

Zur Aktualität der Weimarer Staatsrechtslehre

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[The Topicality of Weimar Scholarship of State and Law.]



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The Weimar Republic, the predecessor of the »Third Reich,« used to be blamed for its failure as a democratic state rather than acknowledged for its political, legal and academic achievements. However, this simple view has changed. In this volume, articles on legal doctrine, legal theory and legal methodology explore if and how ideas and arguments of Weimar legal scholarship may be employed in order to analyze and construct our contemporary legal system. Weimar legal scholarship dealt with central questions of today's public law, establishing new theories of the state and the constitution and covering more specific issues ranging from parliamentary democracy to individual rights, state organs, the party system and electoral law. At the same time, legal scholarship critically deliberated its methodology and self-conception. Today's public law is challenged by fundamental developments such as Europeanization, globalization and privatization. This review of the Weimar Republic shows how legal scholarship responds to such changes, and also reveals the extent to which legal scholarship and doctrine possess a »historical memory.«

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