroline Meller-Hannich reveals a new perspective which prevents the juxtaposition of the approaches and instruments of the regulations in consumer law with those of general contract law and whose intention is to bring about the necessary convergence within the law of obligations. According to the author, this would enable consumer law, based mainly on European law, to be integrated completely into the theoretical concept determined by civil contract law, which would result in a consistent system of contract law. In analyzing this, the author examines the dogmatic and the theoretical contractual foundations of consumer law and enquires into the relationship between the governmental system and the freedom of contract.

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