

## **Inventing Social Rights: The Constitutional Archives of the Weimar National Assembly**

LI Fupeng<sup>\*</sup>

In the face of the dramatic changes in the *Zeitgeist*, the modern origin of the social rights of the Weimar Constitution could be considered as a cultural translation of its own legal tradition in response to the social(ist) revolution. By using the constitutional archives of the Weimar National Assembly, I attempt to present a clear picture of the drafting process of social rights by the founders of the Weimar constitution, through a three-step process of reinterpreting the way of defining rights, revisiting the historiography of rights, and reconstructing the system of fundamental rights by a uniform logic, so as to transform the classic paradigm of fundamental rights to incorporate the new *Zeitgeist*. In this sense, the creation of social rights was not only a key element in shaping the internal logic of the Weimar Constitution, but also became the most crucial constitutional reference for many of the new countries emerging after the First World War to reconstruct their fundamental relationship with their citizens.

Keywords: Weimar Constitution, cultural translation, social rights, fundamental rights

---

<sup>\*</sup> Associate Professor, School of Law, China University of Political Science and Law.