Table of Contents

Recht im Kontext. The Series.	5
Preface	7
Table of Contents	15
Part I: Choice Architecture in Democracies. Exploring the Legitimacy of Nudging	19
Cass R. Sunstein The Ethics of Choice Architecture	21
Christopher McCrudden & Jeff King The Dark Side of Nudging: The Ethics, Political Economy, and Law of Libertarian Paternalism	75
Uwe Volkmann Nudging, Education, Paternalism: A Philosophical Perspective from the Old Europe	141
Anne van Aaken Constitutional Limits to Paternalistic Nudging: A Proportionality Assessment	161
Robert Neumann The Devil is in the Details — Four Remarks on the Legitimacy of Choice Architecture	197
Hans Michael Heinig Autonomy vs. Technocracy: Libertarian Paternalism Revisited	219

Gebhard Kirchgässner Justification and Possibilities of Soft Paternalism	229
Sabino Cassese Exploring the Legitimacy of Nudging	241
Gertrude Lübbe-Wolff Constitutional Limits to Health-Related Nudging – a Matter of Balancing	247
Johanna Wolff 'Partner Months' and the Fundamental Rights of Parents – Considerations on the Legitimacy of Nudges and 'Nudgy Legislation'	255
Oren Bar-Gill Information and Paternalism	267
Alberto Alemanno Nudge and the European Union	271
Morag Goodwin Architecture, Choice Architecture and Dignity	285
Part II: Illustrations – Maurice Weiss	309

Part III: Nudging – A Lawyer's Problem? An Online Symposium	32
Emanuel Towfigh & Christian Traxler Nudges Polarize!	323
Sabine Junginger A Design Perspective on Nudging	329
Gunnar Folke Schuppert Nudging: Neither a Novelty, nor a Promising Lead – Unless in Context	333
Georgios Dimitropoulos From Choosing to Learning: Path Dependencies of Nudging, and How to Overcome Them	339
Niels Petersen Why Lawyers Should Deal with Nudges	343
Christopher Unseld Take Off Your 3D Glasses – How Nudging Provokes the Way We Imagine Law	345
Leonie Vierck Nudging as a Common Practice in International Aid	353
Bibliography	357
Contributors	379
Index	383