

Andreas Anter

Max Weber und die Staatsrechtslehre

[Max Weber and Constitutional Theory.]



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In February 1919, Max Weber was offered a professorship at the Faculty of Law in Bonn, but he chose instead an offer of a social science professorship in Munich. Would we think of him any differently today if he had accepted the Bonn appointment?

Weber had completed an academic legal training, and although he later changed disciplines, his legal background, especially his interest in constitutional law, left a clear mark on his work.

In Weimar leading legal theorists such as Carl Schmitt, Hermann Heller, Hans Kelsen and Rudolf Smend were often ambivalent in their relationship to Weber. Andreas Anter shows which lawyers had been important to Weber, and how he ultimately became a central point of reference for constitutional theory. Weber had contributed to the drafting of the Weimar Constitution. Can his influence still be traced in the present German constitutional law? How is he dealt with by current constitutional theory? And to what extent does his work remain relevant to solving today's problems?

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