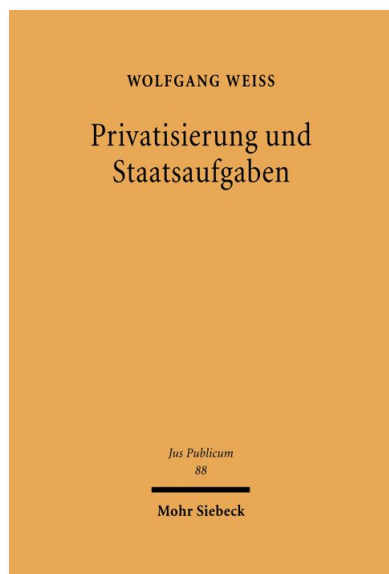


Wolfgang Weiß

Privatisierung und Staatsaufgaben

Privatisierungsentscheidungen im Lichte einer grundrechtlichen
Staatsaufgabenlehre unter dem Grundgesetz



Wolfgang Weiß examines the prerequisites for a doctrine pertaining to the state's duties in the Federal Republic. The central purpose of the state is laid down in Article 1, Paragraph 1 of the Basic Law (Grundgesetz). Thus the duties of the state are derived from the fundamental rights only. This leads to the realization that duties of the Federal Republic of Germany are all matters of public interest which the state must guarantee, and all those matters which do not meet this criterion must be privatized. This concept would mean that the state would have to withdraw from almost all its economic activities. Restricting the state in this manner to its responsibility for giving a guarantee instead of performing certain activities by its own would correspond to the concept of the state in European law.

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