

MAX WEBER
AND GERMAN POLITICS
1890–1920

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Afterword

Toward a New Interpretation of Max Weber

This monograph about Max Weber's political efforts and thought, which is being offered once again to the scholarly public, was sharply attacked when it first appeared, though it was generally greeted with acceptance.¹ A rather passionate and heated debate about Max Weber's political

1. The following overview of the reviews of this book at the time of its first appearance in no way claims to be complete:

Boesch-Jung, in *Schweizerische Zeitschrift für Geschichte* 10 (1960): 488; Bernhard Knauss, "Max Webers Hinterlassenschaft," *Süddeutsche Zeitung*, 15/16/17 June 1960; Wolfgang Schwarz, *Politische Studien* 11, no. 121 (1960); Carl Schmitt, *Das Historisch-Politische Buch* 8 (1960); Ernst Johann, "Entzauberung der Welt," *Frankfurter Allgemeine Zeitung*, 6 August 1960; Helmut Seifert, *Bücherei und Bildung* 148 (June 1960); also in *Bücherei und Bildung*, 12 (1960): 451; E.M., "Max Weber und die deutsche Politik," *Das Parlament* 14 (6 April 1960); Ernst Forsthoff, "Ein politischer Mensch—kein Politiker," *Christ und Welt* 40 (29 September 1960); N.N., "Begegnung mit Max Weber, ein National-liberaler mit einem Schuss ins Romantische," *Schwäbische Zeitung* 231 (6 October 1960); Klaus Epstein, *American Historical Review* 66 (1960): 155 f.; Kurt Sontheimer, "Weber als Politiker," *Neue Politische Literatur* 5 (1960): 278 ff.; L., *De Standaard* 214 (1960); Rudolf von Albertini, "Max Weber und die deutsche Politik 1890–1920," *Neue Zürcher Zeitung* 64, no. 2279 (3 July 1960); N.N., *Der Pfälzer* 10, no. 24 (1960); Carl Rainer, "Max Weber: Ein Wegbereiter Hitlers?" *Berliner Tagesspiegel*, 22 November 1961; Wolfram Fischer, *Blätter für deutsche Landesgeschichte* 97 (1961): 285; Norman Birnbaum, "Demon of the Concrete: A Note on Max Weber and Contemporary Sociology," *New Left Review* 8 (March–April 1961): 35 ff.; Reinhard Bendix, "Einige Bemerkungen zu einem Buch von Wolfgang Mommsen," *Kölner Zeitschrift für Soziologie und Sozialpsychologie* 13 (1961): 258 ff.; Paul Honigsheim, "Max Weber und die deutsche Politik," *ibid.*, pp. 263 ff.; Karl Loewenstein, "Max Weber als 'Ahnherr' des plebiszitären Führerstaats," *ibid.*, pp. 275 ff.; N.N., *Revue Française de Science Politique* 11 (1961); Victor Leemans, in *Tijdschrift voor Filosofie* 24 (1962): 740; Eberhard Kessel, "Zur inneren Entwicklung Deutschlands unter Wilhelm II, und in der Weimarer Republik. Ein Literaturbericht," *Archiv für Kulturgeschichte* 40 (1962): 262 ff.; Heinrich Muth, "Innenpolitik 1918–1945 (Literaturbericht)," *Geschichte in*

position and its consequences for his sociological work developed at the time. The debate arose in part from the special historical situation in which this book appeared. The political and intellectual climate of the fifties in the German Federal Republic was perceptibly influenced by the renaissance of the Weimar period intellectual and political traditions. It was therefore natural that Max Weber, who was widely recognized as a bitter critic of the weaknesses of the Wilhelmine system, was viewed as one of those few authorities who could be used to justify the newly restored German democracy and to help it grow in political self-consciousness. In this situation, many were inclined to overlook critical evaluations of Max Weber's political position in previous research or to view such work as immaterial. The prudent, discriminating introduction that Theodor Heuss wrote for the new edition of Max Weber's *Politische Schriften* (Political Writings) in 1958 was a creditable exception in this regard.² In such a situation, an extensive analysis of Max Weber's political works that described his basic political position as one of consistent, if also realistic, nationalism and imperialism had to have an irritating effect. The evidence that Max Weber's support of a parliamentary democratic order was designed to serve the power of the German national state above all provoked even more discomfort because, as Raymond Aron formulated it, this robbed "the New German democracy of a 'founding father,' a glorious ancestor, and a spokesman of genius."

For these reasons alone, a heated controversy became unavoidable. It happened that a group of former members of the Max Weber circle in Heidelberg, who at one time had been very much under Weber's influence and during the twenties upheld the myth that Weber had been a natural but cruelly unappreciated leader, found this picture of the great man to be entirely improper. In reality, only the cliché that had emerged during the three decades since Weber's death was exposed as a falsehood. At the time it was widely overlooked that my interpretation differed substantially from older interpretations, specifically that of Christoph

Wissenschaft und Unterricht 5 (1962): 312 f.; Joachim H. Knoll, *Zeitschrift für Religions- und Geistesgeschichte* 14 (1962): 303 ff.; Rudolf Vierhaus, *Vierteljahrsschrift für Sozial- und Wirtschaftsgeschichte* 50 (1963): 273 ff.; Annette Kuhn, *Zeitschrift für Politik* 10, no. 2 (July 1963); Ernst Fraenkel, *Historische Zeitschrift*, 196 (1963): 418 ff.; Eric C. Kollman, *Journal of Central European Affairs* 23 (1963): 231 f.; Georges Castellan, "Histoire de l'Allemagne depuis 1914," *Revue Historique*, June 1964, p. 431 f.; Eugene Fleischmann, "Métamorphoses Wébériennes," *Archives européennes de sociologie* 5 (1964): 126 ff.; N. N., "Tradiční koncepce?" *Host do dumu* 14 (1967): 50 ff. (*A Guest in the House*. Monthly for Art, Literature and Criticism, edited by the Czechoslovakian Union of Writers, Prague); Wolfram Fischer, *Zeitschrift für die gesamte Staatswissenschaft* 121 (1965): 368 f.

2. "Max Weber in seiner Gegenwart," *Pol. Schr.*, pp. vii ff., especially pp. x, xvii.

3. *Main Currents in Sociological Thought*, vol. 2 (New York, 1967), p. 248.

Steding, who had depicted Weber from the obtuse viewpoint of fascism as the contradictory representative of a bourgeoisie condemned to decline,⁴ or of Jacob Peter Mayer, who had sweepingly labeled Weber a "Machiavellian of the age of steel" and had identified Weber with the destructive tradition of German Realpolitik after Bismarck. My goal was to depict Weber's political personality on the basis of careful analysis of the sources. It was not a one-sided ideological interpretation, but an attempt to portray Weber in all his complexity, including his internal contradictions and ambiguities. Eric Kollmann wrote at the time in his review: "This is not a debunking book." I gladly accept this formulation since a denigrating criticism of Max Weber was never my intention.⁵

Today, the conclusions of this republished investigation are hardly still the subject of debate in their basic lines, although the discussion of some of the interpretations as well as the significance of Max Weber's political works in general will never cease. At the Heidelberg sociology convention in 1964, which was dedicated to the memory of Max Weber, Raymond Aron, in a great lecture on "Max Weber and power politics," renewed the theme, if with a different accent. Aron emphasized the close relationship between power and culture in Weber's thought and argued that to an extent this can be seen as a justification of his will to national power. "Power is surely a goal, but it is also a precondition for the strength of culture."⁶ At the same time, Aron emphasized that Weber had stood for the "power interests of the German people as an ultimate goal," a thesis that actually goes beyond the views represented in this book.⁷ It is noteworthy that Aron's description was not disputed in substance by anyone in Heidelberg. My attempt at the time, in association with Aron, to point out the universal principles that prompted Weber to support a great, unsentimental politics of power—among those especially notable were his concern about the future of a dynamic economic and social order—found very little understanding; backward-looking arguments were not absent. Already in the controversial lecture by Herbert Marcuse on "industrialization and capitalism" in Max Weber's work, a new level of interpretation of Max Weber's political works appeared that is far more radical than mine. This view ought to be evaluated objectively. Marcuse demonstrated also that it is no longer

4. Christoph Steding, *Politik und Wissenschaft bei Max Weber* (Breslau, 1932). Compare also Steding's later work *Das Reich und die Krankheit der europäischen Kulture*, *Schriften des Reichsinstituts für die Geschichte des neuen Deutschland*, vol. 19 (Hamburg, 1938).

5. *Journal of Central European Affairs* 23 (1963): 231 f.

6. *Max Weber und die Soziologie heute*, p. 107.

7. *Ibid.*, p. 119.

possible to escape the sober analysis of Max Weber as a man, who, although he towered over his contemporaries, still belonged to the Wilhelmine era.

At the time that this book was first published, there were several major criticisms relating to the premises. First of all, the presentation was said to concentrate too much on the person. Some critics argued that the context of intellectual history and contemporary history in which he lived should have been emphasized more. A second criticism was that Weber's theoretical and practical policy positions were frequently treated as one. This was seen as inappropriate methodologically. Third, the exact opposite accusation appeared: the depiction of Max Weber, the politician, was said to have been treated without sufficient reference to his scholarly and theoretical work.

I cannot deny the first objection a measure of justification. But it must be pointed out that my first responsibility had to be to describe Max Weber's role precisely in the politics of his day, before it was possible to interpret that role in a larger context. At the time, the necessary parallel studies were not available, nor do they exist today. The monographs that have since appeared by James Sheehan on Lujo Brentano, by Dieter Düring on Friedrich Naumann, and by Dieter Lindenlaub on the Verein für Sozialpolitik have filled important lacunae, but they do not really provide a sufficient basis for a definitive description of Max Weber's political position against the background of the group history of the German intellectuals. The attempts by Stuart Hughes and Fritz K. Ringer are too general for this purpose;⁸ and of course the somewhat summarized description of the political position of the German professoriat during the First World War by Klaus Schwabe is not very helpful in this regard. One should of course mention Gustav Schmidt's detailed study of Meinecke, Troeltsch, and Max Weber.⁹ This study, however, is based upon highly constructivist interpretive methods that are not completely satisfactory. Schmidt's attempt to trace Max Weber's basic political position to the intellectual tradition of later German historicism, and at the same time to the English model, is contradictory in itself and therefore not convincing. The significance of the English model for Weber's political thinking is greatly overemphasized.

The second objection, which has been raised in particular by Karl

8. H. Stuart Hughes, *Consciousness and Society: The Reorientation of European Social Thought, 1890-1930* (New York, 1961); Fritz K. Ringer, *The Decline of the German Mandarins: The German Academic Community, 1890-1933* (Cambridge, 1969).

9. *Deutscher Historismus und der Übergang zur parlamentarischen Demokratie: Untersuchungen zu den politischen Gedanken von Meinecke—Troeltsch—Max Weber* (Lübeck 1964), esp. pp. 47 ff., 226 ff.

Loewenstein and Guenther Roth, is unfounded.¹⁰ This objection proves under closer analysis to be an attempt to shield Max Weber's sociological works against any possible criticism based on political aspects. They are treated almost as something providential. An appeal to Max Weber's principle of abstention from value judgments ought not to lead to the digging of a trench between Weber's political views and his theoretical sociological works. They both spring from a common root, the postulate of the self-assertion and self-realization of the personality in an administered world, according to the principles of a rational ethic of responsibility. Beyond this, it has to be permissible to make use of the conceptual instruments of Max Weber's sociology to interpret his own political views. Moreover, it would be a great misunderstanding if we were to agree that Weber's sociology can be cleanly divided from his political and social opinions. On the contrary, every detailed analysis demonstrates that his sociological work rests upon specific intellectual and social positions that also have a political side. Weber himself repeatedly declared that the personal ethical position of the researcher had the function of guiding the understanding and setting the direction of all scientific research. Fruitful research requires this.

H. H. Bruun recently demonstrated that Max Weber's insistence on value-free judgments had two aspects. One aspect is the postulate of shielding science from values that are apparently objective but are in fact imposed upon the subjects. The second is the shielding of the ethical sphere against the false pretensions of an apparently pseudo-objective science.¹¹ Values and science, in Weber's thought, were interdependent. A pure separation of Max Weber the social scientist from Max Weber the politician may perhaps be expedient from the point of view of scholarly politics, but is an impossible task. If it were attempted consistently, it would lead to sterile interpretations of his sociological works as well as his political theories. Its significance in universal history would be distorted as much as its human objectives. Social science was always an escape from daily politics for Max Weber. At the same time, he was conscious that science was certainly in a position to affect long-term changes in the

10. Karl Loewenstein, "Max Weber als 'Ahnher' des pleszitären Führerstaats," p. 277: "The biographer ought to keep Weber the scholar and Weber the political thinker or politician appropriately in opposition." The "scholarly evidence, for example from *Wirtschaft und Gesellschaft*," does not, according to Loewenstein, have "the same real value" as evidence from *Pol. Schr.* Similarly, Guenther Roth, who naively presumes the separability of science and politics in Max Weber's work. Compare Guenther Roth, "Political Critiques of Max Weber," in Reinhard Bendix and Guenther Roth, *Scholarship and Partisanship: Essays on Max Weber*, pp. 55 f.

11. H. H. Brunn, *Science, Values and Politics in Max Weber's Methodology* (Copenhagen, 1972), pp. 16 ff.

social consciousness, since it studied and clarified social reality with reference to significant processes that affect men.

The thesis that science and politics can be cleanly separated in Max Weber's works must thus be rejected. This author must also take exception to the objection that insufficient connections have been drawn in this monograph to Weber's theoretical ideas. I admit freely that the possibilities of drawing associations between Weber's scholarly work and his political opinions were not exhausted in the 1974 (German) edition. His scientific positions have been thoroughly taken into consideration in the interpretation of individual problems. It has been repeatedly pointed out that the central concepts of Weber's political journalism, like the dichotomy between politicians and officials, or the accentuation of the problem of the selection of political leaders, appear also in his political sociology. It can, however, be said in addition that Max Weber's entire sociological corpus rests on a conception of universal history that is only partially explicit. This conception is closely linked to his political convictions. I have attempted to remedy this deficiency of my monograph elsewhere and have specifically discussed the relationship between Weber's political views and his concern that the liberal social order of the west was mortally threatened by the inexorable growth of all-powerful bureaucracies.¹²

The description of Max Weber's constitutional position, presented here once again, has been the subject of especially heated controversy. To be sure, there is scarcely any more dispute about some of the central points; no one quarrels with the fact that the problem of leadership selection is at the center of Weber's concept of democracy and that Weber based his concept of democracy far more on pragmatic categories than on natural law. But beyond this point, consensus does not exist. In my view, Weber's conception of a democratic mass leader who wins the masses for his policies with the help of his charismatic capacities can be traced to aristocratic individualism in which liberal assumptions are combined with the Nietzschean idea of the value-setting personality. Charismatic leaders, who win the necessary support from the masses with personal plebiscitary techniques, ought to give the bureaucratic governmental apparatus goals and directions. For Weber, parliament served above all as a counterweight against leaders legitimized by mass plebiscites. Its chief responsibility was to assure the leaders' orderly removal if they failed.

Weber's democratic model, of course, can be accentuated in different ways and evaluated differently. Even Weber's contemporaries were in no way unanimous in their judgment of whether his constitutional proposals

12. Cf. my "Universalgeschichtliches und politisches Denken," pp. 557 ff.; also *The Age of Bureaucracy*, pp. 95 ff.

were sensible in all respects. In the light of our experience with fascist systems, which established "leadership domination with machine" in precisely the opposite direction from that which Weber had intended, I believe it necessary to examine his constitutional structures critically and of course completely independently of their original intention. In this procedure, I feel I am in agreement with Weber himself, who once wrote to Friedrich von Gottl-Ottlilienfeld: "Argue with my views as sharply as possible on those points where we differ," a statement that once served as the motto of this book. I have no brief for synthetic descriptions that slide over the characteristics as well as the tensions and contradictions of Max Weber's position instead of portraying them in all their keenness. This divides me especially from Reinhard Bendix, who in his book *Max Weber: An Intellectual Portrait* presents the social scientist and politician Max Weber in a harmonized and tailor-made form to suit the contemporary requirements of social science, but ignores that volcanic personality with the Nietzschean requirements who never was content with comfortable compromises but always carried things to their extremes.¹³

I believe we cannot avoid paying special attention to Max Weber's turn to extraparliamentary leadership selection after 1918 and testing his conception of "plebiscitary leadership democracy" as to its democratic substance. I believe that interpretations like that of Günter Abramowski, which view the 1917 stage of the conception of plebiscitary democracy as the whole idea instead of carefully distinguishing among the individual phases of the concept, are essentially in error.¹⁴ I have never quarreled with the position that Weber *intended* "plebiscitary leadership democracy" to be democratic; the question of the extent to which, as an antiauthoritarian version of democratic government, it crossed the boundaries of the traditional understanding of democracy and was amenable to reinterpretation in an antidemocratic sense, is something quite different. Furthermore, reference should be made to the fact that Abramowski absolutizes an earlier stage of Weber's theory of charismatic rule when he argues that charisma was "of decreasing importance" for Weber and therefore should not be assessed too highly as an element of his governmental sociology.¹⁵ Certainly, Weber observed a universal trend to

13. Cf. *Max Weber: An Intellectual Portrait* (Garden City, N.Y., 1960). See also the German edition, *Max Weber—Das Werk: Darstellung, Analyse, Ergebnisse* (Munich, 1964), corresponding to the second English edition. Cf. also my review, "Neue Max-Weber-Literatur," *Vierteljahrsschrift für Sozial- und Wirtschaftsgeschichte* 53 (1966): 94 f.

14. *Das Geschichtsbild Max Webers: Universalgeschichte am Leitfaden des okzidentalen Rationalisierungsprozesses* (Stuttgart, 1966). Cf. also my "Neue Max-Weber-Literatur," *Historische Zeitschrift* 211 (1970): 618 ff.

15. Abramowski, *Das Geschichtsbild Max Webers*, p. 158.

the rationalization of all life relationships, but he was not prepared to accept this resignedly. On the contrary, it was because of these premises that he viewed the only way out to be a return to the revolutionary power of charisma. In the later writings, charisma is no longer something that was limited to antiquity but is valued as the source of all individually responsible creative action. Especially in the area of politics, charisma is viewed as the root of genuine political leadership in dichotomous contrast to the leaderless bureaucratic apparatus of an administered world, which, if it were not to make itself absolute, would have to have goals set for it either from above or from outside.

In this connection we cannot overlook the significance this conception of the political leader has in the framework of Weber's model of parliamentary democracy. It would be intellectually dishonest to sidestep the problems that arise here by pointing to the obvious fact that Weber never intended the parliamentary system to be undermined in favor of plebiscitary leadership rule. I have made it very clear that Weber never anticipated the development of new forms of charismatic rule of a totalitarian kind. He was far more concerned about the dangers arising from the process of bureaucratization. According to all that we know about him, he would have been a bitter foe of fascism. His passionate invective against the criminal activities of the reactionary right after 1919 permit no doubts about this. (He lived long enough to see the high point of this in the Kapp Putsch.) But this does not permit us to sidestep the question of the historical significance of his leader-biased conception of democracy. In this regard, Loewenstein's emotional polemic at the time this book was published missed the key issue. He formulated the problem falsely when he attempted to attach to my thesis the phrase that "Max Weber [was] the 'sire' of the plebiscitarian leadership state."¹⁶

Gustav Schmidt's interpretation also seems to us to have ended up without a plausible solution to the problem. It is highly questionable to try to seek the intellectual roots of Weber's conception of "plebiscitary leadership democracy" in the Anglo-Saxon tradition. The function that Weber ascribed to the "plebiscitary-charismatic leader" within the parliamentary system can be associated only in form, not in substance, with

16. *Kölner Zeitschrift für Soziologie und Sozialpsychologie* 13 (1961): 275 ff. (Cf. my answer at the time, "Zum Begriff der 'plebisitären Führerdemokratie' bei Max Weber," in the same journal, vol. 15 (1963). Also Karl Loewenstein, "Max Webers Beitrag zur Staatslehre in der Sicht unserer Zeit," in Karl Engisch, Bernhard Pfister, Johannes Winckelmann, eds., *Max Weber: Gedächtnisschrift der Ludwig-Maximilians-Universität München zur 100jährigen Wiederkehr seines Geburtstages 1964* (Berlin, 1966), pp. 142 ff.; by the same author, *Max Webers staatspolitische Auffassungen in der Sicht unserer Zeit* (Bonn, 1965), pp. 70 f., esp. note 16. Cf. also my "Neue Max-Weber-Literatur" (1970), pp. 625 f.

the pragmatic concept of democracy of the Anglo-Saxon tradition and not at all with the English prime minister cabinet as such.¹⁷ The radical reduction of the institutions of parliamentary democracy to a mere instrument in the hand of government can, to be sure, be traced in its roots to the Puritan tradition, but Weber gave it a more radical form that has no parallel in Anglo-Saxon political thought. As to the idea of the opposition to the misuse of power through the division of power into a multiplicity of political institutions that we know in the Anglo-Saxon tradition, Weber opposed this with his dichotomy between political leadership and parliamentary and other political institutions. As long as the leader retained the trust of the masses, he could demand absolute discipline from his supporters and exclusively direct the bureaucratic apparatus of power for the achievement of his goals. This approach is completely alien to Anglo-Saxon political thought. Even in those places where Weber referred specifically to English models, he tended to overemphasize certain aspects, for example, in his description of Gladstone as a "dictator of the electoral battlefield"—an interpretation that did not do justice to Gladstone's actual role and exaggerated its plebiscitary dimension.¹⁸

It is difficult to escape the core of Weber's political concept of leadership, namely, the fact that the leader, once elected in a formally free election, was exclusively responsible in his own right and not according to the declared or suspected will of his electors. He was expected to act solely in agreement with his own personal convictions. This emphasis on the personal-plebiscitary aspect of leadership does not originate in western European constitutional thought and is difficult to reconcile with the basic principles of parliamentary government. There is an elitist-aristocratic element hidden here that reminds us of Nietzsche's theory about great individuals who, motivated by a strongest sense of personal responsibility, set new goals for mankind and thereby prevent it from sinking into the mediocrity of a leaderless "herd" of "equals." Nor do I consider the concepts of leader and demagogue so widely separated, as Schmidt maintained, in view of the undisputed fact that Weber counted demagogic gifts among the elementary qualities of political leadership.¹⁹ If we put the problem this way, then attempts at synthesizing fall apart. It then becomes impossible to avoid discussion of where the formal distinction between charismatic leadership in a democracy and fascist leadership lies, all the more so as Weber himself deliberately excluded a substantive approach to the problem. In this regard, it should be pointed out that not only Carl Joachim Friedrich, but also Karl Loewenstein, ignoring his

17. Schmidt, *Deutscher Historismus*, pp. 291 f.

18. Cf. also Karl Loewenstein, *Max Webers staatspolitische Auffassungen*, p. 71, n. 17.

19. Cf. Schmidt, *Deutscher Historismus*, p. 291 and also *Pol. Schr.*, p. 525.

already cited polemics against the "'retroactive projections' of a generation of scholars that had lived through the Hitler period,"²⁰ had pointed to the concept of charisma as unfortunate and unsuited for the description of the role of leadership in modern democracy.²¹ The lack of content in charisma in the Weberian sense, which makes it possible to apply it to plebiscitary leaders of Lloyd George's type as well as to Karl Liebknecht, Benito Mussolini, or Adolf Hitler, in practice raises difficult questions of differentiation.

Since the removal of a charismatic mass leader elected under caesaristic conditions is formally regulated through the continually existing parliamentary institutions, it appears that the ambivalence of this structure has not been eliminated. To this extent, I agree with Loewenstein. If a situation were to arise in which parliament and parties had sunk to mere followers of such a mass leader, they would not be in a position, in the event of a conflict, to effectively defy the manipulations of a mass leader who was still in power but had lost the confidence of the masses. In principle, as well as in a technical-constitutional sense, does not the radical accentuation of the function of the leader by Weber have the effect of reducing the democratic process almost entirely to the problem of the selection of leaders? Under Weber's influence, in 1920, Theodor Heuss argued that it was necessary to see the future of German democracy in the light of two alternatives. "The problem that would decide the future of the people" was "leadership in democracy. Are the people waiting to submit their future to the personal will to power of a usurper, or will they purify their instincts and recognize greatness in selflessness, granting her their spontaneous support in determining their own destiny?"²² Weber's emphasis on the personally responsible position of the great politician, who was to act as a counterbalance to the anonymous rule of the bureaucratic apparatus and the mediocrity of the career politician without calling, points to the structural weakness of late bourgeois liberalism, namely, the tendency to compensate for the undermining of the autonomy of the individual in industrial mass society by falling back on a plebiscitary appeal of the individual to the masses.

Reference should also be made at this point to Ernst Nolte's "Max Weber vor dem Faschismus" ("Max Weber as a Precursor of Fascism"). This study departs from mainstream scholarship insofar as it deals squarely with the issue at stake here rather than sidestepping it with the

20. Carl Joachim Friedrich, "Political Leadership and the Problem of Charismatic Power," *Journal of Politics* 23 (1961): 16 f.

21. Cf. Karl Loewenstein, *Max Webers staatspolitische Auffassungen*, pp. 74 ff. The quotation is from "Max Weber als Ahnherr des plebisitären Führerstaats," p. 280.

22. *Pol. Schr.*, p. xxxi.

soothing words of most of the authors so far discussed.²³ Nolte does not hesitate to identify those elements of Max Weber's political thought that in a certain way include prefascist components. On the other hand, he offers precise criteria showing why Max Weber, though in a sense his thought belongs in the context of "pre-fascism," nonetheless was a decisive opponent of National Socialism. He correctly points out that one element totally characteristic of fascism was entirely absent from Weber's political thought—namely, militant anti-Marxism. Rather, Weber always pleaded for a united front of the bourgeoisie against the traditionally privileged aristocratic leadership classes. The social constellation that enabled National Socialism to come to power, namely the alliance of the petite bourgeoisie with the traditional feudal elite, was in marked contrast to his thesis of the necessity of political cooperation between the Social Democrats and democratic liberalism. On the other hand, we cannot overlook the fact that Max Weber's ambivalent attitude toward the universal process of rationalization and bureaucratization of all life relationships, combined with his theory of the growing "alienation" of the individual and the antimodern ideologies that were so characteristic of fascist movements, in principle have some common ground. Weber's tireless plea for rationality made him fully immune to such trends of thought. It is well known that he refused to follow the path of Stefan George or Oswald Spengler, and to look out for new prophets or Caesars.

Essentially, the conclusion is plain. Yet, without further comment, we cannot count Weber as belonging to what Nolte designated as a European alternative coalition to fascism, namely a coalition ranging from the "reform-friendly wing of the Conservatives to the Social Democrats."²⁴ In truth, it is impossible to assign Weber precisely to any political position. Nolte, too, points out that Weber's position, irrespective of his opposition in principle to fascist solutions, demonstrated a series of weak points in relation to the appeal of fascist ideologies.²⁵ These include, in addition to a certain approval of the Social Darwinist doctrine of struggle as the basic element of politics, and the temporary recommendation of irredentist fighting tactics against the Treaty of Versailles, the tendential devaluation of parliamentary institutions to technical arrangements for the purpose of protecting an optimum of political leadership, with the

23. *Der Staat*, 2 (1963): 1 ff.

24. *Ibid.*, p. 10.

25. Nevertheless, we can in no way agree with Nolte when he points to Max Weber's Nietzscheesque critique of religions of salvation, and his acceptance of the rationalization process as an unavoidable fate, as factors that would have weakened Weber's position toward fascism. The reference point here is Nolte's own concept of fascism, which views fascism as a revolt against transcendence. This view in our opinion mistakes the social nature of fascism.

provision only that such leadership rest upon formally free elections. This construction must be understood in the context of Weber's governmental sociology as an attempt to find a way out of the dilemma of how, under the conditions of industrial mass society, the personal rule of great, gifted leaders could still be assured. Weber thereby indirectly illuminated a central problem of liberalism in the postbourgeois world. The suspicion is inescapable that the bourgeois classes' lack of immunity to the siren call of fascism was at least in part associated with such notions. Hitler, in his speeches to west German industrialists, tried to point out, with special warmth, that the free, creative activity of the personality in economy and society needed an open path once again. The supposed or real lack of qualified leaders formed one of the chief arguments of those groups of the bourgeoisie who were cool toward the Weimar Republic. In fact, Max Weber could be quoted in defense of this argument, even though, in most instances, those who did so were rarely aware of the subtlety and complex nature of his arguments.

Nevertheless, there can certainly be a number of opinions as to whether it is possible or advisable today to criticize Weber's understanding of democracy from a standpoint that involves commitment to certain fundamental political principles. But even if a conclusive ethical-rational justification of modern "constitutional democracy" is no longer possible, it still remains the legitimate task of social science to analyze the multiple possibilities of political systems from the point of view of whether, and how much, under current social conditions, an optimum of freedom for the individual can be combined with a maximum of self-determination for all. In this respect, Weber's position as described in this book, regardless of his subjective intentions, seems to me not beyond reproach. Situations could perhaps arise in which it is necessary to take refuge in plebiscitary charismatic forms of political leadership, for example, if the rigidification of industrial society of the western type that Weber feared should actually reach a critical stage. But taking recourse to such political techniques does not seem to fit the contemporary situation. We need, far more than great leaders who attract the masses and provide them with goals, statesmen who are capable of integration and compromise between different political persuasions and who have the will to formulate the interests and objectives of the social groups whom they represent and to transform them into political action. To this extent, Weber's conception of "plebiscitary leadership democracy" is also subject to criticism from a pragmatic vantage point.

The final word also does not appear to have been spoken about the problem of legitimacy in modern society. In the 1950s, the question of legitimacy of political rule appeared to be reducible in a technical sense to effective provision for human existence and constant improvement in the

welfare of the masses. Today the question has returned in full force. Once again we face the problem of whether "formal legality" or "technical rationality" are sufficient to provide a stable basis for modern societies of the western type in the long run and can form the foundation for a political and social consensus.²⁶ It is possible that "technical rationality" may be exposed as a form of pseudolegitimacy that is of value only as long as it is assumed that the political process in modern industrial society is almost exclusively determined by the technological and material conditions of economic progress.

Considerations of this nature owe much to Max Weber, although his solutions cannot simply be accepted under changed political and social conditions. Whatever we may think of their material realizability, it is unsatisfying when they are countered by an apparently objective, neo-positivist position that sees a way out in the reduction of value ambiguity—a strategy that in any case is diametrically opposed to Max Weber's basic position, namely, that all questions ultimately relate to one's own fundamental point of view. It seems of little use to throw my own interpretation of Max Weber's political thought, an interpretation that arises from a consistent liberal position, into the same pot as many completely different interpretations. The author admits that nothing annoyed him more than to see his interpretation of Max Weber as a politician lumped together, by a series of authors close to neopositivistic social science, with the fascist description of Christoph Steding and the Catholic-fundamentalist critiques of Leo Strauss and Erich Vögelin, while at the same time they insist on their own objectivity.²⁷ It is remarkable that these authors cite Max Weber in their defense, although Weber repeatedly and distinctly said that an interpretation that takes the middle position is not a hair truer than one that takes an extreme position.²⁸ His whole life long, Weber himself staked all on thinking through his own positions to their radical conclusions with an almost self-destructive rigorism, rather than resting content with comfortable compromises of middle-of-the-road solutions, even when he ended up in contradictions and unsolvable aporias. He once said: "Any meaningful *evaluation* of an alien will can only involve a critique from the vantage point of one's own 'Weltanschauung.' A struggle against an *alien* ideal [must arise from] the

26. Cf. esp. Jürgen Habermas, *Technik und Wissenschaft als "Ideologie"* (Frankfurt, 1968), pp. 78 ff.; and the same author's *Legitimitätsprobleme im Spätkapitalismus* (Frankfurt, 1973).

27. Thus, for example, Gerhard Hufnagel, *Kritik als Beruf: Der kritische Gehalt im Werk Max Webers* (Frankfurt, 1971), pp. 191 f.; and Guenther Roth, *Political Critics of Max Weber*, in Bendix and Roth, *Scholarship and Partisanship*, pp. 55 ff.

28. Cf. *Wissenschaftslehre*, p. 499.

base of one's own ideals."²⁹ Nothing could therefore be more misguided than the attempt to lay a claim to Max Weber with a form of empirical social science that does not reflect upon the metascientific premises of its own approach and is unconscious—or insufficiently aware—of the links between its own hypotheses and methods and their roots in a contemporary social situation. The method of critical analysis of Max Weber's political works from a definite point of view, which has been followed here, is closer to his own epistemological position than that of those authors who abstract Weber's scientific and intellectual achievements out of the context of his political wishes and his social position and attempt to interpret them as more or less value-free in substance.

From this standpoint, Gerhard Hufnagel's study of Max Weber appears quite inadequate.³⁰ Hufnagel attempts to solve the problem of a synthetic interpretation of Weber's political and sociological works by reducing Weber to the role of a totally uncommitted critic who analyzed everything on the basis of his current assumptions. Weber the "critic," according to Hufnagel, proclaimed no new values but saw his task merely as a continuous dissection of the existing situation. Hufnagel's thought has a positivist foundation that rejects all ethical-rational positions equally and dogmatically, no matter what their nature, and seems thereby to be committed to the "critical rationalism" of Hans Albert and an anti-ideologism similar to that of Ernst Topitsch. This is combined, in a remarkable way, with a romantic, antiauthoritarian neo-Marxism that seems to see good in the systematic criticism of all existing governmental systems, ethical positions, and opinions. To be sure, Hufnagel admits that—in the words of René König—"criticism always [requires] a point of view from which to criticize."³¹ But he does not succeed, in spite of vigorous attempts to break through his closed description of Max Weber's position, in escaping the technical-empirical hypothesis that Max Weber was a "rebel without a cause" without any ultimate point of view. Rather, he is stuck in the statement that Weber "was nowhere reliably at home"—an interpretation that comes remarkably close to the bitterly disputed position of Leo Strauss, who accused Weber of nihilism.³² Finally, the reader is dispatched with the equally relevant if not exactly new observation that the core of Weber's thought and his aims was the "will to truth," a formalist statement that he ought to have elaborated upon.³³

29. *Ibid.*, p. 157.

30. Cf. above, note 27.

31. Hufnagel, *Kritik als Beruf*, p. 264.

32. *Ibid.*, p. 355.

33. *Ibid.*, p. 341.

Specifically, Hufnagel's presentation exhausts the political aspects of Weber's works in the negative sense, more precisely in the description of Max Weber's opposition to the most diverse political phenomena and tendencies, for example, his protesting any "accommodation to 'Realpolitik,'" his critique of "nonobjective motivations," his rejection of Marxism as a special case of objectivist belief in laws, etc. He does not ask why Weber chose these and not other phenomena of the social reality of his time, as subjects for criticism. The goal of his interpretation is not to determine the social background or core of Weber's political work. Rather, he himself says: "An ordered sketch of a theory of political action or a philosophy of politics will be found not in a description of the destructiveness of the political critic [Max Weber—(author)], but, rather, in a mosaic of critical and criticized views, arguments, and attitudes."³⁴ In fact, Hufnagel does not even achieve this. He only gives us broken pieces of a mosaic. The individual stones in no way come together in a convincing total picture.

In my view, this description does not do justice to Weber, who himself repeatedly emphasized that all political action and, ultimately, all scientific research is fruitful only if it is oriented to final, personally responsible ethical convictions. For Max Weber, personality rested on the constancy of its insistence on ultimate ideal values and the readiness to rationalize one's own conduct fully in the light of these ideals and, as it were, to test it constantly. Hufnagel, from his fundamentalist viewpoint, neglects that side of Weber that was an aristocratic, somewhat Nietzschean individualist and "rational" nationalist who did not shrink from the final consequences of his nationalism. Hufnagel's view abstracts Weber and distorts him into an extreme example of a rootless intellectual. It scarcely does justice to his constant attempt at "intellectual honesty." Both as a social scientist and as a politically engaged citizen and political thinker, Max Weber towered above the common opinions of his time. Regardless of the severe inner tensions it contains, his life work reveals an inner unity and force that still has power today for those who consider it seriously. For this reason, Hufnagel's attack on workers who refuse to forsake their own positions when confronting Weber and seek to illuminate and interpret his work both in *his* context and in their own, is neither appropriate nor convincing, no matter how self-confidently it is presented.

Arthur Mitzman took another tack, which was in many ways opposite to Hufnagel's.³⁵ His was the first attempt to analyze Max Weber's works as well as his political convictions with the use of Freudian psychoanalytic categories. Like the historical school that derives from Erikson's psycho-

34. *Ibid.*, p. 109.

35. *The Iron Cage: An Historical Interpretation of Max Weber* (New York, 1970).

analytical historiography, Mitzman studies conflicts and problems in Max Weber's personal development and seeks on this basis to interpret his political position and his scientific works. The point of departure is Max Weber's conflict with his father. The ground was prepared by his emotional preference for his mother and expanded several weeks before his father's death to an open break. The resulting guilt complex was the real cause of Weber's nervous breakdown and at the same time the ultimate source of his decisive partisanship against the authoritarian political order of Wilhelminism and its self-satisfied nationalism. In addition, Mitzman attempts to relate Max Weber's intellectual development by broadly associating it with the bourgeois society of his time and its widespread repression of sexual and emotional needs in such a manner as to make assertions of general significance. This analysis is ingenious and provocative, but to a large degree it seems to rest upon interpretive arbitrariness. It is, for example, not clear why Max Weber associated the Prussian Junkers with the person of his father and therefore bitterly opposed them. The elder Max Weber was a typical representative of the traditionalist, innerly rigid National Liberalism of the Bismarckian era, but even in his later years he was in no way as reactionary as Mitzman's analysis assumes. The younger Weber's criticism of the Prussian Junkers corresponded to his conscious preference for a progressive bourgeois liberalism that saw in a dynamic economy and society of a capitalist sort the essential conditions of both personal freedom and the greatness of the nation. This does have some indirect association with individual psychological factors. It is possible, too, to support Mitzman's view that Weber's radical support of a puritanical individual and social ethic had individual psychological origins and was closely related to his own personal experience. Overall, however, the bridge between the psychic dimensions of Weber's personality and his political views seems to me to have been insufficiently based.

This applies less, perhaps, to Mitzman's depiction of Weber's intellectual development. Mitzman describes that development as a constantly renewed attempt to break out of the "iron cage" of a rational asceticism in which Weber found himself imprisoned around the turn of the century, or, as he puts it in another place, a revolt proceeding step by step against his own ascetic-puritanical background. Mitzman associated the decisive change in the years 1911-14 with the discovery of charisma, which he called, with reference to Nietzsche, a "Dionysian category." Parallel to this, Weber came to a new appreciation of the aristocratic life ideal, although not in the narrow political sense. Mitzman saw this development as conditioned by the gradual resolution of the unsolvable sexual problems that entangled Weber as a result of his unsuccessful marriage to Marianne.

Overall, it is possible to agree with this analysis, though not to accept its preconceptions uncritically. However, we question whether Weber's intellectual development can really be so cleanly divided into a "puritanical" and a "Dionysian" period. Even outwardly, this appears incorrect. In his letters to Mina Tobler, a Swiss pianist with whom Max Weber carried on a very personal, if platonic, relationship during the war years, he confessed that he had to struggle with inward despair against the domination of anonymous powers. Even in 1919, Weber said that a rope was around his throat and someone had been twisting it, "slowly, slowly, for many years, ever more tightly, ever more tightly."³⁶ Weber never overcame his lifelong fear of sustaining a teaching career. Invitations to Vienna, Bonn, Munich, and the later unrealized prospect of going to the newly founded Johann-Wolfgang-Goethe University in Frankfurt, something that appeared very exciting to Max Weber, as well as his acceptance into the Bavarian Academy of Sciences (whose meetings he found very boring), proved that even after 1918 he was generally recognized as a teaching professor. But he was never free of the inner fears about his academic existence.

The same is true of the development of his personal *Weltanschauung*. In later life, Max Weber did not break nearly as radically from the rigorism of his puritanical opinions as Mitzman would have it. The concept of charisma, as a form of revolutionary power that gripped people from within, can be more easily interpreted as an expansion of Weber's conception of the importance of otherworldly values for social change. This had been the basis of *The Protestant Ethic*. Now the emphasis was more strongly placed upon the great personality.³⁷ The revolutionary inner-worldly power of charisma is therefore not an alternative to the older idealistic model of social change as it was developed in *The Protestant Ethic* and elsewhere. It involved a modification of this model that was suited to the conditions of a world dominated by bureaucratic bodies, in which all forms of individual activity had a chance only when they could be transformed to reality with the help of a "following" that did not fear the use of the instruments of bureaucratic techniques of rule. The conflict between charisma and the powers of rationalization and bureaucratization is a constant motif in Max Weber's sociology, though it was not until his later works that he made it a direct central theme. For this reason, the category of charisma is more than the later product of a development that was characterized by the breakthrough to "Dionysian

36. Letter to Mina Tobler, undated, probably spring 1919, A.E. II, 86. He wrote similarly once in 1917: political things pull "on the iron ring that one feels pressing upon one's breast, head, and neck." Letter to Mina Tobler, 23 November 1917, A.E. II, 45.

37. For a detailed justification of this thesis, see my study, *Universalgeschichtliches und politisches Denken*, pp. 578 ff.

life forms." This is true too of his political opinions in a narrow sense. In his later years, Weber had felt himself to be a partisan of the liberal bourgeoisie and identified with its political values. But in these later years the aristocratic side of his thought grew in importance, especially in his stress on his own model of democracy as a form of government by a plebiscitary mass leader.

Mitzman succeeds in opening up a new approach to the political thought of Max Weber. Doubtless, the problems of an entire generation are mirrored in an extreme form in Weber's personal life. His generation did not feel at home in the rigid and authoritarian structure of Wilhelmine society, yet saw no possibility of escaping it. Nevertheless, can the key to this problem really be sought in the personal life history of the individual? Is such an attempt at explanation, which flies in the face of a social reality that the historian by virtue of his profession must research in its historical dimensions, immunized against a radical critique? This author sees his scholarly task to be the study of social relationships in another sense. I recognize that historiography always has and should have a critical function.³⁸ For this reason I have attempted to study Max Weber's political positions, not only from the point of view of their inner freedom from contradiction, but in terms of their historical significance in the light of later discoveries. I have concluded that Max Weber should in many ways be viewed as a representative of a late variety of classical liberal thought and that he reflected the crisis of liberalism in exemplary form in his political thought.

This analysis of Max Weber also differs from recent Marxist interpretations. Joachim Streisand's *Max Weber: Soziologie, Politik und Geschichtsschreibung* (*Max Weber: Sociology, Politics and the Writing of History*), published in 1965, appears comparatively less probing. He contents himself with describing Max Weber as an exponent of German bourgeois imperialism, as Georg Lukács had already done, without, however, seriously considering Weber's overall arguments, especially those involving bureaucratic governmental systems, good examples of which can be found in contemporary socialist states.³⁹ He is somewhat hasty in dismissing Weber's epistemological position as a theoretical justification of the anarchy of production in the bourgeois capitalist system, and in calling it irrational, without recognizing the foundations of his own view and his dogmatic assertion of the Marxist-Leninist position as the only completely rational one.⁴⁰

38. Cf. my study *Die Geschichtswissenschaft jenseits des Historismus*, 2nd ed. (Düsseldorf, 1972), pp. 33 f.

39. Joachim Streisand, ed., *Studien über die deutsche Geschichtswissenschaft*, vol. 2: *Die bürgerliche deutsche Geschichtsschreibung von der Reichseinigung bis zur Befreiung Deutschlands vom Faschismus* (Berlin, 1965), pp. 179 ff.

40. *Ibid.*, p. 188.

In contrast, Herbert Marcuse's lecture at the Heidelberg sociologists' convention of 1964 on "industrialization and capitalism in the work of Max Weber," which at the time was dismissed as the presentation of an abstruse outsider, has since had a considerable impact upon research, especially in the neo-Marxist camp. Marcuse's interpretation, contrary to the appraisals of some authors, touches on the real problems of Max Weber's sociological theory even more than Marcuse himself realized.⁴¹ In a sense, he radicalizes our own objection to Max Weber's model of democracy, namely that parliamentary institutions as such became mere technical instruments of a system in which charismatic leaders fought for power with personal-plebiscitary weapons, and extends it to the area of a capitalistically structured economic order. Marcuse argues that the concept of "formal rationality" is "inconspicuously" transformed into "reason."⁴² This permits Weber to justify capitalism materially and support a system of government necessary for its preservation. The principle of "formal rationality" is also applied to the system of government. But since the bureaucratic apparatus has its limits in rationality, it is subjected to super- and extrabureaucratic forces, and these, in contrast to the former, are irrational. Marcuse summarizes his thesis in the statement that the "Weberian concept of reason" terminates in "irrational charisma."⁴³ By the "equation of technical and bourgeois capitalist reason,"⁴⁴ Weber obstructs the recognition of the irrationality of capitalism that consists in the fact that in it the technologically conditioned control by things is made absolute.⁴⁵

This thesis is correct insofar as it points out that Max Weber in fact described capitalist "market economy" as the formally most rational

41. Cf., e.g., Benjamin Nelson's commentary at the Heidelberg sociologists convention 1964 in *Max Weber und die Soziologie heute*, pp. 192 ff. Nelson believes he has ascertained that "rarely, almost never, do the critics of Weber meet him on his own ground" (p. 197). My interpretation shows that the contrary is true in the case of Marcuse, insofar as he has moved far less beyond Weber's "ground" than he himself tends to assume. See also Hans Albert, *Plädoyer für kritischen Rationalismus* (Munich, 1971), pp. 104 f., who goes a little beyond his goal when he depicts Marcuse as "a natural enemy of Max Weber's theories."

42. "Industrialisierung und Kapitalismus (im Werk Max Webers)," in *Max Weber und die Soziologie heute*, pp. 161 ff, as well as in Herbert Marcuse, *Kultur und Gesellschaft*, vol. 2 (Frankfurt, 1965), pp. 107 ff. We quote below from the latter, pp. 118 f.

43. *Ibid.*, pp. 121, 125.

44. *Ibid.*, p. 127.

45. Cf. here Wolfgang Schluchter's brilliant analysis, *Aspekte bürokratischer Herrschaft. Studien zur Interpretation der fortschreitenden Industriegesellschaft* (Munich, 1972.), pp. 256 ff. with which the following statements agree on many points. Schluchter takes the view that Marcuse "rather than unmasking Weber, had for the first time correctly portrayed him." (p. 267). This agrees with our interpretation in so far as we demonstrate that the decisive takeoff point for Marcuse's critique of the thesis of the "formal rationality" of capitalism, had basically already been formulated by Weber.

form of modern economy and in this regard viewed it as the economic form most capable of maximum production. Even when Weber painstakingly avoided speaking about maximum efficiency in this connection, his logic came close to this conclusion. His conviction that free competition in the market combined with complete freedom of contract permitted a high degree of formal rationality (and therefore technological capacity) of the economic system was in fact of central importance for his position. Weber was convinced that every economic form that differed from the type of pure market economy based upon absolutely free competition of economic forces in the market and full contractual freedom would pay for that difference in the form of formal irrationalities that would necessarily restrict the system's technological and economic capacity. This applied especially—but in no way exclusively—to the various conceivable socialist economic systems as Weber systematically developed them in his ideal typical analysis in *Economy and Society*.⁴⁶ Moreover, Weber preferred the system of “market economy” of a capitalist type in the prevailing social circumstances because it was capable of releasing the greatest dynamism in the economic as well as in the political realm.

Weber always expressly defended the capitalist system in political praxis against the criticism of the socialists from various camps as well as intellectuals, in spite of his occasional verbal concessions to socialism. He never intended to canonize capitalism, certainly not in its formally most rational form. The ideal typical picture that Weber sketched of a formally rational market economy in *Economy and Society* is an example of ice-cold reasoning and has a somewhat frightening effect. It can in no way be interpreted as an apology for capitalism. Rather, Weber was—as Marcuse also correctly points out—convinced that the “formal rationality” of the capitalist system was necessarily linked to “material irrationality.”⁴⁷ Viewed from the standpoint of ethical rationalism, it necessarily had to be judged “irrational.” Weber pointed out expressly, for example, that the “subjugation of the worker under the rule of the businessmen” was one of the “specific *material* irrationalities” of the modern capitalist system.⁴⁸

We must therefore maintain that Max Weber in no way set the capitalist system up as an absolute, as the neo-Marxist critics maintain. He never abandoned the possibility of modifying the capitalist system from the standpoint of material ethical ideals. Weber even favored this in praxis, as when he called for the restoration of the balance of power between employers and workers, which had been destroyed by the rise of “giant

46. *Wirtschaft und Gesellschaft*, pp. 59 f. Cf. *The Age of Bureaucracy*, pp. 64 ff.

47. *Industrialisierung und Kapitalismus*, pp. 116 f.

48. *Wirtschaft und Gesellschaft*, p. 78.

concerns," with the tools of governmental social policy. If Weber so strongly emphasized "formal rationality" as a condition of modern industrial economies, it was his aim to make it clear that the implementation of material ideals of value, no matter what their nature, could not proceed without social "costs." For him, this had less to do with a defense of the capitalist system as such than with the clarification of the alternative ethical positions that lay behind the quarrel about capitalism. For this reason, Marcuse's criticism of Weber's conception of capitalism had already been anticipated by Weber as a possible alternative position, even if we have to admit that the relevant passages in *Economy and Society* are susceptible to various misunderstandings.

Marcuse's alternative proposal, beyond the "technical rationality" of the capitalist system, or more precisely to return behind it, reveals itself as a form of utopianism that thinks little of the technological assumptions of modern industrial civilization (no matter how it is politically and socially organized) and believes that "technical rationality," no matter how a society is constructed, would always be sufficiently at hand. In contrast, Weber had already pointed out that the realization of a socialism without government—if it were at all possible—could only happen with a substantial loss in technology and civilization (which does not necessarily rule out the desirability of such a system.) It would be possible on the other hand to raise doubts about Max Weber's thesis that the competitive character of the market forces has a more or less rationalizing effect of itself, without calling into question the postulate of "formal rationality" as to the organization of the economy. Such a criticism would then have to present the arguments that speak against the regulation of the economic processes through bureaucratic bodies of officials.

How much such a critique of Max Weber's analysis of capitalism is in danger of ending in utopianism, if the weaknesses he pointed out in the socialist alternative are not taken into account, is demonstrated by Wolfgang Lefèvre's study *Zum historischen Charakter und zur historischen Funktion der Methode bürgerlicher Soziologie* (*On the Historical Character and the Historical Function of the Methods of Bourgeois Sociology*).⁴⁹ Lefèvre attempts, taking Weber as his example, to show that the formalist epistemological method of bourgeois social science has the actual goal of immunizing the capitalist system against every criticism. This is a radical elaboration of Herbert Marcuse's thesis that, through his conceptual method, Weber had shielded "what should be [*das Seinsollen*]" from scientific criticism." Lefèvre is anxious to prove Weber's "methodological insufficiency": "It recognizes what the dominant conditions accord

49. *Zum historischen Charakter und zur historischen Funktion der Methode bürgerlicher Soziologie. Untersuchung am Werk Max Webers* (Frankfurt, 1971).

with; it does not recognize what contradicts those conditions."⁵⁰ Of course it is tempting to speak about Lefèvre's "insufficiency of method," if in a somewhat limited sense, since his own thesis is illustrated exclusively by *The Protestant Ethic*, while the later works, especially *Economy and Society*, are treated summarily at best (let alone his apparently consciously sloppy style of citation, which certainly demonstrates a contempt for bourgeois social science—something that Marx and Lenin would never have permitted). Lefèvre's critique is justified as to *The Protestant Ethic*, in which only one significant developmental thread among the incomparable multiplicity of historical reality is singled out. In this work, the phenomenon of capitalism was not in fact examined as such; the working class remained completely in the background although it was formally included in the thesis. We can accept Lefèvre's view to a certain degree when he maintains, with respect to *The Protestant Ethic*, that "the class character of production" is covered "with an indulgent cloud."⁵¹ But this can hardly be said of Max Weber's writings as a whole. Rather, in *Economy and Society*, to take just one example, the class situation of the workers is described with sober and occasionally icy words that are not far from those of Karl Marx.

We have criticized Max Weber's radical formalist interpretation of the modern capitalist system, and especially of "constitutional democracy," from the point of view that in principle it is "serviceable," or can be used in a functionalist way for the most diverse positions. This is also true to a certain extent of the ideal typical model that Weber sketched of a capitalist market economy with maximal rationality. This model can be brought in to defend unlimited rule by employers as much as it can be used as the justification for governmental planning in the interests of specific substantive ideals, e.g., a progressive social policy, especially when this serves the preservation of the system. Marcuse and, to an even greater extent, Lefèvre maintain that the material rationality of bourgeois class rule is hidden behind capitalism's "formal rationality" without being clearly recognized as such. In contrast, it must be pointed out that Weber took a fundamentally pluralistic position—or, it can be said, a liberal one—which is open to alternatives and rests upon formally preferable prior decisions based on rational values. In no way did Weber dispute the possibility of various socialist alternatives to capitalism, assuming that the supporters of these alternatives did not shrink from the accompanying consequences.

With this consideration, the accusation of dogmatism, veiled by formalist language, returns like a boomerang to Lefèvre himself. For what is

50. *Ibid.*, p. 29.

51. *Ibid.*, p. 72 f.

Lefèvre's concept of truth but a substitution, a Marxist approach, of those social ideals he would like to achieve for historical reality. This can also be clearly recognized as naive Hegelianism that seeks "rationality in the contents of reality," although he himself is incapable of stating it.⁵² It is quite possible to exaggerate Lefèvre's research strategy a little by saying: "It recognizes what contradicts the dominant circumstances; it does not recognize what corresponds to these circumstances." How else is it possible to understand when Lefèvre takes on the criticism of the functionalist character of Weber's concept of government, only to logically conclude that it did not go far enough; that it was even more necessary, in tandem with the removal of the capitalist system of production, to free the "political essence" of society "from the power that is separate from it," that is, "to do away with the state."⁵³ Only extreme blindness to reality could lead him to hold fast to the view, in the knowledge of Weber's analysis in this regard, that a change in the form of the appropriation of the means of production in modern industrial societies characterized by high technological development and an extensive division of labor could make political rule obsolete, instead of asking how such rule under contemporary circumstances can be democratically controlled in an optimal way in the interests at least of those who are immediately affected. From this utopian perspective, those of us who remain attached to a pluralistic liberal society, and who are open to varied forms of social organization, can be dismissed as "salesmen in the goods of 'positive values'" and as "representatives of the Middle Ages."⁵⁴ The free communist society offered as an alternative, if it is at all realizable, lies in a very distant future. We are in agreement with Max Weber that society itself cannot govern.⁵⁵ Therefore, the problem is to find forms of political organization that with attention to the existing real social conditions combine a high degree of self-determination for the body politic with an optimum of freedom for the individual.

As our analysis of Herbert Marcuse has shown, Max Weber's thesis that the capitalist system, because it is capable of achieving a high degree of formal rationalization in all its operations, is superior to all existing or conceivable alternative economic systems cannot be seen as an ideological justification of late capitalism. Weber also established the point of departure for a criticism of capitalism from the preferred theoretical standpoint of rational values. Weber himself described the tendency of capitalism to produce ever larger bureaucratic apparatuses and to draw a

52. *Ibid.*, p. 56.

53. *Ibid.*, p. 87 f.

54. This no doubt the author's coinage; *ibid.*, p. 92.

55. Cf. *ibid.*, p. 65.

tighter and tighter net of expedient regulations over society from the points of view of universal history and cultural sociology. Weber saw this as a mortal threat to a mankind oriented to free individual values. This is an interpretation that Wolfgang Schluchter has recently pointed to.⁵⁶ Weber's position is even less adaptable to utopian plans for the future of a neo-Marxist kind like Lefèvre's.

Jürgen Habermas offers a much more fruitful development of the problem that Marcuse introduced.⁵⁷ Habermas concentrates on Weber's concept of rationalization and his conception of legitimacy on the basis of formal legality, and seeks to develop this further in the framework of an altered system of relationships, at the same time excluding the antimodernist, utopian elements of Marcuse's interpretation. Habermas adopts the pluralistic tendency of Weber's theory insofar as he designates the so-called "institutional framework" (which next to the system of government as such also includes the whole complex of traditional value positions, norms, and cultural artifacts) as the bearer of the process of rationalization. The capitalist economic system must of course be considered such a subsystem. Habermas further takes the view that the subsystem of capitalism, at least for the time being, namely in the characteristic phase of late capitalism, has had the function of a secondary legitimation for the political system: "The superiority of the capitalist manner of production over those that preceded it is rooted: (1) in the construction of an economic mechanism that permanently widens the subsystem of purpose-oriented action, and (2) in the creation of an economic justification through which the governmental system can be adapted to the new demands for rationality of these advancing subsystems."⁵⁸

As a result of this process, according to Habermas, the traditional justifications of government are replaced by new ones that appeal to modern social science and are reinforced by a critique of ideology, although they themselves are ideologies.

Habermas views the essential points here of what Max Weber designated as "rationalization." But this does not entirely accord with the diagnosis that Weber applied to his own situation. Weber assigned the political sphere (what Habermas refers to with the more restrictive phrase "institutional framework") an independent position, even under the conditions of rationalization, vis-à-vis the expediently organized subsystems. Recently, Christian von Ferber expressed these circumstances suggestively: "Political action represents the stage in societal leadership that still remains uncontrolled by purpose-oriented action. It is an exten-

56. *Aspekte bürokratischer Herrschaft*, pp. 266 f.

57. "Technik und Wissenschaft als 'Ideologie,'" in *Technik und Wissenschaft als 'Ideologie'*, 2d ed. (Frankfurt, 1970), pp. 48 ff.

58. *Ibid.*, p. 70.

sion of mechanized routine actions but at the same time possesses a totally different character."⁵⁹ At least in the conditions of his own time, Weber insisted on the fundamental opposition between the political order and the capitalist subsystem although it must be admitted that the relationship between the two was never clearly worked out in his sociology.⁶⁰ Weber was therefore not of the view that the capitalist order unequivocally determined the political structure. As early as 1905, he warned against the assumption that the capitalist system was in any way necessarily linked to a liberal or even a democratic order. In his view, the signs pointed largely in the other direction.⁶¹ Within the system of relationships that Weber traced, the problem of legitimacy occurs primarily in the realm of political rule. As we have shown, there is a certain vacuum here in which Weber inserted charismatic legitimacy on the basis of personal authority. Habermas's interpretation goes beyond that of Weber—in our view with good reason—insofar as the possibility for an independent basis of the political system, or as he himself says of the "institutional framework," is doubtful under the conditions of late capitalism.

On the other hand, Habermas starts with a description of conditions that he views as the existing situation, and that Max Weber had viewed as a great danger of the future, namely, the undermining of the autonomy of the political system by the expedient subsystem. From a universal-historical vantage point, Weber saw the greatest threat to the western liberal order in the possibility that the purpose-rational structures of bureaucracy might gradually reduce the voluntarism of the political system and, in the end, do away with it. This would be equivalent to the eventual establishment of the "iron cage of future serfdom." Weber's efforts as a political thinker and sociologist were directed at building protective walls against this trend, which he viewed, at least in tendency, as the dominant feature of the late capitalistic epoch. As a result, it was in no way his view to ascribe legitimizing powers to the capitalist system in relation to the system of government, even if his construction of a formally legal type of legitimacy and his constant mention of "formal rationality" of the capitalist system seemed to point in that direction. On the contrary, he wished to strengthen the internal dynamism of the political system by whatever means available. He saw his conception of "plebiscitary leader democracy" as a suitable tool for counteracting the rigid tendencies of modern bureaucratic societies.

For the same reasons, Max Weber was far from believing that social science as such ought to have the legitimizing function in the societal

59. *Die Gewalt in der Politik* (Stuttgart, 1970), p. 70.

60. Cf. also Ferber, *ibid.*, pp. 68 f.

61. Cf. *Pol. Schr.*, pp. 63 f.

sphere that Habermas designates as a characteristic of late capitalist society. Weber's entire work in sociological theory can be far better understood as an effort to combat the misuse of social science as an instrument for the pseudolegitimation either of ideal values or of governmental systems. He took this position as early as the Freiburg inaugural address, and his bitter struggle for objectivity in the social sciences served the same goals. Weber always insisted that science cannot establish any normative statements. Science can provide information about the means that can be used to achieve distinct goals. It can teach us whether, in the light of our basic moral convictions, these or perhaps other goals should be striven for. It can help us in the end to justify "the ultimate basis of our actions." But it cannot tell us what we ought to do; or, to use Weber's neo-Kantian language, it cannot establish any values. The belief that social science, as a purely positive theory of social techniques or as a critique of ideologies in the service of counterideologies, can itself play a role in justifying governmental systems of a formal legal type, as Habermas has developed it, will be looked for in vain in Weber's work.

For this reason, it is surprising that an attempt has been made to circumscribe by reference to the "examinability of practical positions" the fundamentally voluntarist character of Max Weber's political views with the help of rational science.⁶² As we have shown, this affects the very core of Weber's political thought. Hans Albert has asserted that Weber, with his thesis about the noncriticizability of final positions, had conceded far too much to a fundamentalist plane that in no way accorded with his own concept of science.⁶³ Rather, it is possible to proceed from the postulate of ethics of responsibility—that the politician always has to rationally justify the consequences of his actions—to the conclusion that "convictions relevant to decisions of both objective or value-bearing character" are "rectifiable" on the basis of scientific understanding and "therefore the choice of goals and means in the end are subject to a critical investigation and the evaluation of the consequences."⁶⁴ Such an interpretation is, however, not easily reconcilable with Weber's views. Relevant convictions, in his view—at least those of "value-bearing character"—are not fundamentally "rectifiable" through scientific criticism

62. See Maurice Weyembergh's study "Le volontarisme rationnel de Max Weber," Académie Royale de Belgique, *Mémoires de la classe des lettres*, Collection in -8—2e série, T.LXI—Fascicule 1 (Brussels, 1972).

63. Hans Albert, *Traktat über kritische Vernunft*, 2d ed. (Tübingen, 1969), pp. 62 ff.; by the same author, *Plädoyer für kritischen Rationalismus*, pp. 98 ff., and, going into Weber's position in more detail, "Theorie und Praxis: Max Weber und das Problem der Wertfreiheit und der Rationalität," in Hans Albert, *Konstruktion und Kritik: Aufsätze zur Philosophie des kritischen Rationalismus* (Hamburg, 1972), pp. 41 ff.

64. *Plädoyer für kritischen Rationalismus*, p. 100.

but are entirely a matter of personal decision. Science can only make conscious the value priorities that come into play when a decision is being made and thereby facilitate a choice that is, in relation to the goal, the most rational one. Science is even less in a position to narrow down the choice of "goals" as such; it can only provide instrumental knowledge and thereby facilitate responsible action. If it were in the position to have a substantive effect upon the choice of final goals, then it would achieve a legitimizing function of a direct or indirect nature. But Weber's scientific theory does not permit such a possibility.

It was a function of these fundamental convictions that Weber permitted no independent role as such in the sphere of political decision making to the social scientist but was, rather, of the view that both spheres must be strictly kept aloof. "The politician *has to* make compromises, the scholar must not justify them," he once said, characteristically.⁶⁵ In the same way, Weber supported the strict separation of science and politics in the institutional sphere. If Weber conceded science a role in politics, it was distinctly a serving one; science was, as Ferber has said, more or less restricted to being "a handmaiden of politics."⁶⁶ The political arena is determined by the politicians who set the goals and bring along a mass following or create one, and the bureaucrats who possess the necessary expertise and who thereby furnish the bureaucratic instrumentation of rule. In this connection, Habermas pointed pertinently to the circumstance that the "confrontation of government by [bureaucratic] officials with the political leadership" that is found in pronounced form in Weber's work is tantamount to a strict separation "between the functions of the experts and the politicians."⁶⁷

Such a position, from today's viewpoint which tends to see science as an autonomous productive power, is in a sense unsatisfying. For this reason, Wolfgang Schluchter has recently attempted to determine the role of science within the political decision-making process in Max Weber's work through an extensive investigation of the two speeches "Science as a Vocation" and "Politics as a Vocation." Going beyond Weber, he seeks to determine more precisely the place of science within the political sphere. However, it is difficult to get away from the fact that Weber had fundamentally insisted on a decisionist model of political action. The leading politician had an exclusive "self-responsibility," as Wolfgang Schluchter also emphasizes, to set goals for the body politic and through the application of his charisma to invoke adequate political

65. See above, pp. 309-10 and note 105. "The politician should and must make compromises. But I am a scholar."

66. Ferber, *Die Gewalt in der Politik*, pp. 45 f.

67. "Verwissenschaftlichte Politik und Öffentliche Meinung," *Technik und Wissenschaft als Ideologie*, p. 121.

support. In this regard, the social scientists' skills, whether manifested by officials or expert committees or through the medium of public opinion, cannot take an iota of his responsibility away. That is to say, all attempts by rational science partially to limit the sphere of possible choices of goods by the politician cannot be accommodated within Weber's sociological theory of government.

This does not mean that science has no role whatever to play in the realm of decision making. On the contrary, the politician who acts in accord with the principles of ethics of responsibility has to reflect in advance, and in the best possible way, about the possible consequences of his actions. To this extent, he must inevitably turn to science, which can help reduce the complexity of specific social situations. But it is not automatically possible to set limits on the sphere of decision with the help of scientific criticism, as Schluchter and Albert have recently attempted. In this respect, it is relevant that for Weber personally it was the ethics of responsibility and not the ethics of conviction, which does not offer an analogous point of departure, that was the specific ethic of the politician.⁶⁸ Nevertheless, he himself repeatedly made it clear that no material conclusions could be drawn from this fact. The ethics of responsibility were not necessarily superior to the ethics of conscience. Rather, he constantly pointed out that he who acts according to the principles of the ethics of conviction need not take into account the likely consequences of his action and thereby can do without a rationalization of his decision and of the values guiding it with the help of scientific knowledge. This notwithstanding, he must be accorded in principle the same justification for his deeds as he who acts in accordance with the standards of the ethics of conviction, as long as he is prepared to answer for his ideals with his whole person—if necessary with his body and life.⁶⁹ Weber's sympathy for the anarchists and his support for Ernst Toller in 1920 confirm this interpretation. In critical situations, Weber's own conduct in political matters also corresponded with the norms of the ethics of conviction rather than those of the ethics of responsibility. It may be said, however, that the notion of the ethics of responsibility could well have served as the point of departure for the development of a normative ethics, but this was never, apparently, worked out.⁷⁰

68. Cf. also the cautious, limited treatment by H. H. Bruun, *Science, Values, and Politics in Max Weber's Methodology*, pp. 269 ff.

69. Cf., e.g., *Pol. Schr.*, p. 546.

70. To that extent, Wolfgang Schluchter's attempt (in his treatise *Wertfreiheit und Verantwortungsethik: Zum Verhältnis von Wissenschaft und Politik bei Max Weber*) to prove that the ethic of responsibility in Weber's work is in principle given a higher value than the ethic of conviction is not completely convincing. Cf. my review in *Historische Zeitschrift* 215 (1972): 434 ff.

Moreover, the model of an ethic of responsibility permitted the choice of extreme positions that would customarily be referred to as irrational, and this accords completely with the requirement of rationally taking into account the likely consequences of extreme positions. Weber saw the rigorous rationalization of one's life conduct by a man or a group of men in the service of "ultimate positions" or "otherworldly" ideals as the most significant means of social change: it is tantamount to a projection of the inner life outward, as for example in Puritanism or Jewish prophecy. In no case, however, can the criterion of "realizability" proposed by Albert and Schluchter bridge the distance between responsible decisions, which involve the rational control of the goals and ultimate values guiding them by scientific means, and decisions arrived at on the basis of ultimate value convictions.⁷¹ Certainly, politics is bound to be successful; but Weber fought nothing so much as the maxim that political goals should be adjusted toward what is currently realizable. Grand politics is precisely the opposite of adjustment to the given circumstances. It aims beyond the ordinary. Only then can the crust of political structures be pierced and new ground broken.⁷² Unrealistic political positions ought to be eliminated as a result of political competition, not as the result of scientific criticism. A "scientific filter" would lead to a dangerous weakening of the free dynamic struggle between *Weltanschauungen* and different political persuasions.⁷³

What remains is this: science ought not to trace the boundaries of the possible. It ought rather to help the politician choose consistently from various alternatives in the light of his own ultimate ideals. As H. H. Bruun has convincingly pointed out, Weber's call for abstention from value judgments had a dual purpose: on the one hand to prevent the mediatization of the political by transferring "final" decisions to science; on the other hand to shield science from the direct influence of the politicians and thereby to prevent scientists from producing pseudo-normative assumptions by confusing values and facts.⁷⁴ Rather, science ought to offer only the information, criteria, and techniques that make possible the rational choice between various goals, taking into account

71. Cf. Schluchter, *Wertfreiheit und Verantwortungsethik*, pp. 51 ff.; Albert, *Plädoyer*, pp. 98 ff.

72. Cf. *Wissenschaftslehre*, p. 514: "It is—rightly understood—relevant that a successful policy is always the 'art of the possible.' But it is no less correct that the possible can often be achieved only by grasping for what lies beyond what appears impossible."

73. Cf. also Ferber, *Die Gewalt in der Politik*, p. 74: "Politics represents for him [i.e., Max Weber] the sphere of primary freedom in society, that will be won and maintained in struggle, in constant argument. A freedom that lives from the rivalry of equal, necessarily irreconcilable positions. The law of the strongest decides who prevails in the struggle."

74. Bruun, *Science, Values, and Politics in Max Weber's Methodology*, pp. 17 ff.

the current social context, and that help increase the efficiency of goal implementation.

This can be summed up as follows: In Weber's view, science and politics had complementary functions. Without being directly linked, they were related to one another. They received their impulse from the same root, namely, the will to create a rational world in accord with the final values and ideals that individuals believed themselves bound by. Only asceticism, only abstinence from immediate partisanship, as well as independence from the political pressures of the day, would permit science to be in a position to fulfill its social function satisfactorily. Max Weber emphatically defended the relative freedom that the bourgeois liberal system permitted science. He was among those who never had illusions about the limits of scholarly freedom in Wilhelmine Germany. All his life he combatted the exclusion of Social Democrats from the academic community and the occasional discrimination against Jews by not admitting them to the *Habilitation* (the qualification for lecturing at universities). He argued against confessionally restricted professorial chairs as well as against the manipulation of university appointments by the cultural ministries. At the same time, he was a stern defender of the principle of unrestricted competition within the academic system. In this regard, the American university system seemed to have considerable advantages over the German.⁷⁵ Weber's concern that the bureaucratization of advancement in the universities would have unfortunate consequences prompted him to reject material security for younger university instructors as well: "It must be written in the soul of every *Privatdozent* that under no circumstances does he have any tangible right to any support. Away with all points of view that remind us of the bureaucracy and of the career schemes of petty officers, sergeants, etc., or about equal rights, etc., in short, of any kind of bureaucratic frame of reference."⁷⁶ The model of inexorable competition that we encounter in the economic-societal field, and even more in the political sphere, Weber applied to the academic community as well. In this instance the struggle focused on the power over minds, while the proof of accomplishment was assured by scholarly associations and academic publicity.

Substantial similarities between politics and science may be observed

75. Cf. Max Weber's speech at the Vierten Deutschen Hochschullehrertag in 1911, which referred directly to Professor Fullerton's (New York) paper "Die von den deutschen abweichenden Einrichtungen an den amerikanischen Hochschulen," in *Verhandlungen des 4. Deutschen Hochschullehrertags zu Dresden am 12. und 13. Oktober 1911*. Bericht erstattet vom engeren geschäftsführenden Ausschuss (Leipzig, 1910,) p. 47.

76. Proceedings of the Third Convention of German University Teachers, Leipzig, 12-13 October 1909. Report of steering committee, Leipzig, 1910, p. 47.

here. As Schluchter has also correctly shown,⁷⁷ the politician and the scientist are related to the extent that both act from "self-responsibility" for their "subject."⁷⁸ Both types of conduct are rooted in strict personal moral convictions, which give their action goals and direction, however different their objects are. If the politician lacks "belief" in his cause, "then even apparently great political successes are burdened . . . by the curse of mundane nothingness."⁷⁹ Similarly, all creative scientific activity rests in the end on the "belief in the meta-empirical importance of final and ultimate value ideas, on which we base the meaning of our existence."⁸⁰ Both the politician and the scientist work, each in his way, to achieve the reification of social reality, to transform the alienated products of human action and to do so in a manner that will constantly remake those products for the world of man—of creative, responsible man.

The basic structure of Max Weber's thought can be seen in the common condition that prompts the politician's and the scientists's creative power: the fact that each stands with one foot in the "axiological" sphere of absolute, unbridgeable conflicts of values,⁸¹ which scientific methods cannot circumvent. As Bruun has pointed out, this has its parallel in the political sphere in the ideal of the permanent struggle between different political parties, camps, nations, and comparable groups.⁸² The politician's central task therefore lies in setting social goals.⁸³ To be sure, we can scarcely go along with Bruun when he also attributes the definition of politics as the "carrying out of transindividual goals" to Max Weber himself. This does not accord with the special function in Weber's work of the political leader, who we have shown acts out of "personal responsibility" and does not represent the average opinion of a group. It is not fortuitous that the ideal-typical model of "domination" in Weber's work is reducible to the *individual* relationship between "command" and "sub-mission." This command model, however, as Niklas Luhmann has explained, places the basis of the rationalization of governmental relations in "the standpoint of an individual participant: of the founder, the entrepreneur, the ruler."⁸⁴

The highly personal individual goals that the great, charismatically

77. *Wertfreiheit und Verantwortungsethik*, pp. 43 f.

78. The formulation is modeled on Weber's treatment in *Pol. Schr.*, p. 335.

79. *Pol. Schr.*, p. 548.

80. *Wissenschaftslehre*, p. 213.

81. Cf. Weyembergh, *Le volontarisme rationnel de Max Weber*, pp. 378 ff.

82. Cf. Bruun, *Science, Values, and Politics*, p. 241, whose treatment is close to mine on this matter.

83. *Ibid.*, pp. 242 f.

84. "Zweck, Herrschaft, System," in Niklas Luhmann, *Politische Planung: Aufsätze zur Soziologie von Politik und Verwaltung* (Opladen, 1971), p. 97.

qualified politician establishes from his personal conviction of course require implementation in the social sphere. For this reason, the normal requirement is the creation of a "following," in other words, the establishment of a relationship of authority over a narrow circle of supporters, which in Weber's sense is described throughout as the exercise of power, namely "power over minds." The specific tool of the politician, however, is power, so that he can assert his will also over those who do not immediately follow his opinions. Power is, as a rule, already reified by the institutionalized opportunity in a system of government to find obedience to orders. Only in extreme instances is it manifested in the application of "physical force." But it is such extreme cases that demonstrate reality in its true dimension. It is impossible to sidestep the fact that Weber identified the political with the readiness to exercise "physical force."⁸⁵ Bruun's thesis that the recourse to "physical force" is almost exclusively relegated to foreign policy, and that Weber withdrew from force in domestic policy, does not in the least detract from the characteristic emphasis on power that is the dominant feature of Max Weber's political theory.⁸⁶ To be sure, the application of "physical power" is found above all in foreign policy, since it is not to the same degree contained by institutional regulations of various sorts. Weber himself said that in domestic politics the application of "physical force" had become an exceptional case—e.g., the carrying out of death sentences, or indirectly in the form of the obligation to stake one's life in case of war for the state. But it is well known that the exception proves the rule. Moreover, it is incorrect to stipulate a strict separation between foreign and domestic policy in Weber's notion of politics. Few have ever recognized as clearly as did Weber, or stressed so repeatedly, the dependence of a strong foreign policy on domestic affairs.

Weber's political work forms an impressively unified conception that cannot be disproved by reference to internal inconsistencies. If one accepts Weber's premises, it is easy to be imprisoned by them.⁸⁷ I have attempted to avoid this dilemma without being willfully unjust to Weber's thinking. The basis of my presentation is the careful compilation and evaluation of all accessible materials against the background of the

85. Cf. Ferber, *Die Gewalt in der Politik*, pp. 54 ff.

86. Bruun's objections to my interpretation (*Science, Values, and Politics*, p. 251, note 15, and p. 253, note 23) overshoot their goal, for I have never maintained that Max Weber favored power politics as a goal in itself, i.e., as an end of power purely in itself. The passages from *Wirtschaft und Gesellschaft* that Bruun employs against my "'radical' interpretation" have been taken into account in detail in my work.

87. I make use here of a formulation of Luhmann's (*loc. cit.*, p. 52) in somewhat altered circumstances.

contemporary situation of his day. From the point of view of method, I started with an internal interpretation of Max Weber's works and sought to clarify the inconsistencies and contradictions in his position, while at the same time recognizing its fundamental consistency, notwithstanding the changes in his attitude toward numerous individual questions occasioned by the dramatic political events of his lifetime. Moreover, it was my intention to explore Weber's political position and political thought from a radical-liberal position to which he, in many regards, was quite close. I thereby essentially limited myself to Max Weber the "politician" in the narrow sense. If I had to write this book again, I would choose a more comprehensive framework, giving equal balance to the theoretical work, like the approach taken by H. H. Bruun and Maurice Weyembergh.⁸⁸ Yet I hope that my approach will be of value along with these works, even if its chief importance is as a definitive portrayal of the political role and thought of Max Weber against the background of the German politics of his time.

88. Unfortunately I cannot go further into the study by David Beetham, *Max Weber and the Theory of Modern Politics* (London, 1974), which appeared after the completion of this manuscript.

Digression

On the Question of the Relationship between the Formal Legality and the Rational Legitimacy of Rule in Max Weber's Works

Carl Schmitt was probably the first to criticize Max Weber's third type of legitimacy of rule because of its purely formalistic, functional character. Formal legality alone in the sense of Max Weber's definition—"the most common form of legitimacy today is the belief in *legality*, the submission to *formally* correct laws that are enacted in the usual form"¹—could never engender sincere belief in the internal justification of contemporary ruling powers and could therefore never form an effective basis for legitimacy. Only a moral basis for statutes could create the necessary legitimizing power. The appearance of a purely functionalist constitutional theory, which ignored the moral foundations of the constitutional democratic state and instead found a criterion for the validity of statutes only in the formal correctness of the legislative procedure, was a sign that these moral foundations had lost their legitimizing power.²

Johannes F. Winckelmann has attempted to show that Max Weber had not sought to base his third pure type of legitimacy of rule upon a purely formal conception of legality.³ But the opposite is true; Max Weber's view of legitimacy and legality as a legitimizing principle implicitly encompassed Carl Schmitt's critique of the concept of legality and in fact assumed it. Schmitt failed to recognize this because of his legal-normative

1. *Wirtschaft und Gesellschaft*, p. 19.

2. *Legalität und Legitimität*, p. 140.

3. *Legitimität und Legalität in Max Webers herrschaftssoziologie* (Tübingen, 1952), p. 140 (hereafter cited as *Legitimität und Legalität*); cf. also "Die Herrschaftskategorien der politischen Soziologie und die Legitimität der Demokratie," *Archiv für Rechts- und Sozialphilosophie* 40 (1946): 383 ff.

approach as opposed to an empirical-sociological one. At the time, Winckelmann agreed with Carl Schmitt's arguments against the purely formal basis of the concept of legality in the Weimar state, which had ultimately facilitated the quasi-legal seizure of power by National Socialism, but he attempted to demonstrate that this did not contradict Weber's views.⁴

We have already discussed Weber's influence on Carl Schmitt's theory of the conflict between parliamentary legality and plebiscitary legitimacy. In fact, to a certain degree, Carl Schmitt merely drew radical conclusions from the premises that were already outlined in Weber's theory of legitimacy. Of course, he went beyond Weber when he interpreted the relationship between rational legality and plebiscitary legitimacy as an absolute contradiction. But I think he could have drawn upon Weber here too, since Weber had also recognized the conflict between plebiscitary leadership and the nomination of political leaders according to formal democratic procedures.⁵ If this conflict does not surface directly in Weber's work, it is because he believed that legitimacy based upon accepted legality had taken on a formalist character in the modern constitutional state. For this reason, we can only accept half of Winckelmann's thesis.

Winckelmann, like Weber, distinguishes between legitimacy based upon value-rational belief in legality and the purpose-rational belief in legality. He assumes it to be possible to conclude that Max Weber had not thought to ascribe the latter line of legality, in any genuine sense, with a legitimizing effect. He argues: "In principle, Max Weber draws upon rational, and certainly value-rationally oriented, rule of law in his concept of 'legal domination.' Only when it is debased and appears in its degenerative form does it become a debased, ethically neutral, purely purpose-rational and formal authority of legality."⁶ In other words, Weber, in principle, in no way defended a purely formal, functionalist view of the modern democratic constitutional state, a view that dispensed with all morally rational justifications for constitutions and law. Nevertheless, in the framework of his empirical, value-free sociology, Weber had to accept the possibility of the impure form of legitimacy based on customary belief in the legality of laws passed in a formally correct manner, since in an empirical sense these laws could have a legitimizing effect. From the point of view of value-free empirical sociology, he had to treat the correct and the "false" consciousness equally.

4. Cf. Alfred Karsten, *Das Problem der Legitimität in Max Webers Idealtypus der rationalen Herrschaft* (Hamburg, 1960).

5. Cf. *Wirtschaft und Gesellschaft*, pp. 562 f.

6. *Legitimität und Legalität*, pp. 72 f.

We cannot agree with this description in its central points. It is admittedly correct that, from the reference point of empirical sociology, Weber had to treat merely formal legality as a form of legitimacy, even if no legitimizing effect could be attributed to it from a normative point of view. Yet, in the sense of Winckelmann's terminology, Weber had "false" consciousness. He could no longer believe in the possibility of an ethical-rational democratic order in a pure sense. For him, the characteristic of all modern constitutional rule was *formal* legalism; the democratic constitutional state was no different from others in this respect.

Winckelmann himself has to admit that Weber, "in his discussion of the 'three pure types,' frequently stressed the type of rational rule (hence not traditional or charismatic) that appeared most frequently at the time and was the most problematic for him: the type of purely *formal* legal rule, instead of the third type of legitimacy that he envisioned *in principle*: 'rational rule.'" In fact, the passages that support Winckelmann's thesis shrink to *two* in which Weber expressly distinguishes between value-rational and purpose-rational legitimacy: *Economy and Society*, pp. 36 and 217.⁸ Here as well, the value-rationally oriented belief in legality takes a back seat to the form of purpose-rational legality (this can be seen especially in *Economy and Society*, p. 36, par. 7). Here, the value-rational type is treated separately and *not* subsumed under rationally enacted law, with which we have to deal in the case of modern legal rule. Statuted law appears here for Weber to be purely purpose-rational. Weber presents natural law as the purest type of value-rational validity. The special treatment of the value-rational type of legitimacy belief in this reference is tailored to this, but clearly with the reservation that it has only a small significance today. The second reference reads: "Arbitrary law" could "be *statuted* through agreement or rational imposition, either value-rational or purpose-rational (or both)."⁹ This contradicts the previously cited reference insofar as "statuted" law is seen here under some circumstances to have a value-rational character. This absolutely excludes the interpretation that Max Weber, in principle, ascribed legitimizing force only to value-rationally oriented legality. It is precisely in regard to this reference that Carl Schmitt's objection—that *arbitrary* law cannot be proclaimed in a value-rational framework—has validity.

In further defense of his thesis Winckelmann adds that "(objectively

7. *Ibid.*, p. 64.

8. The reference cited by Winckelmann (*ibid.*, note 16) from *Religionssoziologie*, vol. 1 (I), also excludes any basis for his thesis. The formulation on p. 273 clearly validates pragmatically based legality; the formulation on pp. 267 f. is not relevant, because the constitution, which is what is under discussion here, could be statuted, in Weber's view, either ethically-rationally or pragmatically.

9. *Wirtschaft und Gesellschaft*, p. 125.

speaking) a merely expedient order as such cannot claim such legitimate validity, nor does a merely pragmatically motivated orientation express an agreement about legitimacy in an actually existing order. Otherwise it would not be possible to distinguish a *legitimate* order from an expediently statuted illegitimate order."¹⁰ This point can be affirmed, but not the consequence that Winckelmann attempts to draw, namely that true legitimacy can only be based on value-rational principles, at least insofar as this point is also attributed to Weber. For Weber a purely expediently statuted order is conceivable if it is accepted as legitimate in the eyes of the subjects. Weber always envisioned *this* case, while the type of rule based upon "substantial value order" possessed no significance for him whatever and thus played a purely secondary role in the sociological casuistic of *Economy and Society*. His expressed parallel between the legal rule situation in the state and in the private capitalist enterprise does not permit any other interpretation.¹¹ The relationship between employer and employee rests frankly on a purely purpose-rational order, which is formally legitimized by a contract between them or their representatives. In Weber's view, the statuted order received its dignity and its normative character formally, through positive statutes passed by an organ accepted as legitimate and not because of any ethical norms, whether immanent or expressed, nor on the basis of "internal sacredness." It passed these statutes either in the form of the agreement of "interests" in this existing order, or—far more frequently in practice—through imposition by a legitimately valid ruler.¹² Winckelmann's attribution to Weber of the belief that the democratic order belongs, "as a form of rule, in the category of legitimately rational rule" only when it is "oriented to material principles of legitimacy on a value-rational basis" and supported by a belief in legitimacy, is therefore untenable.¹³ Weber believed that any modern legal rule was possible only on the basis of pragmatic principles. In the evolution of occidental modes of rationalization, as he himself described it, "the legitimacy of rule" evolved into "the legality of general rules that were pragmatically devised, statuted in correct form, and proclaimed."¹⁴ In connection with Weber, Winckelmann describes this universal process of demagification,¹⁵ but forgets to draw Weber's consequences for himself. In total contrast to the conclusions that arise from Winckelmann's views, Weber never perceived value-rationally based

10. *Legitimität und Legalität*, pp. 95 f.

11. Cf. *Wirtschaft und Gesellschaft*, p. 551.

12. Cf. *ibid.*, p. 19.

13. *Ibid.*, p. 48.

14. *Religionssoziologie*, Vol. 1, p. 273.

15. *Legitimität und Legalität*, pp. 66 ff.

legitimacy of domination to be a genuine source of legitimacy. For Weber, parliamentary democracy was a pragmatic institution for the selection of leadership personalities, and nothing more. He therefore did not take into account the standard of any "substantive principles of legitimacy." Rather, he laid the accent on purely formal legality. Only in the background do we have the idea that democracy was *rebus sic stantibus* the most appropriate means of keeping bureaucratization in check. But Weber *never* consciously took the path of establishing a value-rational basis for democracy. Winckelmann's interpretation is blatantly incorrect when he points to so-called "immanent limits of legitimacy" of an ethical kind in Weber's theory of democratic rule. The quasi-natural-law material ethical norms that Winckelmann is evidently thinking of (e.g., freedom of conscience) no longer play a role in Weber's functionalist theory of democratic rule.¹⁶

Winckelmann's efforts to free the type of rational legitimacy from its formalist character and thus make it applicable to modern political theory strike me as meaningful and applaudable. He should not, however, attribute his own neo-natural-law views, which I consider fully justified within certain limits, to Weber retrospectively. It is totally misleading to try to attribute such a neo-natural-law interpretation to Weber, even tangentially. Weber's "leadership democracy" does not represent the affirmation of a fundamental ethical order, or even the "minimization of rule," but the opposite—an increase in the power of the nation state and the selection of leaders who are charismatically gifted within a society hardened into bare legalism. For Weber, democracy in an institutional sense was just what Winckelmann justifiably rejects, a "purely expedient" system.¹⁷ When Winckelmann points out that the questions of a "technical form of state" were subordinate to realizable ethical values for Max Weber,¹⁸ we should certainly not seek these values in a value-rational order based upon ultimate values or anything similar. In Weber's view, values could be realized only by individuals; in modern mass democracy, this task fell to charismatic leaders. The government organization, along with the legal order on which it is based, was merely a functionalist system of "rules of the game" and could be rationally restructured at any time. Immanent "limits on legitimacy" did not exist in

16. Winckelmann's (p. 41, n. 43) specific references to *Wirtschaft und Gesellschaft* relate entirely to the mechanical limits on the exercise of power, which are determined by the division of power but as a general rule do *not* rest upon ethical conceptions in principle but are themselves entirely positively stated. Beyond this, no stress whatsoever is laid on them.

17. Winckelmann, *Staat und Gesellschaft*, p. 37.

18. *Legitimität und Legalität*, p. 45, note 58a.

it. In the context of Carl Schmitt's ideas, Winckelmann has attempted to point out the dualistic character of modern legal consciousness and the parallel existence of purely formal "legality of statutory law" and the "legitimacy of a higher law in the sense of ideal and generally held legal convictions in the legally constituted society." He should not try to defend this view by invoking Max Weber, who considered the trend to pure legal positivism to be irreversible.¹⁹

19. Compare Winckelmann, "Die verfassungsrechtliche Unterscheidung von Legitimität and Legalität," *Zeitschrift für die gesamte Staatswissenschaft* 112 (1956): 173.