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Nice Ausschluss Gmbh Verbrecherischen Rechtsfortbildungsgeschichte Rechtsgeschichte

Jan Thiessen



Nice Ausschluss GmbH Verbrecherischen Rechtsfortbildungsgeschichte Rechtsgeschichte:

Supreme Courts Under Nazi Occupation Derk Venema, 2025-10-01 This is the first extensive treatment of leading judicial institutions under Nazi rule in WWII It focusses on all democratic countries under German occupation and provides the details for answering questions like how can law serve as an instrument of defence against an oppressive regime Are the courts always the guardians of democracy and rule of law What role was there for international law How did the courts deal with dismissals new appointees new courts forced German ordinances versus national law How did judges justify their actions help citizens appease the enemy protest against injustice Experts from all democracies that were occupied by the Nazis paint vivid pictures of oppression collaboration and resistance The results are interpreted in a socio legal framework introducing the concept of moral hygiene to explain the clash between normative and descriptive approaches in public opinion and scholarship concerning officials behaviour in war time

Die Rosenberg Manfred Görtemaker, Christoph Safferling, 2013-07-17 The question of how German government agencies and ministries had been dealing with the Nazi Past in the immediate aftermath of the war has most recently attracted a high amount of attention This development was stimulated by the study *Das Amt* published in 2010 discussing the Nazi Past of the German Foreign Office Continuity and changes in terms of institutions and personnel have been put into the focus of the discussion as well as substantive aspects of the policy of the first post war governments in Germany Several federal ministries and agencies have established commissions in order to research their own history through independent scholars Also the Federal Ministry of Justice has chosen this way in order to learn more about its national socialist continuities The several articles of this volume address different aspects of the way from the Nazi legal system to the judiciary of the early Federal Republic of Germany A main focus is put on the development of the Federal Ministry of Justice which was residing in the so called Rosenberg in Bonn from 1950 1973 Issue is taken with questions of personnel like recruitment and promotion policies but also with crucial issues of legal policy like the development of the German Constitution after 1948 49 the legislative power in the Third Reich and the early Federal Republic of Germany the prosecution of war criminals in the immediate aftermath of the war the beginning of criminal law policy in the Ministry as well as the developments in economy and family law The Independent Academic Commission at the Federal Ministry of Justice for the critical study of the national socialist past so named by its official title has hosted an academic symposium on April 26 2012 in the Kammergericht in Berlin The papers collected in this volume were mostly presented at that one day symposium

Der Ausschluss aus der GmbH Jan Thiessen, 2023 English summary There is no provision to expel shareholders in Germany's Closed Corporations Act In 1942 the German Supreme Court nevertheless adopted exactly this doctrine to the detriment of a Jewish shareholder The infamous ruling its controversial reception among practitioners and academic writers and eventually the fate of the expelled shareholder form this study's narrative German description *Das deutsche GmbH Gesetz kennt keinen Ausschluss aus wichtigem Grund*

Gleichwohl hat das Reichsgericht im Jahre 1942 den Gesellschafterausschluss als allgemeines Prinzip anerkannt zu Lasten eines jüdischen Gesellschafters. Dieses Urteil gilt in der Rechtsliteratur bis heute als zitierwürdiges Präjudiz. Die vorliegende Studie tritt diesem Verständnis entgegen, indem sie die Geschichte des Urteils erzählt, dessen Vorgeschichte, die Geschichte seines Vordenkers und diejenige seiner Richter und die Geschichte des ausgeschlossenen Gesellschafters. Die Studie versteht sich als methodologischer Beitrag zur historischen Kontextualisierung von Gerichtsentscheidungen.

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