

SCIENZA & POLITICA

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Power and Rulership in Max Weber. Context and Effect of a Conceptual Pair

Potere e dominio in Max Weber.
Contesto ed effetto di una coppia concettuale

Andreas Anter

andreas.anter@uni-erfurt.de

Università di Erfurt

ABSTRACT

In international social science's debate on power and rulership, Max Weber occupies a dominant position. There is hardly a study on power or rulership that does not refer to him, be it critical or affirmative. The sustainable success of Weber's concept of power is based not least on the fact that he took up contemporary Nietzschean voluntaristic ideas and combined them with an action-related perspective. In doing so, he revolutionized the theory of power. This goes particularly for his category of "chance", with which he indicated power as a gradual and quantifiable phenomenon. The effect of this approach was so striking that it is still the most influential concept of power, shaping theorists like Hannah Arendt, Raymond Aron, and Heinrich Popitz. Furthermore, Weber moved the concept of rulership, as an institutionalised and reinforced form of power, into the focus of social sciences, providing a large-scale sociology of rule, which exposes the various types and motives of obedience. At the same time, however, the reception of the conceptual pair of power and rulership reveals a paradoxical phenomenon, since the two concepts are received worldwide, while they are still often used arbitrarily and regularly mixed up.

KEYWORDS: Max Weber; Power; Rulership; Chance; Realism.

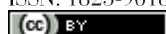
Nel dibattito su potere e dominio all'interno delle scienze sociali, Max Weber occupa una posizione di rilievo. Non c'è studio sul potere o sul dominio che non vi faccia riferimento, che sia di critica o di convalida. Il perdurante successo del concetto weberiano di potere si basa, non ultimo, sul fatto che Weber ha assunto le idee contemporanee di volontarismo di matrice nietzscheana e le ha combinate con una prospettiva riferita all'azione. In questo modo ha rivoluzionato la teoria del potere. Ciò vale soprattutto per la sua categoria di "possibilità", con cui ha definito il potere come un fenomeno graduale e quantificabile. L'effetto di questo approccio è stato così straordinario che questa è ancora oggi l'accezione prevalente di potere - teorici come Hannah Arendt, Raymond Aron, and Heinrich Popitz ne sono stati influenzati. Inoltre, Weber ha spostato l'attenzione delle scienze sociali sul concetto di dominio, come forma di potere istituzionalizzato e rinforzato, offrendo una sociologia del dominio su larga scala, che illumina i vari tipi e motivi di obbedienza. Allo stesso tempo, tuttavia, la ricezione della coppia concettuale di potere e dominio rivela un fenomeno paradossale, ovvero che i due concetti sono recepiti a livello mondiale, mentre sono ancora usati spesso in modo arbitrario e vengono regolarmente confusi.

PAROLE CHIAVE: Max Weber; Potere; Dominio; Possibilità; Realismo.

SCIENZA & POLITICA, vol. XXXII, no. 63, 2020, pp. 9-20

DOI: <https://doi.org/10.6092/issn.1825-9618/12063>

ISSN: 1825-9618



For decades, the concepts of power and rulership have been under the spell of Max Weber in international social sciences. There is hardly a study on power or rule that does not refer to Weber, be it critical or affirmative. He occupies such a dominant position that almost every attempt on power or rulership takes him as a starting point, which is a unique phenomenon in the highly fragmented and widely dispersed social sciences.

Although being often mentioned in the same breath, the concepts of power and rulership have a rather different status in Weber. While providing a comprehensive sociology of *rule* that contributed moreover to Weber's worldwide fame, he was not interested in any sociology of *power*. He even put the concept of power aside with a slight movement of the hand, denoting it as «sociologically amorphous»¹. Thus, Weber's remarks on power are basically limited to his famous definition², as well as to some fragmentary comments on transitional forms of power and rule, which fade away after a few pages³. It belongs to the remarkable phenomena in recent history of ideas that Weber's definition, however, became the most widely used concept of power in the world⁴. But how can power and rulership in Weber be related to one another? How can the two terms be contextualized in the history of ideas? And what benefit do they offer for social science research?

¹ M. WEBER, *Economy and Society. A New Translation*, ed. and trans. by K. Tribe, Cambridge, Mass., Harvard University Press, 2019, p. 134 (MWG I/23: M. WEBER, *Wirtschaft und Gesellschaft. Soziologie. Unvollendet. 1919–1920*, eds. K. Borchardt – E. Hanke – W. Schluchter, Tübingen, Mohr Siebeck, 2013, p. 211).

² *Ibidem* (MWG I/23, p. 210).

³ M. WEBER, *Wirtschaft und Gesellschaft: Herrschaft*. MWG I/22,4, eds. E. Hanke – Th. Kroll, Tübingen, Mohr Siebeck, 2005, pp. 126ff.

⁴ Cf. from the last three decades: C. BRENNAN, *Max Weber on Power and Social Stratification*, Abingdon-New York, Routledge, 2020, pp. 71ff.; B.-C. HAN, *What is Power?*, Cambridge, Polity Press, 2019, p. 7; A. ANTER, *Theorien der Macht zur Einführung*, 4th ed., Hamburg, Junius, 2018, pp. 53ff.; J. BABEROWSKI, *Räume der Gewalt*, Frankfurt/M., Fischer, 2018, p. 201; H. POPITZ, *Phenomena of Power. Authority, Domination, and Violence*, trans. G. Poggi, Columbia University Press, New York, 2017, p. 6; N. LUHMANN, *Trust and Power*, Cambridge, Polity Press, 2017; R. PARIS, *Der Wille des Einen ist das Tun des Anderen*, Weilerswist, Velbrück Wissenschaft, 2015, p. 14; F. FERRARESI, *Genealogie della legittimità. Città e Stato in Max Weber*, «Società/Mutamento-Politica», 5, 9/2014, pp. 143-160; G. POGGI, *Varieties of Political Experience*, Colchester, ECPR Press, 2014, pp. 16ff.; J. HEARN, *Theorizing Power*, Cambridge, Polity Press, 2012, pp. 28f.; P. MORRIS, *Power: A Philosophical Analysis*, 3rd ed. Manchester, Manchester University Press, 2012, p. XV; M. HAUGAARD – K. RYAN, *Introduction*, in M. HAUGAARD – K. RYAN (eds), *Political Power. The Development of the Field*, Opladen, Barbara Budrich, 2012, p. 22; G. ZENKERT, *Die Konstitution der Macht*, Tübingen, Mohr Siebeck, 2007, p. 9; H. TREIBER, *Macht – ein soziologischer Grundbegriff*, in P. GOSTMANN – P.-U. MERZ-BENZ (eds), *Macht und Herrschaft*, Wiesbaden, VS, 2007, pp. 49-62; R. ZIMMERLING, *Influence and Power. Variations on a Messy Theme*, Dordrecht, Springer, 2005, pp. 31f.; R. PARIS, *Normale Macht. Soziologische Essays*, Konstanz, UVK Verlagsgesellschaft, 2005, p. 27; S. LUKES, *Power: A Radical View*, 2nd ed. London, Palgrave Macmillan, 2005, p. 10; A. MAURER, *Herrschaftssoziologie*, Frankfurt-New York, Campus, 2004, p. 19f.; G. POGGI, *Forms of Power*, Cambridge, Polity Press, 2001, pp. 12f.; B. HINDESS, *Discourses of Power: From Hobbes to Foucault*, Oxford, Blackwell, 2001, p. 8.



1. Power as a Chance

In his *Basic Sociological Concepts*, Weber defines power as «every *Chance*, within a social relationship, of enforcing one's own will even against resistance, whatever the basis for this *Chance* might be»⁵. This famous definition is by no means without precondition in the history of ideas, but rather ties in with similar contemporary ideas like that of Albert Schäffle, who describes power as the ability to «actively overcome social resistance»⁶. Surely, Schäffle's definition of power was sociologically unsatisfactory, but it already reveals some typical elements of the contemporary views of power. Just like Schäffle and other contemporaries, Weber relies on the personalistic, intentional and voluntaristic elements of power in his definition. In particular, the voluntaristic element turns out to be a Nietzschean motif that was very present in contemporary German thought⁷.

In his definition, Weber emphasizes also the element of a potential «resistance». In doing so, he expresses that the power relationship can exist even without the consent of the subject. The subject may oppose, he may hate the ruler, he may even rebel against him – all that changes little in the existence of the power relationship. The relationship only ends when the *Chance* of «enforcing one's own will» no longer exists. The possibility of resistance is one of the elements that distinguish power from rule. Weber understands rulership as «the *Chance* that a command of particular kind will be obeyed by given persons»⁸. In contrast to power, rulership is dependent on the consent of the ruled. For Weber, rule requires consent, that is, a legitimacy basis⁹. In a power relationship, however, such consent is not required. To be sure, every power is

⁵ M. WEBER, *Economy and Society*, p. 134 (MWG I/23, p. 210).

⁶ A. SCHÄFFLE, *Die Notwendigkeit exakt entwicklungsgeschichtlicher Erklärung und exakt entwicklungsgesetzlicher Behandlung unserer Landwirtschaftsbedrängnis*, Part 3, «Zeitschrift für die gesamte Staatswissenschaft», 59, 3/1903, pp. 255-340, 337.

⁷ Cf. F. NIETZSCHE, *Aus dem Nachlaß der Achtzigerjahre*, in F. NIETZSCHE, *Werke in drei Bänden*, vol. 3, ed. by K. Schlechta, München, Hanser, 1982, pp. 415-927, 455, 552. For the «intentional» element, see V. GERHARDT, *Vom Willen zur Macht. Anthropologie und Metaphysik der Macht am exemplarischen Fall Friedrich Nietzsches*, Berlin/New York, De Gruyter, 1996, p. 18. For the relationship between Nietzsche and Weber see E. RUTIGLIANO, *All'ombra di Nietzsche: Max Weber tra Kultur e Zivilisation*, «Quaderni di sociologia», 75/2017, pp. 3-17; R. CAMPA, *L'eredità di Nietzsche nella sociologia di Max Weber*, «Orbis Idearum», 4, 2/2016, pp. 53-91; A. ANTER, *Max Weber's Theory of the Modern State*, trans. K. Tribe, Basingstoke, Palgrave Macmillan, 2014, pp. 73, 127f., 156, 169, 209f.; L. FLEURY, *Nietzsche, Weber et le politique*, in H. BRUHNS – P. DURAN (eds), *Max Weber et le politique*, Paris, LGDJ, 2009, pp. 163-180; R. SCHROEDER, *Nietzsche and Weber. Two 'Prophets' of the Modern World*, in S. WHIMSTER – S. LASH (eds), *Max Weber, Rationality and Modernity*, 2nd ed. London, Routledge, 2006, pp. 207-221; E. FLEISCHMANN, *De Weber à Nietzsche* (reprint), «European Journal of Sociology», 42, 1/2001, pp. 243-292; W. HENNIS, *Max Weber's Central Question*, trans. K. Tribe, 2nd ed. Newbury, Threshold Press, 2000, pp. 149-170.

⁸ M. WEBER, *Economy and Society*, p. 134 (MWG I/23, p. 210).

⁹ For Weber's concept of rule, see S. BREUER, «Herrschaft» in *der Soziologie Max Webers*, Wiesbaden, Harrassowitz, 2011; G. POGGI, *Incontro con Max Weber*, Bologna, Il Mulino, 2004, pp. 105ff.; F. FERRARESI, *Il fantasma della comunità. Concetti politici e scienza sociale in Max Weber*, Milano, Franco Angeli, 2003, pp. 377ff.

eager to find or generate as much approval as possible from those who are subject to it. With Heinrich Popitz one could even say that all power is downright addicted to legitimation¹⁰. But it does not need consent; it can do without it.

Since Weber conceives power as an action-based concept, for him power is nothing that one could “have” or “possess”. For him, it is rather something that arises from action and remains bound to action. In this view, some prominent theorists later followed him, above all Hannah Arendt, who emphasizes this fact even more emphatically than Weber, saying that power is not a skill that one can possess, since «power springs up between men when they act together, and vanishes the moment they disperse»¹¹. Hans J. Morgenthau already regards power from an action-oriented perspective, as an asymmetric structure between acting individuals: «When we speak of power, we mean man’s control over the minds and actions of other men»¹². Even Michel Foucault – although otherwise hardly related to Max Weber – argues in a very similar way, when emphasizing that power «exists only when it is put into action»¹³.

With the action-related perspective, which was inaugurated by Weber, much has been gained in methodological terms. Weber emancipated the social sciences from the older political theory, which imagined power, on the tracks of Thomas Hobbes, as a kind of possession, as a «good»¹⁴. Weber’s view is a consistent expression of his Interpretive Sociology as «a science that in constructing and understanding social action seeks causal explanation of the course and effects of such action»¹⁵. For him, all social and political phenomena dissolve into action. This action-orientation in turn corresponds to the aforementioned intentional-voluntaristic element of his concept of power, which later found acceptance in the social sciences far beyond Weber and Nietzsche, for example with Raymond Aron, who understands political power as «the capacity to impose one’s will on others»¹⁶, or Heinrich Popitz, who understands power as «the ability to assert oneself against external forces»¹⁷. Here, too, large parts of the social sciences are under Weber’s spell, because the exercise of power seems to be dependent on an effective will.

¹⁰ H. POPITZ, *Phenomena of Power*, p. 43: «All power aspires to legitimation».

¹¹ H. ARENDT, *The Human Condition* (1958), 2nd ed. Chicago, The University of Chicago Press, 2018, p. 200: «Because of this peculiarity, which power shares with all potentialities that can only be actualized but never fully materialized, power is to an astonishing degree independent of material factors».

¹² H.J. MORGENTHAU, *Politics among Nations: The Struggle for Power and Peace*, 2nd ed. New York, Knopf, 1954, p. 13.

¹³ M. FOUCAULT, *The Subject and Power* (1982), in H.L. DREYFUS – P. RABINOW, *Michel Foucault: Beyond Structuralism and Hermeneutics*, New York, Routledge, 2013, pp. 208-226, 219.

¹⁴ TH. HOBBS, *On Man* (1658), in TH. HOBBS, *Man and Citizen*, ed. by B. Gert, 3rd ed. Cambridge, Cambridge University Press, 1998, pp. 33-85, 49.

¹⁵ M. WEBER, *Economy and Society*, p. 78 (MWG I/23, p. 149).

¹⁶ R. ARON, *Peace & War: A Theory of International Relations*, Abingdon-New York, Routledge, 2017, p. 90.

¹⁷ H. POPITZ, *Phenomena of Power*, p. 9.



However, the question remains, whether the effects of power can be «causally explained» in Weber's sense. Weber doubts this. Thus, he leaves the question unanswered, how one asserts one's own will, that is, how one exercises power. In this regard, a variety of possibilities come into consideration, such as charismatic authority, rational persuasion, threat, violence or bribery. Weber elegantly evades, he only laconically states: «All conceivable quality of a person, and all conceivable constellations, can place someone in a position of being able to enforce one's own will in a given situation»¹⁸. The only thing that is clear is that a power relationship is an asymmetrical affair, since it is not a relationship of equality. At this point, Weber agrees with the classic position of Thomas Hobbes that if everyone has the same power, it is worthless: «for what all have equally is nothing»¹⁹. As with Hobbes, for Weber power inevitably remains something asymmetrical; it presupposes an imbalance.

Since Weber could not «causally explain» the cause of power, he declared it «sociologically amorphous», which in turn was the reason why he did not pursue the concept any further. This was an unfortunate decision, for the development of the concept was lost in this way for decades – until the attempts of John R. P. French, Bertram H. Raven²⁰, and Heinrich Popitz²¹. Weber's decision was consistent in so far as the mere enforcement of will in fact eludes causal ascription, though he could have solved this problem by a typology of different forms of power, as he did in the case of rulership. With regard to this, Heinrich Popitz developed a typology of basic forms of power that distinguishes between «Power of Action», «Instrumental Power», «Authoritative Power» and «Power of Data Constitution»²². Furthermore, he complements this typology by a stage model of the institutionalization of power²³, creating an instrument for power analysis, which is essential for any further attempt in this area of social science theory.

¹⁸ M. WEBER, *Economy and Society*, pp. 134f. (MWG I/23, p. 211).

¹⁹ TH. HOBBS, *On Man*, p. 49.

²⁰ J.R.P. FRENCH – B.H. RAVEN, *The Bases of Social Power*, in D. CARTWRIGHT – A. ZANDER (eds), *Group Dynamics: Research and Theory*, 3rd ed. New York, Harper & Row, 1968, pp. 259-269.

²¹ H. POPITZ, *Phenomena of Power*. For this, see P.P. PORTINARO, *Dissonanze sul potere. Ricostruzione o dissoluzione di un concetto?*, «Teoria Politica», 8, 2018, pp. 351-364, 357ff.; J. WILLIAMS, *The Philosophical Anthropology of Heinrich Popitz*, «Human Studies», 41, 2018, pp. 503-511; J. BABEROWSKI, *Räume der Gewalt*, Frankfurt/M., Fischer, 2018, pp. 27ff., 200ff.; A. ANTER, *Theorien der Macht zur Einführung*, 4th ed., pp. 75ff.; A. ANTER, *Macht und menschliche Natur – Das anthropologische Argument*, in PH.H. ROTH (ed), *Macht*, Frankfurt/New York, Campus, 2016, pp. 31-43; S. FARZIN – H. LAUX, *Gründungsszenen – Eröffnungszüge des Theoretisierens am Beispiel von Heinrich Popitz' Machtsoziologie*, «Zeitschrift für Soziologie», 45, 4/2016, pp. 241-260; G. POGGI, *Varieties of Political Experience*, pp. 16f., 22f.; A. ANTER, *Die Macht der Ordnung*, 2nd ed. Tübingen, Mohr Siebeck, 2007, pp. 103ff.; H. TREIBER, *Macht – ein soziologischer Grundbegriff*, in P. GOSTMANN – P.-U. MERZ-BENZ (eds), *Macht und Herrschaft*, pp. 49-62; F. POHLMANN, *Heinrich Popitz – Konturen seines Denkens und Werks*, «Berliner Journal für Soziologie», 15, 2005, pp. 5-24; R. PARIS, *Normale Macht*; A. MAURER, *Herrschaftssoziologie*, pp. 20f., 52f.

²² H. POPITZ, *Phenomena of Power*, pp. 1ff.

²³ *Ivi*, pp. 165ff.

2. The Concept of “Chance”

A prominent characteristic of Max Weber’s definition of power is the concept of “*Chance*”. This is indeed an original concept of his. Furthermore, it shows a special feature compared to all other contemporary and later attempts. The originality caught the eye of early recipients such as Carl Schmitt, Hans Kelsen, or Talcott Parsons²⁴. The category of chance plays a central role in Weber’s thought, even beyond the concept of power²⁵. It defines not only “power” and “rulership”, but also concepts like “state”, “constitution”, or “legitimacy”. In his *Basic Sociological Concepts* as well as in his sub-sociologies, it is ubiquitous. Its prominent status in the conceptualization, however, contrasts with the fact that Weber makes use of it in quite different ways. The term chance could best be paraphrased as “probability”, as Talcott Parsons²⁶, Ralf Dahrendorf²⁷, or Hermann Kantorowicz²⁸ did. In turn, this paraphrase would fit well with Weber’s methodology of Interpretive Sociology, which does not accept any scientific causality, but only empirical degrees of probability.

The concept of chance has an empirical punchline since it reveals any power as a quantifiable phenomenon. Weber himself emphasizes in another context that this «*Chance* might be very great, or infinitely small»²⁹. If power is based on a chance, and this chance is quantifiable, then power is a matter of degree. Consequently, the degrees of power could be empirically measurable, for example on a scale from power to powerlessness. Such an understanding of power would also correspond to the gradual validity of orders. So, there is no binary structure like “power vs. powerlessness”, but only fluid transitions between the two stages.

This gradual perspective is useful heuristically and methodologically in historical research of the development of power and domination relationships. Power orders do not simply “exist”. Like any order, they evolve in a complex process and usually remain precarious even after they have been established³⁰.

²⁴ Cf. C. SCHMITT, *Legality and Legitimacy* (1932), trans. Jeffrey Seitzer, Durham-London, Duke University Press, 2004, p. 136; H. KELSEN, *Der soziologische und der juristische Staatsbegriff. Kritische Untersuchung des Verhältnisses von Staat und Recht*, 2nd ed. Tübingen, Mohr, 1928, p. 159; T. PARSONS, *The Structure of Social Action*, New York, Free Press, 1937 (reprint 1967), pp. 629f.

²⁵ For this, see A. ANTER, *Max Weber’s Theory of the Modern State*, pp. 88ff.; K. PALONEN, *Max Webers Begriffspolitik*, Baden-Baden, Nomos, 2019, pp. 159-172; L. MORI, *Chance. Max Weber e la filosofia politica*, Pisa, ETS, 2016, pp. 18f.

²⁶ T. PARSONS, *The Structure of Social Action*, p. 629.

²⁷ R. DAHRENDORF, *Max Weber’s Concept of ‘Chance’*, in R. DAHRENDORF, *Life Chances: Approaches to Social and Political Theory*, Chicago, The University of Chicago Press, 1979, pp. 62-74, 67.

²⁸ H. KANTOROWICZ, *Staatsauffassungen* (1925), in H. KANTOROWICZ, *Rechtswissenschaft und Soziologie. Ausgewählte Schriften zur Wissenschaftslehre*, ed. by T. Würtenberger, Karlsruhe, C.F. Müller, 1962, p. 75.

²⁹ M. WEBER, *Economy and Society*, p. 104 (MWG I/23, p. 177).

³⁰ For the precariousness of any order, see A. ANTER, *Die Macht der Ordnung*, 2nd ed., pp. 59ff.



3. The Power of Realism

In view of Weber's analytical approach, it is evident that one would look in vain for normative aspects in his theory of power. At the same time, it would also be alien to him to assume a functional character of power, as theorists like Hannah Arendt or Niklas Luhmann later did. Weber rarely makes generalized statements about the nature of power, which is undoubtedly due to his scepticism towards a substantive approach. With Weber, the normative dimension of power is articulated on a different stage, namely in his Political Writings, where he emphatically takes a position on domestic and foreign policy issues, above all, on constitutional issues, in the late years of the German Empire and in the immediate post-war period³¹. Here he discusses questions of power, often in a polemical pointed manner. This includes his description of the type of "power politician", which belongs to this context and reveals a slight ambivalence. On the one hand, Weber despises the type of power politician as hollow and empty³²; on the other hand, he evaluates power as the basic principle of politics. Programmatically, he defines politics as the «striving for a share of power or for influence on the distribution of power»³³. A power-negating or power-forgotten attitude therefore can only be an apolitical attitude for him.

At this point Weber follows the central idea of political realism, which represented the prevailing opinion in contemporary law and history and was particularly evident in Georg Jellinek, who defined politics as «the striving for gaining and maintaining power»³⁴; the historian Johann Gustav Droysen described Political Science as «the science of external and domestic power relations»³⁵. Later, it remained dominant for decades in the relevant legal and social sciences, especially in Anglo-American Political Science, which was anyway influenced by Max Weber³⁶. This can be observed in Hans J. Morgenthau, who was one of the important pioneers of political realism as well as of the Weberian tradition in Political Science³⁷. In his theory of international relations, evolved

³¹ See the fundamental study of W.J. MOMMSEN, *Max Weber and German Politics 1890-1920* (1974²), trans. M.S. Steinberg, Chicago, University of Chicago Press, 1990.

³² M. WEBER, *The Profession and Vocation of Politics* (1919), in M. WEBER, *Political Writings*, ed. by P. Lassman – R. Speirs, 6th ed. Cambridge, Cambridge University Press, 2008, pp. 309-369, 354.

³³ *Ivi*, p. 311.

³⁴ G. JELLINEK, *Allgemeine Staatslehre* (1900), 3rd ed., Berlin, Springer, 1922, p. 17.

³⁵ J.G. DROYSEN, *Letter to Wilhelm Arendt*, December 1, 1851, in J.G. DROYSEN, *Briefwechsel*, ed. by R. Hübner, vol. 2, Berlin/Leipzig, Dt. Verl.-Anstalt, 1929, p. 11.

³⁶ Cf. H.D. LASSWELL – A. KAPLAN, *Power and Society: A Framework for Political Inquiry*, London, Routledge & Kegan, 1952, pp. XIV and 75; H.J. MORGENTHAU, *Politics among Nations*, 2nd ed., p. 27; K. LOEWENSTEIN, *Political Power and the Governmental Process*, Chicago, University of Chicago Press, 1957, p. 3.

³⁷ For this tradition, see A. ANTER – H. BRUHNS, *Max Weber and the Weberian Tradition in Political Science*, in D. BERG-SCHLOSSER – B. BADIE – L. MORLINO (eds), *The SAGE Handbook of Political Science*, vol. 1, London, Sage, 2020, pp. 233-252.

in the 1940s, political action, particularly in international politics, is not guided by idealistic goals, but rather by the pursuit of power. Like Weber, who said it was illusory to expect «that peace and happiness lie waiting in the womb of the future»³⁸, Morgenthau thought it was absurd to believe that international politics would create a happy brave new world. For him, politics was primarily an arena of power struggles.

Vice versa, the normative Freiburg School of Political Science in the early Federal Republic of Germany vigorously turned against the view of politics as a power process – and, consequently, turned against Weber³⁹. That wasn't a sustainable decision, for after Weber had initially been declared *persona non grata*, things changed from the end of the sixties, when critical positions were abandoned in the course of the Weber renaissance in social sciences. Above all, Wilhelm Hennis, remotely connected to the Freiburg School, turned his view of Weber upside down in the early eighties and devoted himself to an enthusiastic and groundbreaking reassessment of Max Weber for more than two decades⁴⁰. His Weberian turn was, not least, a turn to the Weberian realism⁴¹.

4. Command and Obedience

While Weber put the concept of power aside as «sociologically amorphous», he devoted all the more energy to the conceptualization of the phenomena of rulership. The sociology of rule, which he developed in several attempts, is one of the central parts of his work. As in the case of “power”, he uses the term “chance” for defining “rulership”: as «the *Chance* that a command of particular kind will be obeyed by given persons»⁴². Unlike “power”, “rulership” has nothing to do with the enforcement of one's own will. Furthermore, it does not take place within a social relationship. It is rather a transpersonal affair; it can actually encompass an entire political community.

The decisive point is: if rulership is a matter of command and obedience, then it is an increased form of power, more precisely, an institutionalized form of power. With Heinrich Popitz one could also speak of «positionalized

³⁸ M. WEBER, *The Nation State and Economic Policy* (1895), in M. WEBER, *Political Writings*, 6th ed., pp. 1–28, 14.

³⁹ K. SONTHEIMER, *Zum Begriff der Macht als Grundkategorie der politischen Wissenschaft*, in D. OBERNDÖRFER (ed), *Wissenschaftliche Politik. Eine Einführung in Grundfragen ihrer Tradition und Theorie*, 2nd ed. Freiburg, Rombach, 1966, pp. 197–209, 202f.; A. BERGSTRÄESSER, *Politik in Wissenschaft und Bildung*, Freiburg, Rombach, 1961, p. 63; W. HENNIS, *Aufgaben einer modernen Regierungslehre*, «Politische Vierteljahresschrift», 6, 4/1965, pp. 422–441, 431.

⁴⁰ See his self-critical remarks in W. HENNIS, *Max Weber's Central Question*, p. vii. For the genesis of his Weber studies, see L.A. SCAFF, *Wilhelm Hennis, Max Weber, and the Charisma of Political Thinking*, in A. ANTER (ed), *Wilhelm Hennis' Politische Wissenschaft: Fragestellungen und Diagnosen*, Tübingen, Mohr Siebeck, 2013, pp. 307–325.

⁴¹ See S. SCHLAK, *Das Prinzip Wirklichkeit. Ein Gespräch mit Wilhelm Hennis*, «Zeitschrift für Ideengeschichte», 1, 2007, pp. 57–66.

⁴² M. WEBER, *Economy and Society*, p. 134 (MWG I/23, p. 210).



power»⁴³. While the power relationship is based solely on the chance to enforce one's own will, which can possibly be precarious and complicated, things are much clearer in the case of rulership. There are few gray areas around command and obedience. It is certainly no coincidence that Weber's definition touches upon contemporary jurisprudence. Paul Laband, the doyen of Wilhelmine constitutional law, defined rulership as the right to "command"⁴⁴. For Georg Jellinek, too, who had a strong impact on Weber, ruling means «being able to command unconditionally»⁴⁵. Jellinek even knows a second concept of rulership that gets by without command and obedience, namely the ability «to be able to enforce one's will unconditionally against the will of others»⁴⁶. But although Jellinek had a second concept of rule in store and argues at this point without command and obedience, this does not change the fact that German constitutional law remained fixated on domination as a structure of command and obedience.

Weber himself describes rulership as a «special case of power»⁴⁷. To illustrate the enhancement character, he chooses an example from the financial world. A large credit bank exercises great power due to its monopoly position in the capital market, because it can dictate the terms of the loan. Things are much more comfortable for the credit bank if it can get its directors to join the supervisory board of the credit-seeking company. In this case, the bank can issue orders to the company's executive board via the supervisory board⁴⁸.

Time and again, Weber's explanations make it clear that rule is an increased, solidified form of power. This view has been widely accepted in the humanities and has apparently prevailed over the past fifty years. Its canonization starts with the German sociologist Arnold Gehlen⁴⁹, and extends into today's social science⁵⁰. Oddly enough, many social scientists still cannot

⁴³ H. POPITZ, *Phenomena of Power*, pp. 174ff.

⁴⁴ P. LABAND, *Das Staatsrecht des Deutschen Reiches*, vol. 1, Freiburg, Mohr, 1888, p. 64.

⁴⁵ G. JELLINEK, *Allgemeine Staatslehre*, p. 180. For Jellinek's impact on Weber, see S. BREUER, *Von der sozialen Staatslehre zur Staatssoziologie: Georg Jellinek und Max Weber*, in A. ANTER (ed), *Die normative Kraft des Faktischen*, 2nd ed. Baden-Baden, Nomos, 2020, pp. 89-112; A. ANTER, *Max Weber und die Staatsrechtslehre*, Tübingen, Mohr Siebeck, 2016, pp. 24ff.; D. KELLY, *The State of the Political: Conceptions of Politics and the State in the Thought of Max Weber, Carl Schmitt and Franz Neumann*, 2nd ed. Oxford, Oxford University Press, 2008, pp. 97ff.; R. MARRA, *La religione dei diritti: Durkheim – Jellinek – Weber*, Torino, Giappichelli, 2006, pp. 50ff., 99ff.; F. FERRARESI, *Il fantasma della comunità*, pp. 333ff.

⁴⁶ G. JELLINEK, *Allgemeine Staatslehre*, p. 429. We find this definition almost literally in Weber, but under the keyword "power", which makes clear that Weber makes free use of Jellinek's terminology.

⁴⁷ M. WEBER, *Wirtschaft und Gesellschaft: Herrschaft*, p. 127.

⁴⁸ *Ivi*, p. 129.

⁴⁹ Cf. A. GEHLEN, *Soziologie der Macht*, in E. VON BECKERATH ET AL. (eds), *Handwörterbuch der Sozialwissenschaften*, vol. 7, Stuttgart-Tübingen-Göttingen, Gustav Fischer-Mohr-Vandenhoeck & Ruprecht, 1961, pp. 77-81, 79.

⁵⁰ See W. BONIS – CH. LAU, *Einleitung. Zum Strukturwandel von Macht und Herrschaft in der Moderne*, in W. BONIS – CH. LAU (eds), *Macht und Herrschaft in der reflexiven Moderne*, Weilerswist, Velbrück Wissenschaft, 2011, pp. 7-47, 11; A. MAURER, *Herrschaftssoziologie*, pp. 125ff.

distinguish between power and domination. The terms are often mixed up, or they are used synonymously, especially in common usage. Sometimes there is a full-bodied demand that one finally has to distinguish between power and domination, but this demand has had – so far – no effect⁵¹. With Stefan Breuer one can only sum up that all too often «the gains in differentiation that early German sociology had developed are ignored»⁵².

At this point, however, it should be noted that Weber himself does not set a shining example here, since in the early versions of the sociology of rulership he still makes use of a casual word usage. When he speaks of “rulership” here, he actually means that what he later calls “power”. This can be observed, for example, when he describes rule as a «phenomenon of everything social», which he counts among the elementary conditions for the consolidation of social relationships⁵³, or when he describes rule as «one of the most important elements of community action»⁵⁴. In all these cases, “power” is actually meant, if one takes his later terminology as a basis. It is not rulership, but power that is an omnipresent «phenomenon of everything social». Even according to Weber’s own understanding, command and obedience cannot be omnipresent, because in this case all social relationships and all the whole society would be shaped by a command structure. However, this is not Weber’s diagnosis.

So here we have to argue with Weber against Weber. The definition of rulership in the Basic Sociological Concepts is only a late fruit of his theory; it no longer fits the terminology of the early drafts. Weber is not to be criticized for this, because the manuscripts of the early versions have only survived due to his sudden death. If he could have revised the older parts, he would undoubtedly have modified or deleted the earlier terminology.

Weber tried to prepare a more precise sociological concept of rule by making the question of its forms and effects a key question in his work. He pursued this intention most intensively in his sociology of rulership, which he developed in several attempts over the last decade of his life⁵⁵. Initially, the focus was still on the question of the functioning of rule, later the question of legitimacy

⁵¹ Typical in this regard is A. STEWART, *Theories of Power and Domination: The Politics of Empowerment in Late Modernity*, London, SAGE, 2001, p. 11. His demand for a conceptual distinction between power and domination is primarily motivated by his “emancipatory” attitude. He believes, «in late modernity, any emancipatory politics must be fundamentally and consistently determined by a politics of power as distinct from a politics of domination» (*ibidem*). Interestingly, however, he is not familiar with Weber’s distinction between power and domination; it does not appear in his book. Hence, Stewart can contribute little to the distinction he is calling for.

⁵² S. BREUER, *Kritische Theorie. Schlüsselbegriffe, Kontroversen, Grenzen*, Tübingen, Mohr Siebeck, 2016, p. 71.

⁵³ M. WEBER, *Wirtschaft und Gesellschaft: Gemeinschaften*, MWG I/22,1, eds by W.J. Mommsen – M. Meyer, Tübingen, Mohr Siebeck, 2001, p. 270.

⁵⁴ M. WEBER, *Wirtschaft und Gesellschaft: Herrschaft*, p. 127.

⁵⁵ See S. BREUER, “Herrschaft” in *der Soziologie Max Webers*, pp. 1ff.; E. HANKE, *Max Webers “Herrschaftssoziologie”*, in E. HANKE – W.J. MOMMSEN (eds), *Max Webers Herrschaftssoziologie. Studien zu Entstehung und Wirkung*, Tübingen, Mohr Siebeck, 2001, pp. 19-46.



moved more and more into focus, i.e. the question of when, how and why a system of rule is accepted and followed. Weber's initial thesis is that rulership can rely «on the most varied motives for conformity: from dull habituation to purely purposively rational considerations. Present in every genuine relationship of rule is a specific minimum of willingness to obey, hence an (outward or inner) interest in obedience». This corresponds to a natural interest of the rulers, which aims to legitimize their own position. Every rule seeks «to arouse and foster belief in their "legitimacy". Besides the nature of the legitimacy so claimed, there are fundamental differences in the type of obedience»⁵⁶.

In the history of the theory of domination, this statement marks a Copernican turning point, since it directs the gaze, which was previously mostly fixed on the rulers, now on the obedience motives of the ruled. It is only from this point of view that the three types of legitimate rule can be constructed, which made Weber the forefather of the sociology of rule. He establishes the types by distilling three variants from the abundance of empirically and historically existing forms, which at the same time ideal typical modes of obedience. The types differ according to the respective modes of obedience. In the case of rational-legal rule, which is based on the belief in the legality of order, one is obedient only «to the law»⁵⁷. In the case of traditional rule, which is based on the belief in an order legitimized by tradition, one obeys the person sanctified by tradition⁵⁸. In the case of charismatic rule, based on belief in the holiness or heroism of a charismatic leader, one obeys the «charismatically qualified leader»⁵⁹.

Weber's typology of rule is an example of the successful establishment of a social science methodology. His typology is often used when depicting historical forms of rule as well as today's political systems. The type of charismatic rule is usually the focus of reception⁶⁰, especially with regard to the premodern time⁶¹, but also with regard to modern political systems⁶². For Weber, charismatic rule is the result of a precarious situation. In a crisis situation, traditional or legal-rational rule can be swept away by a charismatic leader. But when the charismatic rule flows back into the «everyday constraints», it too finds itself

⁵⁶ M. WEBER, *Economy and Society*, pp. 338f. (MWG I/23, p. 450).

⁵⁷ *Ivi*, p. 344 (MWG I/23, p. 456).

⁵⁸ *Ivi*, p. 354 (MWG I/23, p. 453).

⁵⁹ *Ivi*, p. 357 (MWG I/23, p. 454).

⁶⁰ J. DERMAN, *Max Weber and Charisma*, «New German Critique», 38, 2/2011, pp. 51-88; S. BREUER, «Herrschaft» in *der Soziologie Max Webers*, pp. 25ff.; S.P. TURNER, *Charisma Reconsidered*, «Journal of Classical Sociology», 3, 1/2003, pp. 5-26.

⁶¹ Cf. S. BREUER, *Der charismatische Staat. Ursprünge und Frühformen staatlicher Herrschaft*, Darmstadt, Wissenschaftliche Buchgesellschaft, 2014.

⁶² See H.-U. WEHLER, *Das analytische Potential des Charisma-Konzepts. Hitlers charismatische Herrschaft*, in A. ANTER – S. BREUER (eds), *Max Webers Staatssoziologie*, 2nd ed. Baden-Baden, Nomos, 2016, pp. 175-189.

in a precarious position. It inevitably remains unstable because it is exposed to a constant risk of being broken, bent, or transposed, that is, being traditionalized or legalized⁶³. However, legal-rational rule does not represent the “end of history”. For a long time, it was a favourite game in Weber exegetics, interpreting the types of rule as an evolutionary sequence, knocking together a historical teleology, though the types don’t offer any indications for this. Weber himself makes it explicitly clear that «the three basic types of rulership cannot simply be placed one after the other in a development series, but appear together in the most varied combinations»⁶⁴.

5. Conclusion

The success of Weber’s concept of power is based not least on the fact that he took up contemporary voluntaristic trends and combined them with an action-related perspective. In doing so, he revolutionized power theory. This also includes the category of “chance”, with which he interpreted power as a gradual and quantifiable phenomenon. The effect of this approach was so sustainable that it became the world’s most prominent concept of power. Moreover, he moved the concept of rulership into the focus and provided a large-scale sociology of rule, which exposes the various types and motives of obedience. At the same time, however, the reception of the conceptual pair of power and rule reveals a paradoxical situation, since the two concepts are received worldwide, while they are still often used arbitrarily and regularly mixed up.

⁶³ M. WEBER, *Wirtschaft und Gesellschaft. Herrschaft*, p. 489.

⁶⁴ *Ivi*, p. 513.