ET LA LOI POSITIVE [1901]; LES TRANSFORMATIONS GÉNÉRALES DU DROIT PRIVÉ [1912], transl. in Continental Legal History Series, vol. XI, s.t. THE PROGRESS OF CONTINENTAL LAW IN THE 19TH CENTURY [1918]; LES TRANSFORMATIONS DU DROIT PUBLIC [1913], transl. by Laski s.t. LAW IN THE MODERN STATE [1919]), and RAYMOND SALEILLES (MÉTHODE ET CODIFICATION [1903]; *Le code civil et la méthode historique* in LIVRE DU CENTENAIRE DU CODE CIVIL [1904]).

32. Apparently Weber was not conversant with recent common law use of the concept of title. In the classical form of the law of real property, it is true, the various ways in which one might be entitled to the use and disposition of a piece of land were defined by the various tenures, estates, and other rights in land which had come to be recognized in the royal courts of law and equity. There did not exist, however, any term which comprehensively covered, like the Roman term *dominium,* the fullness of all rights, privileges, powers, and immunities, which can possibly exist in a piece of land. But in modern usage the terms of title, fee, or fee title, are generally used in exactly this sense, especially in the United States.

33. *Das Imperium des Richters* (1908).

34. Written before the abolition of the jury in Germany by the Law of 1924; see *infra,* ch. XI:6.

CHAPTER IX

POLITICAL COMMUNITIES

1. *Nature and "Legitimacy" of Territorial Political Organizations*

The term "political community" shall apply to a community whose social action is aimed at subordinating to orderly domination by the participants a "territory" and the conduct of the persons within it, through readiness to resort to physical force, including normally force of arms. The territory must at any time be in some way determinable, but it need not be constant or definitely limited. The persons are those who are in the territory either permanently or temporarily. Also, the aim of the participants may be to acquire additional territory for themselves.[1]

"Political" community in this sense has existed neither everywhere nor always. As a separate community it does not exist wherever the task of armed defense against enemies has been assigned to the household, the neighborhood association, or some association of a different kind and essentially oriented toward economic interests. Nor has political community existed everywhere and at all times in the sense that its conceptual minimum, viz., "forcible maintenance of orderly dominion over a territory and its inhabitants," be conceived necessarily as the function of one and the same community. The tasks implied in this function have often been distributed among several communities whose actions partly complement and partly overlap each other. For example, "external" violence and defense have often been in the hands partly of kinship groups, partly of neighborhood associations, and partly of warrior consociations established *ad hoc.* "Internal" domination of the "territory" and the control of intragroup relations have likewise been distributed among various powers, including religious ones; and even in so

far as violence has been used it has not necessarily been monopolized by any one community. Under certain circumstances, "external" violence can even be rejected in principle, as it was, for a while, by the community of the Pennsylvania Quakers; at any rate, organized preparation for its use may be entirely lacking. As a rule, however, readiness to apply violence is associated with domination over a territory.

As a separate structure, a political community can be said to exist only if, and in so far as, a community constitutes more than an "economic group"; or, in other words, in so far as it possesses value systems ordering matters other than the directly economic disposition of goods and services. The particular content of social action, beyond the forcible domination of territory and inhabitants, is conceptually irrelevant. It may vary greatly according to whether we deal with a "robber state," a "welfare state," a "constitutional," or a "culture" state. Owing to the drastic nature of its means of control, the political association is particularly capable of arrogating to itself all the possible values toward which associational conduct might be oriented; there is probably nothing in the world which at one time or another has not been an object of social action on the part of some political association.

On the other hand, a political community may restrict its social action exclusively to the bare maintenance of its dominion over a territory, and it has in fact done so frequently enough. Even in the exercise of this function, the action of a political community is, in many cases, intermittent, no matter what its general level of development may be in other respects. Such action flares up in response to external threat or to an internal sudden impulse to violence, however motivated; it dies down, yielding factually to a state of "anarchy" during "normal" peaceful times, when coexistence and social action on the part of the inhabitants of the territory take the form of merely factual mutual respect for the accustomed economic spheres, without the availability of any kind of coercion either for external or for internal use.

In our terminology, a separate "political" community is constituted where we find (1) a "territory"; (2) the availability of physical force for its domination; and (3) social action which is not restricted exclusively to the satisfaction of common economic needs in the frame of a communal economy, but regulates more generally the interrelations of the inhabitants of the territory.

The opponents against whom the possibly violent social action is directed may be located outside or inside the boundaries of the territory in question. Since the political power has become the monopoly of organized, today "institutional," action, the objects of coercion are to be found primarily among the compulsory members of the organization.

For the political community, even more than other institutionally organized communities, is so constituted that it imposes obligations on the individual members which many of them fulfill only because they are aware of the probability of physical coercion backing up such obligations. The political community, furthermore, is one of those communities whose action includes, at least under normal circumstances, coercion through jeopardy and destruction of life and freedom of movement applying to outsiders as well as to the members themselves. The individual is expected ultimately to face death in the group interest. This gives to the political community its particular pathos and raises its enduring emotional foundations. The community of political destiny, i.e., above all, of common political struggle of life and death, has given rise to groups with joint memories which often have had a deeper impact than the ties of merely cultural, linguistic, or ethnic community. It is this "community of memories" which, as we shall see [see sec. 5 below], constitutes the ultimately decisive element of "national consciousness."

The political community never has been, nor is it today, the only community in which the renunciation of life is an essential part of the shared obligations. The obligations of other groups may lead to the same extreme consequences. To name but a few: blood vengeance on the part of kinship groups; martyrdom in religious communities; the "code of honor" of status groups; or the demands of a good many athletic associations; of groups like the *Camorra*[2] or, especially, of all groups created for the purpose of violent appropriation of the economic goods of others.

From such groups the political community differs, sociologically, in only one respect, viz., its particularly enduring and manifest existence as a well-established power over a considerable territory of land and possibly also sea expanse. Accordingly, the differentiation between the political community on the one hand and, on the other, the groups enumerated above, becomes less clearly perceptible the further we go back in history. In the minds of the participants the notion that the political community is just one among others turns into the recognition of its qualitatively different character in step with the change of its activities from merely intermittent reaction to active threats into a permanent and institutionalized consociation whose coercive means are both drastic and effective but which also create the possibility of a rationally casuistic order for their application.

The modern position of political associations rests on the prestige bestowed upon them by the belief, held by their members, in a specific consecration: the "legitimacy" of that social action which is ordered

and regulated by them. This prestige is particularly powerful where, and in so far as, social action comprises physical coercion, including the power to dispose over life and death. It is on this prestige that the consensus on the specific legitimacy of action is founded.

The belief in the specific legitimacy of political action can, and under modern conditions actually does, increase to a point where only certain political communities, viz., the "states," are considered to be capable of "legitimizing," by virtue of mandate or permission, the exercise of physical coercion by any other community. For the purpose of threatening and exercising such coercion, the fully matured political community has developed a system of casuistic rules to which that particular "legitimacy" is imputed. This system of rules constitutes the "legal order," and the political community is regarded as its sole normal creator, since that community has, in modern times, normally usurped the monopoly of the power to compel by physical coercion respect for those rules.

This preëminence of the "legal order" guaranteed by the political power has arisen only in the course of a very gradual development. It was due to the fact that those other groups which once had exercised their own coercive powers lost their grip on the individual. Under the pressure of economic and structural displacements they either disintegrated or subjected themselves to the political community which would then delegate to them their coercive powers, but would simultaneously also reduce them.

The rise to preëminence of the politically guaranteed legal order was also due to the simultaneous development of constantly arising new interests requiring a protection which could not be provided within the earlier autonomous communities. Consequently, a steadily widening sphere of interests, especially economic ones, could find adequate protection only in those rationally regulated guaranties which none but the political community was able to create. The process by which this "nationalization" of all "legal norms" took place, and is still taking place, has been discussed elsewhere.[3]

2. *Stages in the Formation of Political Association*

Violent social action is obviously something absolutely primordial. Every group, from the household to the political party, has always resorted to physical violence when it had to protect the interests of its members and was capable of doing so. However, the monopolization of legitimate violence by the political-territorial association and its

rational consociation into an institutional order is nothing primordial, but a product of evolution.

Where economic conditions are undifferentiated, it is hardly possible to discern a special political community. As we consider them today, the basic functions of the "state" are: the enactment of law (legislative function); the protection of personal safety and public order (police); the protection of vested rights (administration of justice); the cultivation of hygienic, educational, social-welfare, and other cultural interests (the various branches of administration); and, last but not least, the organized armed protection against outside attack (military administration). These basic functions are either totally lacking under primitive conditions, or they lack any form of rational order. They are performed, instead, by amorphous *ad hoc* groups, or they are distributed among a variety of groups such as the household, the kinship group, the neighborhood association, the rural commune, and completely voluntary associations formed for some specific purpose. Furthermore, private association enters domains of action which we are used to regard exclusively as the sphere of political associations. Police functions are thus performed in West Africa by private secret societies.[4] Hence one cannot even include the maintenance of internal peace as a necessary component of the general concept of political action.

If the idea of a specific legitimacy of violence is connected with any particular type of consensual action, it is with that of the kinship group in the fulfillment of the obligation of blood vengeance. This connection is weak, on the other hand, with regard to organizational action of a military type, directed against an external enemy, or of a police type, directed against the disturbers of internal order. It becomes more clearly perceptible where a territorial association is attacked by an external enemy in its traditional domain, and arms are taken up by the members in the manner of a home guard. Increasing rational precautions against such eventualities may engender a political organization regarded as enjoying a particular legitimacy. Such an organization can emerge as soon as there exists a certain stability of usages as well as at least a rudimentary corporate apparatus, ready to take precautions against violent attack from without. This, however, represents a fairly advanced stage.

The fact that "legitimacy" originally had little bearing upon violence—in the sense that it was not bound by norms—can be observed even more clearly in situations where the most warlike members of a group on their own initiative consociate through personal fraternization to organize marauding raids. This has been, at all stages of economic development up to the formation of the rational state, the typical

way in which aggressive wars were initiated in sedentary societies. The freely selected leader is then normally legitimated by his personal qualities (charisma), and we have discussed elsewhere the kind of structure of domination which then emerges. Violence acquires legitimacy only in those cases, however—at least initially—in which it is directed against members of the fraternity who have acted treasonably or who have harmed it by disobedience or cowardice. This state is transcended gradually, as this *ad hoc* consociation develops into a permanent structure. Through the cultivation of military prowess and war as a vocation such a structure develops into a coercive apparatus able to lay effective and comprehensive claims to obedience. These claims will be directed against the inhabitants of conquered territories as well as against the militarily unfit members of the territorial community from which the warriors' fraternity has emerged. The bearer of arms acknowledges only those capable of bearing arms as political equals. All others, those untrained in arms and those incapable of bearing arms, are regarded as women and are explicitly designated as such in many primitive languages. Within these consociations of warriors freedom is identical with the right to bear arms. The men's house, which has been studied by Schurtz with so much sympathetic care, and which, in various forms, recurs in all parts of the world, is one of those structures resulting eventually from such a consociation of warriors, or, in Schurtz's terminology, a "men's league." In the sphere of political action—assuming a highly developed profession of warriors—it is the almost exact counterpart to the consociation of monks in the monastery in the religious sphere. Only those are members who have demonstrated prowess in the use of arms and have been taken into the warriors' brotherhood after a novitiate, while he who has not passed the test remains outside as a "woman," among the women and children, who are also joined by those no longer capable of bearing arms. The man enters a family household only when he has reached a certain age, a change in status analogous to the present-day transfer to the reserves after service as a draftee. Until that moment the man belongs to the warriors' fraternity with every fiber of his existence. The members of the fraternity live, as a communistic association, apart from wives and households. They live on war booty and on the contributions they levy on non-members, especially on the women by whom the agricultural work is done. The only work, in addition to the conduct of war, regarded as worthy of them is the production and upkeep of the implements of war, which they frequently reserve for themselves as their exclusive privilege.

Depending on the social regulations in question, the warriors steal or purchase girls in common, or demand as their right the prostitution

of all the girls of the territory dominated. The numerous traces of so-called premarital promiscuity, which so often are taken for residues of primitive, undifferentiated, endogamous sexual habits, would rather seem to be connected with this political institution of the men's house. In other cases, as in Sparta, each member of the warrior fraternity had his wife and children living outside as maternal groups. In most cases, the two forms appear in combination with one another.

In order to secure their economic position, which is based on the continuous plundering of outsiders, especially women, the consociated warriors resort under certain circumstances to the use of religiously colored means of intimidation. The spirit manifestations which they stage with masked processions very often are nothing but plundering campaigns which require for their undisrupted execution that, on the first sound of the tom-tom, the women and all outsiders flee, on pain of instant death, from the villages into the woods and thus allow the "spirits" conveniently and without danger of being unmasked to take from the houses whatever may please them. The well-known procession of the Duk-Duks in Indonesia is an example in point.

Obviously, the warriors do not believe at all in the legitimacy of their conduct. The crude and simple swindle is recognized by them as such and is protected by the magical prohibition against entry into the men's house by outsiders and by the draconic obligations of silence which are imposed upon the members. The prestige of the men's league comes to an end, as far as the women are concerned, when the secret is broken by indiscretion or, as has happened occasionally, when it is intentionally unveiled by missionaries. It goes without saying that such activities, like all uses of religion for black police purposes, are linked to popular cults. But despite its own disposition towards magical superstition, the warrior society remains specifically earthly and oriented towards robbery and booty, and thus it functions as an agent of skepticism vis-à-vis popular piety. At all stages of evolution it treats the gods and spirits with that disrespect with which the Homeric warrior society treated Olympus.

Only when the warrior group, consociated freely beyond and above the everyday round of life, is, so to speak, fitted into a permanent territorial community, and when thereby a political organization is formed, do both obtain a specific legitimation for the use of violence. This process, where it takes place at all, is gradual. The larger community, among whose members are the warriors who had so far been organized as marauders or as a permanent warriors' league, may acquire the power to subject the freely consociated warriors' raids to its control. It may achieve this success through either of two processes: the warriors'

organization may disintegrate owing to a long period of pacification; or a comprehensive political consociation may be imposed either autonomously or heteronomously. The larger community will be interested in obtaining such control because all of its members may have to suffer from the reprisals against the warriors' raids. An illustration of successful acquisition of such control is presented by the suppression by the Swiss of the practice of their young men to hire out as soldiers to foreign powers.[5]

Such control over the booty campaigns was already exercised in early Germanic history by the political community of the districts (*Landsgemeinde*). If the coercive apparatus is strong enough, it will suppress private violence in any form. The effectiveness of this suppression rises with the development of the coercive apparatus into a permanent structure, and with the growing interest in solidarity against outsiders. Initially it is directed only against those forms of private violence which would injure directly the military interests of the political community itself. Thus in the thirteenth century the French monarchy suppressed the feuds of the royal vassals for the duration of a foreign war conducted by the king himself. Subsequently, it engenders, more generally, a form of permanent public peace, with the compulsory submission of all disputes to the arbitration of the judge, who transforms blood vengeance into rationally ordered punishment, and feuds and expiatory actions into rationally ordered legal procedures.

Whereas in early times even actions which were openly recognized as felonious were not proceeded against by the organized community except upon pressure on the part of religious or military interests, now the prosecution of an ever widening sphere of injuries to persons and property is being placed under the guaranty of the political coercive apparatus. Thus the political community monopolizes the legitimate application of violence for its coercive apparatus and is gradually transformed into an institution for the protection of rights. In so doing it obtains a powerful and decisive support from all those groups which have a direct or indirect economic interest in the expansion of the market community, as well as from the religious authorities. These latter are best able to control the masses under conditions of increasing pacification. Economically, however, the groups most interested in pacification are those guided by market interests, especially the burghers of the towns, as well as all those who are interested in river, road, or bridge tolls and in the tax-paying capacity of their tenants and subjects. These interest groups expand with an expanding money economy. Even before the political authority imposed public peace in its own interest, it was they who, in the Middle Ages, attempted, in coöperation with

the church, to limit feuds and to establish temporary, periodical, or permanent leagues for the maintenance of public peace (*Landfriedensbünde*). And as the expansion of the market disrupted the monopolistic organizations and led their members to the awareness of their interests in the market, it cut out from under them the basis of that community of interests on which the legitimacy of their violence had developed. The spread of pacification and the expansion of the market thus constitute a development which is accompanied, along parallel lines, by (1) that monopolization of legitimate violence by the political organization which finds its culmination in the modern concept of the *state* as the ultimate source of every kind of legitimacy of the use of physical force; and (2) that rationalization of the rules of its application which has come to culminate in the concept of the legitimate legal order.

[Excursus:] We cannot deal with the interesting, but hitherto imperfectly developed, typology of the various stages in the development of primitive political organization.[6] Even under conditions of a relatively advanced property system, a separate political organization and all its organs can be completely lacking. Such, for instance, was, according to Wellhausen,[7] the situation among the Arabs during their "pagan" age. Beyond the kinship groups with their elders (*sheiks*), they did not recognize any extra-familial permanent authority. The free community of nomads, tenting, wandering, and herding together, which arose out of the need for security, lacked any special organs and was essentially unstable, and whatever authority it accepted in the event of a conflict with outside enemies was only of an intermittent character.

Such a situation can continue for very long periods of time and under any type of economic organization. The only regular, permanent authorities are the family heads, the elders of the kinship groups, and, besides them, the magicians and diviners. Whatever disputes arise between kinship groups are arbitrated by the elders with the aid of the magicians. This situation corresponds to the form of economic life of the Bedouins. But, like the latter, it is nothing primordial. Wherever the type of settlement creates economic needs which require permanent and continuous provision beyond that which the kinship group and household can provide, the institution of village chieftain arises. The village chieftain frequently emerges from among the magicians, especially the rainmakers, or he is an especially successful leader of marauding raids. Where the appropriation of property has reached an advanced stage, the position of chieftain becomes easily accessible to any man distinguished by his wealth and the corresponding standard of living. But he cannot exercise real authority except in situations of emergency and even then exclusively upon the basis of some purely personal qualities

of some magical or similar kind. Otherwise, especially under conditions of continuous peace, he is no more than a popular arbitrator and his directions are followed as statements of good advice. The total absence of any such chieftain is by no means a rare occurrence in peaceful periods. The consensual action of neighbors is then regulated merely by the respect for tradition, the fear of blood vengeance and the wrath of magical powers. In any case, however, the functions of the peacetime chieftain are in substance largely economic, such as the regulation of tillage, and, occasionally, magico-therapeutic or arbitrational. But, in general, there is no fixed type. Violence is legitimate only when it is applied by the chieftain, and only in those manners and cases in which it is sanctioned by fixed tradition. For its application the chieftain has to rely upon the voluntary aid of the members of the group. The more magical *charisma* and economic eminence he possesses, the more he is in a position to obtain that aid.

3. *Power Prestige and the "Great Powers"*

All political structures use force, but they differ in the manner in which they use or threaten to use it against other political organizations. These differences play a specific role in determining the form and destiny of political communities. Not all political structures are equally "expansive." They do not all strive for an outward expansion of their power, or keep their force in readiness for acquiring political power over other territories and communities by incorporating them or making them dependent. Hence, as structures of power, political organizations vary in the extent to which they are turned outward.

The political structure of Switzerland is "neutralized" through a collective guarantee of the Great Powers. For various reasons, Switzerland is not very strongly desired as an object for incorporation. Mutual jealousies existing among neighboring communities of equal strength protect it from this fate. Switzerland, as well as Norway, is less threatened than is the Netherlands, which possesses colonies; and the Netherlands is less threatened than Belgium, which has precarious colonial posessions and is herself threatened in case of war between her powerful neighbors. Sweden too is quite exposed. Thus, the attitude of political structures towards the outside may be more "isolationist" or more "expansive." And such attitudes change. The power of political structures has a specific internal dynamic. On the basis of this power, the members may pretend to a special "prestige," and their pretensions may influence the external conduct of the power structures. Experience

teaches that claims to prestige have always played into the origin of wars. Their part is difficult to gauge; it cannot be determined in general, but it is very obvious. The realm of "honor," which is comparable to the "status order" within a social structure, pertains also to the interrelations of political structures.

Feudal lords, like modern officers or bureaucrats, are the natural and primary exponents of this desire for power-oriented prestige for one's own political structure. Power for their political community means power for themselves, as well as the prestige based on this power. For the bureaucrat and the officer, an expansion of power means more office positions, more sinecures, and better opportunities for promotion. (For the officer, this last may be the case even in a lost war.) For the feudal vassal, expansion of power means the acquisition of new objects for infeudation and more provisions for his progeny. In his speech promoting the crusades, Pope Urban focused attention on these opportunities and not, as has been said, on overpopulation.

Besides and beyond these direct economic interests, which naturally exist everywhere among strata living off the exercise of political power, the striving for prestige pertains to all specific power structures and hence to all political structures. This striving is not identical simply with "national pride"—of this, more later—and it is not identical with the mere pride in the excellent qualities, actual or presumed, of one's own political community or in the mere possession of such a polity. Such pride can be highly developed, as is the case among the Swiss and the Norwegians, yet it may actually be strictly isolationist and free from pretension to political prestige.

The prestige of power means in practice the glory of power over other communities; it means the expansion of power, though not always by way of incorporation or subjection. The big political communities are the natural exponents of such pretensions to prestige.

Every political structure naturally prefers to have weak rather than strong neighbors. Furthermore, as every big political community is a potential aspirant to prestige, it is also a potential threat to all its neighbors; hence, the big political community, simply because it is big and strong, is latently and constantly endangered. Finally, by virtue of an unavoidable "dynamic of power," wherever claims to prestige flame up—and this normally results from an acute political danger to peace—they challenge and call forth the competition of all other possible bearers of prestige. The history of the last decade [1900–1910], especially the relations between Germany and France, shows the prominent effect of this irrational element in all political foreign relations. The sentiment of prestige is able to strengthen the ardent belief in the actual

existence of one's own might, and this is important for positive self-assurance in case of conflict. Therefore, all those having vested interests in the political structure tend systematically to cultivate this prestige *sentiment*.

Nowadays one usually refers to those polities that appear to be the bearers of power prestige as the "Great Powers." Among a plurality of co-existing polities, some, the Great Powers, usually ascribe to themselves and usurp an interest in political and economic processes over a wide orbit. Today such orbits encompass the whole surface of the planet. During Hellenic Antiquity, the "King," that is, the Persian king, despite his defeat, was the most widely recognized Great Power. Sparta turned to him in order to impose, with his sanction, the King's Peace (Peace of Antalcidas) upon the Hellenic world [387 B.C.]. Later on, before the establishment of an empire, the Roman polity assumed such a role. However, for general reasons of "power dynamics," the Great Powers are very often expansive powers; that is, they are associations aiming at expanding the territories of their respective political communities by the use or the threat of force. Yet Great Powers are not necessarily and not always oriented towards expansion. Their attitude in this respect often changes, and in these changes economic factors play a weighty part.

For a time British policy, for instance, quite deliberately renunciated further political expansion. It renounced even the retention of colonies by means of force in favor of a "little England" policy, resting upon an isolationist limitation and a reliance on an economic primacy held to be unshakable. Influential representatives of the Roman rule by notables would have liked to carry through a similar program of a "little Rome" after the Punic Wars, to restrict Roman political subjection to Italy and the neighboring islands. The Spartan aristocrats, so far as they were able, quite deliberately limited their political expansion for the sake of isolation. They restricted themselves to the smashing of all other political structures that endangered their power and prestige. They favored the particularism of city states. Usually, in such cases, and in many similar ones, the ruling groups of notables (the Roman nobility of office, the English and other liberal notables, the Spartan overlords) harbor more or less distinct fears lest a perpetual "imperialism" produce an "imperator," that is, a charismatic warlord, who might gain the ascendancy at their expense. However, like the Romans, the British, after a short time, were forced out of their policy of self-restraint and pressed into political expansion. This occurred, in part, through capitalist interests in expansion.

4. *The Economic Foundations of "Imperialism"*

One might be inclined to believe that the formation as well as the expansion of Great Power structures is always and primarily determined economically. The assumption that trade, especially if it is intensive and if it already exists in an area, is the normal prerequisite and the reason for its political unification might readily be generalized. In individual cases this assumption does actually hold. The example of the *Zollverein*[8] lies close at hand, and there are numerous others. Closer attention, however, very often reveals that this coincidence is not a necessary one, and that the causal nexus by no means always points in a single direction.

Germany, for instance, has been made into a unified economic territory, that is one whose inhabitants seek to sell their products primarily in their own market, only through custom frontiers at her borders, which were determined in a purely political manner. Were all custom barriers eliminated, the economically determined market for the Eastern German cereal surplus, poor in gluten, would not be Western Germany but rather England. The economically determined market of the mining products and the heavy iron goods of Western Germany is by no means Eastern Germany; and Western Germany is not, in the main, the economically determined supplier of the industrial products for Eastern Germany. Above all, the interior lines of communications (railroads) of Germany would not be—and, in part, are not now—economically determined routes for transporting heavy goods between east and west. Eastern Germany, however, would be the economic location for strong industries, the economically determined market and hinterland for which would be the whole of Western Russia. Such industries are now cut off by Russian custom barriers and have been moved to Poland, directly behind the Russian custom frontier. Through this development, as is known, the political *Anschluss* of the Russian Poles to the Russian imperial idea, which seemed to be politically out of the question, has been brought into the realm of possibility. Thus, in this case, purely economically determined market relations have a politically unifying effect.

Germany, however, has been politically united *against* the economic determinants as such. It is not unusual for the frontiers of a polity to conflict with the mere geographically given conditions of economic location; the political frontiers may encompass areas that, in terms of economic factors, strive to separate. In such situations, tensions among economic interests nearly always arise. However, if the political bond is once created, it is very often, so incomparably stronger that under otherwise favorable conditions (e.g. the existence of a common language)

nobody would even think of political separation because of such economic tensions. This applies, for instance, to Germany.

[Excursus:] Empire formation does not always follow the routes of export trade, although nowadays we are inclined to see things in this imperialist way. As a rule, the "continental" imperialism—Russian, and American—just like the "overseas imperialism" of the British and of those modeled after it, follow the tracks of previously existing capitalist interests, especially in foreign areas that are politically weak. And of course, at least for the formation of great overseas dominions of the past—in the overseas empires of Athens, Carthage, and Rome—export trade played its decisive part.

Yet, even in these ancient polities other economic interests were at least of equal and often of far greater importance than were commercial profits: ground rents, farmed-out taxes, office fees, and similar gains were especially desired. In foreign trade, in turn, the interest in selling definitely receded into the background as a motive for expansion. In the age of modern capitalism the interest in exporting to foreign territories is dominant, but in the ancient states the interest was rather in the possession of territories from which goods (raw materials) could be *imported.*

Among the great states that have formed on the inland plains, the exchange of goods played no regular or decisive part. The trading of goods are most relevant for the river-border states of the Orient, especially for Egypt; that is, for states that in this respect were similar to overseas states. The "empire" of the Mongols, however, certainly did not rest on any intensive trade in goods. There, the mobility of the ruling stratum of horsemen made up for the lack of material means of communication and made centralized administration possible. Neither the empires of China, Persia, or Imperial Rome after its transformation from a coastal to a continental empire, were originated or maintained on the basis of a pre-existing and a particularly intensive inland traffic in goods or highly developed means of communication. The continental expansion of Rome was undoubtedly very strongly determined by capitalist interests; and these interests were above all the interests of tax-farmers, office hunters, and land speculators. They were not, in the first place, the interests of groups pursuing a particularly intensive trade in goods.

The expansion of Persia was not in any way served by capitalist interest groups. Such groups did not exist there as motivating forces or as pace-makers, and just as little did they serve the founders of the Chinese empire or the founders of the Carolingian monarchy.

Of course, even in these cases, the economic importance of trade was

not altogether absent; yet other motives have played their part in every political overland expansion of the past, including the Crusades. These motives have included the interest in higher royal incomes, in prebends, fiefs, offices, and social honors for the vassals, knights, officers, officials, the younger sons of hereditary officeholders, and so on. The interests of trading seaports have not, of course, been so decisive, although they were important as secondary factors: the first Crusade was mainly an overland campaign.

By no means has trade always pointed the way for political expansion. The causal nexus has very often been the reverse. Among the empires named above, those which had an administration technically able to establish at least overland means of communication did so for administrative purposes. In principle, this has often been the exclusive purpose, regardless of whether or not the means of communication were advantageous for existing or future trading needs.

Under present-day conditions, Russia may well be considered a country whose means of communication (railroads today) have been primarily determined politically. The Austrian southern railroad is another example. (Its shares are still called "lombards," a term loaded with political reminiscences.) And there is hardly a polity without "strategic railroads." Nevertheless, many projects of this kind have been undertaken with the concomitant expectation of a traffic guaranteeing long-run profitableness. It was no different in the past: On the one hand, it cannot be proved that the ancient Roman military highroads served a commercial purpose; and it certainly was not the case for the Persian and Roman mail posts, which served exclusively political purposes; on the other, the development of trade in the past has of course been the normal result of political unification. Political unification first placed trade upon an assured and guaranteed legal basis. Even this rule, however, is not without exceptions. For, besides depending on pacification and formal guarantees of law enforcement, the development of trade has been bound to certain economic conditions (especially the development of capitalism). Moreover, the evolution of capitalism may be strangled by the manner in which a unified political structure is administered. This was the case, for instance, in the late Roman Empire. Here a unified structure took the place of a league of city states; it was based upon a strong subsistence agrarian economy. This increasingly made for liturgies as the way of raising the means for the army and the administration; and these directly suffocated capitalism.[9] [End of Excursus.]

If trade in itself is by no means the decisive factor in political expansion, the economic structure in general does co-determine the extent and manner of political expansion. Besides women, cattle, and slaves,

scarce land is one of the original and foremost objects of forceful acquisition. For conquering peasant communities, the natural way is to take the land directly and to wipe out its settled population. The Teutonic Migration has, on the whole, taken this course only to a moderate degree. As a compact mass, this movement probably went somewhat beyond the present linguistic frontiers, but only in scattered zones. How far a land scarcity, caused by overpopulation, contributed, how far the political pressure of other tribes, or simply good opportunities, must be left open. In any case, for a long time some of the individual groups who went out for conquest reserved their claims to the arable land back home, in case they should return.

In other than peasant communities, too, the more or less violently taken lands are important for the way in which the victor will exploit his rights. As Franz Oppenheimer has rightly emphasized, ground rent is frequently the product of violent political subjection.[10] Given a subsistence economy and a feudal structure this subjection means, of course, that the peasantry of the incorporated area will not be wiped out but rather will be spared and made tributary to the conqueror, who becomes the landlord. This has happened wherever the army was no longer a levy composed of self-equipped freemen, or yet a mercenary or bureaucratic mass army, but rather an army of self-equipped knights, as was the case with the Persians, the Arabs, the Turks, the Normans, and the Occidental feudal vassals in general.

The interest in ground rent has also meant a great deal for plutocratic trading communities engaged in conquest. As commercial profits were preferably invested in land and indebted bondsmen, the normal aim of warfare, even in Antiquity, was to gain fertile land fit to yield ground rent. The Lelantine War [c. 590 B.C.], which marked a sort of epoch in early Hellenic history, was almost wholly carried on at sea and among trading cities. But the original object of dispute between the leading patricians of Chalcis and Eretria was the fertile Lelantine plain. Besides tributes of various sorts, one of the most important privileges that the Attic Maritime League evidently offered to the *demos* of the ruling city was to break up the land monopoly of the subject cities. The Athenians were to receive the right to acquire and mortgage land anywhere.

The establishment of *commercium* among cities allied to Rome meant in practice the same thing. Also, the overseas interests of the mass of Italics settled throughout the Roman sphere of influence certainly represented, at least in part, land interests of an essentially capitalist nature, as we know them from [Cicero's] speeches against Gaius Verres.[11]

During its expansion, the capitalist interest in land may come into

conflict with the land interest of the peasantry. Such a conflict has played its part in the status struggles in the long epoch ending with the Gracchi. The big holders of money, cattle, and men naturally wished the newly gained land to be dealt with as public land for lease (*ager publicus*). As long as the regions were not too remote, the peasants demanded that the land be partitioned in order to provide for their progeny. The compromises between these two interests are distinctly reflected in tradition, although the details are certainly not very reliable.

Rome's overseas expansion, as far as it was economically determined, shows features that have since recurred in basic outline again and again and which still recur today. These features occurred in Rome in pronounced fashion and in gigantic dimensions, for the first time in history. However fluid the transitions to other types may be, these "Roman" features are peculiar to what we wish to call *imperialist capitalism,* or rather, they provide the conditions for the existence of this specific type. These features are rooted in the capitalist interests of tax-farmers, of state creditors, of suppliers to the state, of overseas traders privileged by the state, and of colonial capitalists. The profit opportunities of all these groups rest upon the direct exploitation of political power directed towards expansion.

By forcibly enslaving the inhabitants, or at least tying them to the soil (*glebae adscriptio*) and exploiting them as plantation labor, the acquisition of overseas colonies brings tremendous opportunities for profit for capitalist interest-groups. The Carthaginians seem to have been the first to have arranged such an organization on a large scale; the Spaniards in South America, the English in the Southern States of the Union, and the Dutch in Indonesia were the last to do it in the grand manner. The acquisition of overseas colonies also facilitates the compulsory monopolization of trade with these colonies and possibly with other areas. Wherever the administrative apparatus of the polity is not suited for the collection of taxes from the newly occupied territories—of this, later—the taxes give opportunities for profit to capitalist tax-farmers.

The material implements of war may be part of the equipment provided by the army itself, as is the case in pure feudalism. But if these implements are furnished by the polity, rather than by the army, then expansion through war and the procurement of armaments to prepare for war represent by far the most profitable occasion for loan operations on the largest scale. The profit opportunities of capitalist state creditors then increase. Even during the Second Punic War capitalist state creditors prescribed their own conditions to the Roman polity.

Where the ultimate state creditors are a mass stratum of state rentiers (bondholders) such credits provide profit opportunities for bond-issuing

banks, as is characteristic of our day. The interests of those who supply the materials of war point in the same direction. In all this, economic forces interested in the emergence of military conflagrations *per se*, no matter what be the outcome for their own community, are called into life.

Aristophanes distinguished between industries interested in war and industries interested in peace, although as is evident from his enumeration, the center of gravity in his time was still the self-equipped army. The individual citizen gave orders to artisans such as the sword-maker and the armorer.[12] But even then the large private commercial storehouses, often designated as "factories," were above all stores of armaments. Today the polity as such is almost the sole agent to order war material and the engines of war. This enhances the capitalist nature of the process. Banks, which finance war loans, and today large sections of heavy industry are *quand même* economically interested in warfare; the direct suppliers of armor plates and guns are not the only ones so interested. A lost war, as well as a successful war, brings increased business to these banks and industries. Moreover, the powers-that-be in a polity are politically and economically interested in the existence of large home factories for war engines. This interest compels them to allow these factories to provide the whole world with their products, political opponents included.

The extent to which the interests of imperialist capitalism are counter-balanced depends above all on the profitableness of imperialism as compared with the capitalist interests of pacifist orientation, insofar as purely capitalist motives here play a direct part. And this in turn is closely connected with the extent to which economic needs are satisfied by a private or a public economy. The relation between the two is highly important for the nature of expansive eonomic tendencies backed up by political communities.

In general and at all times, imperialist capitalism, especially colonial booty capitalism based on direct force and compulsory labor, has offered by far the greatest opportunities for profit. They have been greater by far than those normally open to industrial enterprises which worked for exports and which oriented themselves to peaceful trade with members of other polities. Therefore, imperialist capitalism has always existed wherever to any relevant degree the polity *per se*, or its subdivisions (municipalities), satisfied its wants through a public economy. The stronger such an economy has been, the more important imperialist capitalism has been.

Increasing opportunities for profit abroad emerge again today, especially in territories that are opened up politically and economically, that

is, brought into the specifically modern forms of public and private enterprise. These opportunities spring from public arms contracts; from railroad and other construction tasks carried out by the polity or by builders endowed with monopoly rights; from monopolist organizations for the collection of levies for trade and industry; from monopolist concessions; and from government loans.

The preponderance of such profit opportunities increases, at the expense of profits from the usual private trade, the more that public enterprises gain in economic importance as a general form of supplying needs. This tendency is directly paralleled by politically backed economic expansion and competition among individual polities, whose members can afford to invest capital. These members aim at securing for themselves such monopolies and shares in public commissions. And the importance of the mere "open door" for the private importation of goods recedes into the background.

The safest way of monopolizing for the members of one's own polity profit opportunities which are linked to the public economy of the foreign territory is to occupy it or at least to subject the foreign political power in the form of a "protectorate" or some such arrangement. Therefore, this "imperialist" tendency increasingly displaces the "pacifist" tendency of expansion, which aims merely at freedom of trade. The latter gained the upper hand only so long as the organization of supply by private capitalism shifted the optimum of capitalist profit opportunities towards pacifist trade and not towards monopolist trade, or at least trade not monopolized by political power.

The universal revival of "imperialist" capitalism, which has always been the normal form in which capitalist interests have influenced politics, and the revival of political drives for expansion are thus not accidental. For the predictable future, the prognosis will have to be made in its favor.

This situation would hardly change fundamentally if for a moment we were to make the mental experiment of assuming the individual polities to be somehow "state-socialist" communities, that is, organizations supplying a maximum amount of their needs through a collective economy. They would seek to buy as cheaply as possible indispensable goods not produced on their own territory (cotton in Germany, for instance) from others that have natural monopolies and would seek to exploit them. It is probable that force would be used where it would lead easily to favorable conditions of exchange; the weaker party would thereby be obliged to pay tribute, if not formally then at least actually. For the rest, one cannot see why the strong state-socialist communities should disdain to squeeze tribute out of the weaker communities for their own partners

where they could do so, just as happened everywhere during early history. Even in a polity without state-socialism the mass of citizens need be as little interested in pacifism as is any single stratum. The Attic *demos*—and not it alone—lived economically off war. War brought soldiers' pay and, in case of a victory, tribute from the subjects. This tribute was actually distributed among the full citizens in the hardly veiled form of attendance-fees at popular assemblies, court hearings, and public festivities. Here, every full citizen could directly grasp the interest in imperialist policy and power. Nowadays, the yields flowing from abroad to the members of a polity, including those of imperialist origin and those actually representing "tribute," do not result in a constellation of interests so comprehensible to the masses. For under the present economic order, the tribute to "creditor nations" assumes the forms of interest payments on debts or of capital profits transferred from abroad to the propertied strata of the "creditor nation." Were one to imagine these tributes abolished, it would mean for countries like England, France, and Germany a very palpable decline of purchasing power for home products. This would influence the labor market in an unfavorable manner.

In spite of this, labor in creditor nations is of strongly pacifist mind and on the whole shows no interest whatsoever in the continuation and compulsory collection of such tributes from foreign debtor communities that are in arrears. Nor does labor show an interest in forcibly participating in the exploitation of foreign colonial territories and public commissions. This is a natural outcome of the immediate class situation, on the one hand, and, on the other, of the internal social and political situation of communities in a capitalist era. Those entitled to tribute belong to the opponent class, who dominate the community. Every successful imperialist policy of coercing the outside normally—or at least at first—also strengthens the domestic prestige and therewith the power and influence of those classes, status groups, and parties, under whose leadership the success has been attained.

In addition to the pacifist sympathies determined by the social and political constellation, there are economic sources of pacifist sympathy among the masses, especially among the proletariat. Every investment of capital in the production of war engines and war material creates job and income opportunities; every defense contract may become a factor directly contributing to prosperity by increasing demand and fostering the intensity of business enterprise. Even more so, this may indirectly become a source of enhanced confidence in the economic opportunities of the participating industries and lead to a speculative boom. Such investment, however, withdraws capital from alternate uses and makes it

more difficult to satisfy demands in other fields. Above all, the means of war are raised by way of levies, which the ruling strata, by virtue of their social and political power, usually know how to transfer to the masses, quite apart from the limits set to the regimentation of property for "mercantilist" considerations.

Countries little burdened by military expenses (the United States) and especially the small countries (Switzerland, for example) often experience a stronger economic expansion than do some of the Great Powers and sometimes are more readily admitted to the economic exploitation of foreign countries because they do not arouse the fear that political intervention might follow economic intrusion.

Experience shows that the pacifist interests of petty bourgeois and proletarian strata very often and very easily fail. This is partly because of the easier accessibility of all unorganized "masses" to emotional influences and partly because of the definite notion (which they entertain) of some unexpected opportunity somehow arising through war. Specific interests, like the hope entertained in overpopulated countries of acquiring territories for emigration, are, of course, also important in this connection. Another contributing cause is the fact that the "masses," in contrast to other interest-groups, subjectively risk a smaller stake in the game. In case of a lost war, the monarch has to fear for his throne; republican power-holders and groups having vested interests in a republican constitution have to fear their own victorious general. The majority of the propertied bourgeoisie have to fear economic loss from the brakes being placed upon business as usual. Under certain circumstances, should disorganization follow defeat, the ruling stratum of notables has to fear a violent shift in power in favor of the propertyless. The "masses" as such, at least in their subjective conception and in the extreme case, have nothing concrete to lose but their lives. The valuation and effect of this danger strongly fluctuates in their own minds. On the whole, it can easily be reduced to zero through emotional influence.

5. *The Nation*

The fervor of this emotional influence does not, in the main, have an economic origin. It is based upon sentiments of prestige, which often extend deep down to the petty-bourgeois masses of states rich in the historical attainment of power-positions. The attachment to all this political prestige may fuse with a specific belief in responsibility towards succeeding generations. The great power structures *per se* are then held to have a responsibility of their own for the way in which power

and prestige are distributed between their own and foreign polities. It goes without saying that all those groups who hold the power to steer common conduct within a polity will most strongly instill themselves with this idealist fervor of power prestige. They remain the specific and most reliable bearers of the idea of the state as an imperialist power structure demanding unqualified devotion.

In addition to the direct and material imperialist interests, discussed above, there are the indirectly material as well as the ideological interests of strata that are in various ways privileged within a polity and, indeed, privileged by its very existence. They comprise especially all those who think of themselves as being the specific "partners" of a specific "culture" diffused among the members of the polity. Under the influence of these circles, the naked prestige of "power" is unavoidably transformed into other special forms of prestige and especially into the idea of the "nation."

If the concept of "nation" can in any way be defined unambiguously, it certainly cannot be stated in terms of empirical qualities common to those who count as members of the nation. In the sense of those using the term at a given time, the concept undoubtedly means, above all, that *it is proper* to expect from certain groups a specific sentiment of solidarity in the face of other groups. Thus, the concept belongs in the sphere of values. Yet, there is no agreement on how these groups should be delimited or about what concerted action should result from such solidarity.

In ordinary language, "nation" is, first of all, not identical with the "people of a state," that is, with the membership of a given polity. Numerous polities comprise groups who emphatically assert the independence of their "nation" in the face of other groups; or they comprise merely *parts* of a group whose members declare themselves to be one homogenous "nation" (Austria is an example for both). Furthermore, a "nation" is not identical with a community speaking the same language; that this by no means always suffices is indicated by the Serbs and Croats, the North Americans, the Irish, and the English. On the contrary, a common language does not seem to be absolutely necessary to a "nation." In official documents, besides "Swiss People" one also finds the phrase "Swiss Nation." And some language groups do not think of themselves as a separate "nation," for example, at least until recently, the White Russians. As a rule, however, the pretension to be considered a special "nation" is associated with a common language as a culture value of the masses; this is predominantly the case in the classic country of language conflicts, Austria, and equally so in Russia and in eastern Prussia. But this linkage of the common language and "nation" is of

varying intensity; for instance, it is very low in the United States as well as in Canada.

"National" solidarity among men speaking the same language may be just as well rejected as accepted. Solidarity, instead, may be linked with differences in the other great culture value of the masses, namely, a religious creed, as is the case with the Serbs and Croats. National solidarity may be connected with differing social structure and mores and hence with "ethnic" elements, as is the case with the German Swiss and the Alsatians in the face of the Germans of the Reich, or with the Irish facing the British. Yet above all, national solidarity may be linked to memories of a common political destiny with other nations, among the Alsatians with the French since the Revolutionary War which represents their common heroic age, just as among the Baltic Barons with the Russians whose political destiny they helped to steer.

It goes without saying that "national" affiliation need not be based upon common blood. Indeed, especially radical "nationalists" are often of foreign descent. Furthermore, although a specific common anthropological type is not irrelevant to nationality, it is neither sufficient nor prerequisite to nation founding. Nevertheless, the idea of the "nation" is apt to include the notions of common descent and of an essential, though frequently indefinite, homogeneity. The "nation" has these notions in common with the sentiment of solidarity of ethnic communities, which is also nourished from various sources, as we have seen before [ch. V:4]. But the sentiment of ethnic solidarity does not by itself make a "nation." Undoubtedly, even the White Russians in the face of the Great Russians have always had a sentiment of ethnic solidarity, yet even at the present time they would hardly claim to qualify as a separate "nation." The Poles of Upper Silesia, until recently, had hardly any feeling of solidarity with the "Polish Nation." They felt themselves to be a separate ethnic group in the face of the Germans, but for the rest they were Prussian subjects and nothing else.

Whether the Jews may be called a "nation" is an old problem. Most of the time, the answer will be negative. At any rate, the answers of the Russian Jews, of the assimilating West-European and American Jews, and of the Zionists would vary in nature and extent. In particular, the question would be answered very differently by the peoples of their environment, for example, by the Russians on the one side and the Americans on the other—or at least by those Americans who at the present time still maintain American and Jewish nature to be essentially similar, as an American President [T.R.] has asserted in an official document.

Those German-speaking Alsatians who refuse to belong to the German "nation" and who cultivate the memory of political union with

France do not thereby consider themselves simply as members of the French "nation." The Negroes of the United States, at least at present, consider themselves members of the American "nation," but they will hardly ever be so considered by the Southern Whites.

Only fifteen years ago, men knowing the Far East still denied that the Chinese qualified as a "nation"; they held them to be only a "race." Yet today, not only the Chinese political leaders but also the very same observers would judge differently. Thus it seems that a group of people under certain conditions may attain the quality of a nation through specific behavior, or they may claim this quality as an "attainment"—and within short spans of time at that.

There are, on the other hand, social groups that profess indifference to, and even directly relinquish, any evaluational adherence to a single nation. At the present time, certain leading strata of the class movement of the modern proletariat consider such indifference and relinquishment to be an accomplishment. Their argument meets with varying success, depending upon political and linguistic affiliations and also upon different strata of the proletariat; on the whole, their success is rather diminishing at the present time.

An unbroken scale of quite varied and highly changeable attitudes toward the idea of the "nation" is to be found among social strata within single groups to whom language usage ascribes the quality of "nations." The scale extends from emphatic affirmation to emphatic negation and finally complete indifference, as may be characteristic of the citizens of Luxembourg and of nationally "unawakened" peoples. Feudal strata, strata of officials, bourgeois strata of various occupational categories, strata of "intellectuals" do not have homogeneous or historically constant attitudes towards the idea.

The reasons for the belief that one represents a nation vary greatly, just as does the empirical conduct that actually results from affiliation or lack of it with a nation. The "national sentiments" of the German, the Englishman, the North American, the Spaniard, the Frenchman, or the Russian do not function in an identical manner—to take only the simplest illustration—in relation to the polity, with the geographical boundaries of which the "idea" of the nation may come into conflict. This antagonism may lead to quite different results. Certainly the Italians in the Austrian state would fight Italian troops only if coerced into doing so. Large portions of the German Austrians would today fight against Germany only with the greatest reluctance; they could not be relied upon. The German-Americans, however, even those valuing their [former] "nationality" most highly, would fight against Germany, not gladly, yet, given the occasion, unconditionally. The Poles in the German State would fight readily against a Russian Polish army but hardly against an autonomous Polish army. The Austrian Serbs would fight against Serbia with very mixed feelings and only in the hope of attaining common autonomy. The Russian Poles would fight more reliably against a German than against an Austrian army.

It is a well-known historical fact that within the same nation the intensity of solidarity felt toward the outside is changeable and varies greatly in strength. On the whole, this sentiment has grown even where internal conflicts of interest have not diminished. Only sixty years ago the [Prussian conservative] *Kreuzzeitung* still appealed for the intervention of the emperor of Russia in internal German affairs; today, in spite of increased class antagonism, this would be difficult to imagine.

In any case, the differences in national sentiment are both significant and fluid and, as is the case in all other fields, fundamentally different answers are given to the question: What conclusions are a group of people willing to draw from the "national sentiment" found among them? No matter how emphatic and subjectively sincere a pathos may be formed among them, what sort of specific joint action are they ready to develop? The extent to which in the diaspora a custom, more correctly, a convention is adhered to as a "national" trait varies just as much as does the importance of common conventions for the belief in the existence of a separate "nation." In the face of this value concept of the "idea of the nation," which empirically is entirely ambiguous, a sociological typology would have to analyze all the individual kinds of sentiments of group membership and solidarity in their genetic conditions and in their consequences for the social action of the participants. This cannot be attempted here.

Instead, we shall have to look a little closer into the fact that the idea of the nation for its advocates stands in very intimate relation to "prestige" interests. The earliest and most energetic manifestations of the idea, in some form, even though it may have been veiled, have contained the legend of a providential "mission." Those to whom the representatives of the idea zealously turned were expected to shoulder this mission. Another element of the early idea was the notion that this mission was facilitated solely through the very cultivation of the peculiarity of the group set off as a nation. Therewith, in so far as its self-justification is sought in the value of its content, this mission can consistently be thought of only as a specific "culture" mission. The significance of the "nation" is usually anchored in the superiority, or at least the irreplaceability, of the culture values that are to be preserved and developed only through the cultivation of the peculiarity of the group. It therefore goes without saying that, just as those who wield

power in the polity invoke the idea of the *state*, the intellectuals, as we shall tentatively call those who usurp leadership in a *Kulturgemeinschaft* (that is, within a group of people who by virtue of their peculiarity have access to certain products that are considered "culture goods"), are specifically predestined to propagate the "*national*" idea. This happens when those culture agents. . . .

[The presentation breaks off here. Notes on the margin of the manuscript indicate that Weber intended to deal with the idea and development of the nation state throughout history. The following observations were found on the margin of the sheet: Cultural prestige and power prestige are closely associated. Every *victorious* war enhances the cultural prestige (Germany [1871], Japan [1905], etc.). Whether war *furthers* the "development of culture" is another question, one which cannot be solved in a "value neutral" way. It certainly does *not* do it in an *unambiguous* way (see Germany after 1871!). Even on the basis of purely empirical criteria it would *not* seem to do so: Pure art and literature of a specifically German character did *not* develop in the political *center* of Germany.]

6. *The Distribution of Power Within the Political Community: Class, Status, Party*[13]

A. ECONOMICALLY DETERMINED POWER AND THE STATUS ORDER. The structure of every legal order directly influences the distribution of power, economic or otherwise, within its respective community. This is true of all legal orders and not only that of the state. In general, we understand by "power" the chance of a man or a number of men to realize their own will in a social action even against the resistance of others who are participating in the action.

"Economically conditioned" power is not, of course, identical with "power" as such. On the contrary, the emergence of economic power may be the consequence of power existing on other grounds. Man does not strive for power only in order to enrich himself economically. Power, including economic power, may be valued for its own sake. Very frequently the striving for power is also conditioned by the social honor it entails. Not all power, however, entails social honor: The typical American Boss, as well as the typical big speculator, deliberately relinquishes social honor. Quite generally, "mere economic" power, and especially "naked" money power, is by no means a recognized basis of social honor. Nor is power the only basis of social honor. Indeed, social honor, or prestige, may even be the basis of economic power, and very frequently has been. Power, as well as honor, may be guaranteed by

the legal order, but, at least normally, it is not their primary source. The legal order is rather an additional factor that enhances the chance to hold power or honor; but it can not always secure them.

The way in which social honor is distributed in a community between typical groups participating in this distribution we call the "status order." The social order and the economic order are related in a similar manner to the legal order. However, the economic order merely defines the way in which economic goods and services are distributed and used. Of course, the status order is strongly influenced by it, and in turn reacts upon it.

Now: "classes," "status groups," and "parties" are phenomena of the distribution of power within a community.

B. DETERMINATION OF CLASS SITUATION BY MARKET SITUATION. In our terminology, "classes" are not communities; they merely represent possible, and frequent, bases for social action. We may speak of a "class" when (1) a number of people have in common a specific causal component of their life chances, insofar as (2) this component is represented exclusively by economic interests in the possession of goods and opportunities for income, and (3) is represented under the conditions of the commodity or labor markets. This is "class situation."

It is the most elemental economic fact that the way in which the disposition over material property is distributed among a plurality of people, meeting competitively in the market for the purpose of exchange, in itself creates specific life chances. The mode of distribution, in accord with the law of marginal utility, excludes the non-wealthy from competing for highly valued goods; it favors the owners and, in fact, gives to them a monopoly to acquire such goods. Other things being equal, the mode of distribution monopolizes the opportunities for profitable deals for all those who, provided with goods, do not necessarily have to exchange them. It increases, at least generally, their power in the price struggle with those who, being propertyless, have nothing to offer but their labor or the resulting products, and who are compelled to get rid of these products in order to subsist at all. The mode of distribution gives to the propertied a monopoly on the possibility of transferring property from the sphere of use as "wealth" to the sphere of "capital," that is, it gives them the entrepreneurial function and all chances to share directly or indirectly in returns on capital. All this holds true within the area in which pure market conditions prevail. "Property" and "lack of property" are, therefore, the basic categories of all class situations. It does not matter whether these two categories become effective in the competitive struggles of the consumers or of the producers.

Within these categories, however, class situations are further dif-

ferentiated: on the one hand, according to the kind of property that is usable for returns; and, on the other hand, according to the kind of services that can be offered in the market. Ownership of dwellings; workshops; warehouses; stores; agriculturally usable land in large or small holdings—a quantitative difference with possibly qualitative consequences; ownership of mines; cattle; men (slaves); disposition over mobile instruments of production, or capital goods of all sorts, especially money or objects that can easily be exchanged for money; disposition over products of one's own labor or of others' labor differing according to their various distances from consumability; disposition over transferable monopolies of any kind—all these distinctions differentiate the class situations of the propertied just as does the "meaning" which they can give to the use of property, especially to property which has money equivalence. Accordingly, the propertied, for instance, may belong to the class of rentiers or to the class of entrepreneurs.

Those who have no property but who offer services are differentiated just as much according to their kinds of services as according to the way in which they make use of these services, in a continuous or discontinuous relation to a recipient. But always this is the generic connotation of the concept of class: that the kind of chance in the *market* is the decisive moment which presents a common condition for the individual's fate. Class situation is, in this sense, ultimately market situation. The effect of naked possession *per se*, which among cattle breeders gives the non-owning slave or serf into the power of the cattle owner, is only a fore-runner of real "class" formation. However, in the cattle loan and in the naked severity of the law of debts in such communities for the first time mere "possession" as such emerges as decisive for the fate of the individual; this is much in contrast to crop-raising communities, which are based on labor. The creditor-debtor relation becomes the basis of "class situations" first in the cities, where a "credit market," however primitive, with rates of interest increasing according to the extent of dearth and factual monopolization of lending in the hands of a plutocracy could develop. Therewith "class struggles" begin.

Those men whose fate is not determined by the chance of using goods or services for themselves on the market, e.g., slaves, are not, however, a class in the technical sense of the term. They are, rather, a status group.

c. SOCIAL ACTION FLOWING FROM CLASS INTEREST. According to our terminology, the factor that creates "class" is unambiguously economic interest, and indeed, only those interests involved in the existence of the market. Nevertheless, the concept of class-interest is an ambiguous one: even as an empirical concept it is ambiguous as soon as one understands by it something other than the factual direction of interests following with a certain probability from the class situation for a certain average of those people subjected to the class situation. The class situation and other circumstances remaining the same, the direction in which the individual worker, for instance, is likely to pursue his interests may vary widely, according to whether he is constitutionally qualified for the task at hand to a high, to an average, or to a low degree. In the same way, the direction of interests may vary according to whether or not social action of a larger or smaller portion of those commonly affected by the class situation, or even an association among them, e.g., a trade union, has grown out of the class situation, from which the individual may expect promising results for himself. The emergence of an association or even of mere social action from a common class situation is by no means a universal phenomenon.

The class situation may be restricted in its efforts to the generation of essentially *similar* reactions, that is to say, within our terminology, of "mass behavior." However, it may not even have this result. Furthermore, often merely amorphous social action emerges. For example, the "grumbling" of workers known in ancient Oriental ethics: The moral disapproval of the work-master's conduct, which in its practical significance was probably equivalent to an increasingly typical phenomenon of precisely the latest industrial development, namely, the slowdown of laborers by virtue of tacit agreement. The degree in which "social action" and possibly associations emerge from the mass behavior of the members of a class is linked to general cultural conditions, especially to those of an intellectual sort. It is also linked to the extent of the contrasts that have already evolved, and is especially linked to the transparency of the connections between the causes and the consequences of the class situation. For however different life chances may be, this fact in itself, according to all experience, by no means gives birth to "class action" (social action by the members of a class). For that, the real conditions and the results of the class situation must be distinctly recognizable. For only then the contrast of life chances can be felt not as an absolutely given fact to be accepted, but as a resultant from either (1) the given distribution of property, or (2) the structure of the concrete economic order. It is only then that people may react against the class structure not only through acts of intermittent and irrational protest, but in the form of rational association. There have been "class situations" of the first category (1), of a specifically naked and transparent sort, in the urban centers of Antiquity and during the Middle Ages; especially then when great fortunes were accumulated by factually monopolized trading in local industrial products or in foodstuffs; furthermore, under certain

conditions, in the rural economy of the most diverse periods, when agriculture was increasingly exploited in a profit-making manner. The most important historical example of the second category (2) is the class situation of the modern proletariat.

D. TYPES OF CLASS STRUGGLE. Thus every class may be the carrier of any one of the innumerable possible forms of class action, but this is not necessarily so. In any case, a class does not in itself constitute a group (*Gemeinschaft*). To treat "class" conceptually as being equivalent to "group" leads to distortion. That men in the same class situation regularly react in mass actions to such tangible situations as economic ones in the direction of those interests that are most adequate to their average number is an important and after all simple fact for the understanding of historical events. However, this fact must not lead to that kind of pseudo-scientific operation with the concepts of class and class interests which is so frequent these days and which has found its most classic expression in the statement of a talented author, that the individual may be in error concerning his interests but that the class is infallible about its interests.

If classes as such are not groups, nevertheless class situations emerge only on the basis of social action. However, social action that brings forth class situations is not basically action among members of the identical class; it is an action among members of different classes. Social actions that directly determine the class situation of the worker and the entrepreneur are: the labor market, the commodities market, and the capitalistic enterprise. But, in its turn, the existence of a capitalistic enterprise presupposes that a very specific kind of social action exists to protect the possession of goods *per se,* and especially the power of individuals to dispose, in principle freely, over the means of production: a certain kind of legal order. Each kind of class situation, and above all when it rests upon the power of property *per se,* will become most clearly efficacious when all other determinants of reciprocal relations are, as far as possible, eliminated in their significance. It is in this way that the use of the power of property in the market obtains its most sovereign importance.

Now status groups hinder the strict carrying through of the sheer market principle. In the present context they are of interest only from this one point of view. Before we briefly consider them, note that not much of a general nature can be said about the more specific kinds of antagonism between classes (in our meaning of the term). The great shift, which has been going on continuously in the past, and up to our times, may be summarized, although at a cost of some precision: the struggle in which class situations are effective has progressively shifted

from consumption credit toward, first, competitive struggles in the commodity market and then toward wage disputes on the labor market. The class struggles of Antiquity—to the extent that they were genuine class struggles and not struggles between status groups—were initially carried on by peasants and perhaps also artisans threatened by debt bondage and struggling against urban creditors. For debt bondage is the normal result of the differentiation of wealth in commercial cities, especially in seaport cities. A similar situation has existed among cattle breeders. Debt relationships as such produced class action up to the days of Catilina. Along with this, and with an increase in provision of grain for the city by transporting it from the outside, the struggle over the means of sustenance emerged. It centered in the first place around the provision of bread and determination of the price of bread. It lasted throughout Antiquity and the entire Middle Ages. The propertyless flocked together against those who actually and supposedly were interested in the dearth of bread. This fight spread until it involved all those commodities essential to the way of life and to handicraft production. There were only incipient discussions of wage disputes in Antiquity and in the Middle Ages. But they have been slowly increasing up into modern times. In the earlier periods they were completely secondary to slave rebellions as well as to conflicts in the commodity market.

The propertyless of Antiquity and of the Middle Ages protested against monopolies, pre-emption, forestalling, and the withholding of goods from the market in order to raise prices. Today the central issue is the determination of the price of labor. The transition is represented by the fight for access to the market and for the determination of the price of products. Such fights went on between merchants and workers in the putting-out system of domestic handicraft during the transition to modern times. Since it is quite a general phenomenon we must mention here that the class antagonisms that are conditioned through the market situations are usually most bitter between those who actually and directly participate as opponents in price wars. It is not the rentier, the share-holder, and the banker who suffer the ill will of the worker, but almost exclusively the manufacturer and the business executives who are the direct opponents of workers in wage conflicts. This is so in spite of the fact that it is precisely the cash boxes of the rentier, the share-holder, and the banker into which the more or less unearned gains flow, rather than into the pockets of the manufacturers or of the business executives. This simple state of affairs has very frequently been decisive for the role the class situation has played in the formation of political parties. For example, it has made possible the varieties of patriarchal socialism and the frequent attempts—formerly, at least—of threatened

status groups to form alliances with the proletariat against the bourgeoisie.

E. STATUS HONOR. In contrast to classes, *Stände* (*status groups*) are normally groups. They are, however, often of an amorphous kind. In contrast to the purely economically determined "class situation," we wish to designate as *status situation* every typical component of the life of men that is determined by a specific, positive or negative, social estimation of *honor*. This honor may be connected with any quality shared by a plurality, and, of course, it can be knit to a class situation: class distinctions are linked in the most varied ways with status distinctions. Property as such is not always recognized as a status qualification, but in the long run it is, and with extraordinary regularity. In the subsistence economy of neighborhood associations, it is often simply the richest who is the "chieftain." However, this often is only an honorific preference. For example, in the so-called pure modern democracy, that is, one devoid of any expressly ordered status privileges for individuals, it may be that only the families coming under approximately the same tax class dance with one another. This example is reported of certain smaller Swiss cities. But status honor need not necessarily be linked with a class situation. On the contrary, it normally stands in sharp opposition to the pretensions of sheer property.

Both propertied and propertyless people can belong to the same status group, and frequently they do with very tangible consequences. This equality of social esteem may, however, in the long run become quite precarious. The equality of status among American gentlemen, for instance, is expressed by the fact that outside the subordination determined by the different functions of business, it would be considered strictly repugnant—wherever the old tradition still prevails—if even the richest boss, while playing billiards or cards in his club would not treat his clerk as in every sense fully his equal in birthright, but would bestow upon him the condescending status-conscious "benevolence" which the German boss can never dissever from his attitude. This is one of the most important reasons why in America the German clubs have never been able to attain the attraction that the American clubs have.

In content, status honor is normally expressed by the fact that above all else a specific *style of life* is expected from all those who wish to belong to the circle. Linked with this expectation are restrictions on social intercourse (that is, intercourse which is not subservient to economic or any other purposes). These restrictions may confine normal marriages to within the status circle and may lead to complete endogamous closure. Whenever this is not a mere individual and socially irrelevant imitation of another style of life, but consensual action of this closing character, the status development is under way.

In its characteristic form, stratification by status groups on the basis of conventional styles of life evolves at the present time in the United States out of the traditional democracy. For example, only the resident of a certain street ("the Street") is considered as belonging to "society," is qualified for social intercourse, and is visited and invited. Above all, this differentiation evolves in such a way as to make for strict submission to the fashion that is dominant at a given time in society. This submission to fashion also exists among men in America to a degree unknown in Germany; it appears as an indication of the fact that a given man puts forward a *claim* to qualify as a gentleman. This submission decides, at least *prima facie*, that he will be treated as such. And this recognition becomes just as important for his employment chances in swank establishments, and above all, for social intercourse and marriage with "esteemed" families, as the qualification for dueling among Germans. As for the rest, status honor is usurped by certain families resident for a long time, and, of course, correspondingly wealthy (e.g. F.F.V., the First Families of Virginia), or by the actual or alleged descendants of the "Indian Princess" Pocahontas, of the Pilgrim fathers, or of the Knickerbockers, the members of almost inaccessible sects and all sorts of circles setting themselves apart by means of any other characteristics and badges. In this case stratification is purely conventional and rests largely on usurpation (as does almost all status honor in its beginning). But the road to legal privilege, positive or negative, is easily traveled as soon as a certain stratification of the social order has in fact been "lived in" and has achieved stability by virtue of a stable distribution of economic power.

F. ETHNIC SEGREGATION AND CASTE. Where the consequences have been realized to their full extent, the status group evolves into a closed caste. Status distinctions are then guaranteed not merely by conventions and laws, but also by religious sanctions. This occurs in such a way that every physical contact with a member of any caste that is considered to be lower by the members of a higher caste is considered as making for a ritualistic impurity and a stigma which must be expiated by a religious act. In addition, individual castes develop quite distinct cults and gods.

In general, however, the status structure reaches such extreme consequences only where there are underlying differences which are held to be "ethnic." The caste is, indeed, the normal form in which ethnic communities that believe in blood relationship and exclude exogamous marriage and social intercourse usually associate with one another. As mentioned before [ch. VI:*vi*:6], such a caste situation is part of the phenomenon of pariah peoples and is found all over the world. These people form communities, acquire specific occupational traditions of handicrafts or of other arts, and cultivate a belief in their ethnic community.

They live in a diaspora strictly segregated from all personal intercourse, except that of an unavoidable sort, and their situation is legally precarious. Yet, by virtue of their economic indispensability, they are tolerated, indeed frequently privileged, and they live interspersed in the political communities. The Jews are the most impressive historical example.

A status segregation grown into a caste differs in its structure from a mere ethnic segregation: the caste structure transforms the horizontal and unconnected coexistences of ethnically segregated groups into a vertical social system of super- and subordination. Correctly formulated: a comprehensive association integrates the ethnically divided communities into one political unit. They differ precisely in this way: ethnic coexistence, based on mutual repulsion and disdain, allows each ethnic community to consider its own honor as the highest one; the caste structure brings about a social subordination and an acknowledgement of "more honor" in favor of the privileged caste and status groups. This is due to the fact that in the caste structure ethnic distinctions as such have become "functional" distinctions within the political association (warriors, priests, artisans that are politically important for war and for building, and so on). But even pariah peoples who are most despised (for example, the Jews) are usually apt to continue cultivating the belief in their own specific "honor," a belief that is equally peculiar to ethnic and to status groups.

However, with the negatively privileged status groups the sense of dignity takes a specific deviation. A sense of dignity is the precipitation in individuals of social honor and of conventional demands which a positively privileged status group raises for the deportment of its members. The sense of dignity that characterizes positively privileged status groups is naturally related to their "being" which does not transcend itself, that is, it is related to their "beauty and excellence" (καλοκἀγαθία). Their kingdom is "of this world." They live for the present and by exploiting their great past. The sense of dignity of the negatively privileged strata naturally refers to a future lying beyond the present, whether it is of this life or of another. In other words, it must be nurtured by the belief in a providential mission and by a belief in a specific honor before God. The chosen people's dignity is nurtured by a belief either that in the beyond "the last will be the first," or that in this life a Messiah will appear to bring forth into the light of the world which has cast them out the hidden honor of the pariah people. This simple state of affairs, and not the resentment which is so strongly emphasized in Nietzsche's much-admired construction in the *Genealogy of Morals*, is the source of the religiosity cultivated by pariah status groups (see above, ch. VI:*vi*:5);

moreover, resentment applies only to a limited extent; for one of Nietzsche's main examples, Buddhism, it is not at all applicable.

For the rest, the development of status groups from ethnic segregations is by no means the normal phenomenon. On the contrary. Since objective "racial differences" are by no means behind every subjective sentiment of an ethnic community, the question of an ultimately racial foundation of status structure is rightly a question of the concrete individual case. Very frequently a status group is instrumental in the production of a thoroughbred anthropological type. Certainly status groups are to a high degree effective in producing extreme types, for they select personally qualified individuals (e.g. the knighthood selects those who are fit for warfare, physically and psychically). But individual selection is far from being the only, or the predominant, way in which status groups are formed: political membership or class situation has at all times been at least as frequently decisive. And today the class situation is by far the predominant factor. After all, the possibility of a style of life expected for members of a status group is usually conditioned economically.

G. STATUS PRIVILEGES. For all practical purposes, stratification by status goes hand in hand with a monopolization of ideal and material goods or opportunities, in a manner we have come to know as typical. Besides the specific status honor, which always rests upon distance and exclusiveness, honorific preferences may consist of the privilege of wearing special costumes, of eating special dishes taboo to others, of carrying arms—which is most obvious in its consequences—, the right to be a dilettante, for example, to play certain musical instruments. However, material monopolies provide the most effective motives for the exclusiveness of a status group; although, in themselves, they are rarely sufficient, almost always they come into play to some extent. Within a status circle there is the question of intermarriage: the interest of the families in the monopolization of potential bridegrooms is at least of equal importance and is parallel to the interest in the monopolization of daughters. The daughters of the members must be provided for. With an increased closure of the status group, the conventional preferential opportunities for special employment grow into a legal monopoly of special offices for the members. Certain goods become objects for monopolization by status groups, typically, entailed estates, and frequently also the possession of serfs or bondsmen and, finally, special trades. This monopolization occurs positively when the status group is exclusively entitled to own and to manage them; and negatively when, in order to maintain its specific way of life, the status group must *not* own and manage them. For the decisive role of a style of life in status honor means that status groups

are the specific bearers of all conventions. In whatever way it may be manifest, all stylization of life either originates in status groups or is at least conserved by them. Even if the principles of status conventions differ greatly, they reveal certain typical traits, especially among the most privileged strata. Quite generally, among privileged status groups there is a status disqualification that operates against the performance of common physical labor. This disqualification is now "setting in" in America against the old tradition of esteem for labor. Very frequently every rational economic pursuit, and especially entrepreneurial activity, is looked upon as a disqualification of status. Artistic and literary activity is also considered degrading work as soon as it is exploited for income, or at least when it is connected with hard physical exertion. An example is the sculptor working like a mason in his dusty smock as over against the painter in his salon-like studio and those forms of musical practice that are acceptable to the status group.

H. ECONOMIC CONDITIONS AND EFFECTS OF STATUS STRATIFICATION. The frequent disqualification of the gainfully employed as such is a direct result of the principle of status stratification, and of course, of this principle's opposition to a distribution of power which is regulated exclusively through the market. These two factors operate along with various individual ones, which will be touched upon below.

We have seen above that the market and its processes knows no personal distinctions: "functional" interests dominate it. It knows nothing of honor. The status order means precisely the reverse: stratification in terms of honor and styles of life peculiar to status groups as such. The status order would be threatened at its very root if mere economic acquisition and naked economic power still bearing the stigma of its extra-status origin could bestow upon anyone who has won them the same or even greater honor as the vested interests claim for themselves. After all, given equality of status honor, property *per se* represents an addition even if it is not overtly acknowledged to be such. Therefore all groups having interest in the status order react with special sharpness precisely against the pretensions of purely economic acquisition. In most cases they react the more vigorously the more they feel themselves threatened. Calderon's respectful treatment of the peasant, for instance, as opposed to Shakespeare's simultaneous ostensible disdain of the *canaille* illustrates the different way in which a firmly structured status order reacts as compared with a status order that has become economically precarious. This is an example of a state of affairs that recurs everywhere. Precisely because of the rigorous reactions against the claims of property *per se*, the "parvenu" is never accepted, personally and without reservation, by the privileged status groups, no matter how completely

his style of life has been adjusted to theirs. They will only accept his descendants who have been educated in the conventions of their status group and who have never besmirched its honor by their own economic labor.

As to the general *effect* of the status order, only one consequence can be stated, but it is a very important one: the hindrance of the free development of the market. This occurs first for those goods that status groups directly withhold from free exchange by monopolization, which may be effected either legally or conventionally. For example, in many Hellenic cities during the "status era" and also originally in Rome, the inherited estate (as shown by the old formula for placing spendthrifts under a guardian)[14] was monopolized, as were the estates of knights, peasants, priests, and especially the clientele of the craft and merchant guilds. The market is restricted, and the power of naked property *per se*, which gives its stamp to class formation, is pushed into the background. The results of this process can be most varied. Of course, they do not necessarily weaken the contrasts in the economic situation. Frequently they strengthen these contrasts, and in any case, where stratification by status permeates a community as strongly as was the case in all political communities of Antiquity and of the Middle Ages, one can never speak of a genuinely free market competition as we understand it today. There are wider effects than this direct exclusion of special goods from the market. From the conflict between the status order and the purely economic order mentioned above, it follows that in most instances the notion of honor peculiar to status absolutely abhors that which is essential to the market: hard bargaining. Honor abhors hard bargaining among peers and occasionally it taboos it for the members of a status group in general. Therefore, everywhere some status groups, and usually the most influential, consider almost any kind of overt participation in economic acquisition as absolutely stigmatizing.

With some over-simplification, one might thus say that classes are stratified according to their relations to the production and acquisition of goods; whereas status groups are stratified according to the principles of their *consumption* of goods as represented by special styles of life.

An "occupational status group," too, is a status group proper. For normally, it successfully claims social honor only by virtue of the special style of life which may be determined by it. The differences between classes and status groups frequently overlap. It is precisely those status communities most strictly segregated in terms of honor (viz. the Indian castes) who today show, although within very rigid limits, a relatively high degree of indifference to pecuniary income. However, the Brahmins seek such income in many different ways.

As to the general economic conditions making for the predominance of stratification by status, only the following can be said. When the bases of the acquisition and distribution of goods are relatively stable, stratification by status is favored. Every technological repercussion and economic transformation threatens stratification by status and pushes the class situation into the foreground. Epochs and countries in which the naked class situation is of predominant significance are regularly the periods of technical and economic transformations. And every slowing down of the change in economic stratification leads, in due course, to the growth of status structures and makes for a resuscitation of the important role of social honor.

1. PARTIES. Whereas the genuine place of classes is within the economic order, the place of status groups is within the social order, that is, within the sphere of the distribution of honor. From within these spheres, classes and status groups influence one another and the legal order and are in turn influenced by it. "*Parties*" reside in the sphere of power. Their action is oriented toward the acquisition of social power, that is to say, toward influencing social action no matter what its content may be. In principle, parties may exist in a social club as well as in a state. As over against the actions of classes and status groups, for which this is not necessarily the case, party-oriented social action always involves association. For it is always directed toward a goal which is striven for in a planned manner. This goal may be a cause (the party may aim at realizing a program for ideal or material purposes), or the goal may be personal (sinecures, power, and from these, honor for the leader and the followers of the party). Usually the party aims at all these simultaneously. Parties are, therefore, only possible within groups that have an associational character, that is, some rational order and a staff of persons available who are ready to enforce it. For parties aim precisely at influencing this staff, and if possible, to recruit from it party members.

In any individual case, parties may represent interests determined through class situation or status situation, and they may recruit their following respectively from one or the other. But they need be neither purely class nor purely status parties; in fact, they are more likely to be mixed types, and sometimes they are neither. They may represent ephemeral or enduring structures. Their means of attaining power may be quite varied, ranging from naked violence of any sort to canvassing for votes with coarse or subtle means: money, social influence, the force of speech, suggestion, clumsy hoax, and so on to the rougher or more artful tactics of obstruction in parliamentary bodies.

The sociological structure of parties differs in a basic way according

to the kind of social action which they struggle to influence; that means, they differ according to whether or not the community is stratified by status or by classes. Above all else, they vary according to the structure of domination. For their leaders normally deal with its conquest. In our general terminology, parties are not only products of modern forms of domination. We shall also designate as parties the ancient and medieval ones, despite the fact that they differ basically from modern parties. Since a party always struggles for political control (*Herrschaft*), its organization too is frequently strict and "authoritarian." Because of these variations between the forms of domination, it is impossible to say anything about the structure of parties without discussing them first. Therefore, we shall now turn to this central phenomenon of all social organization.

Before we do this, we should add one more general observation about classes, status groups and parties: The fact that they presuppose a larger association, especially the framework of a polity, does not mean that they are confined to it. On the contrary, at all times it has been the order of the day that such association (even when it aims at the use of military force in common) reaches beyond the state boundaries. This can be seen in the [interlocal] solidarity of interests of oligarchs and democrats in Hellas, of Guelphs and Ghibellines in the Middle Ages, and within the Calvinist party during the age of religious struggles; and all the way up to the solidarity of landlords (International Congresses of Agriculture), princes (Holy Alliance, Karlsbad Decrees [of 1819]), socialist workers, conservatives (the longing of Prussian conservatives for Russian intervention in 1850). But their aim is not necessarily the establishment of a new territorial dominion. In the main they aim to influence the existing polity.

NOTES

1. This is the early formulation of territorial political organization and of the state, which Weber later summarized in sec. 17 of Part One, ch. I. (R)

2. *Camorra*—well-organized large-scale criminal gang operating in Southern Italy, especially Naples; first appearance *c.* 1820; achieved effective power over Naples municipal government in the 1890's, was defeated in the elections of 1901 through the effort of the Honest Government League, but flared up repeatedly in later times, especially about 1911. (Rh)

3. Cf. *Soc. of Law*, above, ch. VIII:*ii*:1 and 5, and *vi*:1. (W)

4. Cf. in this respect the role of the "military societies" as police organs among the Plains Indians, as described by K. N. Llewellyn and E. A. Hoebel, *The Cheyenne Way* (1941), esp. c. 5. (Rh)

5. Cf. E. Fischer, *Schweizergeschichte* (3rd ed. 1947) 150. (Rh)

6. For a recent survey and synthesis of such studies, see R. Thurnwald,

Werden, Wandel und Gestaltung von Staat und Kultur (1934); for illustrations of the type of society mentioned in the following sentences, see R. F. Barton, *Ifugao Law* (1919) and *The Kalingas* (1948). (Rh)

7. See *Reste arabischen Heidentums* (sec. ed., 1897; also *Medina vor dem Islam* (*Skizzen und Vorarbeiten*, vol. IV, 1, 1889). (W)

8. The German Customs Union (*Zollverein*) was gradually established under Prussian leadership in the 1820's and 1830's. After January 1, 1834, it comprised all German states with the exception of Austria and two smaller states, i.e., practically that part of Germany which under Bismarck's leadership emerged in 1871 as the new German Reich. In this development of German unity under Prussian hegemony, but also toward the exclusion of Austria, which became final through the Prussian-Austrian war of 1866, the *Zollverein* constituted an important step. (Rh)

9. Cf. Weber, *Agrarverhältnisse*, in *GAzSW*, 271, 273f, 295f. (W)

10. On Franz Oppenheimer, see *supra*, Part One, ch. II, nn. 3 and 22. (Wi)

11. Gaius Verres (c. 120–43 B.C.), Roman magistrate who as governor of Sicily ruthlessly exploited the local population. On their behalf he was in 70 B.C. prosecuted in the *Repetundae* (extortion) Court by Cicero, whose "Verrine" orations contain much valuable information on agrarian conditions—specifically, on the decline of peasant farming in favor of capitalistic, slave-operated *latifundia*—in the Roman provinces. Cf. also Weber, *Agrarverhältnisse*, in *GAzSW*, 252f. (Wi)

12. Cf. now Victor Ehrenberg, *The People of Aristophanes* (New York: Schocken paperback, 1962), chs. V (esp. 123f.) and XI (esp. 307ff.). (Wi)

13. All subheadings by Gerth and Mills. The major terminological change in this section is the elimination of the dichotomy of "communal" versus "societal" action and the substitution of "group" for "community." (R)

14. On the *bona paterna avitaque* of the Roman disemancipation formula, cf. also *infra*, ch. XVI:*v*, at n. 33. (Wi)

CHAPTER X

DOMINATION AND LEGITIMACY

1. *Domination by Economic Power and by Authority*[1]

Domination in the most general sense is one of the most important elements of social action. Of course, not every form of social action reveals a structure of dominancy. But in most of the varieties of social action domination plays a considerable role, even where it is not obvious at first sight. Thus, for example, in linguistic communities the elevation by authoritative fiat of a dialect to the status of an official language of a political entity has very often had a decisive influence on the development of a large community with a common literary language, as, for instance, Germany.[2] On the other hand, political separation has determined the final form of a corresponding linguistic differentiation, as, for instance, in the case of Holland as against Germany.[3] Furthermore, the domination exercised in the schools stereotypes the form and the predominance of the official school language most enduringly and decisively. Without exception every sphere of social action is profoundly influenced by structures of dominancy. In a great number of cases the emergence of rational association from amorphous social action has been due to domination and the way in which it has been exercised. Even where this is not the case, the structure of dominancy and its unfolding is decisive in determining the form of social action and its orientation toward a "goal." Indeed, domination has played the decisive role particularly in the economically most important social structures of the past and present, viz., the manor on the one hand, and the large-scale capitalistic enterprise on the other.

Domination constitutes a special case of power, as we shall see

presently. As in the case of other forms of power, those who exercise domination do not apply it exclusively, or even usually, to the pursuit of purely economic ends, such as, for example, a plentiful supply of economic goods. It is true, however, that the control over economic goods, i.e., economic power, is a frequent, often purposively willed, consequence of domination as well as one of its most important instruments. Not every position of economic power, however, represents domination in our sense of the word. Nor does domination utilize in every case economic power for its foundation and maintenance. But in the vast majority of cases, and indeed in the most important ones, this is just what happens in one way or another and often to such an extent that the mode of applying economic means for the purpose of maintaining domination, in turn, exercises a determining influence on the structure of domination. Furthermore, the great majority of all economic organizations, among them the most important and the most modern ones, reveal a structure of dominancy. The crucial characteristics of any form of domination may, it is true, not be correlated in any clearcut fashion with any particular form of economic organization. Yet, the structure of dominancy is in many cases both a factor of great economic importance and, at least to some extent, a result of economic conditions.

Our first aim here is that of stating merely general propositions regarding the relationship between forms of economic organization and of domination. Because of this very general character, these propositions will inevitably be abstract and sometimes also somewhat indefinite. For our purpose we need, first of all, a more exact definition of what we mean by "domination" and its relationship to the general term "power." Domination in the quite general sense of power, i.e., of the possibility of imposing one's own will upon the behavior of other persons, can emerge in the most diverse forms. If, as has occasionally been done, one looks upon the claims which the law accords to one person against one or more others as a power to issue commands to debtors or to those to whom no such claim is accorded, one may thereby conceive of the whole system of modern private law as the decentralization of domination in the hands of those to whom the legal rights are accorded. From this angle, the worker would have the power to command, i.e., "domination," over the entrepreneur to the extent of his wage claim, and the civil servant over the king to the extent of his salary claim. Such a terminology would be rather forced and, in any case, it would not be of more than provisional value since a distinction in kind must be made between "commands" directed by the judicial authority to an adjudged debtor and "commands" directed by the claimant himself to a debtor prior to judgment. However, a position ordinarily designated as "dominating"

can emerge from the social relations in a drawing room as well as in the market, from the rostrum of a lecture-hall as well as from the command post of a regiment, from an erotic or charitable relationship as well as from scholarly discussion or athletics. Such a broad definition would, however, render the term "domination" scientifically useless. A comprehensive classification of all forms, conditions, and concrete contents of "domination" in that widest sense is impossible here. We will only call to mind that, in addition to numerous other possible types, there are two diametrically contrasting types of domination, viz., domination by virtue of a constellation of interests (in particular: by virtue of a position of monopoly), and domination by virtue of authority, i.e., power to command and duty to obey.

The purest type of the former is monopolistic domination in the market; of the latter, patriarchal, magisterial, or princely power. In its purest form, the first is based upon influence derived exclusively from the possession of goods or marketable skills guaranteed in some way and acting upon the conduct of those dominated, who remain, however, formally free and are motivated simply by the pursuit of their own interests. The latter kind of domination rests upon alleged absolute duty to obey, regardless of personal motives or interests. The borderline between these two types of domination is fluid. Any large central bank or credit institution, for instance, exercises a "dominating" influence on the capital market by virtue of its monopolistic position. It can impose upon its potential debtors conditions for the granting of credit, thus influencing to a marked degree their economic behavior for the sake of the liquidity of its own resources. The potential debtors, if they really need the credit, must in their own interest submit to these conditions and must even guarantee this submission by supplying collateral security. The credit banks do not, however, pretend that they exercise "authority," i.e., that they claim "submission" on the part of the dominated without regard to the latters' own interests; they simply pursue their own interests and realize them best when the dominated persons, acting with formal freedom, rationally pursue their own interests as they are forced upon them by objective circumstances.

Even the owner of an incomplete monopoly finds himself in that same position if, despite existing competition, he is able by and large to "prescribe" prices to both exchange partners and competitors; in other words, if by his own conduct he can impose upon them a way of conduct according to his own interest, without, however, imposing on them the slightest "obligation" to submit to this domination. Any type of domination by virtue of constellation of interests may, however, be transformed gradually into domination by authority. This applies particularly to

domination originally founded on a position of monopoly. A bank, for instance, in order to control more effectively a debtor corporation, may demand as a condition for credit that some member of its board be made a member of the board of the debtor corporation. That board, in turn, can give decisive orders to the management by virtue of the latter's obligation to obey.

Or a central bank of issue causes the credit institutions to agree on uniform terms of credit and in this way tries, by virtue of its position of power, to secure to itself a continuous control and supervision of the relationships between the credit institutions and their customers. It may then utilize its control for ends of currency management or for the purpose of influencing the business cycle or for political ends such as, for instance, the preparation of financial readiness for war. The latter kind of use will be made in particular where the central bank itself is exposed to influence from the political power. Theoretically, it is conceivable that such controls can actually be established, that the ends for and the ways of its exercise become articulated in reglementations, that special agencies are created for its exercise and special appellate agencies for the resolution of questions of doubt, and that, finally, the controls are constantly made more strict. In such a case this kind of domination might become quite like the authoritative domination of a bureaucratic state agency over its subordinates, and the subordination would assume the character of a relationship of obedience to authority.

The same observation can be made with respect to the domination by the breweries over the tavern owners whom they supply with their equipment, or the domination to which book dealers would have to submit if there should some day be a German publishers' cartel with power to issue and withhold retailers' licenses, or the domination of the gasoline dealers by the Standard Oil Company, or the domination exercised through their common sales office by the German coal producers over the coal dealers. All these retailers may well be reduced to employed sales agents, little different from linemen working outside the employer's plant or other private employees but subject to the authority of a department chief. The transitions are gradual from the ancient debtor's factual dependency on his creditor to formal servitude for debt; or, in the Middle Ages and in modern times, from the craftsman's dependence on the market-wise exporter over the various forms of dependency of the home industry to the completely authoritarian labor regulation of the sweatshop worker. And from there other gradations lead to the position of the secretary, the engineer, or the worker in the office or plant, who is subject to a discipline no longer different in its nature from that of the civil service or the army, although it has been created by a

contract concluded in the labor market by formally "equal" parties through the "voluntary" acceptance of the terms offered by the employer. More important than the difference between private and public employment is certainly that between the military service and the other situations. The latter are concluded and terminated voluntarily, while the former is imposed by compulsion, at least in those countries where, as in ours, the ancient system of mercenary service has been replaced by the draft. Yet, even the relationship of political allegiance can be entered into and, to some extent, be dissolved voluntarily; the same holds true of the feudal and, under certain circumstances, even of the patrimonial dependency relationships of the past. Thus even in these cases the transitions are but gradual to those relationships of authority, for instance slavery, which are completely involuntary and, for the subject, normally nonterminable. Obviously, a certain minimum interest of the subordinate in his own obeying will normally constitute one of the indispensable motives of obedience even in the completely authoritarian duty-relationship. Throughout, transitions are thus vague and changing. And yet, if we wish at all to obtain fruitful distinctions within the continuous stream of actual phenomena, we must not overlook the clear-cut antithesis between factual power which arises completely out of possession and by way of interest compromises in the market, and, on the other hand, the authoritarian power of a patriarch or monarch with its appeal to the duty of obedience simply as such. The varieties of power are in no way exhausted by the examples just given. Even mere possession can be a basis of power in forms other than that of the market. As we pointed out before, even in socially undifferentiated situations wealth, accompanied by a corresponding way of life, creates prestige, corresponding to the position in present society of one who "keeps an open house" or the lady who has her "salon." Under certain circumstances, every one of these relationships may assume authoritarian traits. Domination in the broader sense can be produced not only by the exchange relationships of the market but also by those of "society"; such phenomena may range all the way from the "drawing room lion" to the patented *arbiter elegantiarum*[4] of imperial Rome or the courts of love of the ladies of Provence.[5] Indeed, such situations of domination can be found also outside the sphere of private markets and relationships. Even without any formal power of command an "empire state" or, more correctly, those individuals who are the decisive ones within it either through authority or through the market, can exercise a far-reaching and occasionally even a despotic hegemony. A typical illustration is afforded by Prussia's position within the German Customs Union or, later, in the German Reich. To some, although much lesser extent, New York's posi-

tion within the United States affords another illustration. In the German Customs Union the Prussian officials were dominant, because their state's territory constituted the largest and thus the decisive market; in the German Reich they are paramount because they dispose of the largest net of railroads, the greatest number of university positions, etc., and can thus cripple the corresponding administrative departments of the other, formally equal, states. New York can exercise political power because it is the seat of the great financial powers. All such forms of power are based upon constellations of interests. They thus resemble those which occur in the market, and in the course of development they can easily be transformed into formally regulated relationships of authority or, more correctly, into associations with heterocephalous power of command and coercive apparatus. Indeed, because of the very absence of rules, domination which originates in the market or other interest constellations may be felt to be much more oppressive than an authority in which the duties of obedience are set out clearly and expressly. That aspect must not affect, however, the terminology of the sociologist.

In the following discussion we shall use the term domination exclusively in that narrower sense which excludes from its scope those situations in which power has its source in a formally free interplay of interested parties such as occurs especially in the market. In other words, in our terminology *domination* shall be identical with *authoritarian power of command.*

To be more specific, *domination* will thus mean the situation in which the manifested will (*command*) of the *ruler* or rulers is meant to influence the conduct of one or more others (*the ruled*) and actually does influence it in such a way that their conduct to a socially relevant degree occurs as if the ruled had made the content of the command the maxim of their conduct for its very own sake. Looked upon from the other end, this situation will be called *obedience.*

FURTHER NOTES: 1. The definition sounds awkward, especially due to the use of the "as if" formula. This cannot be avoided, however. The merely external fact of the order being obeyed is not sufficient to signify domination in our sense; we cannot overlook the meaning of the fact that the command is accepted as a "valid" norm. On the other hand, however, the causal chain extending from the command to the actual fact of compliance can be quite varied. Psychologically, the command may have achieved its effect upon the ruled either through empathy or through inspiration or through persuasion by rational argument or through some combination of these three principal types of influence of one person over another.[6] In a concrete case the performance of the command may have been motivated by the ruled's own conviction of its propriety, or

by his sense of duty, or by fear, or by "dull" custom, or by a desire to obtain some benefit for himself. Sociologically, those differences are not necessarily relevant. On the other hand, the sociological character of domination will differ according to the basic differences in the major modes of legitimation.

2. Many transitions exist, as we have seen, between that narrower concept of domination as we have defined it now and those situations of setting the tone in the market, the drawing room, in a discussion, etc., which we have discussed earlier. We shall briefly revert to some of these latter cases so as to elucidate more clearly the former.

It is obvious that relationships of domination may exist reciprocally. In modern bureaucracy, among officials of different departments, each is subject to the others' powers of command insofar as the latter have jurisdiction. There are no conceptual difficulties involved, but where a customer places with a shoemaker an order for a pair of shoes, can it then be said that either one has control over the other? The answer will depend upon the circumstances of each individual case, but almost always will it be found that in some limited respect the will of the one has influenced that of the other even against that other's reluctance and that, consequently, to that extent one has dominated over the other. No precise concept of domination could be built up, however, upon the basis of such considerations; and this statement holds true for all relationships of exchange, including those of intangibles. Or what shall we say of the village craftsman who, as is often the case in Asia, is employed at fixed terms by the village? Is he, within his vocational jurisdiction, a ruler, or is he the ruled, and, if so, by whom? One will be inclined rather not to apply the concept of domination to such relationships, except with respect to the powers which he, the craftsman, exercises over his assistants or which are exercised over him by those persons who are to control him by virtue of their official position. As soon as we do this, we narrow the concept of domination to that technical one which we have defined above. Yet, the position of a village chief, that is, a person of official authority, may be exactly like that of the village craftsman. The distinction between private business and public office, as we know it, is the result of development and it is not at all so firmly rooted elsewhere as it is with us in Germany. In the popular American view, a judge's job is a business just as a banker's. He, the judge, simply is a man who has been granted the monopoly to give a person a decision with the help of which the latter may enforce some performance against another or, as the case may be, may shield himself against the claims of others. By virtue of this monopoly the judge enjoys directly or indirectly a number of benefits, legitimate or illegitimate, and for their enjoyment

he pays a portion of his fees to the party boss to whom he owes his job.

To all of these, the village chief, the judge, the banker, the craftsman, we shall ascribe domination, wherever they claim, and to a socially relevant degree find obedience to, commands given and received as such. No usable concept of domination can be defined in any way other than by reference to power of command; but we must never forget that here, as everywhere else in life, everything is "in transition." It should be self-evident that the sociologist is guided exclusively by the factual existence of such a power of command, in contrast to the lawyer's interest in the theoretical content of a legal norm. As far as sociology is concerned, power of command does not exist unless the authority which is claimed by somebody is actually heeded to a socially relevant degree. Yet, the sociologist will normally start from the observation that "factual" powers of command usually claim to exist "by virtue of law." It is exactly for this reason that the sociologist cannot help operating with the conceptual apparatus of the law.

2. *Direct Democracy and Rule by Notables*[7]

We are primarily interested in "domination" insofar as it is combined with "administration." Every domination both expresses itself and functions through administration. Every administration, on the other hand, needs domination, because it is always necessary that some powers of command be in the hands of somebody. Possibly the power of command may appear in a rather innocent garb; the ruler may be regarded as their "servant" by the ruled, and he may look upon himself in that way. This phenomenon occurs in its purest form in the so-called, "*immediately democratic*" *administration* ["direct democracy"].

This kind of administration is called democratic for two reasons which need not necessarily coincide. The first reason is that it is based upon the assumption that everybody is equally qualified to conduct the public affairs. The second: that in this kind of administration the scope of power of command is kept at a minimum. Administrative functions are rotated, or determined by drawing lots, or assigned for short periods by election. All important decisions are reserved to the common resolution of all; the administrative functionaries have only to prepare and carry out the resolutions and to conduct "current business" in accordance with the directives of the general assembly. This type of administration can be found in many private associations, in certain political communities such as the Swiss *Landesgemeinden* or certain townships in the United States, or in universities (insofar as the administration lies in

the hands of the rector and the deans),[8] as well as in numerous other organizations of a similar kind. However modest the administrative function may be, some functionary must have some power of command, and his position is thus always in suspense between that of a mere servant and that of master. It is against the very development of the latter that the "democratic" limits of his position are directed. However, "equality" and "minimization" of the dominant powers of functionaries are also found in many aristocratic groups as against the members of their own ruling layer. Illustrations are afforded by the aristocracy of Venice, Sparta or that of the full professors of a German university. They all have been using those same "democratic" forms of rotation of office, drawing lots, or short-term election.

Normally this kind of administration occurs in organizations which fulfill the following conditions:

1) the organization must be local or otherwise limited in the number of members; 2) the social positions of the members must not greatly differ from each other; 3) the administrative functions must be relatively simple and stable; 4) however, there must be a certain minimum development of training in objectively determining ways and means. This latter requirement exists, for instance, in the direct democratic administrations in Switzerland and the United States just as it existed in the Russian *mir* within the confines of its traditional scope of business. We do not look, however, upon this kind of administration as the historical starting point of any typical course of development but rather as a marginal type case, which lends itself well as the starting point of investigation. Neither taking turns nor drawing lots nor election are "primitive" forms of picking the functionaries of an organization.

Wherever it exists, direct democratic administration is unstable. With every development of economic differentiation arises the probability that administration will fall into the hands of the wealthy. The reason is not that they would have superior personal qualities or more comprehensive knowledge, but simply that they can afford to take the time to carry on the administrative functions cheaply or without any pay and as part-time jobs. Those, however, who are forced to work for a living would have to sacrifice time, which means income, and the more intense labor grows, the more intolerable does this sacrifice become. The bearers of that superiority are thus not simply those who enjoy high incomes but rather those who have an income without personal labor or derive it from intermittent labor. Under otherwise equal conditions a modern manufacturer can thus get away from his work less easily and is correspondingly less available for administrative functions than a landowner or a medieval merchant patrician, both of whom have not had

to work uninterruptedly. For the same reason the directors of the great university clinics and institutes are the least suited to be rectors; although they have plenty of administrative experience, their time is too much occupied with their regular work. Hence in the measure in which those who have to work are becoming unable to get away from it, direct democratic administration will tend to turn into rule by notables (*honoratiores*).

We have already met the type as that of the bearer of a special social honor connected with the mode of living.[9] Here we now encounter another indispensable requirement, viz., that capacity to take care of social administration and rule as an honorific duty which derives from economic position. Hence we shall tentatively define *honoratiores* as follows:

Persons who, *first,* are enjoying an income earned without, or with comparatively little, labor, or at least of such a kind that they can afford to assume administrative functions in addition to whatever business activities they may be carrying on; and who, *second,* by virtue of such income, have a mode of life which attributes to them the social "prestige" of a status honor and thus renders them fit for being called to rule.

Frequently such rule by *honoratiores* has developed in the form of deliberating bodies in which the affairs to be brought before the community are discussed in advance; such bodies easily come to anticipate the resolutions of the community or to eliminate them and thus to establish, by virtue of their prestige, a monopoly of the *honoratiores.* The development of the rule by *honoratiores* in this way has existed a long time in local communities and thus particularly in the neighborhood association. Those *honoratiores* of olden times had a character quite different, however, from those who emerge in the rationalized direct democracy of the present. The original qualification was old age. In all communities which orient their social conduct toward tradition, i.e., toward convention, customary law or sacred law, the elders are, so to speak, the natural *honoratiores* not only because of their prestige of wider experience, but also because they know the traditions. Their consent, advance approval (*προβούλευμα*), or ratification (*auctoritas*)[10] guarantees the properness of a resolution as against the supernatural powers just as it is the most effective decision in a case of dispute. Where all members of a community are in about the same economic position, the "elders" are simply those oldest in the household, the clan, or the neighborhood.

However, the relative prestige of age within a community is subject to much change. Wherever the food resources are scarce, he who can no longer work is just a burden. Also where war is a chronic state of affairs, the prestige of the older men is liable to sink below that of the warriors and there often develops a democratic bias of the younger groups against the prestige of old age (*sexagenarios de ponte*).[11] The same development occurs in periods of economic or political revolution, whether violent or peaceful, and also where the practical power of religious ideas and thus the veneration of a sacred tradition is little developed or on the decline. The prestige of old age is preserved, on the other hand, wherever the objective usefulness of experience or the subjective power of tradition are estimated highly.

Where the elders are deposed, power normally accrues not to youth but to the bearers of some other kind of social prestige. In the case of economic or status differentiation the councils of elders (*γερουσία, senatus*) may retain its name, but *de facto* it will be composed of *honoratiores* in the sense discussed above, i.e., "economic" *honoratiores,* or bearers of status honor whose power ultimately is also based upon their wealth.

On the other hand, the battle cry that a "democratic" administration must be obtained or preserved may become a powerful tool of the poor in their fight against the *honoratiores,* but also of economically powerful groups which are not admitted to status honor. In that case democratic administration becomes a matter of struggle between political parties, especially since the *honoratiores,* by virtue of their status prestige and the dependency on them of certain groups, can create for themselves "security troops"[12] from among the poor. As soon as it is thus made the object of a struggle for power, direct democratic administration loses its specific feature, the undeveloped state of domination. A political party, after all, exists for the very purpose of fighting for domination in the specific sense, and it thus necessarily tends toward a strict hierarchical structure, however carefully it may be trying to hide this fact.

Something similar to this social alienation of the members, who lived in substantially the same manner in the marginal case of "pure" democracy, occurs where the group grows beyond a certain size or where the administrative function becomes too difficult to be satisfactorily taken care of by anyone whom rotation, the lot, or election may happen to designate. The conditions of administration of mass structures are radically different from those obtaining in small associations resting upon neighborly or personal relationships. As soon as mass administration is involved, the meaning of democracy changes so radically that it no longer makes sense for the sociologist to ascribe to the term the same meaning as in the case discussed so far.

The growing complexity of the administrative tasks and the sheer expansion of their scope increasingly result in the technical superiority of those who have had training and experience, and will thus inevitably

favor the continuity of at least some of the functionaries. Hence, there always exists the probability of the rise of a special, perennial structure for administrative purposes, which of necessity means for the exercise of rule. As mentioned before, this structure may be one of *honoratiores*, acting as equal "colleagues," or it may turn out to be "monocratic," so that all functionaries are integrated into a hierarchy culminating in one single head.

3. *Organizational Structure and the Bases of Legitimate Authority*

The predominance of the members of such a structure of domination rests upon the so-called "law of the small number." The ruling minority can quickly reach understanding among its members; it is thus able at any time quickly to initiate that rationally organized action which is necessary to preserve its position of power. Consequently it can easily squelch any action of the masses (*Massen- oder Gemeinschaftshandeln*) threatening its power as long as the opponents have not created the same kind of organization for the planned direction of their own struggle for domination. Another benefit of the small number is the ease of secrecy as to the intentions and resolutions of the rulers and the state of their information; the larger the circle grows, the more difficult or improbable it becomes to guard such secrets. Wherever increasing stress is placed upon "official secrecy," we take it as a symptom of either an intention of the rulers to tighten the reins of their rule or of a feeling on their part that their rule is being threatened. But every domination established as a continuing one must in some decisive point be *secret rule*.

Generally speaking, however, the specific arrangements for domination, as they are established by association, show the following characteristics:

A circle of people who are accustomed to obedience to the orders of *leaders* and who also have a personal interest in the continuance of the domination by virtue of their own participation and the resulting benefits, have divided among themselves the exercise of those functions which will serve the continuation of the domination and are holding themselves continuously ready for their exercise. (This is what is meant by "organization.")[13] Those leaders who do not derive from grant by others the powers of command claimed and exercised by them, we shall call *masters;* while the term *apparatus* shall mean the circle of those persons who are holding themselves at the disposal of the master or masters in the manner just defined.

The sociological character of the *structure* of any particular case of domination is determined by the kind of relationship between the master or masters and the apparatus, the kind of relationship of both to the ruled, and by its specific *organizational structure,* i.e., its specific way of distributing the powers of command. There can also be considered, of course, a good many other elements, which may then be used to establish a great number of varying sociological classifications. For our limited purposes, we shall emphasize those basic types of domination which result when we search for the ultimate grounds of the *validity* of a domination, in other words, when we inquire into those grounds upon which there are based the claims of obedience made by the master against the "officials" and of both against the ruled.

We have encountered the problem of *legitimacy* already in our discussion of the *legal order*. Now we shall have to indicate its broader significance. For a domination, this kind of justification of its legitimacy is much more than a matter of theoretical or philosophical speculation; it rather constitutes the basis of very real differences in the empirical structure of domination. The reason for this fact lies in the generally observable need of any power, or even of any advantage of life, to justify itself.

The fates of human beings are not equal. Men differ in their states of health or wealth or social status or what not. Simple observation shows that in every such situation he who is more favored feels the never ceasing need to look upon his position as in some way "legitimate," upon his advantage as "deserved," and the other's disadvantage as being brought about by the latter's "fault." That the purely accidental causes of the difference may be ever so obvious makes no difference.

This same need makes itself felt in the relation between positively and negatively privileged groups of human beings. Every highly privileged group develops the myth of its natural, especially its blood, superiority. Under conditions of stable distribution of power and, consequently, of status order, that myth is accepted by the negatively privileged strata. Such a situation exists as long as the masses continue in that natural state of theirs in which thought about the order of domination remains but little developed, which means, as long as no urgent needs render the state of affairs "problematical." But in times in which the class situation has become unambiguously and openly visible to everyone as the factor determining every man's individual fate, that very myth of the highly privileged about everyone having deserved his particular lot has often become one of the most passionately hated objects of attack; one ought only to think of certain struggles of late Antiquity and of the Middle Ages, and quite particularly of the class

struggle of our own time in which such myths and the claim of legitimate domination based upon it have been the target of the most powerful and most effective attacks.

Indeed, the continued exercise of every domination (in our technical sense of the word) always has the strongest need of self-justification through appealing to the principles of its legitimation. Of such ultimate principles, there are only three:

The "validity" of a power of command may be expressed, first, in a system of consciously made *rational* rules (which may be either agreed upon or imposed from above), which meet with obedience as generally binding norms whenever such obedience is claimed by him whom the rule designates. In that case every single bearer of powers of command is legitimated by that system of rational norms, and his power is legitimate insofar as it corresponds with the norm. Obedience is thus given to the norms rather than to the person.

The validity of a power of command can also rest, however, upon *personal authority*.

Such personal authority can, in turn, be founded upon the sacredness of *tradition,* i.e., of that which is customary and has always been so and prescribes obedience to some particular person.

Or, personal authority can have its source in the very opposite, viz., the surrender to the extraordinary, the belief in *charisma,* i.e., actual revelation or grace resting in such a person as a savior, a prophet, or a hero.

The "pure" types of domination correspond to these three possible types of legitimation. The forms of domination occurring in historical reality constitute combinations, mixtures, adaptations, or modifications of these "pure" types.

Rationally regulated association within a structure of domination finds its typical expression in *bureaucracy*. *Traditionally* prescribed social action is typically represented by *patriarchalism*. The *charismatic* structure of domination rests upon individual authority which is based neither upon rational rules nor upon tradition. Here too we shall proceed from the type that is the most rational and the one most familiar to us: modern bureaucratic administration.

NOTES

1. Unless otherwise indicated, all notes are by Rheinstein.

2. Among numerous German dialects and ways in which the language was used in poetry, literature, and polite parlance, acceptance as the standard was achieved by that form which was used in the late fourteenth and fifteenth centuries by the imperial chancery, first in Prague and then in Vienna, especially when a style close to it was used by Luther in his translation of the Bible.

3. The low-German dialect spoken in the present Netherlands achieved, in the form in which it is used in the Province of South Holland, the status of a separate language when the United Provinces separated from Germany and the Dutch dialect became the language of officialdom and of the Bible translation (Statenbijbel, 1626–1635). Significantly no such status as a separate language was achieved by any one of the Swiss German dialects; as there was no central chancery in the loose Swiss Confederation, High German remained the official language in spite of the political separation from Germany, which took place a century earlier than that of the Netherlands.

4. *Arbiter elegantiarum*—According to Tacitus (Ann. XVI 18), Gaius Petronius, who is probably identical with the satirist Petronius Arbiter, was called by Nero the "arbiter of elegance" to whose judgment he bowed in matters of taste. Petronius and his title have been popularized through Henry Sienkiewicz' novel *Quo Vadis*.

5. On courts of love, see Part Two, ch. I, n. 10.

6. On empathy and inspiration as factors influencing the attitude of other persons, see Part Two, ch. I:2:B.

7. Cf. above, Part One, ch. III:19f. (R)

8. At the German universities both the president (*Rektor*) and the deans are elected by the full professors for one-year terms; together with the senate they administer the affairs of the university and represent it, especially as against the ministry of education, by which the universities are supervised.

9. See ch. IX: 6:E and "Soc. of Law," ch. VIII:*iv*. (R)

10. *Auctoritas* [sc. *patrum*] (lat.)—the approval of the Roman Senate as required for the validity of certain resolutions of the popular assemblies (*comitia*); on the varying phrases of political significance of the requirement, see JOLOWICZ, *Historical Introduction to Roman Law* (1932), 30.

11. "Men of sixty, off the bridge!"—a Roman proverb of uncertain origin, which was generally associated by ancient authors with an imputed old practice of human sacrifice under which useless old men were thrown off a bridge into the Tiber. A less generally held interpretation, which Weber has in mind here, is reported in a fragment of Varro's *de vita pop. Rom. lib. IV* (II. 11); this derives the saying from the exclusion of men over military age from the voting assembly of the people in its military array on the campus Martius, access to which was over a bridge. Cf. art. "sexagenarios" in Pauly-Wissowa, *RE*, 2nd ser., II (1923), 205f. (Rh/Wi)

12. Weber uses the word *Schutztruppe,* a term primarily known at the time as the designation for the colonial troops in the German overseas holdings; particularly prominent was the *Schutztruppe* in Southwest Africa, which repressed the Herero uprising between 1904 and 1908. (R)

13. Cf. Part One, ch. III:13. (R)