Theorising Democracy beyond ‘State’ vs. ‘Society’
Legal Intellectuals in Postwar German Political Thought

The Author

Aline-Florence Manent is a Junior Research Fellow at UCL’s Institute of Advanced Studies. She completed her PhD in History at Harvard University in May 2016 and holds graduate degrees in Political Science and Philosophy from the Institut d’Études Politiques de Paris and the Université Paris-I Panthéon-Sorbonne. Her research and teaching interests are rooted in an interdisciplinary perspective emphasising the connections between intellectual history and the history of political thought, culture, and institutions in modern Europe. Aline-Florence’s research explores how intellectuals, policy-makers, and state-builders have theorised the challenges of liberal democracy in twentieth century Europe and how their ideas shaped our political institutions. Her doctoral dissertation, “The Intellectual Origins of the German Model: Rethinking Democracy in the Bonn Republic,” argued that the provincialism of the postwar German political and intellectual landscape ought to be taken more seriously in order to better assess the peculiarities of the Federal Republic’s understanding of itself as a democratic polity. She is working on a book manuscript on the reconceptualisation and reconstruction of democracy in the post-war era in Germany and beyond.

The Paper

This paper reconstructs how post-war West German political and legal theorists have interpreted the role of the analytical distinction between state and society in German political thought and restores this seemingly highly abstract debate in the context of socio-economic policy debates of the 1960s and 1970s. In the extant historiography, German intellectuals who argued for the continued salience of the state-society distinction are generally portrayed as proponents of authoritarian, conservative, or statist views, whereas those who called it into question are presented as the harbingers of German liberal democracy by way of a ‘Westernization’ of its political vocabulary. By focusing on lesser known and more moderate legal intellectuals involved in these discussions I show that they were perhaps less than two sides in this debate.