

# Max Weber: Two puzzling questions

by Jan-Erik Lane

*A theory of globalization cannot bypass the writings of the most important social scientist, Max Weber. As he mastered all the relevant disciplines, also philosophy, he advanced comparative theories about the major civilisations of the world, emphasizing the scope and range of the type of social action that he named “instrumental rationality”. He looked upon “modern capitalism” as the most developed social system, based upon this type of action, and inquired into its root in religion. Today, the global market economy has made “modern capitalism” or economic rationality universal. Yet, a major civilizational difference is to be found in the polities of this world, namely the extent to which they enforce the rule of law, which – it is argued – is the essence of Weber’s legal-rational authority.*

## I. Introduction

The literature on *Max Weber* is enormously widespread, comprising many biographies and countless interpretations.<sup>1</sup> All of his publications have been translated into English, the last ones being his articles in the philosophy of science. In this paper, I wish to raise two puzzles that I cannot find a satisfactory solution to when surveying this huge *Weber* literature. They are:

- (1) *On the focus upon capitalism.* Why chose something so conceptually amorphous and hard to delineate empirically as the key difference between the West and the East, as characteristic of one civilization and not another? Capitalism does not distinguish among civilisations today and perhaps *Weber* exaggerated the concentration of “modern” capitalism to the West?
- (2) *On legal-rational authority.* It seems that *Weber* did not make the crucial distinction between the constitutional democracy on the one hand and the modern authoritarian state on the other. His other two categories, traditional and charismatic authority, only coincide with modern dictatorships to some

1 See *Bendix, R.*: Max Weber. An Intellectual Portrait, Berkeley, 1992; *Bendix, R./Roth, G.*: Scholarship and Partnership: Essays on Max Weber, Berkeley, 1971; *Ringer, F.*: Max Weber: An Intellectual Biography, Chicago, 2004.

extent. Does China have legal-rational authority today like the US or the UK? Hardly.

I raise these two points not to belittle the incredible work by *Weber*, spanning all the social sciences and the philosophy of science, but to position the ideas of *Weber* in relation to the ongoing process of globalisation. Today, it seems impossible to speak of Western rationality as a specific feature of civilizational differences. Where, then, can we find a major social system item that separates between civilizational legacies?

What has put *Weber* directly into the spotlight again, is the dramatic rise of the new Islamic fundamentalism, in both theory and practice. “A religion of warriors” is the exact correct description of *Al Qaeda* and *ISIS*. Below, I will focus upon the crisis of Islam, so battered by deaths and casualties from political violence and deal with *Weber*’s theories in so far as they pertain to this issue.

## II. The *Weber*-thesis

Many countries in the Muslim civilization have now experienced an unprecedented surge in political violence in diverse forms: civil war, insurgency, suicide bombings, attacks on innocent civilians, and murders motivated by politics or religion. The emergence of Islamic terrorism on a large scale is unique when compared to old French or Bolshevik models, as it targets anybody. Both Western countries and Eastern ones, such as Burma and Thailand, have been affected. It has been argued that Moslem terrorists are driven by mental instability or sickness (*Kepel*) or relative deprivation (*Roy*). A better approach to the implosion of the Islamic civilization in daily acts of political violence is to turn to *Weber* and find inspiration in his theory of religion and politics.

With so much written about the genius from Freiburg and Heidelberg, it is small wonder that the term “*Weber*’s thesis” stands for a set of themes, not just one.<sup>2</sup> One may clarify this multiplicity by two distinctions:

- (1) Genetic or systematic (theme): *Weber*’s thesis may be about the origins or the pervasive traits of social systems;
- (2) Religion or civilization (theme): *Weber*’s thesis may deal with the outcomes of religious beliefs specifically, or target the basic differences between the cultural civilisations of the world.

<sup>2</sup> See *Schluchter, W.*: The Rise of Western Rationalism: Max Weber’s Developmental History, Berkeley, 1992; *Albert, G./Bienfait, A.* (eds.): Aspekte des Weber-Paradigmas, Wiesbaden, 2006.

Thus, we have a 2x2 Table, as follows:

|            | Religion | Civilisation |
|------------|----------|--------------|
| Genetic    | I        | II           |
| Systematic | III      | IV           |

Actually one finds these four themes in the various books by *Weber* himself, as he wrote in an almost encyclopedic fashion about the history of political, economic and social systems. He singled out “modern” capitalism as his dependent variable, which would give the following list of themes:

- Modern capitalism arose in the West due to Protestantism (I);
- Modern capitalism arose in Western rationality (II);
- Modern capitalism has an affinity with Protestant ethics (III);
- Modern capitalism is an expression of Western rationality (IV).

I cannot present a summary of the huge debate about these *Weberian* themes.<sup>3</sup> Nor shall I enter any polemics against the critique of *Weber* from various scholars, economic historians and sociologists for example.<sup>4</sup> Instead I focus on his unfinished analysis of Islam – “religion of warrior” – with a few original remarks (hopefully) and its implications for the theme IV above.

### III. *Weber's research advantage: His philosophy of science*

It has never been fully realized or recognized in the nowadays large literature on him that *Weber's* dexterity stemmed much from his knowledge in the philosophy of the social sciences, with few exceptions.<sup>5</sup> Here, he was remarkably original, given the presence of much philosophical dogmatism in Germany around 1900. His major work – *Gesammelte Aufsätze zur Wissenschaftslehre*, 1922 – is the only *Weber* work not fully translated until very recently.<sup>6</sup> What has been trans-

3 See Schluchter, W.: Rationalism, loc. cit.

4 See Samuelson, K.: Religion and Economic Action. A Critique of Max Weber, New York, 1964; Rodinson, M.: Islam and Capitalism, Paris, 2009; Tawney, R. H.: Religion and the Rise of Capitalism, London/ New York, (1926) 2015.

5 See von Schelting, A.: Max Webers Wissenschaftslehre: Das logische Problem der historischen Kulturerkenntnis, Tübingen 1934; Bruun, H. H.: Science, Values and Politics in Max Weber's Methodology, Aldershot, 1972

6 See Bruun H. H./Whimster, S. (eds.): Max Weber: Collected Methodological Writings, London, 2012.

mitted to English, French and Spanish are his small articles on vocation, written at the end of his life in 1919-20. The big methodological articles came earlier, from 1904 and onwards. They contain a surprisingly modern perspective on the philosophy of science of the social sciences, without any natural science scientism.

Thus, we have the following methodological stances:

*Constructive nature of model building:* Confronted by the myriad of data, the social scientist resorts to building “ideal-types” that exaggerates the characteristic features to facilitate explanation of social reality. We call this abstract modeling, the simpler the more elegant (*Ockham's razor*);

*Objectivity of research:* Values play a major role in social reality as well as for the social researches. It belongs to “*Sinn*”, but it is never an objective meaning but only a subjective valuation. *Weber* argues forcefully for *Hume*'s distinction between “*Is*” and “*Ought*”, while recognizing the fundamental roles that evaluations play;

*Neutrality of value judgments:* *Weber* was of the opinion that social science could be true in *Tarski*'s meaning of corresponding to reality, which is why he admonished his scholars to exercise impartiality when teaching ex cathedra;

*Methodological individualism:* *Weber* formulated this principle long before *Hayek* (1952) and he also showed how aggregate concepts like community, society and the state could be derived from micro level properties of persons and groups of people;

*Mind phenomena:* Here he deviated sharply from American behaviorism or behaviouralism, accepting the reality of mind entities: beliefs, values, imaginations, faith, thought constructions, without any reductionism to simple monism: word and objects with *Quine*; actually, his analysis of religion's core follows the marvellous mind constructions of the *virtuosi*: *Paulus*, *Augustinus*, *Luther* and *Calvin* in Protestant creed;

*Statistical verification:* Any theory or hypothesis about inner phenomena like the mind – “*Sinnzusammenhänge*” – needs corroboration in outer phenomena like behaviour, because different intensions may be behind the same activity.

Adhering to these sound methodological rules gave *Weber* a clear advantage not only over his German or European competitors, but also in relation to the American universities, where often behaviorism or behaviouralism dominated. No wonder than young *Talcott Parsons* was stunned when he discovered the writ-

ings of *Weber* before the Second World War<sup>7</sup>, inspiring his major book *The Structure of Social Action* (1937, 1967), which carries the mind related phenomena of the social sciences to the same extent as *Husserl*'s phenomenology.

If *The Protestant Ethic and the Spirit of Capitalism* from 1904 (2010) has made *Weber*'s name unforgettable, with so many editions coming even some 100 years after, there are two problems with it that have not been sufficiently underlined yet.

#### IV. What is capitalism?

As his dependent variable, *Weber* had chosen capitalism. This is quite understandable, given that several scholars in German Academia dealt with the subject. And the ascending *Arbeiterbewegung* promised another and better economic system: socialism. Yet, it was hardly a fertile choice, as the concept of capitalism is amorphous and the word itself highly value-loaded. Two meanings should be separated sharply:

- (i) Capitalistic spirit, or the acquisitive endeavour;
- (ii) Systems of capitalism, i.e. the institutional set-up.

*Weber* obviously used the word “capitalism” in both the micro sense (incentives) and the macro sense (systems of norms). Perhaps he argued that the micro attitudes of the great Protestant leaders and personalities were different enough compared to the Catholic Church fathers, to pave the way for “modern” macro capitalism: “It is only in the modern Western world that rational capitalistic enterprises with fixed capital, free labor, the rational specialization and combination of functions, and the allocation of productive functions on the basis of capitalistic enterprises, bound together in a market economy, are to be found.”<sup>8</sup>

But the institutions of modern capitalism can be exported and adopted by other civilisations, learned and refined, which is exactly what occurred in the 20<sup>th</sup> century. Thus, even if Protestantism, or the Protestant ethics denying the possibility of magic and accepting rents had something to do with the *origins* of modern capitalism in the West, i.e. economic rationality or even overall rationality (“*Entzauberung der Welt*”), which remained an essentially contested issue, it could never guarantee any persisting advantage. It is difficult to chisel out an

7 Parsons, T.: Max Webers Wissenschaftslehre by Alexander von Schelting, in: American Sociological Review 1/4 (1936), 675-681.

8 Weber, M.: Economy and Society I-II, Berkeley, 1978.

interesting hypothesis about “modern” capitalism and the world religions that would have much relevance today.

Modern capitalism, at least when measured in terms of output, is these days perhaps stronger in South, East and South East Asia, with a few strongholds also within the Islam world, such as the UEL, Kuwait and Qatar. If “capitalism” stands for a set of institutions, or rules, then one may wish to enumerate a number of different types of capitalisms during known history: ancient, state, feudal, prebendal, modern, oriental, financial, etc. In his historical writings, *Weber* displayed that he mastered all these types of capitalism, as well as that his emphasis upon mundane incentives meant that he always counted upon the role of the acquisitive spirit.

Perhaps *Weber* neglected the huge pottery factories, driven capitalistically, during various dynasties in China<sup>9</sup>, just as *Sombart* in his effort to link “modern” capitalism with the finance capitalism of the new merchant class around 1500<sup>10</sup> bypassed the Indian Ocean trade. The Arab merchants on the Indian Sea were no less capitalistic in spirit or rational in performance!<sup>11</sup> “Modern” capitalism was not as exclusively European as some authors, following *Weber*, have claimed.<sup>12</sup>

## V. The analysis of religion: Inner worldly against other worldly

As his independent variable, *Weber* chose religion. The first step was to detail the link between Protestantism and capitalism. The second step involved a huge comparative enquiry into the economic spirit or ethics of several world religions in order to show that his thesis received negative corroboration in Hinduism, Buddhism, Taoism and Confucianism. It enhanced the study of comparative religion tremendously beyond what *Marx* and *Durkheim* accomplished with their simplistic models of “opium of the people” and “mechanic solidarity”.

But there is a conceptual paradox in *Weber*’s typology of the world religions. He employed two conceptual pairs:

- (1) Salvation: Inner or other worldly religion;
- (2) Asceticism: Inner or other worldly ascetism.

9 See von *Glahn, R.*: The Economic History of China, Cambridge, 2016.

10 See *Sombart, W.*: Economic Life in the Modern Age, Piscataway, 2001.

11 See *Kumar, D./Desai, M.* (eds.): The Cambridge Economic History of India, 2nd ed., Cambridge, 1983; *Chaudhuri, K.*: Trade and Civilisation in the Indian Ocean: An Economic History from the Rise of Islam to 1750, Cambridge, 2010.

12 See *Beaud, M.*: A History of Capitalism, Delhi, 2006; *Neal, L./Williamson, J. G.* (eds.): The Cambridge History of Capitalism, Cambridge, 2015; *Kocka, J.*: Capitalism: A Short History, Princeton, 2016.

Combining these two, we have the following classification scheme:

|                               | Salvation<br>“Diesseitig” | Salvation<br>“Jenseitig” |
|-------------------------------|---------------------------|--------------------------|
| <b>Inner worldly Ascetism</b> | I                         | II                       |
| <b>Other worldly Ascetism</b> | III                       | IV                       |

A religion that is other worldly has an eschatology outlining the real world to come on *Judgement Day*, whereas an inner worldly religion promises redemption within the existing universe.<sup>13</sup> Asceticism or the perfection of the conduct of performance according to an ideal can be inner worldly here and now or outer worldly as in mysticism. *Weber* finds the drive for capitalism in the mundanely daily and secular (inner worldly) asceticism of the believers in an other worldly religion – category II! No doubt a complex *Sinnzusammenhang*.

Where does Islam fit in?

The Koran is eschatological, promising the Paradise to its true believers when this world crumbles. But who are the ascetics? *Weber* replies: “Islam is a religion of warriors”. And warfare and capitalism cannot co-exist for long.

## VI. The Islamic Revolution in the 20<sup>th</sup> Century

*Weber* employed his model of the ascetics in Islam – the warriors – to account for the incredibly quick spread of Islam, from Spain to India within a century after 632. Moslem scholars never accepted his model, because the Islamic civilisation stabilised into a fixed patterns that lasted up until after the Second World War:

- (1) Sunni majority with the five peaceful rules of behaviour;
- (2) The many Shia sects with one dominance in Iran;
- (3) Saudi Arabic Wahhabism, not accepted outside.

What has given *Weber*’s model of Islam renewed relevance is the rise of fundamentalism<sup>14</sup>, especially Sunni fundamentalism with three scholars, namely Maududi, Qutb and Faraj<sup>15</sup> – *Salafi Jihadism*. As thousands of young Muslims

13 See von Glasenapp, H.: Die fünf großen Religionen, Düsseldorf/Köln, 1951.

14 See Davidson, L.: Islamic Fundamentalism: An Introduction, Santa Barbara, 2013.

15 See Calvert, J.: Sayyid Qutb and the Origins of Radical Islamism, New York, 2010; Jackson, R.: Mawdudi and Political Islam, London, 2010; Manne, R.: The Mind of the Islamic State: Milestones along the Road to Hell, Carlton, 2016.

are attracted to their teachings in madrasa, schools and colleges or even universities but also prisons, the Koranic civilisation faces a dire warfare, resulting in so many deaths from political violence, both inside and outside of Arabia. *Al-Zawahiri* created *Al Qaeda* writing a book about the “Knights of the Prophet”, and *al-Zarqawi* put the *ISIS* into action in US- and UK-occupied Iraq. Moslem theologian and philosophers have yet to come up with a strong rebuttal of the gang of three (it can be done to save Islam from disintegration):

- Maududi: completely comprehensive Islamisation;
- Qutb: re-invention of the caliphate;
- Faraj: total jihad – the real hidden duty of Islam.

Much has been written about *Weber*'s negative evaluation of Islam and also Muhammed personally. The leading scholar *Schluchter*<sup>16</sup> has even ventured to outline how a complete *Weberian* book on Islam would look like. Some say he was too dependent on the Orientalist literature at that time, missing out on a proper evaluation of Arab science and philosophy.<sup>17</sup>

Table 1. Civilisations and Rule of Law

|                         | Mean              | Std. Dev.        | Freq.      |
|-------------------------|-------------------|------------------|------------|
| <b>Communist</b>        | -.75477454        | .38326537        | 6          |
| <b>Hindu</b>            | -.53253257        | .64282829        | 2          |
| <b>Muslim, non-Arab</b> | -.72383263        | .65613238        | 21         |
| <b>Africa</b>           | -.8007729         | .62152836        | 38         |
| <b>Asia</b>             | .47479719         | .96324657        | 9          |
| <b>Latin America</b>    | -.18484119        | .78842261        | 34         |
| <b>Orthodox</b>         | -.50737586        | .35506152        | 8          |
| <b>Pacific</b>          | -.18705963        | .63026857        | 16         |
| <b>Western</b>          | 1.1971701         | .66793566        | 39         |
| <b>Total</b>            | <b>-.10664712</b> | <b>.98442144</b> | <b>190</b> |

16 See *Schluchter, W.*: Hindrances to Modernity: Weber on Islam, in: Huff, T. E./Schluchter, W. (eds.): Max Weber and Islam, Piscataway, 1999, 26-58.

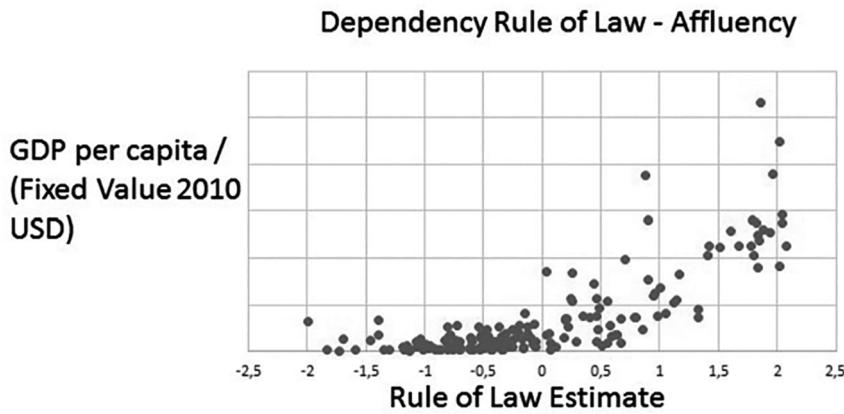
17 See *ibid.*; *Rodinson, M.*: L'islam: Politique et croyance, Paris, 1993; *idem*: Mahomet, Paris, 1994.

## VII. Civilisations Today: Beyond Weber's Focus on Capitalism

The Governance Project of the World Bank has made a tremendous effort at quantifying the occurrence of rule of law, employing all the indices in the literature. The findings are summarized in a scale ranging from +2 to -2. *Tab. 1* presents the aggregated scores for the civilisations, introduced above.

One may employ *Fig. 1* to portray the same findings as in *Tab. 1*. It should perhaps be pointed out that poverty accounts to some extent for the disrespect for due process of law.

Figure 1. Rule of law index (RL) against GDP 2015 (N=167, R<sup>2</sup> = 0,62)



Sources: Worldbank: Worldwide Governance Indicators, 2016; See also *Kaufmann, D./Kraay, A./Mastruzzi, M.*: The Worldwide Governance Indicators: Methodology and Analytical Issues, 2010; World Bank Policy Research Working Paper No. 5430; World Bank national accounts data; OECD National Accounts data files.

However, culture also matters in the form of civilisations, especially Islam and Buddhism, and Orthodoxy – negatively – as well as Calvinism and Lutheranism – positively. Rule of Law (RL) cannot be introduced or upheld in a country with considerable tribalism and clan structures. Similarly, RL is not feasible in a country where Sharia has constitutional status. In many countries in the African and Asian civilisations, there is both ethnic diversity and Islam.

One may employ the regression technique in order to examine the impact of these factors upon RL:

- Ethnicity: The fragmentation of a country into different ethnic groups (language, race);
- Religion: The proportion of Muslims in country population; the proportion

of Buddhist/Confucians in the country population;

- **Affluence:** GDP in 2010.

*Tab. 2* displays the findings from an estimation of a regression equation.

*Table 2.* Regression model for rule of law (RL) (N = 162)

|                   | Unstandardized Coefficients |                       | Standard Coefficients |  |      |
|-------------------|-----------------------------|-----------------------|-----------------------|--|------|
|                   | B                           | Std. Error            | Beta                  | t                                      | Sig. |
| <b>(Constant)</b> | -4,216                      |                       | ,471                  | -8,948                                 | ,000 |
| <b>In 2010</b>    | ,507                        | ,047                  | ,657                  | 10,847                                 | ,000 |
| <b>Ethnic</b>     | -,474                       | ,222                  | -,126                 | -2,139                                 | ,034 |
| <b>Muslim</b>     | -,003                       | ,002                  | -,118                 | -2,192                                 | ,030 |
| <b>budd2000</b>   | -,002                       | ,003                  | -,027                 | -,517                                  | ,606 |
| <b>R ,771</b>     | R Square<br>,595            | Adj. R Square<br>,584 |                       | Stand. Error<br>of the Est.<br>,621331 |      |

*Sources:* Kaufmann, D./Kraal, A./Mastruzzi, M.: Worldwide Governance Indicators, 2012; Pew Forum: Mapping the Global Muslim Population, 2009; World Bank: World Bank Databank, 2012; Barrett, D. B. et al.: World Christian Encyclopaedia, 2001.

## **VIII. Civilization differences: The Rule of Law**

Rule of Law, whether combined with any form of democracy – referendum type, parliamentary type, presidential dispensation or not, as in semi-democratic countries that are one party states – comprises<sup>18</sup>:

*Predictability:* Public law, when properly implemented, makes it possible for people to increase the rationality of behaviour. They know which rules apply, how they read as well as how they are applied consistently. This is very important for the making of strategies over a set of alternatives of action.

*Transparency:* Societies operate on the basis of norms prohibiting, obligating or permitting certain actions in specific situations. Rule of Law entails that these

18 See Raz, J.: The Authority of Law, Oxford, 2009.

norms are common knowledge as well as that they are not sidestepped by other implicit or tacit norms, known only to certain actors.

*Due Process of Law*: When conflicts occur either between individuals or between persons and the state, then certain procedures are to be followed concerning the prosecution, litigation and sentencing/incarceration. Thus, the police forces and the army are strictly regulated under the supervision of courts with rules about investigations, seizure, detainment and prison sentencing. No one person or agency can take the law into their own hands.

*Fairness*: Rule of Law establishes a number of mechanisms that promote not only the legal order, or the law, but also justice, or the right. For ordinary citizens, the principle of complaint and redress is vital, providing them with an avenue to test each and every decision by government, in both high and low politics. Here one may emphasize the existence of the *Ombudsman*, as the access to fairness for simple people. People have certain minimum rights against the state, meaning that government respects obligations concerning the protection of life and personal integrity. Thus, when there is due process of law – procedural or substantive – one finds e. g. the *habeas corpus* rights.

I would dare suggest that most people in the world would want to live in a country where these precepts are respected. Only human sufferings result when they are not. Even people who adhere to a religion that rejects the Rule of Law regret their absence when trouble starts and anarchy or even warfare comes. Rule of Law is the greatest idea in the history of political thought, from *Cicero* to *Kant*.

## IX. Herrschaft and Rechtsstaat

Typical of legal-rational authority is, I would wish to emphasize, government based upon the Rule of Law. Let us first state the definition of “legal authority” by *Weber*:

“The validity of the claims to legitimacy may be based on: 1. Rational grounds – resting on a belief in the legitimacy of enacted rules and the rights of those elevated to authority under such rules to issue commands (legal authority).”<sup>19</sup>

The key terms in this general definition are rules or institutions.

“Today the most usual basis of legitimacy is the belief in legality, the readiness to conform with rules which are formally correct and have been imposed by accepted procedure. The distinction between an order derived from voluntary agreement and

19 *Weber, M.*: Economy, loc. cit., 215.

one which has been imposed is only relative.” The talk about “voluntary agreement” hints at the democratic regime just as the requirement of “accepted procedure”. Yet, as is well-known, *Weber* moves on to equate legal-rational authority with bureaucracy: “The purest type of exercise of legal authority is that which employs a bureaucratic administrative staff.”<sup>20</sup>

Yet, bureaucracy as a mechanism for carrying out the policies of rulers has, historically speaking, never operated according to the *Weberian* ideal-type. Bureaucracies have been invaded by affective ties, embezzlement, tribal loyalties and opportunistic selfishness in search of turf. 20<sup>th</sup> century research into the bureaucratic phenomenon has resulted in numerous findings that question the applicability of *Weber’s* bureaucracy model. As a matter of fact, bureaucracies can support traditional domination, as within Chinese Empires or Ottoman Rulership. It may also figure prominently in charismatic rulership, as with the “Third Reich” or the Soviet State.

*Weber* recognized a fourth kind of political regime that he simply regarded as marginal, namely total authority based on naked power, because it could not last. The question then becomes whether legal-rational authority entails a legitimization rendering it stable over time as Rule of Law, or whether it is enough with rule by law. I find no answer with *Weber*.

The interpretation that *Weber* was some kind of “front-runner” to the development of a unique nationalist ideology in Germany in the 1930s, founding a state upon the exercise of naked power, is, in my view, questionable.<sup>21</sup> Legal-rational authority implies a constitutional state respecting *Kant’s Rechtsstaat*. As a matter of fact, Rule of Law trumps democracy, especially plebiscitary democracy.

## X. Conclusion

The civilisation that deviates the most from the *Rechtsstaat* is the Moslem one. This is due to the un-recognised and not fully understood revolution in the mind sets that we call Sunni fundamentalism or radical Islam. It now has started to appear in many Western countries with dire effects. Yet, the Rule of Law is weakly enforced in the Latin American civilisation, non-existent in the Sub-Saharan civilisation and not very frequently occurring in the Buddhist one with

20 *Ibid.*, 220.

21 See Mommsen, W. J.: Max Weber und die deutsche Politik 1890-1920, Tübingen, 2004.

its legacy of Oriental despotism<sup>22</sup>, occurring also in the Moslem civilisation as Sultanismus, although not always with a hydraulic foundation.<sup>23</sup> Even in Japan and South Korea, like in Taiwan and Singapore, the Rule of a Law is not complete, and in the former Soviet republics, the situation could not be worse.

Today, *Weber* would have wished to take Rule of Law as his dependent variable instead of capitalism. After all, much of his writings belong to political science proper. Thus, let us turn to *Weber's* chief accomplishment in political sociology, namely that he identified four types of political regimes: naked power, traditional, charismatic and legal-rational authority – a most often used typology also today. However, he was not clear about the nature of the last type, linking wrongly – I wish to argue – legal-rational authority with his ideal-type model of bureaucracy.

22 See *Weber, M.*: *Economie et société dans l'Antiquité*, Paris 2001; *Idem*: *General Economic History*, Dover 2003.

23 See *Wittfogel, K.*: *Oriental Despotism*, New Haven 1957.

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- Die *Gliederung* eines Manuskripts sollte durch römische Ziffern (I., II., III., usw.), arabische Ziffern (1., 2., 3., usw.) sowie durch Kleinbuchstaben (mit halber Klammer) bis höchstens aa), bb) erfolgen. Die beiden erstgenannten Kategorien erhalten eine eigene Überschrift in Fettdruck.
- *Hervorhebungen* im Text werden nur durch *Kursivschrift* gekennzeichnet. *Autorennamen* sind durchgängig kursiv zu schreiben, sowohl im Text als auch in Fußnoten. Mehrautorenwerke werden durch Schrägstrich (ohne Leerzeichen) getrennt; Herausgebernamen erscheinen in Normalschrift.
- *Fundstellen nachweise* sind ausschließlich in *fortlaufend durchnummerierten Fußnoten* auszuweisen. Mehrere Literaturangaben bzw. Quellen in einer Fußnote werden durch Strichpunkt getrennt; am Ende jeder Fußnote steht ein Punkt. Gesetze und vergleichbare Rechtsnormen werden im *Fließtext in runden Klammern* nachgewiesen.
- *Literaturangaben* werden folgendermaßen zitiert: *Autor (Nachname, abgekürzter Vorname): Titel, Erscheinungsort, Erscheinungsjahr*. Beispiel: *Milward, A.S.: The European Rescue of the Nation-State, 2<sup>nd</sup> ed., London u.a., 2000*.

Bei *Beiträgen in Zeitschriften und Sammelwerken* sind die entsprechenden Quellenangaben (Herausgeber, Titel, Seitenangaben, ggf. Seitenzahl bei direktem Zitat) in Normalschrift wie folgt hinzuzufügen: *Grimm, D.: Vertrag oder Verfassung, in: Staatswissenschaften und Staatspraxis, 6/4 (1995), 509–531; Schmidt, M.G.: Die Europäisierung öffentlicher Aufgaben, in: Ellwein, T./Holtmann, E. (Hg.): 50 Jahre Bundesrepublik Deutschland, Opladen, 1999, 385–394, hier 390*.

Wird ein *Titel mehrfach* zitiert, so gilt ab dem zweiten Beleg: *Schmidt, M.G., a.a.O., 392*. Werden *mehrere Titel desselben Autors* zitiert, so ist der jeweilige Titel in *Kurzform* wie folgt mit anzugeben: *Milward, A.S.: The European Rescue, a.a.O., 24*.

*Untertitel* werden nur angegeben, wenn andernfalls nicht auf den Inhalt der Quelle geschlossen werden kann.

*Absätze von Paragraphen* sind mit „Abs.“ und arabischer Ziffer zu bezeichnen: *Art. 53 Abs. 3 GG*.

- *Tabellen* und *Schaubilder* sind mit durchnummerierten *Überschriften (in Kursivschrift)* zu versehen. Quellenangaben werden am Fuß der Tabelle angefügt.

*An English version is available on special request.*