MAX WEBER
STUDIES
## Contents

### Special Issue (Part I): Max Weber’s Hinduism and Buddhism: Reflections on a Sociological Classic 100 Years On

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Editorial

Peter Flügel and Sam Whimster

This issue carries the first instalment of papers coming out of a conference to mark the hundredth anniversary of the appearance of Weber’s study on *The Economic Ethics of World Religions II: Hinduism and Buddhism*, first published in three instalments on 29 April 1916, 2 December 1916, and 16 May 1917. The conference was organised by Peter Flügel (SOAS) and Sam Whimster (Max Weber Studies) in cooperation with the German Historical Institute London, Nehru Centre London, Max Weber Kolleg Erfurt, and the British Sociological Association. Held at the School of Oriental and African Studies, University of London, in September 2016, this date also marked the centenary of the college’s foundation. The School was formally opened by Lord Curzon, one time viceroy of the Raj, on 23 February 1917. This coincidence immediately prompts the question of imperial attitudes: what were the links between the new comparative sociology of religion and European imperialism? Its dependency on new data amassed by the colonial archives is self-evident. Weber worked with the census reports and agrarian survey books of British rule as well as the available scholarly translations of Indic religious, philosophical and legal texts, as well as epigraphic collections. This prompts a series of other questions, some already rehearsed. Did Weber lay too much emphasis on the Vedic texts overdetermining his interpretation of the caste system? Was the essay on Hinduism and Buddhism an attempt to ‘blame’ the lack of economic development of South Asia compared to Europe on the nature of the economic ethics promoted by its religions? To what extent was Weber able to add something new to the scholarship available to him at the time? And in what ways does scholarship on Indian history and culture today go beyond Weber’s limitations and reflect the emergence of India as a great power, to use a term fancied by Weber to describe the nations at the western end of Eurasia?
In the review section of this issue Keith Tribe raises the question, even now as the Max Weber Gesamtausgabe nears completion, of how well we understand the integrity of Weber’s texts. Hinduism and Buddhism was an integral part of the Economic Ethics of the World Religions, it also features in *Economy and Society*, and it is an important part of Weber’s argument in the ‘The Outline of Universal Social and Economic History’ (aka *General Economic History*). In addition, it was an essential piece of the *Sociology of Religion*. As Tribe points out was the latter ever completed, and what would be its final form in a finished *Economy and Society*?

We leave these questions open until the next instalment of articles appearing in *Max Weber Studies* 18.1.
Eigengesetzlichkeit: 
The Relationship between Religion and Politics in India and in the Occident

Andreas Buss

Abstract
Max Weber’s studies of Asian traditions were intended to further a better understanding of the Occident. They may also have contributed to comparative concept building. The analysis starts from Weber’s comments on the lack of a universally valid ethic in classical India, on conflicting ethics and the sources of Indian law, the secularization of the political domain and particularly the ethics of the kṣatriyas (warriors), seen as power politics and warfare: their svadharma. Weber’s perhaps overstated view of the Indian situation, resulting, as it may be conjectured, from his desire to find a paradigm for the situation in Germany, led him to the formulation of the concept of Eigengesetzlichkeit. Its several meanings and its various English translations are discussed. Once formulated, the concept was then used by Weber himself and by his contemporaries with regard to the ‘battle of the gods’: the tension between and then the separation of the religious and the political domain in the Western tradition since Antiquity and then in the Lutheran Germany of his time.

Keywords: svadharma, autonomy, Eigengesetzlichkeit, brahmins, kṣatriyas, sacerdotium, regnum.

Introduction
Specialists of India, indologists, social scientists, historians, have criticized Max Weber’s essay on Hinduism and Buddhism¹ with regard

* I wish to thank Peter Flügel and Sam Whimster for their comments and suggestions regarding my paper.

1. Translated into English as The Religion of India (RI) from Weber’s Gesammelte Aufsätze zur Religionssoziologie II (Hinduismus und Buddhismus), a part of his collection ‘The Economic Ethics of World Religions’. The German text is now available in MWG I/20 (1996). Important for the understanding of Weber’s essay on India are also the ‘Introduction’ and the ‘Intermediate Reflection’, both in MWG I/19, English in FMW.
to many and often minute details. For instance, Weber’s comparison of the emperor Aśoka with the Byzantine emperors in Constantinople has been said to be totally unacceptable because Aśoka made a clear distinction between personal religious convictions and the universal dharma; or, a second example, Weber has overemphasized the sexual-orgiastic aspects in some more recent Indian religious sects, perhaps because of his own personal experiences.

Of course, some of the criticisms were the result of misunderstandings or even wrong translations of Weber’s text. For instance, scholars interested in the industrialization and modernization of India have often been irritated by the statement in the English translation of Weber’s *Hinduism and Buddhism* that India would be unable to take over the finished form of modern capitalism (RI : 325), not realizing that the German text only points to greater difficulties in this regard, and that, moreover, Weber never addressed himself to the issue of modernizing less developed countries.

Be that as it may, Weber was well aware of his limitations, being obliged to work with available translations and the scholarship of his time which was soon to be superseded, and at the same time insisted that his essays on Asian traditions did not claim to be complete analyses of those cultures, but that, on the contrary, they deliberately emphasized those elements in which they differ from Western culture and orient the reader to the problems which seem important for the understanding of Western culture.

When mentioning the purpose of better understanding Western culture, Weber may simply have meant that he wanted to validate his PE thesis by means of comparisons or control tests and thus to ascertain that only in the Occident modern rational capitalism could develop from indigenous sources as Hindus have no metaphysical interpretation of life that makes it meaningful for them to engage in rationally changing the world. But it could also mean that his interest in modern capitalism had turned into an interest in the more general subject matter of modern Western rationalism, not only in economic ethics,


4. PE: XL.
but also, for instance, in the politico-legal ethics and orders. Even in his essays on Asian cultures Weber wanted perhaps—as his wife Marianne has suggested—to come to grips with the particular kinds of rationality which he found in all areas of Occidental social life.

The following analysis assumes this second possibility. I shall investigate a particular concept, *Eigengesetzlichkeit* (not easily translatable; in some instances ‘inner logic’ may be sufficiently close), which Weber seems to have formulated while studying India, and some of his insights about the relationship between the political and the religious domain which Weber’s essay on India can contribute to the understanding of the Occident, but I shall also point to the possibility that Weber’s desire to better understand the Occident may have influenced in turn his interpretation of India.

* Brahmins and *ksatriyas* according to Weber

I will first provide a summary of the relevant passages of Weber’s essay which will serve as a reminder and as the foundation for the ensuing reflections.

There were, on the one hand, the brahmins or priests, who studied the sacred books of the Vedas (initially orally transmitted through rote learning), who performed sacrifices, received gifts, and were, according to Weber, a hierocratic caste of cultured men (RI: 58). Weber made it clear that without their penetrating and dominating influence the Indian social system would not have been born. ‘The combination of caste legitimacy with the *karma* doctrine, thus with the specific Brahmanical theodicy—in its way a stroke of genius—is the construction of rational ethical thought and not the product of any economic “conditions”. Only the wedding of this thought product with the empirical social order through the promise of rebirth gave this order the irresistible power over thought and hope of the members…’ (RI: 131). And where ‘the connection between the theodicy and social order is lacking […] the “spirit” which nourishes this order on its native soil’ is also absent.6


6. Rational thought has power over men, said Weber in the ‘Intermediate Reflection’ (FMW: 324). It leads the conduct of life irresistibly into a given direction. A lack of inner consequence, however, as in Taoism (RC: 185) or Jainism (RI: 204) or Eastern Orthodox Christianity (A. Buss, *The Economic Ethics of World Religions and their Laws* [Baden-Baden, Germany: Nomos, 2015, p. 120]) leads to a reduction of the
The priests, on the other hand, as Weber wrote, recognized the rulers of this world, the kings, or, more generally, the kṣatriyas, and the inner logic of their conduct of life simply because they had to, but the power relations were unstable. The duties of the kṣatriyas were determined by their own dharma, part of the holy law which differed for every status group or caste. There was no universally valid ethic, Weber went on, and this had far-reaching consequences: the caste system was explained by the karma doctrine from the principle of compensation for previous deeds and at the same time the karma doctrine supported it in a relationship of elective affinity, and therefore, and therefore the coexistence of different and even conflicting kinds of ethics was no problem. Men were considered to be unequal, and there could only be ritual offences against the particular dharma of one’s caste. There was no natural law and no human rights, and the concept of the state did not exist. Kings/kṣatriyas were supposed to protect the population and to administer the law, but this in no way altered the fact that the political domain retained its own ideal-typical nature or inner logic. While in China there existed the concept of just and unjust wars, in India the princes practiced as a matter of course the most naked ‘Macchiavellianism’, so that the problem of a political ethic has never preoccupied Indian political theory (RI: 146).

The dharma of the prince was to conduct war for the sake of pure power, and this by cunning, fraud, conspiracy and unholy egotism. He found himself in the realm of force and of artha (interest, advantage). Political theory was a completely amoral technology of how to get and hold power, and its dharma, just as the dharmas of all other professions, could be elaborated out of the ideal-typically constructed nature of its technique. Thus, Weber insisted on the independence of a particular axiological sphere, the political sphere.

Regnum and Sacerdotium in classical India

With regard to the above summary I want to insist on three points.

intensity of innerworldly activity or otherworldly attitude because clear tracks for the conduct of life (as in Hinduism or Puritanism) are not provided.

7. RI:143 translates the German term Eigengesetzlichkeit (in MWG I/20, p. 230) as autonomy. I have tried to use more appropriate terms in conformity with the discussion of Eigengesetzlichkeit later in this paper.

8. RI: 145 again translates the German term Eigengesetzlichkeit as autonomy.

9. RI: 147 translates Eigengesetzlichkeit as peculiarities of its technique.
The first point concerns the assumed power relations between the brahmins and the κṣatriyas. In Weber’s time scholars did speculate about a hypothetical historical struggle for power between the representatives of these two social categories¹⁰ (varṇa), perhaps erroneously reminded of the power struggle between Pope and emperor during the Western Middle Ages. Weber refers to it, too. More recently, though, it has been suggested, particularly by Louis Dumont¹¹ that the obstacle to a proper consideration of this so-called struggle lies in our conception of hierarchy: in our egalitarian society we conceive of hierarchy as a scale of commanding powers as in an army, not a gradation of statuses rooted in religion and integrating society to ultimate values. In most societies in which kingship is found (Egypt, China, Rome) the king also had religious functions, but not so in India where the king depended on the priests for religious functions. It can therefore be said that in Indian classical times the function of the king had been secularized, it was restricted to the realm of force (daṇḍa = stick, used for punishment) and interest or advantage (artha), while he had lost all religious prerogatives. Only in this sense had the brahmins usurped anything; they were spiritually or hierarchically superior, but they were in fact politically and economically dependent and they never claimed political power which was the unique domain of the κṣatriyas.

The secularization was carried even further in the Buddhist environment which was strongly influenced by the Buddhist monks, individuals outside of the hierarchical order, as L. Dumont called them.¹² Weber does not seem to have been aware of the theory of a social contract which is described in the Buddhist Pāli canon (Aggañña-sutta of the Dīgha-nikāya) where society is considered as an aggregate of individual beings as opposed to an all-embracing hierarchical whole. In a time of moral decline they elected a king (Mahāsammata, which means Great Elect) in order to protect their

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¹⁰. T.W. Rhys-Davids, Buddhist India (London: Unwin, 1903); R. Fick, Die soziale Gliederung im nordöstlichen Indien zu Buddhas Zeit (Kiel: Haseler, 1897); vide also the collection of articles Kasti v Indii (Moscow, 1965), particularly the article by Bongard-Levine.


¹². L. Dumont, ‘World Renunciation in Indian Religion’, in Religion, Politics and History in India. Dumont called the Indian renouncers (saṃnyāsin) who sought ultimate salvation as hermits or monks, outworldly individuals, as opposed to the autonomous inworldly individuals of modern individualistic society.
private property from theft. At the same time religiously oriented people settled on the fringes of towns in order to meditate. They were called brahmins then, and in this individualistic and politically organized society (contractual kingship) the brahmins had a lower status than the kṣatriyas. Later though, according to the story, the ranking was reversed.

Nor does Weber seem to have known that the Buddhist order of monks (the saṃgha) had a procedure which seems to be similar to our majority vote (yebhuyyasikā, described in the Cullavagga of the Vinaya Pitaka), but with one important exception. The director of the vote, an old and esteemed monk, was entitled to reject a politically inspired outcome if, in his opinion, the majority had not expressed the dharma (the religious order of the world: Cullavagga IV. 10). The political domain was thus not completely independent, it was submitted to the dharma and to its representative. Simple majority decisions did not exist, for they would have been taken as an oppression of the minority,¹³ and would have led to a dreaded schism.

The second point is Weber’s insistence that there were in India different and even conflicting kinds of ethics. Modern scholarship does not directly deny this, but there is today a more nuanced view of Indian law and ethics. Dharma was a complex concept, and it was a relative value so that there were no generally applicable rules like ‘you shall not kill’. The so-called Indian law books (dharmaśāstras) were not really law books at all and did not contain positive law in the modern occidental sense of the term, as Weber believed, but rather rules of guidance. More recently it has even been suggested that the Indian dharma may be, contrary to Weber’s opinion, a kind of natural law, albeit a natural law which does not recognize the equality of human beings and human rights.¹⁴ In fact, Weber’s concept of

¹³. W. Fikentscher writes in *Law and Anthropology* (Munich: Bayrische Akademie der Wissenschaften, 2009), p. 330 sqq. that only the Occident, the Greek polis and the Frankish cooperative, created the idea of a superadditive unit, a unit which exists in addition to the participants, a corporation, a juridical person, which is more than the sum of the parts. Once there is a distinction between ‘all the members’ and the entity to which they belong, from the point of view of comparative culture decision-making by vote, the domination of the political domain becomes possible. Otherwise there can only be consensus rule where all concerned have to agree in order to be bound. Fikentscher’s analysis should be complemented by Gierke’s remark that the Church generally rejected majority votes and insisted that the outcome of a vote must represent the maior et sanior pars. Vide O.v. Gierke ‘Über die Geschichte des Majoritätsprinzipes’ in *Schmollers Jahrbuch* (1915), pp. 565-87 (574).

¹⁴. *Vide* Louis Dumont ‘World Renunciation in Indian Religions’ in *Religion,
natural law does not even exclude the possibility of status-related natural inequality as, for instance, it appears in his comments on Thomas Aquinas (ES: 598). In any case, these admonitions and recommendations of the dharmaśāstras were not binding and served as residual sources of law when the all-important customary law (caritra, and perhaps sadācāra, i.e., good custom or the custom of good people) was silent or ambiguous or could be tempered. Both custom and dharma were sources of law, one social and the other transcendent, and they were in the same relationship with each other as the brahmins and the kṣatriyas, the brahmins being hierarchically superior and the kṣatriyas dominating in fact politically and economically. I am referring here to L. Dumont’s theory of hierarchy, mentioned above, and am suggesting that just as on the social level there was a hierarchical relationship in the sense that the brahmins were spiritually and hierarchically superior but depended in fact on the kṣatriyas on the material and temporal level, so in the area of law dharma was hierarchically superior, but politically or in fact inferior, whereas custom was hierarchically inferior but superior on the temporal level and in its power of self-assertion. Customary law and dharma combined in many ways, and, as the customary laws were different in different regions and for different castes (jāti), the combinations of the ideal dharma and of custom resulted in a situation where each caste and social group—supposedly, although this may be doubtful, even robbers or prostitutes—had its own inner law and obligations, its svadharma. It is this svadharma of the various social groups, their local and caste-related notions of appropriateness, which the rulers administered and enforced. Of course, as will be seen, the rulers had their own svadharma.


15. Custom can even today be recognized as law according to the Constitution of India (13. 3. a.). For instance, the Hindu Marriage Act of 1955 states that a Hindu marriage may be solemnized in accordance with the customary rites of either party thereto.


17. In the Mānavadharmaśāstra (Manu’s Code of Law), 8. 41 we read that a ruler must enquire into the svadharma of castes, districts, families etc., and thus settle the law peculiar to each.
This leads to the third point in the analysis of Weber’s quoted text: the particular law, the svadharma, of the political representatives, the kṣatriyas. The dharma of the kṣatriyas is in fact well known from the story in the Bhagavadgītā (II. 31) where it is mentioned that Arjuna must kill his relatives in battle to fulfill his own svadharma. This svadharma of the kṣatriyas was related to physical force (daṇḍa) and concerned with personal interest (artha). This can be verified not only in Manu’s Dharmaśāstra and in the Arthaśāstra of Kauṭilya, but also in the folk tradition. One reads, for instance, in a Buddhist Jātaka of the belief that the kṣatriya must pursue his own interests (artha) even if this implies that he kills his own parents (Jāt. 528). In another Jātaka (513) one reads that kṣatriyas are cunning and crafty (bahumāya). And in another text of the Buddhist Pāli canon (Majjhima Nikāya II, 71) we read about a king who would attack any rich country if he thought that his army were strong enough.

Weber’s interpretation of the Indian situation was perhaps overstated and even misguided for—as we have seen—there was no power struggle between the brahmins and the kṣatriyas but rather a hierarchical relationship. There was no deadly hostility between them, as Weber believed (RI : 38). Also, because the various customary laws were held together by the rules of guidance of the englobing dharma (in the singular), one might talk of legal pluralism in a holistically conceived universe. Even the dharma of the kṣatriyas—Weber stressed power politics and warfare—did not include an absolute licence to wage war and to kill,¹⁸ for the other side of the coin was the dharma of the king, the rājadharma, whose duty it was to protect and to see to it that no blending of the various caste-duties (svadharma) took place. This is mentioned in Kauṭilya’s Arthaśāstra 1.3.16, and Manu (X, 97) stated that it is better to fulfill one’s own dharma incompletely than to fulfill completely that of another. It should also be mentioned that there existed the so-called basic dharma (sādhāraṇa or sāmanya dharma), namely abstention from injuring other creatures, veracity, non-stealing and control of the senses, as listed in the Mānavadharmaśāstra X, 63 and similarly

¹⁸. In Hindu fable literature it is the lion’s dharma to kill (lions and even stones have their own dharma in Hindu thought) but senseless murder violates even the predator’s code of conduct, as W. Menski mentions in Hindu Law (Oxford: Oxford University Press, 2003), p. 94. Carl Schmitt in Der Begriff des Politischen (1932) writes in a similar vein that if the obligation to kill does not result from the necessity to protect one’s own existence, it cannot be justified. On legal pluralism in India please vide Menski ibidem, p. XIX.
in Kauṭilya’s Arthashastra 1, 3, 13, which applied in contexts where customary laws in this regard were weak or non-existent. Of course, the svadharma of the kṣatriya (who sometimes had to use violence) and the sādhāraṇa dharma (which forbade violence) were not easily compatible, and often the customary obligation took precedence over the transcendent ideal as in the case of the dilemma of Arjuna and Yudisṭhirā in the Mahābhārata epic. Nevertheless, this universalistic ethic did exist, although Weber did not see or at least minimize it; he rather thought to have found in India a model of how to look, as we shall see, at the situation in the Europe of his time.

When Weber talked about what he considered as the amoral conduct of the kṣatriyas in conformity with their svadharma, and when he even suggested that war as such was the dharma of the kṣatriyas (RI: 64), that they conducted wars for the sake of pure power and without any political ethics, he introduced for the first time a term which we shall now consider: Eigengesetzlichkeit¹⁹ (RI: 143; MWG I/20, p. 230 sqq.). Later on in the same essay on India he used the term with regard to the various professional specializations within the caste system. Eigengesetzlichkeit is a term which in all likelihood had not existed in the German language before 1915, i.e., before the publication of Weber’s essays on ‘The Economic Ethics of World Religions’. It is true that the idea of Eigengesetzlichkeit of the political and also of the economic domain had existed for some time. Machiavelli had described the Eigengesetzlichkeit of political life as resulting from what was soon to be called *ragione di stato*, and Adam Smith the Eigengesetzlichkeit of economic life in the market. But Weber seems to have been the author of the concept.²⁰ It very soon penetrated the German language and had quite a career not only in the social sciences but also in literature (e.g., Hermann Hesse, *Das Glasperlenspiel* / *The Glass Bead Game*²¹), in the legal decisions of the German Constitutional Court, and particularly, as will be detailed later, in theological discussions. The place of origin, though, seems to have been, as mentioned, the analysis of the political domain, and particularly

¹⁹. Dieter Conrad has conjectured that Weber formulated this term not only under the impression of his Indian studies but as an analogy to the Indian term svadharma (*vide* D. Conrad, *supra*, fn. 14), but the evidence for this thesis seems insufficient.

²⁰. This has already been suggested by Martin Honecker in ‘Das Problem der Eigengesetzlichkeit’, in *Zeitschrift für Theologie und Kirche* 73.1 (1976): 97 and by Dieter Conrad in the article quoted above (footnote 14).

the area of foreign politics in the essay on Hinduism and Buddhism
and, correspondingly, in the ‘Intermediate Reflection’ which reflects
on the results of Weber’s work on India, i.e., on the tensions between
the Eigengesetzlichkeit of religion on the one hand and of the worldly
value spheres or, empirically speaking, life orders (politics, economics, art, intellectual life) on the other. After this Weber used the con-
cept also in his political writings, in his sociology of religion and his
sociology of law. An analysis of the use of the concept in his ‘Soci-
ology of Law’ is particularly revealing in this regard. In the origi-
nal typescript of this text, probably written\(^{22}\) between 1911–1913, the
concept of Eigengesetzlichkeit does not appear yet, but in handwrit-
ten additions made 1913/14 on the margins of the script, it suddenly
makes its appearance,\(^ {23}\) as can be verified in MWG I/22-3.

The meaning of Eigengesetzlichkeit

It shall be pointed out immediately that for Weber Eigengesetzlichkeit
did not mean autonomy. The notion of autonomy, said Weber, pre-
supposes the existence of a clearly defined group of persons living
under a special law which, however, it may be able to change (ES:
699). Associational organizations, for instance, can become bearers
of genuine autonomy (ES: 704). In the case of the concept of Eigengesetzlichkeit, however, any relationship to legislation or law-making
or law changing or, in fact, liberty, is lacking.\(^ {24}\)

And yet, if one looks into the English Weber, autonomy as a trans-
lation of Eigengesetzlichkeit is predominant, by no means only in the
text on India.\(^{25}\) In fact, once Weber had taken hold of the idea of E.,
he used it in the most various contexts. In the section on religion
in Economy and Society,\(^ {26}\) in the ‘Introduction’\(^ {27}\) to ‘The Economic

22. Vide MWG I/22-3 Editorischer Bericht, p. 270.
23. Vide MWG I/22-3, p. 292 (the passage n/-n/ pp. 287-92 is a handwritten
addition).
24. Only in one text, attributed by MWG to Weber, namely in the foreword of
1914 to the Grundriss der Sozialökononim (MWG I, 24, p. 164), the term ‘autonomy’
seems to have been used in the sense which Weber elsewhere attributed to Eigenge-
setzlichkeit. But this text is signed ‘editor and publisher’ (Schriftleitung und Verlag)
and was probably the result of a compromise. It also introduces a collection of essays
which to a large extent were not Weber’s own.
27. FMW: 268, 286, 288 (MWG I/19: 85, 109, 111).

Ethics of World Religions’, in the last part of the essay on China, and even in his political writings the term can be found, and practically everywhere the English translation has been: autonomy. Only in the ‘Intermediate Reflection’ there appear the translations ‘inherent logic’ and ‘internal logic’ several times, and in the Sociology of Law one finds the translations ‘a high degree of independence’ (ES: 650) and ‘logically consistent and formal thinking’ (ES: 885). The reader of the English translations cannot be aware of the fact that he is encountering a keyword of terminological precision.

Finally, there is one mention of Eigengesetzlichkeit in the essay on the Protestant ethic, not in the original version of 1904/5, when it had not yet been formulated, but in the final version of 1920 in a very long footnote. Here, it has been translated in a rather approximate way as ‘independent influence’ (PE: 145) or independent impact.

In fact, the meaning which Weber attributes to Eigengesetzlichkeit in the PE is quite clear. He claims that, as a result of psychological premia intellectual systematizations have an independent motivational influence on the conduct of life—and this quite apart from any material or irrational motivations which may also exist, and in opposition to any monocausal explanations. In other words: the rational in the sense of logical and teleological consistency has power over man besides, of course, other forces of historical life (FMW: 324). This is particularly so in the context of the rational elements of religions, the Calvinist doctrine of predestination in the PE as well as the Indian karma doctrine (FMW: 286) which leads, according to Weber, to the ‘spirit’ of the Indian caste system (RI: 112) having an irresistible power over thought and hope of Indians, for instance in economic life.

32. Buddhism provides another example of Weber’s multidimensional expla-
Elsewhere, though, *Eigengesetzlichkeit* is seen in a different light. It points to the collision or opposition between the different orders or spheres of life, if they are seen as idealtypically constructed, in particular the opposition between the religious sphere and the spheres of economics, politics, art, or the intellectual sphere, as Weber showed in the ‘Intermediate Reflection’—which could well be taken as an introduction as well as a conclusion or result of the essay on India. In this multidimensional context each of the just mentioned spheres has its *Eigengesetzlichkeit*, even and mainly the religious sphere: the force of rational inner consistency and consequence.

We have thus encountered three analogous terms:

1. **svadharma**—the ethical-normative and mainly customary obligations which individuals have to fulfill according to their caste—position within the Indian hierarchical whole;
2. **autonomy**—which refers to a group of persons who live under a special law which they are able to change;
3. **Eigengesetzlichkeit**—the inner logical-normative consistency and consequence and the sometimes motivational influence and ‘power’ which Weber attributes to the ideal-typically conceived nature of various value spheres and life orders.\(^{33}\)

\(^{33}\)There is probably an affinity between Weber’s *Eigengesetzlichkeit* and the legal term ‘the nature of things’ (*Natur der Sache*), also called ‘the logic of things’ by Weber (ES: 869). Gustav Radbruch, an acquaintance of Max and Marianne Weber who came to their weekly afternoon teas and later became minister of justice in the Weimar Republic, traced the history of the term from Lucretius (*rerum natura*) to Montesquieu (*la nature des choses*), and he showed that it is the slogan of all those who want to reduce the tension between the ‘is’ and the ‘ought’, for instance in the Aristotelian notion of entelechy or, on the personal level, in Goethe’s formula ‘werde der du bist’. It must not be misunderstood as a mode of thought of natural law. Radbruch wrote that ‘the nature of things’ refers to the diversity of historical or social conditions or life orders, social facts and custom in the widest sense, which need to be meaningfully understood by means of consistently constructed ideal types, but which are not sources of law although the law needs to take account of them. *Vide* G. Radbruch, ‘Die Natur der Sache als juristische Denkform’, in *Festschrift für Rudolf Laun* (1948), p. 157 sqq.
While svadharma was an Indian term and *Eigengesetzlichkeit* as a concept may have been developed with the help of the Indian material, the mirror will now be turned around to Europe.

**Relations between the sacerdotium and the regnum in the West**

The complete separation of the sacerdotium and the regnum within a hierarchical whole, characteristic of India, has never existed in the Christian tradition, neither in fact nor in theory, before modern times.

The emperor Constantine, according to Roman tradition the *pontifex maximus*, saw himself as the head of the Church, convoked the Church Councils and approved their decisions. In Eastern Christianity the Byzantine basileus attempted repeatedly to impose religious beliefs of his own making (e.g., during the iconoclastic struggle)—although not always with success. Like all caesaropapist governments, the emperors, for instance the Russian tsars like Peter the Great, treated ecclesiastic affairs simply as a branch of political administration.34 This was clearly different from the Indian emperor Ašoka’s abstention from any involvement in religious dogmatic affairs.35

The situation was different in the West since the Cluniac reforms36 and the Papal Revolution which pushed for the independence of the religious domain and the political superiority of the Pope, a theocracy with *potestas* and not only *auctoritas*, including the Pope’s claim that he was entitled to remove the emperor (in the dictatus Papae of Gregory VII). Innocent III asserted that in the case of sinful actions

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35. Ašoka did not convocate the Buddhist Council of Pāṭaliputra (this was done by the monk Tissa) which was held during his reign; vide Andreas Buss, *Société, Politique, Individu. Les formes élémentaires de la vie sociale en Inde ancienne* (Assen and Montréal, 1978), p. 96. In any case, Buddhist Councils were only concerned with the behaviour of monks and had nothing to do with dogma and with the laity. See R. Gombrich, *Theravāda Buddhism* (London: Routledge, 2006), p. 112; moreover, Ašoka distinguished between his personal belief in and support of Buddhism, and his dharma as a sovereign to remain unattached and unbiased in favour of any religion—vide Romila Thapar, *A History of India*, vol. 1 (Harmondsworth: Penguin, 1966), p. 73 and also E. Lamotte, *Histoire du Bouddhisme Indien* (Louvain, 1976), p. 255.
36. In fact, the political activity of the Popes may have begun in the eighth century when they turned their back on Byzantium and when Charlemagne was crowned in Rome. Vide R.W. Southern, *Western Society and the Church in the Middle Ages* (Harmondsworth: Penguin, 1970), p. 60.
of the emperor (occasione peccati) the Pope could become involved in politics, he claimed to have the plenitudo potestatis and he did not shy away from violence in the Albigensian Crusades.37 The arguments regarding the potestas, the political power of the Popes, were mainly based on the so-called Donation of Constantine, a forged document.38 It is unthinkable that Indian brahmins could have advanced similar claims. While they were content with their hierarchically or religiously superior position, the Western Church, according to Figgis, exerted also secular or temporal power to the extent that the State was merely the police department of the Church.39 The universal Church claimed to be an autonomous corporation, independent of emperors and kings, an Anstalt in Weber’s terminology. As Weber wrote (ES: 792), it created for itself organs of rational lawmaking in the Councils, the bureaucracies under the direction of bishops and the Curia, and quite particularly in the papal powers of jurisdiction, while none of the other great religions ever possessed such institutions. Even during periods of co-operation the Church lived in a state of tension with the political power, the emperor, and compromises were influenced by the specific character (Eigengesetzzlichkeit) of the ecclesiastical institution (ES: 1174) although the ideal remained the unification of the ‘two powers’,40 a unified culture.

38. On the claim that the Popes had potestas and not only auctoritas vide H. Fuhrmann (ed.), Das Constitutum Constantini (Fontes Juris Germanici X; Hanover, 1968), p. 93 line 267.
40. Taking our concepts from the Western tradition and from Political Science which analyses it, we tend today to think of the temporal and the spiritual ‘powers’ and the ‘struggle’ between the two almost in the same way in which we talk of the war between two secular powers. But this interpretation of the relationship between the sacerdotium and the regnum (religious and political domain) would be erroneous with regard to most non-Western societies. The hypothetical ‘struggle’ between brahmins and kṣatriyas in India was mentioned earlier, and a similar comment could be made with regard to the Byzantine tradition. When Ostrogorsky in History of the Byzantine State (Oxford: Oxford University Press, 1968), p. 294 translates a passage by Leo Diaconus (101), a Byzantine historian, in the following words: ‘I acknowledge two powers, the priesthood and the Empire’, he commits what might be called a westernism. A better translation, in view of the term ἀρχὴ used by Leo Diaconus, would be: ‘I acknowledge two principles (or: realms), the priesthood and the empire’. Vide: B. G. Niebuhr (ed.) Corpus Scriptorum Historiae Byzantinae, pars XI (Bonn, 1828).
Later, in the states of the Lutheran and Anglican Reformation, however, there was again an alliance between political and hierocratic power in a strongly caesaropapist form—a result of the Peace of Augsburg (1555) which transferred the jurisdiction of the Catholic bishops to the territorial political rulers of the Protestant territories. The territorial rulers assumed the right to make decisions in questions of faith; after the Enlightenment they continued to have jurisdiction in ecclesiastical matters (Kirchenhoheit), justifying this by the idea that the freedom of Christians is only of inner nature, and the Prussian General Code of 1794 (Allgemeines Landrecht) stipulated that churches are corporations under the jurisdiction of the state. This was the situation in Germany until the end of World War I.\footnote{This paragraph on the post-Reformation period is based on the chapter on ecclesiastical law of G. Radbruch’s \textit{Einführung in die Rechtswissenschaft} (Stuttgart, 1980, originally 1909).}

We are placed, as Weber wrote, into various value-spheres, in our context on the one hand the political sphere, the tasks of which can only be solved by violence and where the goal is the maintaining or increase of external and internal distribution of power (ES: 600), and, on the other hand, the religious sphere of the salvation religions with their demand for brotherliness. In most parts of the Christian tradition this led to compromises and relativizations with regard to political ethics. Catholic and Eastern-Orthodox political ethical theory were based on the so-called relative natural law: The wickedness of the world (because of original sin after the Fall) allowed the integration of violence and law into ethics as a punishment for and a disciplinary means against sin (poena et remedium peccati).\footnote{E. Troeltsch, \textit{Die Sozialehren der christlichen Kirchen und Gruppen} (Tübingen: J.C.B. Mohr [Paul Siebeck], 1922), p. 164.} Calvinism allowed violence as a means of defending the faith. Luther, however, absolutely rejected religious wars and revolutions and any active resistance; only the secular authority whose domain should remain untouched by the postulates of religion and to which Luther attributed ethical autonomy (FMW: 337) had the responsibility of determining whether political wars were acceptable or not, and whether violence was necessary. Since Luther and on the European level since Machiavelli and then since the rise of modern natural law theory (which involved the concept of autonomous individuals and the idea of social contract or compact) the development of a separate and independent political domain had become possible.
Discussion in Germany

At the beginning of the twentieth century one can notice the retreat of universal morals from the political domain at least in Germany. For modern theologians the question arose whether religious values englobe all other values or whether religion is just one value among others. There was, for instance, Rudolph Sohm (legal historian, specialist of Church law, who also had an influence on Weber’s concept of charisma) who propagated the separation of politics and religion in his famous dictum that the state and the law are born heathens, and that there cannot be such a thing as Christian law or a Christian state.43

There was also the theologian Friedrich Naumann, Weber’s friend, who wrote that Christian ethics cannot dominate everything, for the eternal struggle for life requires the existence of the national state and the use of the means of power. He wrote ‘I reject the suggestion that fundamental questions of state should be decided by the Sermon on the Mount’44 and: apart from a religious confession one can also—at the same time and as a citizen of the German state—have a political confession and support for instance the construction of the German fleet. He also wrote that human happiness will never come; there will always be war. The best social or Christian policy would be useless if the Cossacks come. Before anything else Germany must acquire national power.45

The discussions at that time turned around Martin Luther’s distinction of the morals of the official (king or administrator) and the morals of inner or personal Christianity. Law and war and violence were thought to be accepted by God under the present conditions of sin so that Christian ethics turned out to have two branches: the pure morals of the Sermon on the Mount and the relative ethics of the political office which justify and even glorify violence and law46—

43. Quoted in U. Duchrow, W. Huber and L. Reith, Umdeutungen der Zweireichshelehre Luthers im 19. Jahrhundert (Gütersloh: Mohn, 1975), p. 39. That there cannot be a Christian state is maintained even in our days, for instance by the former judge of the German Constitutional Court, E.-W. Böckenförde, who wrote that the modern secular state can be characterized by the fact that it represents no religion, is no longer Christian or Jewish or Muslim, and that it pursues only worldly goals. Vide Böckenförde, Wissenschaft, Politik, Verfassungsgericht (Frankfurt: Suhrkamp, 2011), p. 85.
46. Luther’s justification of the use of force resulted from his distinction between
all this an embarrassing outcome of Luther’s ethics, according to Troeltsch.47

Weber himself also commented on the ethical autonomy of the secular authority according to Luther (FMW: 337) and during World War I he wrote a short article48 in which he asked himself about the meaning and purpose of the war. He answered that it is a historical duty of the Machtstaat which wants to assert its will19 to wage this war as the fight for power and elbow room is unavoidable in this world. The brotherly ethic of the New Testament (the Sermon on the Mount: love all men, do no harm to anyone, do not resist evil) should be left out of such discussions entirely—it is an expression of dignity only if taken very seriously and with all its implications, as Leo Tolstoy did shortly before his death. The term Eigengesetzlichkeit is not used in this article although the opposition between the Eigengesetzlichkeiten of religion and of politics is obvious here. But it is mentioned towards the end of the address ‘Politics as a Vocation’ (FMW:123) shortly after the end of World War I where Weber criticized the pacifism of a colleague and insisted that bad means, e.g., the use of violence, may sometimes have good consequences, and good means, e.g., pacifism, may have bad consequences (the ethical irrationality of the world). In this context Weber returned to the Indian paradigm and referred to the Hindu order of life with its different ethical codes for the various castes. Politics and war are integrated in the totality of life orders, he said, and in the Bhagavadgītā it is suggested to Arjuna to follow the svadharma of the warrior caste.50 This

the use of force in self-defence (which the Sermon on the Mount does not permit) and the use of force in the defence of other people, the community or the interests of the country (which is required) in the doctrine of Christ’s two kingdoms (Luther, Von weltlicher Obrigkeit / of Secular Authority).

47. Vide E. Troeltsch, Die Sozialehren der christlichen Kirchen und Gruppen, p. 501. This line of thinking finally came to an end during World War II when the imprisoned (and later executed) theologian Dietrich Bonhoeffer wrote that Christ does not accept any Eigengesetzlichkeit which is separated from his commandments (quoted by Honecker, supra, p. 103, fn. 20).

48. ‘Between two Laws’, translated in Weber. Political Writings, edited by Peter Lassman and Ronald Speirs (Cambridge: Cambridge University Press, 1994). If this had appeared in a more established journal rather than in Die Frau, the title could well have been Zwischen zwei Eigengesetzlichkeiten.


50. This is a rather incomplete interpretation of the Bhagavadgītā. For while it points out that the kṣatriya should follow his svadharma, it also states (as Weber knew) that he should not be concerned with the fruits/results of his actions. It thus
specialization of ethics, Weber continued, allowed for an unbroken treatment of politics’ Eigengesetzlichkeit (inner logic FMW: 123; MWG I/17: 242). Elsewhere, Weber expressed the Eigengesetzlichkeit of the political sphere in the following words: The Sermon on the Mount may say: resist no evil, but the politician shall help right to triumph even by force, and the responsibility for any injustice involved will be his own. Clearly, Weber propagated the retreat of universalistic Christian (or Kantian) ethics from the worldly sphere of politics. He did not propagate two independent autonomous societal departments (Church and State), but simply referred to the collision between two value spheres with universalistic tendencies, the religious and the political, or to the incommensurability of various ultimate value orientations, described in the allegory of the many gods who ascend from their graves and resume their eternal struggle with one another (FMW: 149).

However, it is necessary to remain circumspect. The political ethics inspired by the idea of the Eigengesetzlichkeit of the political domain which may be attributed to some of Weber’s contemporaries, and to which Weber himself may have been attracted in the collective effervescence during World War I (in his publications about India as well as in the article ‘Between two Laws’), and which, finally, he also attributed to the Indian kṣatriyas, were not his last word after the end of the war (in the address ‘Politics as a Vocation’). While it is true that according to Weber there exists the Eigengesetzlichkeit of the political sphere which includes violence and war, this E. is not and cannot be used as the only source of political ethics. The politician who follows an ethic of responsibility and who pursues cultural ideals (the Machtstaat in Germany, the greatness of Florence, or socialism) has to accept and to take account of the Eigengesetzlichkeit changes the inner motivation of the kṣatriyas and integrates their caste dharma into the universal order. At the same time it should be noted in passing that the Bhagavadgītā (and in fact the Mahābhārata epos in general) supports much better Weber’s thesis of the (ethical) irrationality of the world than the Upanishads to which he referred perhaps erroneously in the same address (FMW:122) as the Upanishads contain hardly anything that one might call ethics.

51. The translation of this passage of the ‘Intermediate Reflection’ in FMW: 334 is perhaps misleading. In ‘Politics as a Vocation’ Weber expressed the idea slightly differently: the politician should resist evil by force, or else he is responsible for the evil winning out (FMW: 119-20).

52. In his essay on the meaning of ‘value freedom’ of 1917 Weber had noted in a similar vein that ethics is not the only thing that has ‘validity’ in the world and that other value spheres (e.g., politics) exist besides it (CMW: 313).
of the political sphere, the unavoidable use of legitimate violence, just as he has to consider the chances of success and the possible side effects of his actions. But in the last analysis he has a double responsibility: to the values of his conviction and to the ethically irrational world. In the inner battle between the greatness of his political goals and the salvation of his soul he may sometimes have to say: here I stand, I can do no other (FMW: 127).

The hypothesis of independent political ethics was developed by some of Weber’s contemporaries. Weber may have looked for confirmation of the existence of independent political ethics in India and believed to have found it in the svadharma of the kṣatriyas as he understood it. On the basis of his understanding of the Indian situation he formulated the concept of Eigengesetzlichkeit which refers to the different rationalities deployed within the distinct spheres or orders of social life (politics, economics, religion etc.) and to the inner consequences of our cultural choices. But in the end he realized that Eigengesetzlichkeit does not refer to a law or to ethics, but to the ‘nature of things’ in the sense of Aristotle’s entelechy.

**Abbreviations**

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Dharma and Natural Law: 
Max Weber’s Comparison of Hindu and (Occidental) Christian Legal Traditions

Laura Ford

Abstract
In this essay, I argue that Max Weber’s treatment of the western natural law tradition, in comparison to Hindu legal traditions, enables us to see his sociology of law from a revealing angle. In particular, this comparison directs our attention to important complications of meaning in Weber’s famous contrast between formal and substantive rationality in law. I contend that, in his encounter with the Dharmaśāstras, Weber met jurisprudential treatises that fit within his definition of formal rationality in law. Seeing why he nonetheless did not regard them so affords new insights into his ideal-typical conceptions of formal and substantive rationality in law, and, more broadly, into his conceptions of the relationship between law and religion. Offering a tentative critique of Weber’s arguments for the uniqueness of western, ‘scriptural’ traditions of law, I nevertheless also seek to show that his scholarship on the religiously-inflected legal traditions of India and the west merits continued attention.

Keywords: dharma, natural law, formal rationality in law, Hindu law, Roman law, law and religion.

In his discussion of the salvation-doctrines (Heilslehren) of Indian Intellectuals, the second of the three major parts of Hinduism and Buddhism, Max Weber argued that the ‘Brahmanically regulated sacred law’ of the Dharmaśāstras lacked anything comparable to the natural law tradition of the west.¹ The Indian path of dharma—translatable


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as obligation, duty, and/or righteousness—differed strictly and significantly according to status (Stand), and this meant that there was one law for the king, another for the courtesan. There simply was no “natural” equality of man before any authority, least of all before a super-worldly god. This absence of a legal tradition sanctioning natural equality before the divine ‘excluded forever the rise of social criticism, of rationalistic speculation, and abstractions of natural law type, and hindered the development of any sort of idea of “human rights”’. Natural law, that revolutionary ideational force that helped to shatter France’s estate society, was missing in India. Or, to put it another way, dharma constituted a support to Indian estate society.


(Ständestaat), rather than an oppositional force. This was one contributing factor, Weber indicates, in the ossification of a traditionalistic system of ‘caste’ and ‘clan charisma’ in India.\textsuperscript{6} If we want to understand why modern, ‘rational’ capitalism of the occidental sort did not develop (without imposition) in India, here is one important reason, Weber tells us.\textsuperscript{7}

In Weber’s essay on The Developmental Conditions of Law, natural law plays a starring role in contributing to the legal conditions of western states and civil societies, and accordingly to modern capitalism.\textsuperscript{8} Drawing from roots in Stoicism and medieval Christianity, natural law of the early modern period provided a set of abstract legal concepts and principles that were perceived as being immanently rational, and as superior to any form of politically-enacted (‘positive’) law.\textsuperscript{9} The ‘immanent and teleological’ legal principles of

\textsuperscript{6} Weber, MWG I/20, pp. 109-16; RI, pp. 49-54.


\textsuperscript{9} A concrete example of abstract, early modern natural law doctrine may be found in principles for the acquisition of property, specifically the right of occupatio, or occupancy. This set of legal concepts and principles, derived from Roman law and developed in canon law, was significant in providing a legal foundation for European colonialism, as well as critiques, and for the establishment of early English copyright law. See Institutes of Justinian 2.1.12 (‘where something has no owner, it is in accordance with natural reason that it should be conceded to the occupier’), cited in Gratian’s Decretum at Distinction 1, chapter 7 (‘Natural law is common to all nations because it exists everywhere through natural instinct, not because of any enactment. For example...the common possession of all things, the identical liberty of all, or the acquisition of things that are taken from the heavens, earth, or sea...’). Justinian’s Institutes, translated by Peter Birks and Grant McLeod, with the Latin text of Paul Krueger (Ithaca, NY: Cornell University Press, 1987), pp. 54-55; Gratian. The Treatise on Laws with the Ordinary Gloss, translated by Augustine Thompson, O.P. Gordley and James Gordley (Washington, DC: The Catholic University of America Press, 1993), p. 6. For a natural law-based critique of the Spanish King’s propri-
natural law provided the foundation for critique of positive law, and for the development of rationalizing frameworks of law, which were drawn upon in articulating a modern system of international law, and in constituting the modern nation-state, as a legal entity. At the same time, such rationalizing legal principles contributed to egalitarian notions of national citizenship, and to concepts of the citizen as a right-bearing individual. Natural law of the early modern and enlightenment periods, in other words, provided an immanent and transcendent source for foundational legal concepts of western modernity, concepts that were religiously-held and pre-eminently rationalized.10

Engagement with the contemporary, developing literature on dharma and ‘Hindu law’ raises puzzling questions about Weber’s argument for the unique effects of western, natural law, however, because dharma itself can look very much like a kind of natural law.11

etary right by occupancy in native American lands, see Francisco de Vitoria, ‘On the American Indians’, in Vitoria. Political Writings, edited by Anthony Pagden and Jeremy Lawrance (Cambridge: Cambridge University Press, 1991), pp. 264-65. For discussion of natural law-related debates in connection with early British colonialism, see Anthony Pagden, ‘The Struggle for Legitimacy and the Image of Empire in the Atlantic to c. 1700’, in The Origins of Empire, edited by Nicholas Canny (Oxford: Oxford University Press, 1998), pp. 34-54. For the natural law theory of copyright, rooted in occupancy, see William Blackstone, Commentaries on the Laws of England, Vol. 2 (Chicago: University of Chicago Press, 1979), pp. 258-62, 404-407 (‘There is still another species of property, which, being grounded on labor and invention, is more properly reducible to the head of occupancy than any other; since the right of occupancy itself is supposed by Mr. Locke, and many others, to be rooted in the personal labor of the occupant. And this is the right, which an author may be supposed to have in his own original literary compositions...’). It is noteworthy that John Locke seems to have derived inspiration and material for his early natural law theory from Richard Hooker, among others, rather than through direct acquaintance with Roman and canon law. See John Locke, Essays on the Law of Nature and Associated Writings, edited by W. von Leyden (Oxford: Clarendon Press, 1988), pp. 30-43.

10. Rationalism is playing a polysemous role in this paragraph, as it did in Weber’s sociology more broadly. In the remainder of this essay, I try to give more content to Weber’s wide-ranging associations of rationality with natural law, especially the way in which his treatment of natural law tended to blur the ideal-typical boundaries between formal and substantive rationality in law, as well as between theoretical and practical ‘directions of interest’. See Wolfgang Schluchter, Rationalism, Religion, and Domination: A Weberian Perspective, translated by N. Solomon (Berkeley: University of California Press, 1988), pp. 100-103; Hubert Treiber, “Elec-tive Affinities” between Weber’s Sociology of Religion and Sociology of Law’, Theory & Society 14:6 (1985): 809-61 (845).

11. See especially Menski, Hindu Law, pp. 38 n. 3, 43ff.; also Buss, ‘Eigengeset-
From the early, aphoristic writings on *dharma* (the *Dharmasūtras*) to the more elaborated treatises (*Dharmaśāstras*), and onward into the interpretive legal commentaries and digests, instruction in right living depends on a grasp of principles that flow from the nature of the universe, and of human society. Obligation, in other words, flows primarily from truths about the nature of ultimate reality, human life, and society, rather than the command of a state sovereign. Viewed from this perspective, as Werner Menski has forcefully argued, *dharma* is, indeed, a kind of natural law.

Why, then, did Weber argue that there was nothing comparable to the occidental natural law tradition that could grow out of classical Hindu law? Seeking primarily to understand how Weber saw *zlichkeit*, in this issue; R. Lingat, *The Classical Law of India*, translated by J. Duncan M. Derrett (New Delhi: Munishiram Manoharlal Publishers, 1993), pp. 3-17; cf. Davis, Jr., *Spirit of Hindu Law*, p. 9 (‘Too often religious law is classified together with natural law, when in fact all religious legal systems recognize a diversity of the sources of law, including sources that are natural [reason, deity], positive [ruler’s edict, legislation], and traditional [custom, precedent]’). For a thoughtful and critical review of Werner Menski’s *Hindu Law*, touching on his arguments for natural law in classical Hindu law, see Donald R. Davis, Jr., ‘Traditional Hindu Law in the Guise of “Postmodernism”. A Review Article’, *Michigan Journal of International Law* 25:3 (2004): 735-49.


14. Mindful of the problematic resonances of ‘tradition’ in western and Weberian treatments of Indian society and history, I nonetheless believe that the concept is essential to any complete understanding of law and religion, both in India and in the west. Scholars as diverse as Karl Popper, Edward Shils, Robert Bellah, Jan C. Heesterman and Alasdair MacIntyre have all argued that traditions are vital resources for critical rationality and discursive debate, at the same time that they are resources
Hindu legal traditions—particularly the Dharmaśāstras—in light of his wide-ranging comparisons with Christian and Roman legal traditions, I will argue that Weber’s discussion of occidental natural law enables us to see his sociology of law from a revealing angle. In particular, this comparison directs our attention to important complications of meaning in Weber’s famous contrast between formal and substantive rationality in law. I contend that, in his encounter with the Dharmaśāstras, Weber met jurisprudential treatises that fit within his definition of formal rationality in law. Seeing why he nonetheless did not regard them so affords new insights into his ideal-typical conceptions of formal and substantive rationality in law, and, more broadly, into his conceptions of the relationship between law and religion.

As we will see, Weber took the basic position that scripturally-based (i.e. ‘religious’) legal traditions typically rationalize in the ‘substantive’ directions of ethics and morality. However, he also seems to have seen something unique in (western) Christian traditions of natural law and canon law, namely the extent to which their conceptual apparatus was informed by engagement with legal practice. for social order and meaning. They are legacies from prior generations—coming in the form of written texts, oral narratives, embodied skills, and material artifacts—which provide foundations for discursive understandings in contemporary social action, organization, and law. Even the most secular, positive, and modern product of a legislative body is part of a legal tradition, according to the conception being deployed in this essay. Indeed, legal traditions provide us with some of our oldest texts, narratives, and material artifacts. And, as Max Weber helps us to recognize, the oldest strands of all legal traditions (western and non-western alike) are inextricably entwined with religious traditions.

This legal-practical engagement, together with secularizing tendencies that he saw as being buried deep within the root of Roman law, enabled western natural law, in certain of its forms, to uniquely carry the rationalizing force of logical formality, while at the same time possessing the moralistic leveling potential of substantive rationality.15

In this essay, I aim mostly to expound Weber’s argument, but I also offer two tentative critiques, the second of which is connected to a position about the continued value of engagement with Weber’s argument. The first critique is that Weber offers no valid basis, that I can see, to except Roman law itself from being considered as a scripturally-based legal tradition, at least insofar as it has impacted European and American legal systems. To broaden this assertion into the form of a question, what is our basis for saying that Roman law is not, itself, a ‘religious’ legal tradition? If Roman law should also be considered a scripturally-based legal tradition, then the reasons for seeing it as the root of a secularizing and ‘formalizing’ tendency in western legal traditions are called into question, as are broader certainties about the separation between law and religion in legal systems influenced by Roman and Christian law, including Anglo-American law.16


16. It is beyond the scope of this essay to deeply explore the influences of Roman law on Anglo-American law. Anglo-American ‘common lawyers’ often pride themselves on their escape from the grip of Roman law, and have done so at least since the Reformation era. The truth, however, is much more complicated. See, e.g., R.H.
The second critique is that Weber’s portrayal of Hindu legal traditions, as being sharply divorced from legal practice, is overdrawn. The relationship in Southeast Asian history between concrete legal practice and Hindu legal traditions is, however, a topic of active discussion among contemporary scholars, and it is here that we can see a significant way in which Weber, despite his limitations, speaks to current debates.\textsuperscript{17} Weber’s contrast between Hindu and Christian legal traditions propagates some significant misunderstandings, which require recognition, but the contrast likewise raises fundamental and fruitful questions about the relationships between theory and practice in law and religion.\textsuperscript{18}

\textit{Occidental Natural Law and Modern, Rational Capitalism: The Developmental Conditions of Law}

In his essay on \textit{The Developmental Conditions of Law}, Weber argued that natural law played a crucial role in the rationalization processes leading to modern legal foundations of western capitalism, both in public and private law.\textsuperscript{19} Natural law, indeed, was one of a handful of ‘decisive legal [juristic] conceptions’ that made the very notion of public law possible, a notion that was itself dependent upon ‘the idea of the state as a rationally organized institution’.\textsuperscript{20} The other


\textsuperscript{18} Limitations of time, space, and expertise mean that, at best, I lay a foundation for exploration in this essay. Readers with knowledge of Southeast Asian legal systems, classical and modern, will recognize that I am coming as a novice to Hindu legal traditions, and to the history of their influence. In the critical words of James Nelson, I am a ‘lawyer without Sanskrit’. See Lingat, \textit{Classical Law of India}, pp. 138-39. Nevertheless, I genuinely hope that this essay can mark a beginning for further exploration and study, building particularly on insights from Max Weber, while also recognizing his misunderstandings.

\textsuperscript{19} Weber, MWG I/22-3, pp. 298, 352, 357, 416, 512, 592-612; also 361-67; Weber (Rheinstein), Law in E&S, pp. 59, 136, 138, 181, 226, 284-98; also 141-45. Throughout this section and the next I am indebted to Gephart, LCS, especially pp. 107-12, 123-24, 132-40.

decisive juristic conceptions contributing to the western develop-
ment of a separated, rationally developed public law were: (1) the
Roman concept of the corporation, and (2) French legal doctrine
(Doktrin). In historical combination, these three legal conceptions
enabled the emergence of the very idea of the ‘State’, which today
we take for granted: an association of legally privileged persons,
which is conceived as a public corporation.

The world-historical uniqueness and significance of a corporative
conception of the modern state for public and international law has
also been emphasized by the comparative legal scholar and Assyri-
ologist, Raymond Westbrook (1946–2009). In an edited volume pre-
senting scholarship on the Amarna Letters, the ancient diplomatic
archive discovered in Egypt, Westbrook wrote:

The modern concept of the state as a legal entity is based on the model
of the corporation: an artificial person recognized by law, whose
‘acts’ are the result of imputation to it of the acts of its officials. It is
this existence separate from its members, albeit fictive, that gives the
state capacity to be a subject of international law. Ancient law had not
developed the concept of the corporation and could not therefore rely
on it as a model. The usual form of government was monarchy, and
all acts of the monarch were apparently personal; they were not attrib-
uted to his country acting as a separate person. Ancient law could not
conceive of the state as a legal entity.21

Like Westbrook, who was evidently influenced by Hans Kelsen,
Weber saw the very notion of the state as a decisively modern con-
ception.

For Weber, this decisively modern and originally western concep-
tion had been shaped by legal traditions stretching back to Roman
law, but it had been uniquely transformed by early modern natu-
ral law, together with French legal doctrine. This idea of the state,
as an organized body of legally-privileged persons, was one of the

Diplomacy: The Beginnings of International Relations, edited by Raymond Cohen and
28-29 (endnotes and paragraph separations omitted). For a discussion of Raymond
Westbrook’s legacy for comparative legal scholarship on the ancient Near East, see
edited by Bruce Wells and F. Rachel Magdalene (Winona Lake: Eisenbrauns, 2009),
pp. xi-xx.

vital conditions for modern, rational capitalism.\textsuperscript{22} And it was partly a product of the natural law tradition.

The natural law tradition, Weber argued, was the product of a particular rationalization process in western Christendom.\textsuperscript{23} It had significant roots in Greco-Roman philosophy (especially Stoicism) and Roman law, but its decisive developments came from the medieval church and canon law, especially as these were transformed by the Reformation into a set of legal principles defining that which is right in the eyes of God for a person, independent of church or princely power. As a set of legal principles transcending all human power structures and positive laws, natural law became, in Weber’s view, a decisive revolutionary force of modernity. The revolutionary power of the natural law tradition to level inherited differences of ascribed personal and legal status was especially significant, in his view.\textsuperscript{24}

In reflecting on the rationalization processes involving natural law, Weber seemed to view this complex legal tradition as possessing certain intrinsically secularizing tendencies. Beginning with the most ancient core of the tradition, Roman law, Weber saw a secularizing tendency, first of all, in the separation between \textit{fas} and \textit{ius}.\textsuperscript{25} Roman law also had its ‘legal doctrine of priestly influences’, and this was \textit{fas}.\textsuperscript{26} However, despite the influence of priests in the Roman law of antiquity, \textit{ius} was allowed to develop somewhat independently, in a way that kept it from being completely dominated by

\begin{itemize}
\item \textsuperscript{22} Weber, MWG I/22-3, pp. 297-98; Weber (Rheinstein), Law in E&S, pp. 58-59; cf. Weber, MWG I/20, p. 541; RI, p. 341.
\item \textsuperscript{23} Weber, MWG I/22-3, pp. 544-50, 594-604; Weber (Rheinstein), Law in E&S, pp. 250-55, 287-94.
\end{itemize}
theological casuistry, able to develop its legal logic in closer connection to empirical legal practice. In the course of time, Weber argued, this allowed natural law to step in for sacred law in the west, and to operate both beside and above positive law.  

This conceptual separation between *f*as and *ius* illustrated Weber’s broader view about the close connections between forms of political domination (*Herrschaft*) and developments in formal legal doctrine (*die formalen Qualitäten des Rechts*). Weber had highlighted the causal power of political organization and legal thought, operating together, in the opening pages of his essay, just prior to his elaboration of the distinctions between formal and substantive rationality in law: 

[T]he mode in which the current basic conceptions of the various fields of law have been differentiated from one another has depended largely upon factors of legal technique and of political organization... To be sure, economic influences have played their part, but only to this extent: that certain rationalizations of economic behavior, based upon such phenomena as a market economy or freedom of contract, and the resulting awareness of underlying, and increasingly complex conflicts of interests to be resolved by legal machinery, have influenced [befördert] the systematization [Rationalisierung] of the law or have intensified the institutionalization of political society. All other purely economic influences merely occur as concrete instances and cannot be formulated in general rules. On the other hand, we shall frequently see that those aspects of law which are conditioned by political factors and by the internal structure of legal thought have exercised a strong influence on economic organization [*die Gestaltung der Wirtschaft*].

In Roman law of the Republican period, Weber argued, secularizing processes were already underway, and these developments in legal thought were closely connected to the way in which political domination (*Herrschaft*) was organized under the Republican constitution. 

A class of legal professionals (‘honoratiores’) was beginning to emerge in Rome around the time of the Gracchi brothers, i.e. as the Republic was beginning to end. However, these legal professionals

31. See H. Roby, *An Introduction to the Study of Justinian’s Digest* (Union: The
seem to have played quite specific and limited roles in the administration of justice in Rome. They offered expert advice about the law (responsa), drafted documents (cavere), and acted as advocates in court proceedings (agere). But the political magistrates and judges were not typically jurists. They sought the advice of jurists on specific points, but they acted as citizen politicians. This separation between the holders of political power, on the one hand, and the legal professionals, on the other hand, was significant to the process of legal rationalization in Rome, Weber argued.32

In addition to their separation from political power, the early Republican jurists were trained in a way that connected them closely to legal practice. Systematic and scientific emphases would come later, beginning with the end of the Republic and developing into the sixth century. However, in the earliest period the intellectual dynamism and rationalization came primarily in the form of ‘cautelary jurisprudence’: the drafting of legal documents in ways designed to achieve particular outcomes, based on expectations about how the documents would be interpreted by a judge or magistrate.33 Weber considered this cautelary jurisprudence to be crucial to legal rationalization processes in both ancient Rome and early modern England, and an understanding of this argument is therefore important to an understanding of his broader arguments about the role of formal legal rationality in modern capitalism.

Through cautelary jurisprudence, Weber argued, new legal meanings and social-relational patterns can emerge, even in the absence of state-based law and ‘legislation’.34 It is ‘the very oldest type of activity performed by “professionals”, rationally working lawyers [“Jurists”]’.35 These ‘inventive geniuses’ and legal innovators essentially experiment with legal instruments, such as contracts and wills, orienting the meaning of these instruments to their expectations about how the instruments will be interpreted by judges, the


interpretive agents of legal administration.\textsuperscript{36} Over time this dialectical pattern between cautelary jurists and judges produces legal concepts and principles that harden into patterned, recognizable forms. In the case of Rome, this happened especially through the aediles’ and praetors’ edicts, which provided an annual statement about the forms of action that would be given legal effect, and that, from the time of Augustus, were often reissued with very little change from one year to the next.\textsuperscript{37}

Without question, Weber argued, there was a religious foundation for this cautelary jurisprudence.\textsuperscript{38} However, by the time of the late Republic, the substantive legal concepts had been secularized through their close contact with the empirical, business life of Rome. Sacred elements continued, but these had become relatively empty procedural performances. What remained vital for this early layer of Roman law was the analytical precision of its legal concepts. These were precisely tailored to particular fact-situations, such that there was ‘one lawsuit for just one issue; one legal transaction for just one object; one promise for just one performance’.\textsuperscript{39} These analytically-precise legal concepts were not yet systematized, but at this elemental level they were both highly formal and highly (analytically) rationalized.

Upon this analytically-precise layer of legal concepts, so closely tied to the empirical realities of urban legal transactions, the \textit{responsa}-offering jurisconsults added two important elements: abstraction and elementary systematization.\textsuperscript{40} Unlike the cautelary jurists, the jurisconsults were separated from transactions and cases, and were instead called in as specialists to offer legal opinions on a fact-scenario, as presented by an advocate or a judge. The fact that they were always dealing with legally-digested fact-scenarios, rather than the messy details of actual legal representation, put them in a unique position to develop ‘a rigorously abstract scheme of legal concepts’.\textsuperscript{41}

\textsuperscript{36} Weber, MWG I/22-3, pp. 439-40; Weber (Rheinstein), Law in E&S, pp. 72-73.
\textsuperscript{38} Weber, MWG I/22-3, pp. 497-501; Weber (Rheinstein), Law in E&S, pp. 214-17.
\textsuperscript{39} Weber, MWG I/22-3, p. 499; Weber (Rheinstein), Law in E&S, p. 215.
\textsuperscript{40} Weber, MWG I/22-3, pp. 502-4; Weber (Rheinstein), Law in E&S, pp. 217-19.
\textsuperscript{41} Weber, MWG I/22-3, p. 503; Weber (Rheinstein), Law in E&S, p. 217.
Toward the end of the Republic influences of Hellenistic philosophy were making themselves felt, both in the division of jurists into theoretical ‘schools’, and in the beginnings of a fixed type of legal education. In time these developments would lead to greater levels of abstraction and systematization of legal concepts, on the basis of abstract legal principles and reasoning, as seen ultimately in late Roman and ‘Byzantine’ jurisprudence. This would be the foundation upon which early medieval European legal practice would build.

However, for Weber, the early foundations of Roman law in cautelary jurisprudence and the analytical work of the jurisconsults gave to Roman legal traditions a characteristically secular dimension that would reappear to important effect in the modern, revolutionary natural law tradition of the west. ‘The theological impact (Einischlag) was completely missing from Roman legal development’. To summarize, then, Weber saw the social organization of legal education and practice to be a crucially-important factor in the macro-historical trajectory of western rationalization processes. Despite undeniably sacred dimensions in Roman law, peculiar features of its earliest layers of professionalization injected secularizing tendencies that would become characteristic, and that would remain with the Roman law tradition to be carried over into the natural law tradition. This was so despite a long and significant period of Christian priestly influence, from the time of late antiquity into the early modern period. Here again, however, it was the social organization of Christian administration that made a difference in the west.

Formal and Substantive Rationality in Law: 
The Special Case of Scripturally-based Legal Traditions

When law is taught in special schools, with an emphasis on theory and systematized knowledge (‘science’), the tendency will always be in rationalizing directions, according to Weber. However, two different types of rationalization are possible: substantive or formal. In the case of substantive rationalization processes, social or eco-

42. Weber, MWG I/22-3, pp. 503-504; Weber (Rheinstein), Law in E&S, p. 218.
nomic outcomes are the focus for analysis and systematization in law-making and/or law-finding. In formal rationalization processes, on the other hand, external, empirical 'forms' (such as a ritualistically-precise verbal formula) or logical coherence of legal meanings, irrespective of social effects, are the focus for analysis and systematization.\(^\text{47}\)

Here is Weber's famous distinction between formal rationality and substantive rationality in law.\(^\text{48}\) It is important to emphasize, however, that Weber elaborated two types of formal rationality in law-finding and law-making. In the first type, the 'formal' dimension of legally-relevant facts involves experiential and/or tangible characteristics (e.g. specific words spoken or symbolic actions taken), while, in the second type, the 'formal' dimension of legally-relevant facts involves the subjection of those facts to meaningful definition and interpretation (\textit{Sinndeutung}) in terms of clearly-defined concepts and logical principles. I will refer to the first type as 'empirical-formality', and to the second type as 'semantic-formality'.\(^\text{49}\)

In processes of law-finding and law-making involving semantic-formality, the focus is on maintaining a logical coherence in the systemic relationships among clearly-defined concepts and principles.

\(^{47}\) Weber, MWG I/22-3, pp. 303-304; Weber (Rheinstein), Law in E&S, pp. 63-64. Hubert Treiber draws particular attention to an additional differentiation between procedural and substantive law that is layered into Weber’s distinctions between formal and substantive rationality in law. My discussion here ignores (for the sake of some measure of simplicity, and because I also think it remains true to Weber’s argument) the ideal-typical distinction between procedural and substantive law, which is anyway difficult to map onto ancient and medieval legal systems. See Hubert Treiber, ‘Max Weber and Eugen Ehrlich: On the Janus-headed Construction of Weber’s Ideal Type in the Sociology of Law’, \textit{Max Weber Studies} 8.2 (2008): 225-46.


Social consequences are a secondary consideration, and the priority is in maintaining logical coherence and consistency. It is the firm refusal to tamper with the analytical coherence of a system of legal semantics, even if this results in an apparent injustice of outcome for a particular individual, that distinguishes semantic-formality in law from substantive rationality in law.50

In the case of substantive rationality, on the other hand, ethical, social, economic, and/or political values, which have been formulated as general principles, take priority in law-making and law-finding.51 Substantive rationality in law, in other words, is consequentialist rationality in law, an adherence to fixed principles, which are primarily ‘political, welfare-utilitarian, or ethical’ in their content.52 It is a kind of rationality that is willing to sacrifice strict logical coherence in the system of legal concepts in order to achieve just (or economically-‘efficient’) outcomes for individuals, and for the body politic.53

When law is taught in special schools dedicated to the study of scripturally-based legal traditions, a particular type of rationalization process is the typical result, according to Weber.54 The rationalization is very much like semantic-formality in law, in that its focus is on ‘purely theoretical casuistry’, rather than the practical needs of social groups involved. Logical and systemic coherence in the conceptual meanings and principles, rather than social outcomes, is the priority. However, because the tendency is primarily in idealistic religious directions, not toward the logical development of a systematized and practically valid legal order, Weber considered this closer to substantive than formal rationality in law.55

51. Weber, MWG I/22-3, pp. 303-304; Weber (Rheinstein), Law in E&S, pp. 63-64.
52. This inference is also supported by Weber’s discussion of a patriarchal system of justice, which he characterizes as being ‘rational in the sense of adherence to fixed principles’, albeit substantively so, because it pursues principles of ‘political, welfare-utilitarian, or ethical content’. Weber, MWG I/22-3, p. 563; Weber (Rheinstein), Law in E&S, p. 264.
53. It is noteworthy that substantive rationality in law seems to hover ambiguously between Weber’s ideal types of instrumental rationality and value-rationality. See Weber, MWG I/23, pp. 175-77; Weber, E&S, 24-6.
Hindu law and Christian law of the medieval west represent two closely-related but nonetheless opposing possibilities when law is based in a sacred scriptural tradition.\(^56\) Both were rationalized and systematized. However, the social organization of legal education and practice intersected with the social organization of political power and authority (*Herrschaft*) in different ways.

In Hindu law, according to Weber, the priestly apparatus was absorbed into the monarchical administration, and left relatively free to continue its priestly and scriptural traditions without great challenge from contemporary legal issues and problems. Canon law, in contrast, worked through an ecclesiastical administrative apparatus that was closely connected with everyday legal problems, on the one hand, and more highly rationalized at an administrative level, on the other hand. Administered through the church, Christian law of the west was rationalized in a way that connected it more closely to practical legal problems. Administered from within a monarchy, Hindu law remained more theoretical, idealistic, and bound to increasingly-obsolete scriptural traditions.\(^57\)

During the high middle age, secularizing tendencies within a Roman law-based Christian legal tradition reasserted themselves in the west.\(^58\) Weber did not equate this to the conflict between church and state, a conflict for which there is no lack of evidence in the history of western Christendom. Instead, he viewed this as a tendency within canon law and ecclesiastical law, just as much as the secular laws of emperor or prince. Both were rooted in Roman law, and thus the secularizing tendencies went to the common root of both legal branches.

\(^{56}\) Weber, MWG I/22-3, pp. 490-91; Weber (Rheinstein), Law in E&S, pp. 208-209.

\(^{57}\) Weber, MWG I/22-3, pp. 490-91; Weber (Rheinstein), Law in E&S, pp. 208-9. This argument that Hindu law remained more ‘idealistic’ because of the way it was incorporated into the structures of the medieval Indian state is only thinly sketched by Weber, and accordingly remains opaque. However, I read Robert Lingat as providing a very similar type of argument, with greater depth. See Lingat, *Classical Law of India*, pp. 207ff. Accordingly, an effective critique of Weber’s argument may be enabled by comparing it to Lingat’s, and drawing on critiques that have been deployed against Lingat. See Davis, Jr., *Spirit of Hindu Law*, pp. 46, 120, 144-65, and sources cited therein; compare J. Duncan M. Derrett, *Religion, Law, and the State in India* (New York: The Free Press, 1968), pp. 171-224. See also Buss, ‘*Eigengesetzlichkeit*’, this volume.

But something had to change to draw this secularizing tendency up from its roots. For Weber, the pressure for change came from the ongoing rationalizing trends in the social organization of political administration.59 This tended to push legal doctrines and procedures in rationalizing directions, away from ‘irrational’ modes of dispute resolution, such as the ordeal.60 In time, this would lead to the realization of a very particular possibility: with secularization in legal thought, the sacred law encountered a rival in the philosophically-grounded natural law, and was eventually replaced by it altogether, a law that ‘would operate beside the positive law partly as an ideal postulate and partly as a doctrine with varying actual influence upon legislation or legal practice’.61

In its fullest, most muscular development, the occidental natural law tradition would become a uniquely powerful legal force: a body of legal concepts and principles in its own right, but also a standard of legitimacy for positive law.62 It became, in other words, a transcendent body of law to which social actors could appeal in critiquing and revolutionizing the law of their political communities and societies. Hovering between substantive and formal rationality, and thus partaking of a kind of über-rationality, the natural law tradition was a preeminent cultural and intellectual force behind the eighteenth century’s revolutionary Rights of Man and Citizen, together with the new social formation of the modern nation-state and modern, rational capitalism. It was, in other words, a crucially-important contributing factor in bringing the unique, cultural configuration of the west into existence.

Natural law is the sum total [Inbegriff] of all those norms which are valid independently of, and superior to, any positive law and which owe their dignity not to arbitrary enactment but, on the contrary, provide the very legitimation for the binding force of positive law. Natural law has thus been the collective term for those norms which owe their legitimacy not to their origin from a legitimate lawgiver, but to their immanent and teleological qualities. It is the specific and only consistent type of legitimation of a legal order which can remain, once


religious revelation and the authoritarian sacredness of a tradition and its bearers have lost their force. Natural law has thus been the specific form of legitimacy of a revolutionarily created order.⁶³ What enabled this powerful and self-legitimating body of law to emerge, to repeat, was a continuous rationalizing pressure in the social organization of political administration, combined with unique features of occidental legal and education and practice, which stimulated legal actors to draw out deep tendencies toward secularization resting in the fecund roots of the Roman law tradition. The result was a secular and transcendent body of law, which held potential for formal and substantive rationality simultaneously. Taken in the direction of formal rationality, it leads to Gottfried Leibniz’s Systema Juris.⁶⁴ Taken in the direction of substantive rationality, it leads to socialism or to liberation theology.

Weber was careful to note that natural law is not necessarily revolutionary. Nevertheless, we can immediately see that, for him, the view that a civilization lacked something comparable to the natural law tradition would be of tremendous significance. As we have also seen, he did in fact argue that Hinduism lacked anything comparable to the natural law tradition. So what, precisely, did Weber think was missing?

In terms of the specific rationalization process of Hindu law, as traced in Weber’s essay on The Developmental Conditions of Law, the answer seems to rest on a combination of factors. First, Hindu law lacked those unique tendencies toward secularization that Weber saw in the roots of the Roman law tradition. Hindu law, in other words, had no analogue to the separation between fas and ius. This meant that its processes of legal rationalization would tend toward the opposite direction of those seen in western Christendom. In this opposing developmental scenario:

[T]he religious prescriptions were never differentiated from secular rules and... the characteristically theocratic combination of religious and ritualistic prescriptions with legal rules remained unchanged. In this case, there arose an inextricable conglomeration of ethical and legal duties, moral exhortations and legal commandments without


formalized explicitness and the result was a specifically non-formal type of law.\textsuperscript{65}

According to Weber, this second set of possibilities was realized in ‘almost all’ Asian legal fields [\textit{Rechtsgebieten}].\textsuperscript{66}

In the case of ancient and medieval Hindu law, it is important to note that Weber never denied the existence of a practical and relatively secular (‘profane’) system of law.\textsuperscript{67} What he did argue was that this law was not studied by the priests and scholars; thus it could not make its way into the distinctively rationalized legal traditions of the \textit{Dharmaśāstras}.\textsuperscript{68} This not only kept the more practically-rooted legal traditions from being rationalized at the level of legal concepts and doctrine, but left them without doctrinal supports and therefore with a tenuous empirical validity.\textsuperscript{69}

While doctrinally this more practically-rooted law was not highly rationalized, in Weber’s view, its political and judicial administration \textit{were} relatively rationalized, at least in some respects.\textsuperscript{70} However, because it was not rationalized at the level of concepts, or in a strictly empirical way, its rationalization remained non-formal. Furthermore, the relative autonomy of professional groupings and castes (\textit{jāti}) in legal administration hindered complete rationalization.\textsuperscript{71} India’s law remained a system of personal law, and it escaped

\begin{itemize}
\item \textsuperscript{65} Weber, MWG I/22-3, p. 512-13; Weber (Rheinstein), Law in E&S, p. 226 (emphasis added).
\item \textsuperscript{66} Weber, MWG I/22-3, p. 513; Weber (Rheinstein), Law in E&S, p. 226.
\item \textsuperscript{67} Weber, MWG I/22-3, pp. 523-26; Weber (Rheinstein), Law in E&S, pp. 234-37.
\item \textsuperscript{69} Weber, MWG I/22-3, p. 523; Weber (Rheinstein), Law in E&S, p. 235.
\item \textsuperscript{70} Weber, MWG I/22-3, pp. 523-24; Weber (Rheinstein), Law in E&S, pp. 235-36.
\item \textsuperscript{71} For a recent study connecting closely to this point, see Donald R. Davis, Jr., ‘Intermediate Realms of Law: Corporate Groups and Rulers in Medieval India’, \textit{Journal of the Economic and Social History of the Orient} 48:1 (2005): 92-117. Davis argues (p. 112) that the intermediate level of corporate groups should be the primary locus for research on Indian legal history, ‘for the simple reason that these are the only social levels at which we find actual legal practice’. Davis also acknowledges a rhetorical distance from legal practice in Hindu legal traditions, but, at the same time, with his capacious conception of the ways in which legal traditions impact everyday life, Davis manages to escape Weber’s conclusion that practice and ideal are radically divorced in Hindu legal traditions. See generally Davis, Jr., \textit{Spirit of Hindu Law}.
\end{itemize}
the forces of legal and logical unification that came with early modernity in the west.\(^7^2\) Hindu law, in short, became the archetype of ‘theocratic-patriarchal life-ordering’, which was sharply contrasted with Christian law of the medieval west.\(^7^3\) The latter had its theocratic elements to be sure, but it tended toward greater levels of secularization. The explanation for these divergent paths in cultural rationalization processes, to repeat, rested on methods of legal education and practice, on the one hand, and on the social organization of political administration, on the other hand, particularly on the roles played by legal culture-bearers (jurists, honoratiore, priests, etc.) in political administration.

To briefly and preliminarily assess: There is something powerful and potentially fruitful in Weber’s focus on linkages between the semantic patterns of legal thought and the social-relational patterns of political organization. This, I think, is something worth keeping from his comparisons between India and the Christian west. However, at the level of empirical detail, his argument about the position of Hindu jurists within the structures of royal administration lacks development. What he seems ultimately to be pointing to is a western distinctiveness in the overlapping (and at times conflicting) jurisdictions between episcopal administration, on the one hand, and royal administration, on the other. Because India did not have an administrative counterpart to the legally-assertive episcopacy and papacy, the jurisprudential traditions of Hindu law were not as practically grounded, and thus could not push in the directions that led from Christian, scriptural legal traditions to ‘secularized’ natural law in the west.\(^7^4\)

But this argument seems to privilege a particular organizational structure for connecting legal thought and practice, namely that which grew out of Roman imperial structures of administration in medieval

\(^{72}\) Weber, MWG I/22-3, p. 532; Weber (Rheinstein), Law in E&S, p. 242.

\(^{73}\) Weber, MWG I/22-3, p. 523; Weber (Rheinstein), Law in E&S, p. 235. Without accepting Weber’s sharp contrast to western developments here, we might be able to translate his unpalatable language by drawing on Donald Davis, Jr’s conception of Hindu law as a theology of everyday life, which is socially centered in the archetypal household of a Brahmin male. See Davis, Jr., Spirit of Hindu Law, pp. 1-46.

Europe. As Patrick Wormald and others have shown, ideal and reality in law coexisted in very complex ways here, as well.\textsuperscript{75} When it comes to the complex interaction between ideal and reality in Indian legal history, Donald Davis, Jr. has argued that we should focus our attention on intermediate ‘corporate’ groups, and preeminently on the household.\textsuperscript{76} The argument that a precise counterpart for the episcopacy did not exist in India may, indeed, be significant, but an absence of connecting link between legal practice and legal theory cannot be made to follow from that.

Weber’s case for a disconnect between theory and practice in Hindu law may be mis-specified, or at least under-specified. If a fair comparison is to be made between western, Christian legal traditions, on the one hand, and Hindu legal traditions, on the other, the comparison should rather, perhaps, focus on the preeminent social-relational location in which the differing legal traditions see a connection between theory and practice. In the theology of the \textit{Dharmaśāstras}, according to Donald Davis, Jr., the preeminent social-relational location for connecting law and practice is the household. In the theology of medieval Latin Christian jurisprudence the preeminent social-relational locations for connecting law and practice are dual and potentially conflicting: royal court and bishopric.\textsuperscript{77}

Legal thought, of course, does not operate in the abstract, but is rather carried by distinctive social strata, or culture-carriers. Weber’s emphasis on the education and social position of legal culture-carriers constitutes an important connecting link between his legal sociology and his sociology of religion,\textsuperscript{78} one that helps us to understand his comparison between Hindu and Christian legal traditions.


\textsuperscript{76} See notes 71 and 73 above.

\textsuperscript{77} The patriarchal household has also been an important site for connecting law and practice in Christian legal traditions, however. For early Christianity, see Johnson, ‘Law in early Christianity’, p. 66.


Cultural Carriers: Connecting The Developmental Conditions of Law and The Economic Ethics of the World Religions

In his *Introduction to the Economic Ethics of the World Religions*, Weber emphasized the significant role played by particular social ‘strata’ (*Schichten*) in contributing ‘characteristic’ elements to the world’s major types of economic ethic.⁷⁹ These cultural carriers (*Träger*) contribute to the definition of a ‘conduct of life’ (*Lebensführung*) that distinguishes religions and their associated economic ethics from one another, especially through the way that they elaborate, rationalize, and systematize the teleological structure of a system of religious meanings: the salvation-goods (*Heilsgüter*) that are promised and offered by a religion, and that ‘are striven for as the highest good of a religion’.⁸⁰ The education, social position, and associated way of life of a religion’s distinctive carrier-stratum, therefore, is a crucial factor upon which to focus in explaining variation across time and space in religiously-influenced socio-economic patterns.⁸¹

Hinduism’s paradigmatic culture-carriers, the Brahmins, were educated in the Vedas, and in the *varṇa* system of social ordering, in which they stood at the pinnacle; their social position involved literary study and ritual ‘cure of the soul’, and they remained ‘remote from any official position’.⁸² Occidental Christianity’s paradigmatic culture-carriers, on the other hand, were city-dwelling craftsmen and merchants. These burgher citizens were educated into, and socially-positioned within, a type of socio-political organization that Weber considered to be ‘unique in relation to all other cities’.⁸³

Hinduism, in short, was rationalized by a social stratum whose intellectual refinement ‘came from their dedication to thinking about the world and its meaning’.⁸⁴ Western Christianity, on the other hand,


was rationalized by a much more practical social stratum, a stratum that was occupied with economic production, and that sometimes wielded political power in governing the city. The everyday, lived realities of this particular social stratum—the necessities that it faced for intervention in the world of nature and of other people—made it particularly receptive to missionary prophecy: demands for the world, made in the name of a god, which involve working in the world as an instrument of this God, to bring about outcomes that are willed by this God.85

And it is at this point that the teaching (Lehre, doctrine) of a religion—its meaningful, conceptual elements—exercises a decisive, causal influence, even over its rationalizers.86 The worldview of the religion, the way it represents the divine, nature, and law, will have significant consequences for the practical Lebensführung that is defined, and accordingly for the economic ethic. Most importantly, it is from this internal, meaningful side of a religious tradition that fundamental status-orders are defined, and these will, in turn, limit the possibilities for participation in rationalization and culture-carrying.

It is important to stress the fact that Weber identified status-orders in Christianity, as well as in Hinduism.87 Calvinist predestination doctrines, in their strictest historical form, teach that God’s saving grace is given only to some, for reasons that are known only to God; nothing that the individual human person has done or can do will affect God’s choice about how to dispense this gift of grace. Jacob have I loved, and Esau have I hated.88

In early Christianity, on the other hand, it was world-renouncing heroism, even to the point of martyrdom, that distinguished ‘saints’ from ordinaries.89 Once Christianity passed out of its early phase, monastic developments extended the ascetic status-order in many new directions. And, finally, sectarian Christian communities reserve their membership—this reservation extending sometimes, in theory at least, to the ‘commensality’ of communion—to those who have demonstrated religious qualification, for example through a public conversion experience (as in early Methodism). Christian salvation-doctrines define status-orders at a cosmic level—a level involving a heavenly, ultimate reality—at the

same time that they affect individual intentionality through their definition of ‘salvation-goods’ (Heilsgüter).

The church, however, as a social-relational structure composed of persons with ideal and material interests connected to the ritualized administration of salvation-goods, tends to be an organizational leveler of such cosmic status-orders. It pushes in egalitarian directions against those who assert themselves as being especially religiously-qualified, and contributes to the definition of salvation-goods that are readily understandable and achievable by all members. At the same time, however, it seeks to monopolize these salvation-goods, and this contributes to an inevitable struggle against the zealous advocates of elite religiosity. The struggle between church and sect is precisely (volle) parallel to the struggle between bureaucracy and aristocracy, in Weber’s view.

Where a universalizing administrative structure like the church exists at some level of strength, it will have a leveling force on cosmic status-orders. This leveling force is preeminently important for the way that salvation-doctrines impact the economic ethic of everyday life. At the same time, however, the definition of the salvation-good(s) striven after by elite members of the cosmic status-order is also significant. Where this salvation-good involves the security of knowing that one has been chosen by a divine being who is radically other, whom one is called to serve as an instrument in the world, even the most highly stratified of cosmic status-orders can have a world-transforming effect on an economic ethic. Where, on the other hand, the salvation-good involves ecstasy or supreme peace deriving from union with the divine, elite religiosity leaves the economic ethic of everyday life relatively unaffected.

In the Protestant sects of western Christianity, salvation-doctrines radically downgraded sacramental rituals, emphasizing instead a means-end rationality in the world, as that which signified God’s gift of grace. Even though this was connected at first to a rigidly-hierarchical and personally-insurmountable status-order, the instrumentalism in worldly activity would eventually have transformative effects on the economic ethic of the society, as a whole. Decisive factors in the doctrinal traditions, here, were a conception of the divine as radically transcendent, and the legacies of Judaism for Christi-

anity: Torah (Nomos) and prophecy. In combination, these doctrinal traditions contributed to the definition of a way of life in which one lives as an instrument of God, responsible directly to God for the ethical effects of action in the world.

And this inner-worldly asceticism—this pleasure-denying *habitus* of work in the service of a transcendent, singular, and personal deity—was a decisive social condition, in Weber’s view, for the methodically rational economic ethic that would distinctively characterize Western capitalism. It contributed to a type of organizational structure (*Verband*) that is exclusively modern and western, one involving legal-rational domination (*Herrschaft*). But a particular type of cultural carrier would be necessary, as well, in order to effectuate this world-historical transition, which Weber saw in such tragic-heroic terms. This cultural carrier was the occidental jurist, with his doctrinal traditions of formal rationality.

‘The birth of the modern, Occidental “State” and likewise of the Occidental “Church” was in substantial part the work of Jurists’. The corporate state and church are the particular social-relational structures of legal-rational *Herrschaft* that are quintessentially western, characterized by an impersonal obligation to a generally specified and objective ‘Official Duty’. This official duty, which corresponds to a right to issue commands (*Herrschaftsrecht*), is fixed through rationally articulated norms (*Normen*)—laws, orders, and regulations (*Gesetze, Verordnungen, Reglements*)—such that the legitimacy of *Herrschaft* is effectuated through the legality of a rule that is general, purposively conceptualized, and formally correctly articulated and promulgated. The purest type of this is, for Weber, the bureaucracy. And jurists are the cultural carriers who play a decisive role in bringing this legal-rational form of domination and administration into existence.

Jurists, we might say, are, in Weber’s presentation, a distinctively-western type of cultural carrier who contribute to a new type of social-relational structure, legal-rational *Herrschaft*, one that facilitates formal rationality of economic action. They do so because of three interrelated factors: their mode of education, their position in the social status-hierarchy, and their position in political and

socio-economic administration. Taken together, these three factors contribute to a characteristically juristic ‘Style of Life’, which combines a high degree of formal rationality with pragmatically-tinged economic and political experience. It is this pragmatically-tinged economic and political experience, which feeds into their work in interpreting and transmitting the doctrinal traditions of western law, that ultimately distinguishes the jurists of the west from their Brahmin counterparts in India.

Here again, however, Weber seems to be operating with specific presumptions about what counts as practical, legal experience connected to formal rationality in law. Juristic prescriptions connected to everyday, intimate household activities like bathing and eating—which are common in the Dharmaśāstras—are too intimate and personal to be considered practical law. Therefore, the jurisprudential tradition that rationalized these prescriptions, no matter how semantically-clarified and logically-elaborated, can only be seen as moving in the direction of substantive rationality, rather than formal rationality, in law. But why?

*Dharma, Physis and Pragma: Natural Law in India and the Occident*

Consistent with his treatment of China, and with the general framework laid out in his *Introduction to the Economic Ethics of the World Religions*, Weber began his study of Indian society by excavating its overarching socio-political and economic structure, focusing particularly on its status-order and the position of the Brahmin carrier-stratum within that status-order. ‘India is and was, in contrast to China, a land of (small) villages and of the greatest possible immobility of status on the basis of birth’. 97 Accordingly, the great carrier-stratum of Hindu dharma, the Brahmans, have had a more exclusive interpretive authority in relation to this system, as compared to the priesthood of western Christianity. 98

The principle of status-ordering that reinforces the position of the Brahmans is, of course, the caste system, which Weber saw as fundamental to Hinduism. ‘Without Caste there is no Hindu…’. 99 Weber immediately qualifies this strong statement by noting that the authority of the Brahmans is in practice quite variable among

different castes (jāti), and also that the caste system of his day was steadily being undermined by an incipient Indian nationalism. Nevertheless, he maintained that the close connection between Brahmin interpretive authority and the caste system is essential to understanding the historical development of Indian society. And the ‘old lawbooks’ are a vital source of this understanding.

In his discussion of India’s complex caste systems, Weber placed heavy emphasis on social exclusions that the systems involved, especially prohibitions on intermarriage (connubium) and commensality. Such social exclusions, Weber argued, placed severe limitations on certain kinds of commercial interaction, and had a tendency to ossify the economy into rigid traditionalism.

At the same time, however, his analysis shows how the exclusiveness of the system could involve economic privileges, even for those whose position is very low in the status hierarchy. Even the most negative of privileges, when they are recognized as part of a religious and legal system, bring a measure of legitimacy and economic protection to a social group. This was why, Weber argued, India’s caste system was so inescapable—even those who placed themselves in religious opposition to it were forced by the operation of its social logic to succumb to it, in the end.

A caste structure, for Weber, is a particular structure of closed social relationships, which vary in the actual degree of their social closure. Closure to the extent of prohibiting intermarriage and common meals indicates a very high level of social closure, and this means, at the same time, according to Weber’s socio-economic theory of property, a high degree of appropriation. What is appropriated may or may not be perceived as economically valuable. However, where membership in an exclusive social group is associated with exclusive privileges to practice a particular trade, this will have the

103. Weber, MWG I/20, pp. 49-75; Weber, RI, pp. 3-21; cf. Wendy Doniger O’Flaherty and J. Duncan M. Derrett, ‘Introduction’, in The Concept of Duty, p. xviii (‘Though the founder of a sect may reject caste, the sect itself must eventually become imbedded in Indian society, must, in effect, become a caste’).
104. See Schluchter, Rationalism, pp. 149-54.
economic value of a monopoly. Thus we are able to see the possibility that a socio-economic position involving status-denigration may nonetheless be valued for very practical reasons.

Recognizing—in accordance with Weber’s basic paradigm for analysis set forth in the *Introduction to the Economic Ethic of the World Religions*—that very real material interests may operate to reinforce an exclusivist status-order, what about the side of spiritual interests: salvation-goods (Heilsgüter)? Here is where we turn to the second and third of the three Essays on the Religions of India, and to the doctrinal side of Hinduism. Here also is where we return, full circle, to Weber’s puzzling argument that India lacked anything analogous to the natural law tradition of the west.

For the orthodox Hindu, according to Weber, the preeminent spiritual interest and salvation-good is a release from conscious experience, which is both a cosmic relief from suffering and a disappearance of the personality that suffers.106 There is nothing analogous to the Christian ideal of heaven. The deep truth about the world is in its ephemeral flux. There is no *eschaton* of final meaning to be hoped (and feared) from the future, but rather the peace of release from causality and action (*karma*), with their ever-recurring consequences, and accordingly from conscious experience.107

A notion of righteousness, duty, and obligation connected to this kind of salvation-system may involve a kind of natural law,108 but, for Weber, this is a very different kind of natural law from that developing out of western, Christian legal traditions. The duties of a person flow from the particular community into which he is born, which is ideally placed into a divinely-ordained scale of functionally-interdependent *varnas*, or social categories. At the same time, duties flow from the stage a person occupies along the developmental trajectory leading from youth to old age. As a student growing in knowledge of revealed truth (*veda*), a man will have one set of duties, but as a married householder he will have another set of duties. As he nears the end of life, his quest for enlightened under-

standing may lead him to pursue the path of heightened asceticism, and in this case he will have yet another set of duties.109

The metaphysical nature of things, of society, and of the gods from which the Dharmaśāstras derive their lessons in righteousness and obligation, however, is one in which status is divergent, and ascribed from birth. The path of right living involves recognition of ascribed status, both in oneself and in others, and the acceptance of the duties corresponding to status. Such acceptance involves wisdom, training, skill, and discipline (yoga), and thus there is both an art and a science to the way of dharma. More accurately, there are many arts, sciences, and ways. But there is none of the revolutionary, leveling potential that may be found in the Christian, natural law tradition.110

Because of this status-differentiation in dharma, certain ways of knowing (gnosis) are foreclosed to non-Brahmins.111 For many, Weber thought, this meant an obligation to ritualized action, but without understanding and therefore without meaning, other than resigned acceptance. The Bhagavad-Gītā, as Weber interprets it, is a sublime lesson for non-Brahmins in this kind of resigned (non-intentional) action.112

For Weber, the unifying force of the occidental natural law tradition was ultimately to be found in beliefs about divine judgment.113 The leveling effect of these beliefs comes from the conception that all of us, king and courtesan alike, will one day have to answer for ourselves in the awesome court of our divine maker. There is certainly no absence of such warnings in Christian traditions, and they do seem to be associated with a relativization of status-differences, which are otherwise often recognized as being both real and natural.114

What Weber especially emphasizes, moreover, as he views the Christian tradition in the light of India, is the dialectical bond between doctrine and practice in Christian legal traditions, a unifying

109. On the centrality of the idealized social categories of varna—together with the system of life-stages (āśrama)—within the semantic-formal structures of Hindu law, see Davis, Jr., Spirit of Hindu Law, pp. 17ff. For a study of caste in early modern Hindu law, see Ananya Vajpeyi, ‘Śūdradharma and legal treatments of caste’, in Hinduism and Law, pp. 156-66. For a brief and helpful introduction to caste-related structures in India today, focusing especially on common misconceptions, see Diane P. Mines, Caste in India (Ann Arbor: Association for Asian Studies, 2009).
114. See, e.g., Gregory the Great’s Book of Pastoral Rule 2.6.
bond that linked rationalization processes in the realm of theory with rationalization in the worldly realm of practice. This dialectical bond between theory and practice was partly forged by the laity of the Christian west, those city-dwelling culture-carriers of both occidental Christianity and law. At the level of political organization and administration, however, the preeminent agent was the ‘inheritance from Ancient Rome’: the medieval episcopacy, and particularly the papacy. Here was a source of rationalizing doctrine and rationalizing administration, which laid the foundation of so many western developments in law, in religion, and in the economy.\footnote{115} 

Hindu doctrines of law and religion were highly rationalized at the level of meaning. Weber never denied this, and in fact he was obviously deeply impressed by the level of doctrinal rationalism in Hinduism. However, in his judgment, doctrinal rationality in ancient and medieval Hindu law was not linked directly to practical legal activity. This meant that the latter could remain locked into stereotyped, traditionalistic patterns, despite intense rationalization at the level of doctrine. What was missing was a unifying, ethical link between doctrine and practice, of the type that emerged first from the ethical teaching of the Hebrew prophets, and then developed much later into a particular form in western Christianity.\footnote{116} 

Weber considered Hindu doctrinal rationality in law to involve substantive, rather than formal, rationality. The problem, though, is that, when it comes to semantic-formality in law, he does not offer a clear basis upon which to distinguish ‘religious’ and ‘ethical’ meanings from ‘legal’ meanings. In pre-Christian Roman law, religious, legal, and ethical meanings were intertwined, as he well knew. Might it not be the case, then, that much of what Weber and his contemporaries considered secular, formal law would look very much, to a pre-Christian Roman, like religion and morality?

Furthermore, if the criterion for semantic-formality in law is law-making and law-finding activity that seeks primarily to preserve logical coherence in a system of legal meanings, the Dharmaśāstras seem to fit. These are systematic treatises on the nature of right and obligation. They employ different categories than those of Roman law, and the inferential methods may at times be different. But it is

hard to see why the Dharmaśāstras should compare unfavorably to a jurisprudential compilation like The Digest.\textsuperscript{117}

I submit that, by formal rationality in law, Weber often meant Roman rationality in law. His ideal-typical distillation of semantic-formality in law was essentially the Pandectism of 19th Century German jurisprudence, and this magnificent edifice of legal rationality drew enormous strength from the Roman law tradition.\textsuperscript{118} In its late antique form, the highly-developed Roman law tradition became part of the church, and later it was intensively studied in the medieval European universities. It became a tool in the struggle of Emperor against Pope, and it was used for very practical, political and economic purposes by all sides. But the case for treating Roman law as ‘secular’, non-religious law is arguably a very weak one. I would argue, in fact, that the evidence is actually stronger on the other side: Roman law was from its beginnings, and has ever since remained, a law infused by religion, both pre-Christian and Christian.

In short, in idealizing Roman law and the Roman law tradition in the way that he arguably did, Weber was idealizing a certain kind of religious law. Formal rationality in law is Roman rationality, and while this may be a very pragmatic kind of rationality, it is no less religious for all that.

Conclusion:

Dharma and Jus Commune, Reconsidered

In his Intermediate Reflection on the Economic Ethics of the World Religions, Weber presented ‘Indian religiosity’ and Calvinism as opposing,

\textsuperscript{117} Compare, e.g., Mānava Dharmaśāstra (MDh): ‘The Law Code of Manu’, translated and edited by Patrick Olivelle (New York: Oxford University Press, 2004) with The Digest of Justinian, translation edited by Alan Watson (Philadelphia: University of Pennsylvania Press, 1998). While the latter has been idealized for the jurisprudential principles it contains, its organizational structure (in 50 books) is notoriously unwieldy. Furthermore, it consists of extracts, shorn of literary context, placed alongside one another topically, but without a continuous textual thread to resolve inconsistencies. Justinian himself recognized that the work could not be absorbed without an introductory text, like the Institutes, together with a course of education from skilled jurists. See Justinian, ‘Confirmation of the Digest [533]’, in The Digest of Justinian, pp. liii-lxii; also Charles M. Radding, The Origins of Medieval Jurisprudence. Pavia and Bologna, 850–1150 (New Haven: Yale University Press, 1988).

ideal-typical forms of world-denying religion. The former is essentially contemplative and mystical, and seeks primarily to know (gnosis). The latter is essentially active, and seeks primarily to serve, as an instrument of God’s will. Both involve status-orders that exist before birth. But one accepts status-orders connected to this-worldly, practical activity (pragma) and legal traditions, while the other levels them in service of a higher, heavenly legal tradition.119

Europe also had its ‘organic social ethic’ of status-orders, but, given the unifying emphasis within Christian legal and religious traditions, it was not as strong. And, in the revolutionary crucible of the early modern nation-state, Europe’s organic social ethic evaporated.

The organic social ethic is generally an eminently conservative power opposed to all revolution. The religiosity of virtuosi, by contrast, can under certain circumstances pursue other revolutionary consequences. But this only occurs when the pragma of violence (Gewaltsamkeit) summons force (Gewalt). [This] religiosity of virtuosi in its revolutionary turn can in principle take one of two forms. One springs from innerworldly asceticism in the overall situation where it was able to oppose the creaturely and reprehensible empirical orders of the world with an absolute and divine ‘natural law’. This was the realization of the saying, as a matter of religious obligation, that one should rather obey God than man.120

The alternative revolutionary possibility is eschatological and apocalyptic mysticism, but this is ultimately irrational and anomic, because it is so closely linked to personal charisma. Only the natural law tradition, with its combination of transcendent religious force and its legal rationality, was capable of leveling an organic status-order, while at the same time providing a foundation for the legal-rational state.


But the legal-rational state itself depends on messages of salvation from suffering, including those of formal rationality in law. And, as Weber saw so clearly, the salvation-promise from formal rationality in law, whether that be empirical-formality or semantic-formality, is weakening in the modern world.121

In this essay, I have endeavored to think with Weber in juxtaposing the occidental natural law tradition to the Hindu tradition of dharma. In so doing, I have been struck with the extent to which Weber emphasized a link to practical action in his conception of formal rationality in law. I have also offered a tentative critique of the contrast that Weber drew, arguing that it is overstated, or at least under-specified.

Although the point continues to be debated, scholars today are making a strong case that Hindu law was deeply connected to legal practice, archetypally at the social-relational level of the (Brahmin) household, but also in royal administration and especially at the intermediate levels of local, ‘corporate’ organizations. Because the social-relational location at which legal doctrine and practice are linked, in the world of the Dharmashastras, is often a world of everyday, intimate activity, this kind of legal practice can look very different from that of the ideal-typical western city, say of twelfth century Europe. Both are practical, but one kind of practicality looks, to those accustomed to western conceptual categories, quite ‘religious’, while the other looks more ‘secular’.

Given his perception of Indian religiosity as essentially world-renouncing and mystical, it makes sense that Weber would have seen, in dharma, an idealistic legal tradition that lacked a unifying link to legal practice. But, in denying semantic-formality to this legal tradition, seemingly in large part because it is a scriptural (i.e. ‘religious’) tradition, Weber arguably introduced a deeper inconsistency into his typology of formal rationality in law. What he did not acknowledge, I would argue, is that Roman law is also scriptural tradition. Ironically, despite being intimately linked to the very source of religio, this tradition did not look ‘religious’ to Weber and his contemporaries.122

Perhaps a renewed awareness of pre-Christian, Roman religiosity, which looks quite different from Abrahamic (or Pauline) religiosity, will enable us to build on Weber’s legacy in seeking to better understand the interrelated trajectories of law and religion in European, Anglo-American, and Southeast Asian legal systems. Within the past decade, new translations of Kautilya’s *Arthaśāstra*, the *Dharmaśāstras*, and the legal commentaries have become available, particularly through the scholarship of Patrick Olivelle.123 At the same time, fresh perspectives on Roman religion and law are opening up possibilities for new understandings of the relationship between law and religion in the *jus commune* of the west.

Weber may have overdrawn the division between theory and practice in Hindu law, and he may have significantly misunderstood important aspects of *dharma*.124 But his argument that there are differences between India and the west in the ways that doctrine and practice were connected in legal and religious history does anticipate areas of active discussion in contemporary scholarship.125 What I have tentatively suggested is that Weber may have been right to see a distinction, but inaccurate (or at least imprecise) in his specification of the distinction.

The flowering of contemporary scholarship on Hindu law provides unprecedented opportunities to engage critically with Weber’s path-breaking comparisons of the world’s great legal and religious traditions, to try to identify areas in which he remains fruitful, and to forthrightly recognize his mistakes. He would have expected no less of us.

For scholars trained in Anglo-American and European legal traditions, moreover, the encounter with the *Dharmaśāstras* and related


legal traditions invites critical reflection into very basic assumptions about the nature of law and social-relational obligation, as well as the impact these have had on our economies and societies. The questions that Max Weber asked, if not always the answers that he gave, constitute an enduring legacy.
Sociology of world relations: 
Confronting the complexities of Hindu Religions
A perspective beyond Max Weber
Martin Fuchs

Abstract
The paper takes up core concepts developed by Max Weber in his comparative studies of world religions and civilizations, namely those of ‘relationship to the world’ (attitudes and stances towards the world), and ‘worldview’. The paper discusses the potentialities and limitations of Weber’s approach, and the hermeneutics involved, taking the interpretation of Indian bhakti as a case of illustration. Against this background finally the paper proposes to reframe the concept of world relations as a core sociological concept and argues for a new strategy of how to understand the dynamics and complexities of religions in India.

Keywords: Relationships to the world, Worldview, Indian religions, bhakti, Dynamics of religion, Max Weber.

Instead of an introduction: Three remarks beforehand
The paper continues the argument presented in a recent article, published in Max Weber Studies, on Max Weber’s study of Indian religions, which took the way he engaged with karman and bhakti as sample.1 I will try here to elaborate, on the basis of a critique of Weber’s approach, some ideas about how to develop certain of Weber’s core intuitions and concepts regarding the social relevance of religion. I will do so with the state of reflection in cultural theory in mind that we have meanwhile reached. It is on such background only that we can reconsider aspects of Weber’s thinking on religion and identify what seems worthwhile to pursue further, dimensions so far not innovatively re-appropriated during recent debates.


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Secondly, the context of this volume on Max Weber’s study of Indic religions and Indian civilization makes it necessary in my view to address the question of comparison. This too is something that has occupied me in various publications.\(^2\) Comparison requires translation. What I would just like to emphasize here, because it seems pertinent to our discussions, is the difference between translation of cultures and translation between cultures, or cultural contexts. The first one is an attempt at representing the other, which easily can bring one into the position of the master of the game who appropriates the other and sets the terms. The second is less authoritative and a more interactive mode of conversing between two or more cultural contexts; in this mode one tries to find reference points within both the source and the target contexts around which to organize the conversation. Fields of meaning can only be explored from within, by entering into a statement, a text, the respective significations and the signifying practices. Thus, semantic fields can be uncovered only in partial and fragmentary ways. ‘The whole’—‘a’ culture, ‘a’ society, ‘a’ civilisation—is nothing other than a theoretical design. This then means: if translations necessarily always begin with specific, individual constellations of meaning, how do we arrive at generalizations? In particular, how do we perceive of the role of textual traditions in relationship to social practice, including religious practice?

And a last preliminary remark: Repeating what I wrote earlier, we should note that Weber was very aware of the precarious status of the concept of Hinduism, which he undertook to represent. He stated (1) that the limits of Hinduism are ‘fairly fluid towards the outside’; (2) that Hinduism does not display a standard doctrine but is exceptionally ‘tolerant’ concerning issues of doctrine and dogma; (3) that Hinduism is ‘something other than a “religion” in our sense of the word’; and finally (4) that inhabitants of India who had not converted to Islam (or Christianity, M.F.) had allegedly begun to refer to their religious appurtenance as Hinduism in modern times only. In brief, and this we might also have to remind Weber of: ‘almost all generalizations about Hinduism are’, according to Weber himself, ‘only relatively correct’. All of these are direct quotes from Weber.\(^3\)

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As well-known among scholars working on Max Weber, he had, at a decisive state of his life, in the article on the objectivity of knowledge in the Social Sciences, which appeared roughly at the same time as the famous study on the Protestant Ethics, established what for him characterizes ‘civilized men’, ‘cultural human beings’ or Kulturmenschen: ‘The transcendental presupposition of any cultural science is … that we are cultural human beings, endowed with the capacity and the will to take a deliberate attitude towards the world and to lend it significance’. ‘Attitude’ to the world, in German ‘Stellungnahme’, has elsewhere been translated as ‘stance towards’ the world, or ‘taking a position on’ the world, or ‘adopting a position with respect to’ the world (so Keith Tribe in his translation of Weber’s ‘The “Objectivity” of Knowledge’).4

One can read Weber’s Comparative Essays on civilizations and what he called world religions (GARS), of which his study of India and Indic religions is a part, against this background. Weber developed his concept of cultural subjectivity further, switching from a focus on the individual person, or individual actor, to a focus on cultural or civilizational entities and, based on this, developed his comparative agenda. The two dimensions of position-taking and meaning-giving reappear here not only under the labels ‘attitude’, ‘stance’, ‘position to’, but also in the guise of a new term, ‘relationship to the world’, and on the other hand, the term ‘world-view’, Weltbild.5 Weber not only moves from the individual to the collective, but also makes strong claims that whole civilizations are being characterized by one dominant attitude towards the world as well as by one overall world-view, even though he himself, every now
and then, recognizes cases of deviant positions in several of the contexts referred to. His terminology regarding the forms of attitude and relationship to the world underwent some shifts, which, however, did not change the overall picture.6

I will here not try to rehearse Weber’s depiction of Indic religions and Indian society or culture. I have contributed my bit to this in earlier publications.7 Instead I want to look ahead and reflect on some possibilities of employing certain of Weber’s ideas in future research. In this I take up a suggestion made by Peter Flügel to the contributors of this volume. Any further engagement with a Weberian approach to the analysis of Indic religions requires first of all that we rethink his conceptual framework. The question I propose thus is: What could be the task if we would imagine that we try to continue relevant parts of Weber’s enterprise? I restrict myself here to some questions regarding the notion of world relations, or relations to the world, as expressed in India within and outside the field of religion. This requires that I also make some comments regarding the concept of word-view. I will not follow up here on the other aspects of Weber’s agenda in his comparative study of Indian civilization and religions, nor will I engage here with the concept and theory of rationalization, to which the study of India was one major contribution.

I will proceed in three steps: first, an exploration on the conceptual level of the potentialities, but also some limitations of Weber’s approach; second, an exemplification with respect to the treatment of bhakti, partly drawing on my recent article, and finally some rough ideas for an agenda for a different perspective.

a. The potentialities and limitations of Weber’s approach
Weber had set himself the agenda to compare the world-views and the attitudes to the world not of individuals but of whole civilizations

6. Wolfgang Schluchter, ‘Weltflüchtiges Erlösungsstreben und organische Sozialethik. Überlegungen zu Max Webers Analysen der indischen Kulturreligionen’, in: Max Webers Studie über Hinduismus und Buddhismus. Interpretation und Kritik, edited by Wolfgang Schluchter (Frankfurt am Main: Suhrkamp 2004), pp. 11-71. Schluchter also tries to disentangle the analytical (or conceptual) and the historical lines of argument in Weber, something that is not always easy.

(this of course is not meant as a complete statement on Weber’s agenda in the Collected Essays). More than a descriptive rendering of worldviews it is the analytics of the different relationships to the world that allow Weber distinguishing and comparing different cultural contexts. Focussing on attitudes towards the world is meant by Weber to provide a key to an understanding of how people are positioned in the world, or position themselves, and therefore act, both in the religious realm as well as the realms considered worldly. To this I would add that, taken in the right way, a focus on relationships with the world would allow for making space for an interactive and relational concept of culture. However, we would first have to reformulate the concept. I will make a few points:

- First, as they stand, the labels proposed by Weber—those of world-rejection, flight from the world, world-affirmation, adaptation to the world, indifference to the world, mastery over the world—make for broad, if not gross, or to put it differently, abstract characterizations. ‘Rejection’, ‘negation’, ‘flight’ or in reverse ‘affirmation’ and even ‘mastery’ of the world can mean very different concrete modes of relationship. Max Weber actually was very much aware of this. However, he held on to generalizing characterizations of entire civilizations, thus converting a sharp conceptual contrast into an empirical intercultural opposition on the level of social and cultural history. What we would need instead are subtle analyses of concrete world relationships, something Romila Thapar so strongly points out in her contribution. Not only would such analyses add to a better and deeper understanding of social processes, such procedure would also help to force open the Orientalist assumptions included in Weber’s project, which later sociological scholarship then reproduced.

- Secondly, the very notions of attitude, stance or relationship to the world require rethinking. Weber himself did not settle on one term. As it stands, the agenda behind these notions privileges certain attitudes or relationships against others. Notions of ‘attitude’ or ‘positioning vis-à-vis the world’ reproduce an externalist perspective—as if the world would, and could, be approached from outside—and at the same time a subject-centred perspective, which reserves all agency for the subjects


addressing the world. This directly reflects Weber’s preference for an attitude of confrontation with the world. Even when he uses the term ‘relationship’, this is still led by the underlying id orea of confrontation between man and world as depiction of the conditio humana, and connected to this, the demand that one should face this conditio upfront. In the GARS Weber tends to see the entire life-conduct in pre-modern cultures and civilizations through the lens of religion(s), thus neglecting other experiential dimensions of being in the world and thus confining the place of humans in the world. Additionally, he gives preference to religions of salvation that seemingly univocally reject the world. The hidden preference in this for a particular type of human self-understanding (and conduct), would have to be overcome if we look for a more comprehensive comparative approach that gives equal acknowledgement to all possible varieties of human attitudes regarding the world.

- It is therefore, and this is the third point, that we would have to bring the notion of relationship to the world—Beziehung zur Welt—into the foreground, privileging it against the other ones of attitude and of positioning oneself. Relationship is bi- or even multi-lateral and expects exchange and interaction between the two or more sides involved. To talk of the relationship of a subject, or subjects, to, or better even, with the world—a relationship between world and subjects—points to a constellation of co-determination and interpenetration: subject and world are co-constituted and co-constitute each other, the world is not passive, but responds.

- Finally thus, the notion of relationship with the world points to being situated, vis-à-vis something else and with respect to significant others, and this includes finding oneself confronted with a pre-interpreted and pre-arranged world. Whereas the statement made in the essay on the ‘objectivity of social scientific knowledge’ quoted above is completely action-oriented, geared towards human activities—the individual person taking an attitude and giving meaning to the world—the employment of the notion of relations immediately implies that a person first of all engages with the already existing meanings, and the attitudes inscribed in them, which he or she encounters. Taking an attitude towards the world one is related to would then in actual fact have to involve a second level or layer: an attitude towards the interpretations.
and arrangements and the actions of others one finds oneself confronted with or, better perhaps, included with. The civilizational or cultural pre-arrangement (set-up) of attitudes and meanings does not substitute for the positional experiences of each individual involved in exchanges and interactions with others.

- In Weber’s treatment of what he calls ‘world religions’ one finds inklings of all three dimensions—the pro-active one, that of being situated, and the one of engagement with a pre-interpreted world. However, he never addresses the differences and interconnections between these dimensions analytically. In particular, he does not consider fully the consequences of pre-interpretation: What does it mean to take a stance in a context in which one’s place—one’s social as well as one’s existential place—and one’s range of actions is being pre-set and pre-defined? To what extent do humans have the possibility and capability to act against what they encounter? Couldn’t it be that different attitudes clash? Couldn’t it be the case, or would it not even be the regular constellation, that people live in contexts characterized by conflicting attitudes as well as conflicting value schemes?

After going through some aspects of what attitude or relationship to and with the world would mean, let me add a few words regarding the notion of world-views. World-views seem to denote the world of meanings, of images and representations of the world, including their theoretical rationalization.

Weber nowhere, as far as I am aware, made the attempt to define precisely what he means by world-view or Weltbild. World-view allows for both, representation of the world and a normative idea of how the world should be—or should one say, how existence beyond the world should be? Both aspects are included under the notion of ‘meaning’ or ‘significance’. Religious world-views for him, and he basically talks of religious world-views, have laid out the pathways available to people under their purview. In a way, world-views for Weber define what seems thinkable, imaginable, within a particular

9. Regarding religious world-views (not world-views in general, sic) see Weber’s statement that the worldview ‘has directed “from what” and “for what” one would be “saved” and … could be saved’ (Weber, ’Introduction’, in The Essential Weber, p. 69; emphasis added; ’Nach dem Weltbild richtete es sich ja: “wovon” und “wozu” man “erlöst” sein wollte und … konnte’; GARS I, p. 252).
context, and suggest (if not determine) the directions into which to think and go. This is included in Weber’s famous statement on world-views as ‘switches’ that decide the lines of action.

As read by most interpreters of Weber, and as probably intended by him, it is the over-arching worldviews on the level of a world religion or a civilization that have acted as historical switches, thereby establishing the global civilizational differences. The problem is that a view on and of the world needs a subject that takes that view. Weber’s answer to this was to identify a stratum of intellectuals in each case that can fill this subject position. But he made the additional claim that the intellectual religious elites could set the tone for everyone else in society and that their interpretations would be valid unchallenged from the side of other less-privileged social strata.\(^\text{10}\)

He could not consider the possibility of alternative, and even conflicting world-views within the same religious fold, including alternative forms of relationship with and attitudes towards the world, or alternative relationships to the world that open up new dimensions of reality. The only deviation he allowed for was that of new intellectual religious world-views designed by groups that became new religious elites, starting a new religion (like the shramanic ones, Buddhism, Jainism and the Ajivikas—but even these he considered as ‘heterodox’ and thus saw them still indirectly bound to what he considered the dominant world-view).

What has not been considered so far, however, is, what exactly the term ‘world’ is supposed to refer to, what do we, or does Weber, mean when using this term? For Weber, ‘world’ seems to appear as something given, given to everyone in the same way, i.e., as an objective external reality \textit{as such} unaffected by the perspectives and activities of humans. Differences of perspective, in his view, affect how people relate to the world, not the world itself. While humans take different stances regarding the world, and give different meanings to the world, this only affects the \textit{views} of and on the world. This (perspectivist) concept of the world curtails Weber’s approach, who otherwise seemed heading for a position beyond positivism and beyond an objectivist access to the world. The dynamics between self and world, which Weber sees, do not yet translate into an interactional

\(^{10}\) Weber vacillates between the assumption that the Brahmans could be generally understood as the carriers of the ‘official Indian religiosity’ (\textit{GARS II}, p. 134), and the insight that the Brahmans had not been able to maintain ‘the monopoly over the personal mystical quest of salvation’ (p. 157).
concept. In a way, the concept of ‘(the) world’ remains underdetermined in Weber.

If we want to go beyond Weber, while using some of his insights and concepts and putting them to new use, we would have to go beyond mere perspectivism, a position he is seen to stand for. I want to point out just two things: on the one hand, as already indicated, the fact that world, seen in relation to human activities, is something co-constituted by humans: how the world actually is depends on the frame of reference being applied by the people involved (Nelson Goodman);11 on the other hand the fact that we have to see what is considered transcendental, or ‘other-worldly’, as very much part of the world made, as part of people’s world. The world is more than what looks plausible to us, objective reality, the ‘here and now’, or the five non-religious social life-orders that appear in Weber’s ‘intermediate reflections’ to a theory of rationalization.12 Taking a stance towards the world then automatically means also taking a stance to religious (so-called transcendental) realities. Speaking more sociologically, the primary fact to be taken into account is that each subject, each actor, is already in the world, is part of the world, the world with which one toils and struggles. Self, or subject, and world mutually interpenetrate (durchdringen) each other.13 Humans encounter the world existentially before they intentionally take a position towards the world and give it a meaning.14 The act of meaning-giving and attitude-taking happening within the world can thus be seen as part of a continuously unrolling process of world-constitution and world-articulation (Maurice Merleau-Ponty, Jóhann P. Arnason).15


12. What Weber takes on board is a concept of ‘world’ as conceived by one particular line of religious tradition that specifically emphasizes the hiatus between religion and world, and subject and world.


And to add just one further remark: how the world is perceived and conceived within a religious world-view is not just of the religion’s own making. The other life-orders or value spheres make significant impacts not just in the form of ‘interests’ pursued, but also on the conceptual level, contributing their views of the world. Weber is known for his distinction between five ‘worldly’ life-orders or value spheres in addition to, and in tension with, the religious one. However, he tends to reduce the impact from the non-religious side on religion to that of ‘interests’, material ones and ideal ones.

This aside, worldviews then become statements from within, based on experiences of the world. If this is the case and religions are themselves part of the world they address or on which they try to act, would we then not have to reconceive the notion of religious relations to the world? It would mean that also conceptually speaking we can no longer take a whole religion, a whole religious tradition, as representing one stance towards the world, but would have to look for the various attitudes and stances within the religious field in question!16

b. Bhakti

Let me just briefly for the sake of illustration look at the case of bhakti. Bhakti represents the biggest enigma of Weber’s study of Indic religions. Bhakti stands for religious practices that put the direct contact with the Divine into the centre, not requiring the intervention of a priest. Bhakti can be translated as ‘participation in the Divine’, i.e., ‘active self-involvement’ with, and personal devotion to either a personal God or an abstract Supreme Being. Bhakti covers a wide range of forms, expanding over wide parts of the subcontinent in what looks like consecutive steps and covering a known history of at least 1500 years, if we take the Alvars and Nayanars in Tamil Nadu as a starting point, or 2000 years, if we go back to the Bhagavadgita.

16. Weber himself, when for example discussing the various forms of Christian Protestantism, as Wolfgang Schluchter very well exposed, can make out very different practices and attitudes within this limited religious field, seemingly sharing one tradition: this reaches from Luther’s ‘Ruhe in Gott, die unio mystica, gepaart mit Passivität, stimmungsmäßiger innernlichkeit und “Schickung” in die Ordnungen der Welt’ to the Calvinist ‘Bewährung vor Gott …, gepaart mit Aktivität …, und die Ordnungen der “Welt” als Aufgabe, die gemäß dem göttlichen Willen, sei es friedlich, sei es gewaltsam, umzugestalten sind’ (Schluchter, ‘Weltflüchtiges Erlösungsstreben’, p. 23). In general he sees Christianity characterized by two extreme positions: ‘mystischer Liebesakosmismus’ and ‘asketische Werkheiligkeit der Weltbearbeitung’ (p. 24).
Of interest here are four aspects: (i) the personal access to the Divine, which either is conceived quasi-monotheistically as supreme personal God, or otherwise as the Supreme without qualities, nirguna, whom one can preferably discover within oneself: this implies a new form of recognition by God; this can also, as prominently in the case of Krishna, include notions of divine grace (kripa), as it does include diverse notions of love between the divine and the bhakta, or worshipper; it can on the other hand also include taking a critical stance towards God him- or herself; (ii) the relativization, and sometimes outright negation, of the position of the Brahmin priest, questioning his authority and the role of rituals (even though Brahmin priests managed again and again to re-appropriate certain formats of bhakti); (iii) the possibility to extend this into a critique of the caste order or social hierarchy at large; (iv) the possibility for people otherwise marginalized, especially women on the one hand and Dalits and other low caste members on the other, to pursue their relations with the Divine on their own and even achieve highly regarded status as exemplary bhaktas, or practitioners of bhakti.

Bhaktas engage with a world already interpreted; in this, several strands of bhakti question not only the state in which they are placed, but also the legitimizations provided as well as the attitudes behind their social and spiritual denigration, as they also question the view of the world behind all this. What is more, bhakti represents a range of different attitudes towards the world, among them prominently such ones that do not represent what Weber considered being pre-dominant in the Indian context, i.e., either ‘flight from the world’ (‘contemplative escapist mysticism’) or, in his reading of the Bhagavadgita, ‘indifference towards the world’. While rejecting the social world, especially certain of its social dimensions, including their spiritual consequences (inequality in both the spiritual and social senses), and looking for salvation from re-death and social suffering, various prominent forms of bhakti, of Vaishnava as well as Shaiva background, at the very same time express positive attitudes to the world. Friedhelm Hardy, in his work on (Tamil) Krisna bhakti and Srivaisnavism, uses phrases like ‘positive attitude to the world’, ‘this-worldly attitude’, ‘world-positive. Karen P. Prentiss, in her work on Tamil Saiva Siddhanta, talks of ‘(b)hakti’s positive valuation of action in the world’ as ‘a constitutive premise of bhakti’s

thesis on embodiment’ and, additionally, of ‘two competing world views in bhakti: the perspective of renunciation and that of affirming life in the world’.18 What is more, this attitude is grounded in a feeling of acceptance by the Highest God, acceptance as a ‘full human being with body, soul and emotions’.19 It is this recognition by the Supreme Divine that marks bhakti. In the interaction with the Highest Being, individuals, particularly women and those of the lower castes, see themselves accepted not as an abstract atman, which is meant to realize its identity with the Highest, but as persons in their individuality, in their specific physical and social existence, including their social marginalization and degraded status—and this actually, because the difference between God and believers cannot be completely overcome, the atman cannot unite with the brahman (the notion of viraha).

Weber did actually acknowledge several of the new aspects brought by bhakti. He realizes that bhakti is a ‘religiosity of belief’, represents the conception of a ‘highest personal benevolent god of creation’, and he stresses the idea of divine ‘grace’ in bhakti. Weber further emphasises that this concept of grace meant ‘the surmounting of the causality of Karma or at least of the old principle that the soul is the sole forger of its own fate’, just as he stresses the novelty of the idea that ‘the salvation of the world can be achieved in this way’.20 Weber realizes that bhakti represents a new form of relationship of believers to God, a universalisation of chances of salvation; he attributes a ‘socially important innovation’ to various bhakti sampradayas (or ‘sects’) inasmuch as they preached ‘the religious equality of all people, women included’, transgressed the borders between castes or tended to be ‘greatly indifferent to caste differences’, or allowed members of lower castes to be religious leaders (or ‘gurus’).21 On the other hand, he tends to downplay other features of bhakti, most importantly the idea of the possibility of immediate access to the Supreme God, allowing for individual interaction with God (a point he only alludes to with regard to the followers of Chaitanya22).

20. GARS II, pp. 173, 191, 197, 337; emphasis added. Cf. the aforementioned observation of Weber that ‘strictly logical’ the existence of a personal highest God ‘could hardly be reconciled with karma and samsara’ (p. 174)!
21. GARS II, pp. 334, 342, 343-45; emphasis added.
22. GARS II, p. 349.
Moreover he downplays (or overlooks) the critique of Brahmanical ritualism and of the power of Brahmans, and this although he mentions the names of some of the staunchest critiques from within sant bhakti, Kabir and Raidas, and the sampradayas that grew out of their legacy. He actually misses out on the enormous importance of Kabir, including Kabir’s great poetic force widely acknowledged in India, and this also by those who otherwise are not his followers. This is also related to the fact that the explicit social criticism by many bhaktas, particularly by Kabir, directed against the hierarchy of the caste system and the social disregard for entire groups, practically escapes Weber. Au contraire, he wants to ascribe to the most critical of all the bhakti poet-saints and to those sampradayas that have many Dalits and members of the lower castes in their following, the position that they accepted ‘the unchangeable order of the world’. On the whole, he tended to depreciate the carriers of the ‘medieval’ forms of the bhakti in very outspoken ways, referring to these forms as ‘plebeian’ and ‘orgiastic’.

Even if sketchy, Weber had a clear inkling of the originality and potential of bhakti. But none of the insights he had, finally made it into his portrayal of the Hinduistic world-view and world-relations. In particular, Weber did not allow for a change in relationship with the world or for diverse and even adverse attitudes towards the world. Having the respective insights on his fingertips, Weber was restricted by the limitations of his own world-view and sociological frame of reference. Bhakti does not fit into Weber’s scheme of religions of salvation and world-rejection and the opposition he wanted to establish between Christian and Asian forms of world-rejection. Like Louis Dumont later, but for similar reasons, Weber had to downplay the significance and the new features of bhakti.

c. An agenda for a different perspective
The above remarks provide not more than some intimations of what is in offing if we would try to pursue a line of research as proposed

23. GARS II, pp. 344, 345.
24. GARS II, pp. 255, 324, 333, 349; see the critique in Fuchs, ‘Worldview’, p. 223; also in Fuchs, Theorie und Verfremdung, and Fuchs, ‘India in comparison’.
by Weber, on the level of concrete, empirical historical and anthropological research. The new forms of a sociology of relations to the world, largely anchored in the phenomenology of Maurice Merleau-Ponty, and just recently and most prominently espoused by Hartmut Rosa, look at relations to the world from the angle of the experience of the individual. One main difference then would be if a person feels embedded, accepted and sheltered (geborgen) in the world or if he or she feels rejected (Repulsion) by the world. It actually is such kind of experience, an extreme experience of rejection, which feeds into certain strands of bhakti (and to which bhakti is one answer). Active rejection of the world, the social world or the world at large, by an individual, as Weber conceived of it, appears as a secondary phenomenon only. Conceptually, Weber privileged the pro-active, even teleological side of social action and neglected the aspect of patience and receptivity in social (inter-)action, strongly proposed by the likes of John Dewey, Ronald Inden and Hans Joas—patience, mind you, not necessarily always in the sense of suffering, but more basically as acknowledgement of the fact that every social actor is also the object and recipient of the actions of others.26 Empirically, Weber overlooked social suffering and the stigmatization of large sections of people in India as polluted and polluting—an attitude of negation (Ablehnung) of not the world in general, but of certain parts or sections and sectors of the world, denying them full membership in the (social) world. Weber instead belittled the fate of Dalits considering it just an issue of status difference and of its legitimization. That karman, which for him was the key to the Indian social order, did not throughout conform to the model that he suggested for India, is another story, a story that goes beyond the questions discussed here.

World-views and relationships to the world are more diverse within each cultural context and each world religion than a picture painted with a great sweep allows for.27 And such diversity can affect the basic ontological dimensions. It is at least questionable that we can assume that a turn of an interpretive ‘switch’ alone (and without contributing political and other factors) and once and for all decided


27. And we would also have to rethink the equations built into Weber’s approach between concepts of the divine, forms of prophecy, salvific goods (Heilsgüter), etc., and a specific, one and only, relation to the world.
about the future of a whole cultural region. Instead of a further con-
ceptual exercise, or grand theories about the axial age, we would need
much more of conceptually informed empirically guided research on
these questions. My guess is that the very dynamics between humans,
religions and world, and between different religious modes, differ in
different cultural and historical contexts. The task would be to iden-
tify these different dynamics. To just indicate at the end what this
would mean for the Indian context:

Religion, as well as society, in India have to be taken much more
as a contested field, far beyond the contestations of the shramanic
religions. What seems so characteristic for India is the pluralism of
religious practices, ideas and dogmas, and also of worldviews and
attitudes towards the world. What eludes Weber is that this does not
simply refer to the plurality on the level of denominations. It also
refers to the fact that Indian religions, and Hinduistic ones in par-
ticular, are made up of different strands or paths, margas, that have
existed, and interacted, over long periods, but represent very dif-
ferent religious modalities and very different relationships ‘to the
world’. These include, besides bhakti: ritualism, renunciation, meta-
physical and philosophical speculation and theorectization, tantra
and ‘folk’ religions. All these strands were in constant interaction,
often criss-crossing, but they cannot be seen as deriving from each
other or from one source. The interaction led to ever-new combina-
tions as well as to conflicts. Bhakti, as a modality of commitment and
a set of practices, is thus fed from sources of its own, has often been
carried by its own itinerant networks, and expresses a view, or sev-
eral views, of, and attitudes towards, the world of their own, as well
as a tradition that sometimes is antinomian.

To be a bit more specific, I would propose to include the following
features of the particular dynamics of the Indian religious landscape:
(i) the widespread attitude of non-exclusivity of religious belongings
in the South Asian contexts; (ii) the permeability between different
social spheres, which may not be always distinguishable in India in
the same way sociologists of western background have been claim-
ing; and (iii), the specific forms of articulation of religion in India,
to which Romila Thapar referred in our discussions. This is some-
thing that would have to be further developed in a sociologically
informed language. I elsewhere made two suggestions.28 The first
suggestion regards the image of India as a network of networks, with

family resemblances, but also with strong discrepancies between and across components and social actors. This would be a network of places and agencies, civilizational dimensions and strands that partially interact, but do not fully integrate and dissolve into each other; the image of India thus evoked would be that of a space of communication of a wide range, with shifting centers, changing modes and different levels of communication, and shifting boundaries. This allows also taking care of the significance and continuing relevance of localized forms of religion within the various pan-Indian frames of reference (Shaivite, Vaishnavite, etc.). A different image for these dynamics, and this concerns my second suggestion, would be that of civilizational ruptures, however ruptures not in a chronological, but in a synchronic sense, i.e., ruptures between the different strands, modes or principles that accompany Indian civilizational history. The image of synchronic ruptures contends that the respective civilizational complexes and principles coexist in tension and that they interlace at the same time by way of the interactions of the agents and agencies involved. In the Indian case then, what would be of pertinence is less the continuity of a certain worldview or attitude towards the world—‘flight from the world’ as Weber called it— but the continuity of the dynamics mentioned and of specific basic tensions and conflicts accompanying these interactions and exchanges: the seemingly never-ending fight for the acknowledgement of the both spiritual and civil abilities of the hierarchically downgraded (including the continuation of the denial of basic faculties to the majority of human members of society); the tension between direct and mediated excess to the Divine; but also the extraordinary principled openness for other religious possibilities and options and the continuous development of new ones, which implies inclusivist notions of the Divine, as it implies traditions of disputation and exchange, and both of this not just among the intellectuals but also on the local level of everyday people, and on the other hand the particular forms of conflict between different religious traditions against this background. All this requires that we overcome the intellectualist approach to religion.

29. See, e.g. the unending close exchanges between Nath yogis, Sufis and bhaktas across local regions in northern India in the late medieval-early modern period.
Sheldon Pollock and Max Weber: Why Pollock is more Weberian than he thinks
David N. Gellner

Abstract
Sheldon Pollock is the leading North American Indologist and his magnum opus, The Language of the Gods in the World of Men: Sanskrit, Culture, and Power in Premodern India, is a field-defining classic. Pollock takes himself to be a fierce critic of Max Weber, but in fact his comparative historical approach shares much with Weber, and where it is wanting Pollock’s text would have benefited from more, not less, Weberian influence. Pollock’s vision of language history and his views on religion and legitimation are considered in detail.

Keywords: Sheldon Pollock, Max Weber, Sanskrit, history of South Asia, comparative sociology.

Introduction
This paper addresses the contribution of Sheldon Pollock, a (many would say ‘the’) leading contemporary Sanskritist and historian, and in particular of his magnum opus, The Language of the Gods in the World of Men (henceforth LGWM), in the light of Max Weber’s macro-historical approach. Pollock and Weber are two giants of their respective fields—though one must immediately note that Weber, asked late in life what his field was, is supposed grumpily to have retorted, ‘I am not a donkey; I don’t have a field.’ Since I shall go on to criticize Pollock, it is worth stressing at the outset (though it should go without saying) that I do so because I believe that his book is a major achievement, one that no serious scholar of South Asia can afford to ignore.

1. I thank D.P. Martinez, S. Collins, P. Szántó, R.F. Gombrich, R. O’Hanlon, D. Acharya, T.T. Lewis, C. Emmrich, S. Whimster, P. Flügel and those present at the colloquium in SOAS on 10/9/16, for comments on an earlier draft of this paper. I alone am responsible for all misrepresentations and misinterpretations.

The reason I have chosen to discuss Pollock in a colloquium on Weber is that, in my opinion, there is something Germanic and indeed Weberian in Pollock’s impressive magnum opus. And yet there is a puzzle in their relationship. It would seem that Pollock himself has not noticed, and is in denial about, how Weberian he actually is. Pollock thinks of himself as a devastating critic of Weber, whereas actually—I claim—he is, unbeknown to himself, a follower of Weber. My question is then: Are Weber’s and Pollock’s approaches to South Asian history really as different as Pollock seems to think?

Both Pollock and Weber were prodigiously hardworking scholars, covering and synthesizing enormous amounts of material, able to convince specialists but equally able to generalize and answer to the most pressing political questions of the day. Both are comparativists with a great historical sweep; both are interested in crucial questions of culture and power. For once one can say that the puff on the back jacket of Pollock’s book—‘This is a learned, original, and important work’ (Robert Goldman)—, rather than being ludicrous exaggeration, is in fact seriously understated.

A contrast needs to be drawn between the impact of the two scholars. Weber is probably the most influential sociologist ever, but possibly also the most misunderstood and misconstrued. This is ironic, in that he did not call himself a sociologist, or only marginally so. Many have thought that his impact and his level of citations are inversely related to the understanding of what he actually said. In contrast to Weber, Pollock—on the whole and as far as I can tell—has not had quite the impact he deserves. This may be due, among other things, to his frequently unfashionably long, not to say Germanic (and even Weberian), sentences. Thus, within his own discipline, most of

3. I have argued elsewhere that Weber needs to be rescued from his interpreters (Gellner 2001: Ch. 1, first published 1982), that Louis Dumont was more deeply Weberian than he himself was willing to acknowledge (ibid.: 10-11, 36, 86), and that Sherry Ortner would do well to recognize that she is in fact truly Weberian, rather than Geertz-Weberian (Gellner 2009).

4. Goldman does also say that Pollock’s scholarship is ‘staggering’ and his range ‘awe-inspiring’. On Pollock’s scholarly career, see Bronner et al. (2011). Pollock is unusual in his equally deep engagement with all genres of textually transmitted evidence, including the inscriptive record. The review by Shulman (2007: 819), another stellar Sanskritist, states simply that ‘There is no doubt that Pollock’s work, the first of its kind ever attempted for South Asia, has changed the field irrevocably’.

5. Tribe (1989: 12) argues that Weber was primarily an economist and that his work ‘has suffered greatly in its transmission—by translation, neglect, and fragmentation’.

Pollock’s colleagues recognize his pre-eminence, while remaining reluctant to indulge in Pollock’s level of generalization and engagement with non-specialists. It is perhaps inevitable that fellow specialists will tend to be foxes to Pollock’s hedgehog, wanting to critique Pollock’s big picture on a thousand small points, to contest it with nuance and differentiation (thus Shulman, 2007: 823: ‘Where he sees uniformity, I tend to see the most remarkable heterogeneity, local innovation, and context-sensitivity…’). I was somewhat shocked to discover several Indologists who admitted to never having attempted to read LGWM. Outside the discipline, others are put off by the sheer richness of Pollock’s scholarly apparatus and the forbidding fortress of qualifications which surrounds every attempt to generalize. The very European and ancient world historians who ought to read LGWM and debate Pollock’s detailed interpretations and comparisons are unlikely ever to do so because of the very detailed South and Southeast Asian framing. Global history is still a very patchy aspiration.

Some of the explanation for the neglect of Pollock’s contribution may be due simply to widespread ignorance about South Asian literature. Even among social science specialists of the region, there is only the most minimal level of knowledge of South Asia’s literary history; among the educated classes in the West more generally there is almost total ignorance; within South Asia, where the Mahabharata and Ramayana are by contrast known to everyone (Pollock 1993: 263), the audience for books like Pollock’s is tiny. But maybe it is simply a question of time. Major works like Pollock’s take decades to have a full impact.

Weber himself was well aware that the materials he had collected in GARS (Gesammelte Aufsätze zur Religionssoziologie) were preliminary and superficial, and focused on a specific research question about the relationship between religious ethical ideals and particular kinds of economic behaviour. As Kantowsky (1986b: 212) has stressed, Weber himself would never have used the titles The Religion of India and The Religion of China that Gerth and Martindale foisted on him when translating his work into English. It is on this particular point—Weber’s acknowledgement of the provisional nature of

6. Specialists contest one implication of Pollock’s big picture, namely that with vernacularization (explained below) Sanskrit went into decline (Bronner & Shulman 2006).
7. Bronner et al. (2011: 1) claim that with the book ‘Pollock’s influence within and beyond the field of South Asian studies has risen to new heights’.
his conclusions—that Pollock quotes him approvingly (2011: 2). For the rest, with the exception of Weber’s theory of ethnicity (hardly a key part of his overall contribution), Pollock rarely has a good word to say, is guilty of a too hasty and superficial reading of Weber, and uses him as a straw man for views he dislikes. He is, of course, in good and very numerous company in this; none the less, one would have hoped that a scholar of his stature would have taken more care, especially one who has quoted Nietzsche approvingly on the need for philology, i.e., the art of reading slow and well (critically) (Pollock 2008: 52).

Contemporary controversy

In 2016 there was a public controversy that is highly germane to the relationship of Pollock to Weber. Despite being a slight digression, the story is worth telling, because if ever anyone thought that Sanskrit is a safe and boring subject with no relevance to the modern world, with no need to take a stand on difficult questions of contemporary politics, Pollock’s experience (like that of Wendy Doniger and others before him) shows that this is emphatically not the case.8

Pollock, like Weber, has been no stranger to contemporary political controversy, though—so far as I know—unlike Weber he harbours no ambitions to run for political office.9 Pollock has bravely and unequivocally stood against the historical simplifications and self-serving representations of the Hindu Right, which is highly influential in the Indian diaspora in North America, as well, of course, as providing the government of India under Prime Minister Modi from 2014.

In 1999 Richard Gombrich began a series, modelled on the Loeb classics, of parallel translations from Sanskrit texts. It was called the Clay Sanskrit Series, because sponsored by his old friend John Clay. In 2008 Pollock joined Gombrich as a general editor of the Clay Sanskrit Series, and it finally closed in 2014. In 2015 Pollock started a new series, thanks to a gift of $4.5 million from Rohan Murty. This Murty Classical Library of India, published by Harvard University

8. See Taylor (2011) for a summary of controversies caused by the writings of Doniger and others. Malhotra (2016) is the latest statement of the anti-Indologist camp.

9. Pollock also caused controversy within the world of Indology with his attack on German Indology for its links to Nazism (Pollock 1993b). See Adluri (2011) and Grünendahl (2012) for references.

Press, is modelled on the CSS but will cover all the languages and all the religions of South Asia, not excluding Islam.

In 2012 Pollock was invited to give a keynote speech to mark the 50th anniversary of Heidelberg University’s famous Süd-Asien Institut (Pollock 2014). Given the links of Weber to Heidelberg it was evidently irresistible for Pollock to begin from Weber’s famous 1920 statement of the uniqueness of the West, given that he was speaking ‘in the place that has refuted it so well’. He read out a long paragraph, in the original German, stressing the word fehlen or lack, i.e., listing all the aspects of culture and learning that the East lacked and the West had.\(^10\) Pollock notes in a footnote that there were quotation marks around ‘science’ and ‘valid’, quotation marks that Parsons omitted in his translation, and that there was a parenthesis ‘or so we like to think’ (wie wenigstens wir uns gern vorstellen), but he simply dismisses this as introducing incoherence into Weber’s argument (Pollock 2014: 5 n. 4), rather than acknowledging—as anyone who had studied Weber on rationality more carefully would—that for Weber rationality is double- or triple-edged and is always rationality from a particular point of view or particular set of aims and values. To use Weber as a whipping boy for triumphalist European rationalism is not worthy of Pollock, and a cursory acquaintance with Weber scholarship would have convinced him of this.\(^11\) But, in defending Weber against Pollock’s reading of him, I am getting ahead of myself. The point here is the afterlife of Pollock’s Heidelberg lecture.\(^12\)

Pollock’s lecture, published on the internet, began to attract attention in India itself. In early 2016 a petition of 132 Indian academics, and attracting over 15,000 signatures, called on Rohan Murty to sack Pollock as the general editor of the Murty Translation series.\(^13\) In the original version of the petition there were quotations from Pollock’s Heidelberg lecture. As Dominic Wujastyk pointed out in a blogpost on 27 February 2016, the formulator of the petition, Professor Ganesh

\(^{10}\) See also Pollock (2011: 13-14 n. 3): ‘Weber’s notorious generalizations include the following: “Only in the West does science exist at a stage of development which we recognize to-day as valid”; “Rational chemistry has been absent from all areas of culture except the West”; “All Indian thought was lacking in a systematic method comparable to that of Aristotle” (“Vorbemerkung”). Pollock (2006: 277) himself compiles a list of ‘lacks’ when comparing South Asia with the Roman Empire.


\(^{12}\) Most of the lecture dealt with Area Studies in the USA.

\(^{13}\) The petition appeared on change.org (https://tinyurl.com/prof-pollock; accessed 30/8/16).
Ramakrishnan, of the Department of Computer Science and Engineering, IIT Mumbai, had misunderstood the article completely and was ascribing to Pollock views that that Pollock was actually criticizing (Wujastyk 2016; cf. Ahmed 2016). The currently available versions of the petition have removed these details and substituted instead a quotation from a somewhat less appropriate 1985 paper by Pollock. The petition still makes it clear that it is basing itself on criticisms of Pollock by Rajeev Malhotra in The Battle for Sanskrit (2016) and a nationalistic demand that only Indian principles of interpretation should be used; that, as a signatory to a petition criticizing the Indian government over controversies in JNU, Delhi, Pollock is not politically neutral; and that endowments of the sort Rohan Murty chose to make should go to Indian, not American, academics.

One irony in all this is that the views the authors of the petition initially selected to attack were not Pollock’s at all, but Weber’s. And a further and deeper irony is that they were attacking views wrongly ascribed to Weber by Pollock. Actually Weber, far from being a gung-ho advocate of Western rationality, as he is so often and so lazily represented, was, as Weber scholars have long known, deeply ambivalent about it.14 Weber was in fact an early advocate of the ‘alternative modernities’ idea.15

In short, here, as in so many cases, ever since PESC was published, Weber was dragged into debates on ‘modernization’ and ‘development’ even though he wasn’t writing about that and barely mentioned the topics (a point that was missed even by his translators Gerth and Martindale). Pollock, on the other hand, has found himself to be one of the targets of Hindutva wrath in South Asia and within North America. In Pollock’s case, he can hardly be surprised, given his record of applying the cool gaze of analytic and historicizing reason to the Hindu Right’s claims to indigeneity and pure descent from a primordial past, and given the fact that he has published, influentially, on the Ramayana in the aftermath of the Babri Masjid/Ramjanmabhoomi controversy (Pollock 1993a).

14. See references in n. 10.
15. This was dimly apparent (as the qualifications make clear) to Eisenstadt (2000: 1), one of the originators of the idea of multiple modernities, who wrote that it ‘goes against the view of the “classical” theories of modernization… and of the classical analyses of Marx, Durkheim, and (to a large extent) even of Weber, at least on one reading of his work’.

Pollock’s vision of South and Southeast Asian history

In LGWM Pollock advances a major new statement about the shape of South Asian and Southeast Asian history. The overall story is built around three radical disjunctures or cleavages in South Asian language and cultural history. The first was announced around 150 CE with the Junagarh inscription of Rudradaman (pp. 67-68). On the same boulder in Kathiawad, Gujarat, where 14 Asokan edicts in Prakrit are also found, Rudradaman had engraved a Sanskrit praise poem that boasted of his great achievements as a king, warrior, and poet. Suddenly Sanskrit, from having been a liturgical language closely identified with Brahmanical Vedic rituals (including royal rituals), and not used (even by the most orthodox) for public announcements, is transformed into a language of royal power that comes to be adopted by dynasties ‘from Kashmir to Kelantan’ (p. 257). This form of culture-power Pollock dubs the Sanskrit cosmopolis. A king’s grasp of Sanskrit grammar, and the steps he took to support its study and preservation, came to be understood as equivalent to his preservation of the social order. Or, as Pollock puts it, glossing the Rajatarangini:

> When the king’s grammar is correct, the king’s politics are correct, and his rule will be as just as his words. The king who did not command the language of the gods could command the polity no better than a drunkard (Pollock 2006: 256).

Just how this classical form of Sanskrit and these ideas about kingship spread so far and so rapidly, Pollock admits, is far from clear (it was certainly not, as in other empires, through military conquest or bureaucratic fiat). But that it did so, and that Buddhists and Jains, who for centuries had abjured the use of Sanskrit as inappropriate for their religious purposes, suddenly also enthusiastically took it up, are incontestable facts. One important and powerful element of Pollock’s approach, as already mentioned, is that it is explicitly comparative (rather than smuggling implicit comparison in via the terms and concepts used). He sums up this history with the aphorism: ‘Whereas some regional languages such as New Persian achieved transregionality through merit, and others such as Latin had it thrust upon them through military conquests, Sanskrit seems to have almost been born transregional...’ (p. 262).

The second great disjuncture in South Asian history—this one spread over several centuries in most parts of the subcontinent and occurring at different times in different regions—fell roughly
a millennium later when local languages were subjected to vernacularization. Pollock analyses this as comprising two distinct processes: literization (being written for the first time) and literarization (being used for literature and praising power). All the while Sanskrit retained its position at the top of a complex hierarchy of languages, so that the notion of South Asians having a single ‘mother tongue’ has no sense.

Pollock demonstrates that this process of vernacularization, under way in South Asia, as in Europe, long before modernization, industrialization, or print capitalism were even on the horizon, poses some very serious questions to well-known theories of nationalism that see its crucible in the 17th and 18th centuries. He embarks on a detailed comparison with Europe, devoting two whole chapters to exploring the parallels and differences between the two regions with respect to the two big transitions. He notes, in passing, how very different the experience of China was, where no such vernacularization occurred (Pollock 2006: 260).16

Pollock offers a revisionist view of the conventional wisdom in South Asian studies, which understands vernacularization in terms of the bottom-up emergence of more popular or ‘democratic’ forms of culture and to the rise of bhakti religion. Pollock seeks to demonstrate that ‘the rise of these literatures was driven by the very same elites who embodied Sanskrit culture’; they were sponsoring and creating ‘local versions of the cosmopolitan model’ (Bronner et al. 2011: 10). It was only later, Pollock argues, once the vernaculars had been created as literary vehicles, that they were taken up by religious and more demotic movements.

The third great disjuncture in South Asian history occurred with colonialism and the introduction of the idea—wholly foreign to South Asian ways of being up to that point—of ‘Western linguistic monism’ or what Pollock dubs ‘linguism’, the Herderian view that there are given and isolable peoples defined by a single shared language—the position which underlies the cultural and linguistic nationalisms of modern South Asia. Pollock’s critique of nationalist modes of thought, as well as of the unthinking methodological nationalism of much theoretically unsophisticated scholarship, advances on many fronts and is both profound and much needed.17

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17. See p. 494 for remarks on the ‘modern communalization of literary history and scholarship’.

Much of what Pollock has to say about classic South Asian language diversity remains highly relevant even today. His idea that Sanskrit sat at the top of a hyperglossic situation remains highly descriptive, though of course the prestige hierarchy has now evolved considerably to include English and Hindi. Just exactly how it is possible to combine—as experience clearly demonstrates is the case—a Pollockian language situation with the nationalistic assumptions about language that he dubs ‘linguism’ is worthy of detailed sociolinguistic research, which, to my knowledge, has not yet been done.

In a rough and ready way it is possible to illustrate this contemporary hyperglossia, using the situation in the Kathmandu Valley, where my own original doctoral fieldwork was done, and which is and was an outpost of South Asian Indic civilization. Here the local language is Newari, called honorifically Nepal Bhasa, the language of Nepal (which traditionally meant just the Kathmandu Valley). Nepal Bhasa is a typical ‘language of Place’, in Pollock’s terminology, and indeed he includes a brief discussion of it at several points in the book. Although a Tibeto-Burman language in origin, it has been subject to two millennia of influences from the south, so that there are numerous Sanskrit and Prakrit loans, even down to the level of grammatical items. Many of the older loans are so adapted as to be unrecognizable (e.g., tipu, ‘couple’, from stri-purus).

It has long been the case that all Newars, the speakers of Nepal Bhasa, are either bilingual in, or at least have a basic familiarity with, Nepali, the national language (formerly known as khas kura, ‘the speech of the Khas’ or Gorkhali, ‘the language of Gorkha’, the origin of the former Shah dynasty). In high-status families in the early 20th century, and perhaps earlier, it was common for fathers to speak Nepali to their sons, so that they would acquire the language of the rulers and be enabled to get jobs in government. But for the majority, Newari was their language. There were dialects and the Kathmandu version was the prestige version that was generally written; differences were such that Bhaktapur or village Newars visiting Kathmandu frequently preferred to speak Nepali, in order to avoid jokes or remarks at their ‘rustic’ version of Newari. There were also small dialectal differences between different castes. At the

18. I examine this language situation in the context of Nepali nationalism and ethnicity in Gellner (2016).
same time, there had long been influence from North India, with words and literary models influencing Newari. Beyond that, there was and is the sacred role of Sanskrit as the language of liturgy and scripture.

All this meant that there was a language hierarchy, with Sanskrit at the top, and village Newari at the bottom, with Nepali, as the language of rule above Newari, but below Sanskrit. Prestige languages from the south, such as Persian and Hindi, slotted into the hierarchy above Nepali but below Sanskrit. Today English provides an alternate ‘top’ language, so that there is a double-headed hierarchy. Hindi still ranks above Nepali, but below Sanskrit and English. Any word or expression from a ‘higher’ language or ideolec
t can be imported into a lower one, for emphasis, or to stress the prestige, learning, and/or cosmopolitan polish of the speaker. In contemporary speech lexical items from the ‘lower’ language can almost never be intentionally incorporated into the higher one; communication simply fails, or is rejected, when this is done (contrast classical dramas, where different characters, depending on their status, speak different languages). Nationalism intervenes in that the Nepal Academy (formerly the Royal Nepal Academy) has sometimes encouraged different Sanskrit loans from Hindi, in order to differentiate the two languages (though in fact most direct loans from Sanskrit are identical in Nepali and Hindi). Official stipulation, as in France, often loses out to English loans.

Today, however, under the pressure of universal schooling and intense competition for post-school careers, the majority of Newar parents, and especially those in upper castes and with middle-class aspirations, have started systematically speaking Nepali to their children. In fact the majority of Newars now have middle-class aspirations, whatever their actual position. As a consequence, in the next generation the language hierarchy will be considerably simplified, with the bottom rung completely, or largely, eliminated.

The same hierarchical hyperglossia is evident in the Nepal Tarai bordering India. Language there is said proverbially to change every 10 kos (a variable unit of distance, sometimes glossed as ‘mile’). Maithili blends imperceptibly into Bhojpuri, which blends into Awadhi. Everyone, on the Nepal side of the border, is multilingual, speaking the local language at home, Nepali in schools and offices, Hindi as a link language, and for films, politics, and business; and in addition many also know English. There is the same hierarchy as in Kathmandu, in that words can be borrowed from Hindi or English and
used in Nepali, Maithili, or Bhojpuri, but not vice versa.\textsuperscript{19} There is the same process of language change, so that urban, middle-class children may understand Bhojpuri, but are more comfortable speaking in Hindi or even English. In short, Pollock’s hyperglossia is still very much a social reality, even as that hyperglossia is being impacted by modernist linguism.

\textit{Weber and Pollock on legitimation}

I am not competent to tackle Pollock on many of the interesting theses he advances about South and Southeast Asian history and in particular about the uses of Sanskrit and South Asian regional languages.\textsuperscript{20} I limit my assessment of Pollock’s magnum opus, in the light of Weber, to two key points: (1) Pollock’s attack on the idea of legitimation, and (2) his avoidance of religion. I shall pass over Pollock’s chapter 14, where he mounts a detailed and passionate attack on the theories of Benedict Anderson and my father, Ernest Gellner, about the origins of nationalism. I pass over it because I think it is largely justified, and fully within Pollock’s area of expertise. He shows that, in context after context, and not only in Europe, the kind of standardization of the vernacular—which, according to modernist theories of nationalism, could only have happened after the arrival of print capitalism or the onset of industrialization—happened quite independently and much earlier. The evidence he advances is incontestable and must be taken into account by any future attempt to defend modernist theories of nationalism, i.e., theories that assert that nationalism did not, and could not, exist before the onset of modernity, wherever that is placed.\textsuperscript{21}

\textsuperscript{19} See also Burghart (1996) on Maithili.

\textsuperscript{20} McCrea (2013) is a sympathetic critique by someone who most certainly is so qualified. See pp. 118-19 on the various genres of Sanskrit literature (not only the religious) that are barely considered by Pollock. McCrea’s final sentence: ‘… the king and his court are only part of a wider field of competing, overlapping, and mutually enmeshed agents, discourses, and histories, all of which call for comparably thorough study’ (ibid.: 124).

\textsuperscript{21} Others have noted that forms of nationalism exist in several contexts much earlier than the 17th-18th century beginnings posited by modernist theories. Hastings (1997), for example (not used by Pollock), emphasizes the role of religion in creating proto-nationalist identity before the age of nationalism. See also Smith (1986).
I note, however, Pollock’s concession that

[though] vernacular language had become at least a basic condition of practical rule..., if not the theory of rule... [under the Rastrakuta and Calukya dynasties, 750–1200] no Kannada literary or documentary text openly proclaims a Kannada political project. The political as an overt enterprise of a culture-territory remains unspoken, and nothing remotely like a ‘Kannada nation’ ever found expression. Indeed, an ethno-linguistic-political category of that sort would have been unintelligible (Pollock 2006: 421; original emphasis).

In other words, before the age of nationalism, imported by colonial rule, a national or ethnic identity as Kannadiga did not and could not exist. So perhaps vernacularization can happen without print capitalism, but, after all, nationalism cannot?

Leaving aside the pre-history of South Asian cultural nationalism, then, I turn first to Pollock’s polemic against legitimation theory. This, along with functionalism, is a particular bugbear:

The single available explanation of the social function of Sanskrit cosmopolitan culture is legitimation theory and its logic of instrumental reason: elites in command of new forms of social power are understood to have deployed the mystifying symbols and codes of Sanskrit to secure popular consent. Absolute dogma though this explanatory framework may be, it is not only anachronistic but intellectually mechanical, culturally homogenizing, theoretically naïve, empirically false, and tediously predictable—or at least such are the claims argued out later in this book on the basis of the data assembled here (p. 18).

This is high-class intellectual abuse, but when so many diverse objections are mobilized, methinks Pollock doth protest too much. If this line of argument is empirically false, that should be enough and the end of the matter. No need then for the other accusations.

The classic case of legitimation being mechanically and repetitively wheeled out in the way that so irritates Pollock is in trying to account for the Southeast Asian kings’ fascination with Indic models, their wholesale adoption of Sanskrit praise poems, Hindu and Buddhist gods and rituals. In case after case, Pollock shows, the adoption of Indic forms is explained by a ‘need’ for legitimation on the part of rulers:

The logic of instrumental reason is central to the argument that in pre-modern southern Asia, cultural systems across the board were ‘needed’ for political ‘legitimation’. Though this constitutes the principal explanatory maneuver, repeated mechanically ad infinitum, it is an explanation that itself seems to have never been explained, let alone critiqued and defended (p. 516).
Pollock is certainly right that simply invoking ‘legitimation’, and not asking probing questions about timing, chronology, dissent, contest, etc., is lazy and in itself not much of an explanation. He starts with a hedge: ‘Difficult questions are involved, and I make no pretense of doing more here than simply registering a number of doubts and hesitations’ (p. 517). But then he proceeds to try and demolish, using theoretical argument, any possibility of using legitimation as an explanation at all.

Though not set out in particularly analytical form, there would appear to be six different, though partially linked, arguments at work in Pollock’s text:

1. Legitimation requires a kind of means-end capitalist rationality that does not exist in the premodern era. Weber is unhistorically projecting back modern rationality to a premodern era (p. 518).

2. Following Ricoeur, the premodern world is pre-ideological; therefore Weber’s three types of legitimation cannot be universally applicable (p. 519).22

3. Following Gramsci, there is no civil society in premodernity, therefore there can be no hegemony (p. 521).

4. Following Giddens, societies do not have ‘needs’ (p. 522).

5. Legitimation theory requires either a rational actor theory of politics (point 1 above) or a conspiracy theory (the rulers know how to fool the populace) (p. 522).

6. In premodern South Asia no one knew any other system of rule, so legitimation was unnecessary: ‘…kingship…approximated a natural law’ (p. 522).

The very diversity of sources and arguments invoked might be seen to be a problem in itself. Arguments 2 and 3 presuppose a simple contrast between modern and premodern societies of the sort that Pollock is quick to reject in other contexts. Premodernity was, as he is the first to insist, multiple and of many types, and should never be reduced to a simple projected inversion of whatever modernity is not. Argument 4 is controversial; yes, viewing societies as meaningfully similar to biological organisms is highly misleading; but for

22. McCrea (2013: 123) points out that Pollock follows Ricoeur’s line of argument closely. He also remarks, and I agree, that ‘if we are to discard… legitimation, we need to replace it with something, and no clear alternative seems to be on offer here’ (ibid.: 124).
societies to cohere there must be preconditions, even if it is hard to specify what those are in a non-circular and operationalizable form. Argument 6 is in fact incorrect, in the sense that South Asians knew of those beyond the reach of the king, in remote or ‘tribal’ areas, of people who wandered and avoided kingly rule. What is no doubt true is in the period in question civilized living took for granted a monarchical system. But that does not mean that people could not and did not distinguish good and bad, legitimate and illegitimate kings. Finally, to deny that premodern people were capable of thinking in terms of means-end rationality is again to set up an insuperable barrier between modernity and premodernity, of the sort that in other contexts Pollock would not agree to.

Perhaps Pollock would be happier with the assertion that all societies have scales of value. In that sense rulers do need to appear legitimate. Tribute and deference rendered voluntarily and in fulfilment of a value is always more efficient, as well as psychically more satisfying for the ruler (and no doubt for the ruled also), than that which is extracted by mere force. Pollock likes the suggestion that the apparatus of ritual and ideas mobilized by the elite is actually about ‘building ruling class consensus’ (p. 523; original emphasis). Competition within elites and between neighbouring kings certainly does seem to have been a key driver of the kinds of literary innovation that Pollock is keen to explain.

Pollock seems to lack any conception of different levels when constructing causal or any other kind of explanation. 23 Weber’s three types of legitimation are at the highest possible level of abstraction, so that they are hardly going to provide the explanation why the kings of Southeast Asia adopted Indic forms of rule. Any such explanation must operate at a much more complex and particularistic level. Since monarchy was, as Pollock says, the only game in town, all competing variants on offer (whether Shaivite, Vaishnavite, Buddhist, Jain, some combination, or whatever) were going to be, in Weberian terms, different forms of traditionalistic legitimation. I suggest, then, the following:

1. that Pollock’s critique of legitimation is too various and eclectic to be coherent;
2. that his critique of the scholarly consensus (in the explanation of the adoption of Indic cultural forms in Southeast Asia) may

23. See Kalberg (2012) for one example of how to do this.
none the less have considerable validity, simply because the historians in question have indeed, as he claims, wielded the term too crudely and mechanically;

3. that rulers—as his material shows—did strive to be good, i.e. legitimate, kings in the eyes of themselves, their courts, and, yes, even their people;

4. but the criteria for good rulership were multiple, contestable, and contested; and

5. that out of this competition, changing religious styles and changing literary styles, as well as what Pollock would call changing culture-power formations, emerged and spread.

Pollock and religion

A surprising gap (much remarked upon) in Pollock’s approach is his determination to avoid detailed discussion of religious developments. It is particularly surprising given his foundational article on the Rama myth and politics (Pollock 1993a). This lack of interest in religion may be of a piece with Pollock’s allergy to ‘legitimation’. In one sense Pollock is reacting against the religious models and explanations which have hitherto dominated discussion of South and Southeast Asian history. He hints that he has deliberately turned away from a consideration of religion in order ‘to redress an interpretive balance that for too long has been skewed toward the religious’ (Pollock 2006: 29). But, given that a very large part of what kings and courts did was to endow temples and to participate in rituals linked to those temples, Pollock’s refusal to engage with religious institutions, to take them as seriously as do the literary texts that form the heart of his analysis, impoverishes that analysis.

One place where Pollock is forced to discuss religion is when discussing the causes of the vernacularization process early in the second millennium CE. The final section of chapter 10 is called ‘Religion and Vernacularization’, the only place where religion appears in a chapter or sub-heading title. Pollock is obliged to confront what he calls ‘the unchallenged consensus’ (p. 423) that the new vernacular texts constituted a challenge to Brahmanical hegemony, that they represented in some sense a religious and popular revolt against the

24. Bronner (2011: 47) notes that ‘students of Pollock are not used to seeing him argue passionately about the religious and mythological aspects of a work’. Mitchell (2009: 52) notes how in early second-millennium Andhra religion was an important basis of identity, but language was not.
elite. Pollock is able to demonstrate that, on the contrary, in case after case from Karnataka to Assam, Gujarat, and Java, Brahmans were the instigators of this new literary movement, that this trend originated in courtly circles, and that its motivation was very far from religious.\(^{25}\) He does have to admit, however, that there was a second wave of vernacularization that did have this character, as illustrated by the Virasaiva movement in the south and the nirguna bhakti movement in the north. The Virasaiva movement was ‘without anachronism… a revolutionary movement in both culture and power… self-consciously anti-Brahman and anticaste, and, more broadly speaking, counterhegemonic and even antinomic…’ (p. 433).

In closing the pair of chapters (13 and 14) that compare the vernacular millennium in Europe and South Asia, Pollock raises the question whether the presence of Islam may have, in one or other context, been the spur to the creation of new, more regionally based identities expressed in the new vernaculars. Was Pirenne correct to claim that ‘without Mohammad there would have been no Charlemagne’ (p. 489)? In the case of Europe he concludes that the earliest vernacularization (of English, under King Alfred) owed nothing to pressure or examples from Islamic states whether in Spain, North Africa, or the Middle East, but that in other cases (French, Occitan, Castilian; later Magyar) this was or may well have been a significant factor. In the South Asian case, he is reduced, within the space of three pages (pp. 491-94), to calling multiple times for more research, especially on the interactions between Sanskrit, vernacular, and Muslim and non-Muslim genres. It is striking that in LGWM Pollock is much more cautious about ascribing vernacularization in the subcontinent to the impact of Islam as a political force than he was in his analysis of the Ramayana as a political tract (Pollock 1993a: esp. 286-87).

One glaring omission—relevant both to the question of religion and to the question of chronology—is the book by Ronald M. Davidson (2002), Indian Esoteric Buddhism. Unfortunately, it came out just at the point when Pollock ceased trying to keep up with specialist publications relevant to the vast areas of space and time he was attempting to encompass (p. xii). Davidson was concerned to explain the link between Tantric religion and statecraft in the heyday of what Pollock calls the Sanskrit cosmopolis. According to Davidson, it

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25. See McCrea’s (2013: 122-23) qualifications to Pollock’s chronology in the cases of Tamil and Hindi.
is no coincidence that the mandala is both a model of religious and liturgical practice and a term of political art:

Buddhists derived their mandala forms and functions, not so much from the theoretical treatises of Indian polity as from their immediate observation at [sic] the disposition and execution of realpolitik in their environment... by observing the actual relationships of the overlords and their peripheral states... Indeed, the Buddhist mandala is a classic analysis of the system of sāmanta feudalism in early medieval India, all sufficiently sanctified for the monastic community (Davidson 2002: 139).

The term mandala, a key concept both for South Asian politics and for South Asian religion, receives no discussion and only a single index entry in Pollock’s book. Although Tambiah’s (1977) World Conqueror, World Renouncer is listed in the references, there are no index entries in Pollock’s book for ‘mandala’ or ‘galactic polity’, though these would seem to be alternative ways of describing what he calls the Sanskrit cosmopolis.

Pollock is very happy to invoke the role of Buddhism as having provided a ‘broad religious and social critique’ (p. 40) of Vedic certainties that provoked Jaimini and others to produce justifications for them. And ‘[t]he fact that many Buddhist communities in the north of the subcontinent abandoned their long-standing language pluralism in favour of Sanskrit, the language they had rejected for centuries’ (p. 59) is a key part of the evidence for the emergence of his Sanskrit cosmopolis. It is surprising that the emergence of Tantrism—a ‘culture-power’ complex, if ever there was one, and a trend that crossed all religious boundaries (like the adoption of Sanskrit before it)—does not feature in his overall story. Had the rise of Tantrism been included in his account, it might have provided a parallel to the ‘second vernacularization’ part of his later story.

Pollock brilliantly describes and illustrates how kings were meant to be great grammarians and great poets (Ch. 4). In the Nepali case this involved the composition of dramas in which, for example, they themselves played the starring role as Narasimha, the half-man, half-lion incarnation of Vishnu, who defeats the demon Hiranyakashipu and saves the kingdom.26 But nowhere does Pollock consider the king’s role as the kingdom’s chief ritualist and sacrifier (as Hubert

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26. For this drama, the Karttik Pyakhan of Lalitpur, see Toffin (2007: 26, 49) and Shrestha (2009). On festivals and dance dramas in Newar settlements generally, see Toffin (2010).
and Mauss called the patron and sponsor of ritual), responsible for the people’s future good fortune (fertility of the soil, reliability of the rain, freedom from epidemics). This is even though he draws attention to the fact that kings, via the praise poems they propagated, craved fame at the same time as they averred that ‘the realm of transmigration has as little value as a reed, a bamboo shaft, a plantain tree; knowing that sense objects are as transient as the waves on the ocean...’ etc. (p. 143).

Pollock may be right to say that ‘There was no specifically Saiva or Vaisnava political practice, no specifically Jain political philosophy (as Somadevasuri’s political tract shows), no specifically Mahāyāna theory of political power’ (p. 431). But there was a religious theory of power, Saiva/Sakta in origin and very widespread, and it was deeply Tantric. According to this, kings obtained their power to rule thanks to their relationship with the Goddess, identified with the soil of their territory, and worshipped annually in the festival of Durga Puja.²⁷

Pollock is clearly right to condemn historical surveys, both Europe-focused and in South Asia, that fail even to mention crucial linguistic or literary developments:

Language and literature are notable for their near-total absence from scholarship on the medieval polity — this despite the fact that, in terms of the evidence actually extant, they constitute some of its principal concerns (Pollock 2006: 412).²⁸

How, one wants to ask, can that justify an equal and (given that the evidence and scholarship is there) even more glaring refusal on Pollock’s part to engage with religion, which was so evidently a key element in the self-image and self-creation of South Asian rulers and the courts that are the focus of his analysis?

**Conclusion**

When Pollock calls for the ‘comparative study of premodern processes of cosmopolitan transculturation’ (2011: 10), one would have thought that Weber would be just the person to call on for support. It was Weber who was the first to see — and build his whole research programme around the insight — that other civilizations were not just


²⁸. Pollock cites Fox (1977) and Kulke (1995) as examples. For European historians also neglecting language issues, see Pollock (2006: 269-70, 437); cf. n. 31 below.

staging posts on a uniform (Western-defined) royal road to modernization, but that in fact there are and have been alternative paths leading in very different directions. This is precisely the point that Pollock wants to insist on, and devotes considerable space and expertise to demonstrate. He fails to see that Weber was the first visionary sociologist to break out of nineteenth-century evolutionism in this way (like many before him, he confounds Weber and the developmentalist Weberians of the 1950s and 1960s).

Despite the great depth and breadth of Pollock’s scholarship, there are big gaps in the works that he is willing to draw on or debate with. One suspects that personal and/or scholarly biases must account for his passing over in silence the work of fellow textualists who have had something to say about the overall shape of South Asian history, such as Davidson (referred to above), Sanderson (www.alexissanderson.com), and Geoffrey Samuel (2008). These three do not even rate a listing in the references; Tambiah (1976) and Schopen (1997), who are listed, appear not to be discussed. In all these cases, the fact that their focus is on religious institutions may explain, but surely cannot excuse, the omission.

Pollock is often tempted by the trope of saying that we simply do not know enough. Comparing vernacularization in Europe with South Asia, he concludes:

Clearly something very different was in play in this world: power was obviously concerned with culture in vernacular India, as it had been in cosmopolitan India, but in some way no longer intuitively comprehensible to us... It may simply be that at present we do not have the history or the social science to understand what other ends beyond such mobilization might have been or still are available or possible (pp. 481-82). 29

Pollock is not alone in failing to incorporate religious institutions into his historical account: the same charge is brought by Philip Gorski in his fascinating book, The Disciplinary Revolution, against Skocpol (and others) who first tried to do an up-to-date comparative account of state-society changes in early modern Europe. Leaving religious institutions out of account is perhaps not a surprising omission in Pollock, since he does not spend time considering the influence of other institutions much either. His is, after all, attempting to write the history of a language. But he could and should have given a greater

29. Cf. ‘an adequate explanation of vernacular polity remains very much a goal of future research’ (p. 423).
place to religious discourse—which surely, by any objective measure, deserves as prominent a place as kāvya (poetry) in any history of Sanskrit.

Direct comparison of what Weber wrote with Pollock’s framework would be a pointless exercise. Many of Weber’s specific statements and conclusions are simply inadequate in the light of contemporary scholarship. Weber was limited by the sources he had to hand. Despite the fact that he worked hard and hoovered up an astonishing amount of material, he was writing fast and covering a lot of ground. Inevitably there were hasty judgements that it is not worth debating today. In spite of all this, he had many very acute insights and, above all, a global comparative perspective.

Even to think of comparing the two scholars in terms of their grasp of South Asian history would be ridiculous. And yet Pollock, by not engaging with institutional comparisons, by remaining within the circle of texts and discourse, cannot come up with an alternative social and political history, can only posit a new chronology and point to inadequacies in the accounts of others. Sometimes the explanation for textual developments lies wholly outside the texts.30

In the end Pollock is not a historical sociologist.31 While criticizing existing scholarship in what he takes to be a pretty radical way, he does not produce, and does not really try to produce, any kind of causal account of the massive changes or ‘breaks’ that he identifies in South and Southeast Asian history. What he does do is identify the breaks and the key problems in a genuinely original and fresh way. On the basis of a deep knowledge of the inscripational and textual record, he has produced a new chronology and periodization of South Asian history and shown where the problems of explanation lie, putting his finger on older, sweeping, and simplistic explanations that are simply inadequate. Whether it adopts his conclusions or not, no serious history of South Asia or Southeast Asia will be able to ignore Pollock’s theories. As a scholar of cultural products, it is hardly surprising that his overview of over two millennia of history remains in the end confined to the sphere where he is the pre-eminent authority. What is needed now is some synthesis, a

31. He has an et tu quoque response to historical sociologists and historians, such as Anderson (1974), Elias (1994), and Chaudhuri (1990), who completely ignore the whole process of vernacularization (Pollock 2006: 484 n. 28).
combination of institutional and cultural factors, of the sort that only a latter-day Weber could provide.

References


--- 2014. ‘What is South Asian Knowledge Good For?’, *South Asia Institute Papers (Heidelberg)* 1, www.sai.uni-heidelberg.de


Reconstructing Weber’s Indian Rationalism: 
A Comparative Analysis

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Abstract
Max Weber’s Religion of India (RI) fails to offer his full analysis of the origins and contours of the ‘rationalism’ of India. Instead, a synthesis of this work with innumerable passages on India in, primarily, his Economy and Society and General Economic History volumes is required. When fully reconstructed in this manner, seven elements can be seen to be central to Indian rationalism. This article defines these elements through, following Weber, regular comparisons to ‘Western rationalism’ and ‘Chinese rationalism’. Doing so leads to an unorthodox conclusion: Weber’s rationalism of India construct constitutes not simply a ‘contrast case’ that serves to demarcate Western rationalism, as frequently argued; rather, it also delineates the uniqueness of India. This reconstruction further provides Weber’s more complete analysis of the origin and expansion of the many obstacles in India to the rationalization of action in the law, rulership, and economy spheres. Contrasts to the trajectory taken in the West toward modern capitalism are emphasized.

Keywords: Max Weber, rationalism of India, Western rationalism, Chinese rationalism, modern capitalism.

It is infrequently acknowledged that Max Weber uses the term ‘rationalism’ broadly. He discusses the rationalism of India, China, ancient Israel, ancient Greece, and ancient Rome, as well as the rationalism of the medieval West and the modern West. To him, each major civilization possesses an indigenous rationalism, or significant degree of unity anchored largely in the juxtaposition of unique affinity relationships across the major life-spheres with singular historical events and developments.¹

¹ Too many commentators have argued that Weber used this term to distinguish ‘rational’ (the West) and ‘non-rational’ (non-Western) civilizations. Instead, he opposed firmly his many colleagues who wished, by utilizing these and similar terms, to convey the ‘superiority’ and ‘greater advancement’ of the West. See the concluding section.
This article takes India as its focus. It is here maintained that Weber’s *Religion of India* volume (RI; 1958) fails to present his full discussion of ‘Indian rationalism’. This construct is reconstructed in this article by reference also to *Economy and Society* (E&S), *The Religion of China* (RC), and *General Economic History* (GEH). He rarely uses this term or its variant, the ‘rationalism of India’. This study also aims to convey the uniqueness of Indian rationalism through regular comparisons to Western rationalism and modern Western rationalism. Two terms and three general comments must be noted at the outset.

First, at the center of Weber’s analysis of Indian rationalism is the question of why modern capitalism arose earliest in Western Europe and Northern America. His concern is never capitalism as such, which he views as present in all epochs and civilizations, but the appearance of an industrial type of capitalism that implies free labor, a modern economic ethos, a systematic search for profit, and a high organization of a labor force in an organization (*PESC*: 79-88; *E&S*: 161-66; *GEH*: 275-369). This type of capitalism arose first in the West’s nineteenth century. Why did it appear, he queries, first in this region and this century?

Second, following Weber, the central terms life-sphere (*Lebenssphäre*), societal arena (*gesellschaftliche Bereich*), and life-order (*Lebensordnung*) will be used synonymously. Each refers to the spheres of life pivotal in his mode of analysis: the religion, rulership (*Herrschaft*), economy, law, universal organizations (the family and the clan [Sippe]), and status honor spheres. Three general comments must supplement these clarifications.

First, if one compares Weber’s *RI* and *RC* volumes, it becomes evident that the latter study is much better balanced as concerns his distinction between the ‘religion’ and ‘world’—or secular—arenas (see *Prefatory Remarks*: 245-46; see also *PESC*: 178-79. That is, the China


6. Once ‘invented’, it can be adopted by nations outside Europe and northern America, he maintains.

volume addresses world themes thoroughly: stratification issues, rulership and administration themes, the forms of the economy (the natural, capitalist, mercantilist, modern capitalist, etc.), the clan, the Chinese city, and major types of law. Conversely, the RI study retains a focus on religion, both orthodoxy and several heterodoxies, and examines the world sphere, with the exception of the discussion on castes and status groups, far less than does RC. Hence, it remains incomplete if one keeps in mind Weber’s overarching aim in the *Economic Ethics of the World Religions* (EEWR) volumes to offer ‘religion’ and ‘world’ analyses (see *PESC*: 179; ‘Prefatory Remarks’, 246-47).

Our task involves an incorporation of various ‘world’ elements into the RI analysis; ‘Indian rationalism’ can be adequately reconstructed only by doing so. This goal can be achieved, first, by integrating passages on India from the *GEH* volume, from RC, from Weber’s ‘Social Psychology of the World Religion’ essay (*FMW*: 267-301),7 and, above all, from the chapters on rulership, law, and the city in *E&S*. Second, the task here undertaken also requires reference to numerous comparisons between India and his Western rationalism and modern Western rationalism models. These comparisons will throw a powerful beam of light upon those features unique to ‘Indian rationalism’. They will become fully manifest only through such ‘comparative experiments’.

A second general comment is also indispensable. Weber’s stated aim in RI, as well as in RC and the further EEWR volume, *Ancient Judaism*, and also in his other writings on India, is to demarcate the West’s uniqueness through systematic comparisons. Expansive ‘controlled experiments’ across civilizations will alone define clearly the singularity of Western rationalism and modern Western rationalism, he argues—and, not least, offer eventually a large-scale causal analysis for their particular origin and development. However, these same expansive experiments isolate, as will become evident, also the uniqueness of Indian rationalism.

Finally, it must be stressed that the Indian rationalism reconstructed here follows Weber’s emphasis in RI: he paints a portrait of Classical (approximately 600 BCE to CE 700) and post-Classical India (CE 700 to 1200) rather than a portrait of present-day India or of India in transition.8 Weber does not seek to examine developments

7. In the series in the original German, this essay constitutes an introduction to the EEWR studies. The title was given by the translators.

8. These dates conform to today’s scholarship. Weber’s dating often varies by 50-100 years.
in eighteenth and nineteenth century India. Instead, as is the case in his analyses of the rise of Western rationalism and Chinese rationalism, his investigations take him far into the distant past to the Ancient and Middle Age epochs.

These preliminary remarks must be kept in mind throughout the reconstruction of the rationalism of India below. Taken together, seven elements emphasized in RI, RC, E&S and GEH distinctly delineate this rationalism. Comparisons between India and the West assist identification of these components. Only an abbreviated description of each can be offered here. I, following Weber, begin with the caste order, a feature of the civilization of India central to his definition of Indian rationalism.

1. The Caste Order and its Legitimation by Hinduism

Castes became firm only in post-Classical India, according to Weber. The caste system implied the estrangement of groups from each other as a consequence of firm dharma rituals (see below). This took place to such a degree that both fraternization, or cross-group fellowship, and social mobility were inhibited, Weber argues. He saw both as important preconditions for the efficient organization of labor, as well as for the unfolding of merchant cities and the Western concept of citizenship (see GEH: 315-37, 352-69).

So pivotal for the shattering of traditional forms of rulership and a weakening of the clan’s boundaries in the West, the caste order in post-Classical India restricted these developments, Weber holds. Firmly anchored by the end of the post-Classical epoch, the caste system was the single institution endowed with the capacity to legitimate social status and bestow economic advantages (RI: 20). Its solidity and influence is discussed by Weber largely through comparisons and contrasts to guilds.

Similar to their counterparts in the cities of the medieval West, the guilds prominent in Classical India never prohibited commensalism on the basis of ritual barriers. However, when later in place, castes did so. Weber saw this distinction as crucial: in the West, only

10. Arguments, as relevant, will be taken from each of these sources. Hence, this study constitutes a reconstruction.
11. For a more extensive discussion (to which this article is indebted), see Kalberg, The Social Thought of Max Weber (Los Angeles: Sage, 2016), pp. 143-62. See also Kalberg, Max Weber’s Comparative-Historical Sociology Today, pp. 165-78.
‘factual barriers’ (sachliche Hindernisse) separated one stratum from another. Even though merchant and craft guilds at times opposed one another violently in the West, a ‘magical distance’ based on ritualistic taboos never restricted connubium between occupations. However, ritual and psychological resistance in post- Classical India precluded, for example, artisans from different castes and crafts from working together in the same factory, Weber holds (RI: 34-35; E&S: 435-46).

Thus, groups were separated by inviolable ritual and fraternization was prevented (RI: 38). Moreover, while the degree of closure in the West’s medieval guilds resulted from economically fluctuating conditions, the hereditary nature of caste membership in India’s post-Classical period was supported by religious belief and firm, Weber maintains (see below). Finally, children in the Western Middle Ages, because the apprentice as a rule freely chose his master, could seek training in occupations other than those of their parents. As a result, fraternization across guilds could occur. In the Western medieval epoch, in part from such fraternization, an active ‘citizenry’ arose capable of—legally or illegally—acting as a political force independent of the nobility (RI: 35).

Once entrenched in India’s post-Classical era, the caste system’s capacity to diffuse opposition became unlimited. Rather than admit new social groups into an open arena free of ritual barriers, the rationalism of India instead, dominated by castes and an acceptance of them, simply created new castes or sub-castes that eventually co-opted oppositional groups. To Weber, two pillars mainly upheld the caste order: the unequivocal support provided by a high status group—the Brahmins—and by Hinduism.

The birth and endurance of the caste system would have been inconceivable without the pervasive influence of the Brahmins. This cohesive stratum of religious intellectuals and priests constituted the earliest caste and the social carriers of Hinduism, as well as Indian culture as a whole (RI: 130-1). Endowed with a charisma based on their training in, and sacred knowledge of, the Vedic scriptures, they served as indispensable house priests, confessors, teachers, and spiritual advisors for all life’s dilemmas.

In possession of a monopoly on all educational processes, only the Brahmins could offer instruction in the sacred formulae and magical

12. Weber’s analysis of the rise and expansion of the caste system is reconstructed at Kalberg (2012: 165-78).

practices that instilled charismatic and secret powers. Success in battle or in life depended on the correct performance of ritual, and its violation accounted for failures, Weber sees (RI: 61, 130, 140; E&S: 427, 502). As the possessors of spiritual authority, the Brahmins had consolidated their powers by the 6th century BCE. Rather than as a status group of cultivated intellectuals, they were properly defined as a caste, Weber maintains.

However, the establishment and long-term endurance of the caste order depended also on the existence of a legitimating belief system. Hinduism provided this element. The two key teachings and ‘dogmatic doctrines’ that formed this religion’s ‘substantive rationality’—the karma doctrine of ethical compensation and the samsara belief in the transmigration of souls—placed strong and direct ‘psychological premiums’ on action that upheld the caste system, Weber argues.

According to the karma doctrine, eternal and automatically functioning processes keep full account of the acts of all individuals. No ethically relevant act can ever escape from this comprehensive and ‘universal mechanism of retribution’, and each such act signifies distinct—as well as unfailing—consequences for the believer’s destiny. The samsara doctrine asserts that the soul is forever subject to rebirth, and that failure and merit in the world unfailingly determine a person’s fate in all successive lives. According to the doctrine of karma compensation, sickness and misfortune result solely from incorrect action in a prior life (E&S: 524-25, 553).

Thus, pious Hindus were perpetually engaged in a process of assessing their fate by weighing merit or failure. The soul would be inevitably reincarnated into diverse animal, human, or even divine forms ‘in exact proportion to the surplus on one or the other side of the ledger’, they knew. Rebirth into animal forms or into despised castes indicated simply the consequences for offences in a previous existence. Conversely, those born into high castes were universally believed to have been compensated for living virtuously in their past lives (see E&S: 525). To Weber: ‘All salvation religions of Hinduism addressed one common question: how can persons escape from the wheel of rebirth and thereby ever new death? How is salvation possible from eternally new death and therefore salvation from life’ (RI: 133)?

Ritual or magical means that might enable escape from the eternal sequence of death, rebirth, and ethical compensation were not allowed by these doctrines in the strict form they assumed in Classical
times. Since they determined their own futures, Hindus developed an accentuated awareness of caste-based responsibilities and learned to avoid violation of them. How did classical Hinduism in its historically most significant form—lay Hinduism—support the caste system?

Viewed in terms of its practical ethic, lay Hinduism placed psychological premiums with the weight of an ethical obligation on adherence to the caste system as a whole. This demarcation of ethical orientations meant that, within the separate castes, a vacuum existed within which caste-specific ritualism could expand unhindered. According to Weber, ritualistic rights, responsibilities, and duties according to caste, or dharma, constitute the ‘decisive criterion of Hinduism’ (RI: 24; trans. altered).

The everyday dharma of a caste was based on sacred tradition and mediated through the ‘literary and rationally developed learning of the Brahmins’ (RI: 25). If a Brahmin, his earthly tasks remained confined to learning the Vedas and otherwise following the correct ritual of his caste. Members of other major castes also knew that the upholding of their traditional dharmas was most highly valued. They were also aware that an attitude of reserve and detachment from this-world must be cultivated.

The lay Hindu in Classical times could discover no motive for a positive evaluation of earthly action except as related to dharma, Weber contends. Only those who practiced exemplary habits, were loyal to their caste by strictly adhering to caste dharma, supported prescribed traditions, and renounced all yearning to ascend in this life to membership in a better caste could hope for attainment of the salvation goal reserved for the laity: a fortunate rebirth. This held true for princes, warriors, judges, artisans, and peasants, as well as intellectuals, kings, robbers, and thieves, Weber notes. For these devout, distant from the virtuoso Brahmins and knowing nothing of either escape from caste or salvation in this life, caste dharma alone mattered. Fulfillment of this ritualistic salvation path constituted the single means to acquire psychological assurance that death would involve a favorable reincarnation (RI: 326).

Even while acknowledging the unequal distribution of charismatic religious qualifications and institutionalizing them into castes, this ‘organic pragmatism’ (Heilspragmatik) refused to permit the existence

13. Whereas the dharma of the Protestant would involve baptism, church attendance, rest on Sunday, and a prayer of thanks before meals, the Hindu dharma implied caste-specific rituals (RI, pp. 24-25).
of unequal salvation chances, Weber holds. This remained the case even though, for the vast majority of Hindus, equal opportunity could become a reality only with rebirth (RI: 174-75; E&S: 598-99).\textsuperscript{14} Moreover, since the ‘organic social ethic’ graduated all religious demands to conform to varying religious qualifications, the expectations Hinduism placed on individuals never exceeded their capacity to fulfill them.\textsuperscript{15}

Weber sees that the predominance of caste-specific dharma resulted in fragmentation rather than the development of a caste-transcendent, ethical universalism capable of grounding inter-caste fraternization. As the karma and samsara doctrines became firmly rooted, a theoretically perfect harmony between religious doctrine and caste particularism arose. Indeed, the influence of the entrenched caste order spread into the status, economy, religion, law, and rulership domains. Hence, it remained pivotal to the rationalism of India, Weber maintains. Although, due to the caste system’s relative weakening of the sib group, a certain potential crystallized for the development of cities and thus for an expansion of practical rationality in the economy domain, the caste order stood effectively against all impulses in this direction. As will become evident, it also restricted all potential developments in opposition to the natural economy and the traditional forms of law and rulership. The restriction of the development of cities in India constitutes the second feature that belongs to Weber’s Indian rationalism.

2. The Restriction Upon City Development

In the Classical period, quite prominent guild organizations unfolded in India’s cities, as noted. Some combined into large associations (RI: 33; E&S: 1229). Moreover, village communities were often quite independent and powerful, and some cities, ruled largely by patricians, became politically autonomous (E&S: 1228-29).

However, these developments failed to call forth autonomous cities on a broad scale, as occurred in northern Europe in the Medieval West. Instead, the caste system crystallized in the post-Classical era to block this trend; ‘…the triumph of ritual caste barriers shattered

\textsuperscript{14} See also ‘Religious Rejections of the World’, in FMW, p. 338.

\textsuperscript{15} Consequently, no great psychological tension resulted of the type that repeatedly congealed in the West where the faithful were expected to order comprehensively their worldly actions to conform to an omnipotent God’s ethical commandments. Weber succinctly summarizes the organic social ethic (see FMW, p. 338).
the guild association, and the royal bureaucracy in alliance with the Brahmins swept away all such budding developments’ (E&S: 1229-30).

New urban-based groups could not arise and expand owing to caste barriers against fraternization, indeed ones firmly anchored by religious ritual. Fraternization, common participation in the activities of an urban commune, and a fusion of ‘citizens’ into a city corporation—with shared rituals and rooted in the notion of equality—could not develop in the post-Classical period, Weber contends. Even the emergence of a solidary ‘bourgeoisie’ was precluded (see E&S: 1229).

Hence, the autonomous administration of cities by their own citizens was ‘unknown or merely vestigial’ in India, Weber argues. As a consequence, a court system and city-based law applicable to all residents could not appear (E&S: 1227-29). He summarizes his position regarding cities in post-Classical India thusly: ‘All reliable information about Asian and Oriental settlements, which had the economic characteristics of ‘cities’, seems to indicate that normally only clan associations, and sometimes also occupational associations, were vehicles of organized action, but never a collective of urban citizens as such’ (E&S: 1233).

Weber understood the weakening of the sib group in the West’s Middle Age era as providing a significant precondition for the unfolding of cities and the expansion of practical and formal rationality in the economy, law, and rulership domains on the one hand and for the possibility of citizenship on the other hand. Yet such city communes failed to arise in post-Classical India. Instead, the strength of the caste order combined with the continued power of familial ties to hinder the development of the city in the Western sense on a widespread basis—namely, as a polis or commune with an armed population and an organized citizenry that opposed the estrangement of groups from one another and facilitated open fraternization (RI: 13-14).

In this respect, the consequences of the suppression of the guilds in the late Classical period by the Kshatriya nobles and the Brahmins could not be underestimated, according to Weber. With their subjugation, the possibility for the development of a solidary, independent, and politically organized citizenry, as well as artisan and bourgeoisie classes, in cities to oppose the kings was eliminated. The subsequent unhindered unfolding of the caste order, and the steady growth of rulership in patrimonial bureaucracies headed by kings and princes, precluded the extension of a politically cohesive
fraternization across a broad cross-section of the citizenry. Hence, royal officials and Brahmans increasingly monopolized administrative powers. All this increased the strength of castes:

The uniqueness of the development of India lay in the fact that these beginnings of guild organization in the cities led neither to the city autonomy of the Western type nor, after the development of the great patrimonial states, to a social and economic organization of the territories corresponding to the ‘territorial economy’ of the West. Rather, the Hindu caste system, whose beginnings certainly preceded these organizations, became paramount. In part, this caste system entirely displaced the other organizations; in part, it crippled them. It prevented them from attaining any considerable significance (RI: 33-34; trans. altered).

In those settlements in India which approximated cities, ‘only clan associations and sometimes also occupational associations’ were vehicles of organized action, but never a collective of urban citizens as such’ (E&S: 1233; see also: 1248; RI: 337-38). In addition, the flowering of Buddhism in the classical period, due to its absolute pacifism, prevented the broad-based acquisition of ‘citizen’ military power. A fragmentation of the culture of India according to rituals for each vocation and ethnic group resulted. Thus, a development in the direction of a caste-transcendent ethical universalism capable of serving as the basis for inter-caste fraternization could not spread widely. For the same reasons, cities similar to the inland industrial cities of the West could not unfold. Similarly, carrier groups for the rationalization of action in the rulership, economy, and law domains remained absent.

Thus, although urban industry, craft guilds, and guild confederations remained visible, they failed to launch the development of autonomous cities. Rather, racial and ethnic segregation, and then caste-specific and ritually inviolable dharma, became paramount and blocked the unfolding of the Western-style city commune (RI: 36-39, 128; E&S: 1229, 1260). Now we must turn to the third element of Indian rationalism according to Weber.

3. The Economy Sphere:
The Economic Form and the Traditional ‘Spirit’ of the Caste Order

Weber notes that a pluralistic competition in the Classical era in India among traders, nobles, and Brahmans for political and status superiority yielded heretofore unknown social privileges for the trader class. This competition also largely accounted for the creation of significant social egalitarianism in this era; the opportunity to
wield political authority to all peoples appeared, even to the lowly Shudra class of craftsmen and workers without rights to own property. More wealthy artisans could often socialize with the nobles, and city elders and Brahmans frequently advised the princes (RI: 88). Indeed, during the period of the burgeoning growth of the cities in the seventh and sixth centuries BCE, Weber describes the merchant and craft guilds of India, as noted, as differing little from the guilds in the cities of the medieval West.

The slow aggrandizement over centuries of the caste system placed a heavy damper on the economy’s development, Weber argues. Members of different castes, for example, could not be employed on the same shop floor owing to the prohibition upon inter-caste contact. The production of complex products was precluded and barriers to commensalism were rigidified by magic, thereby preventing the open contact necessary for a broad development of competition, selection according to capabilities, free trade, and social mobility, Weber holds (RI: 111; E&S: 484).

The caste order also effectively slowed the introduction of technology simply because the employment of new procedures unregulated by caste ritual necessarily signified the danger of impurity and ritual degradation—and thus demotion in the next life into a lower caste (GEH: 361). The same held for every change of occupation (see RI: 112-13; E&S: 436). Such a system, Weber argues, ‘is certainly not capable of giving birth to economic and technological transformations from within itself, or even capable of making possible the first germination of capitalism in its midst’ (RI:112; trans. altered), let alone the systematic organization of work.

To him, the ‘spirit’ of the caste system—that is, its traditional economic ethic—constituted the ‘core of the obstruction’ to the development of modern capitalism in India (RI: 112). This ‘economic traditionalism’ became visible blatantly in the caste order’s glorification of the craftsmanship spirit—namely, its capacity to ‘enjoin pride … in the personal virtuosity of the producer as manifested in the beauty and worth of the product appropriate to his particular caste’ (E&S: 436). This ethic placed a far greater emphasis on the quality and perfection of the product than on possibilities to rationalize production methods or to ‘systematically [organize] a commercial enterprise along the lines of a rational business economy, which is the foundation of modern capitalism’ (E&S: 436; see also RI: 111).

The caste system also severely restricted trade and the crystallization of a bourgeois class. The preservation of the clan-based
economy and inter-ethnic specialization was ensured as long as peasant villages and princely castles remained trade centers rather than cities and urban markets (RI: 126-27). Without cities, the introduction of standardized coinage and monetary policies was precluded, as was a systematization of finance that could develop toward formal rationality. Moreover, travelers were widely believed to have broken their caste dharma. This suspicion became transferred to traders and strengthened by general ritual beliefs that opposed geographical and occupational mobility, as well as by clear-cut restrictions against active trading with impure ‘barbarians’ (RI: 129, 341).

With the entrenchment of the caste order, economic conditions became stabilized. The success of any surviving freely mobile merchants now depended on their conformity to longstanding ritual practices. Accordingly, vocational associations became closed castes ordered by a Brahmin-prescribed ritual: ‘Individual acceptance for apprenticeship, participation in market deals—these phenomena of the West either failed to develop in the first place or were crushed under the weight first of ethnic, later of caste fetters’ (RI: 131). Even the influx in the post-Classical era of Greek, Roman, and Jewish merchants, and the granting of trading privileges to them, failed to counter the stereotypization of economic activity by castes and the view that occupational mobility violated important ritual. This same ritual stereotypization segregated occupations and further blocked the formation of a bourgeois class (GEH: 344-45; RI: 103; E&S: 1229). According to Weber, the caste system is ‘completely traditionalistic and anti-rational in its effects’ (RI: 111).

Capitalism arose in India only in its non-rational forms, Weber maintains: adventure capitalism, capitalism on behalf of trade speculation or the financing of wars, and money-lending capitalism. Only ‘occasional economic activity’ emerged rather than a ‘rational system of labor organization’ (GEH: 334). To him, a traditional economic ethic anchored in magic and ritual constituted the strongest force against innovation.

In sum, to a far greater extent than occurred in India, in the West a configuration of developments uprooted magic and weakened insider—outsider dichotomies rooted in clans, ethnic groups, and castes. Orientations to monotheism and the quest for ethical salvation by believers in congregations played an influential part, especially when interwoven with many politically independent cities. Craft guilds developed in the medieval West and independently
carried fraternization, further surmounting invidious dualisms. The fourth element that must be included in Weber’s definition of Indian rationalism must now be addressed.

4. The Rulership Sphere

Although a vacillation between decentralized feudalism and centralized patrimonial rulership characterized much of the history of India, great kings and their officials gradually prevailed, beginning with the Maurya dynasty (300–200 BCE), over innumerable petty kingdoms. They shattered the monopoly on offices held by the feudal knighthood. Indeed, the patrimonial monarchs slowly freed themselves from dependence on any single stratum, utilizing Brahmans and Shudras alike as scribes and bestowing a diverse blend of prebends and tax prebendaries throughout the population. They gradually controlled the guilds as well, and the armed forces became transformed from people’s militias and bands of knightly crusaders into a disciplined and organized military force staffed by officers. Moreover, tax collection became rationalized and clerical techniques became customary throughout the varied aspects of political administration. The village scribe became an ‘official’ and an important authority in this ‘patrimonial bureaucracy’ (RI: 71-75):

Kingly administration became patrimonial-bureaucratic. On the one hand, it developed a regulated hierarchical order of officials with local and functional competencies and appeals. On the other hand, however, administrative and court offices were not kept separate. Jurisdictional spheres of a bewildering manifold of offices were fluid, indeterminate, irrational, and subject to chance influences (RI: 67; trans. altered).

Thus, Indian rationalism in the end failed to become oriented to a rational-legal type of rulership in which bureaucratic organizations and a bureaucratic ethos prevailed.

5. The Legal Sphere

The legal sphere never developed beyond traditional forms of law. Whereas secularization in the West placed sacred law in opposition to natural law, in post-Classical India religious and ritualistic prescriptions remained all-encompassing, thus precluding a differentiation of the law domain and the establishment of secular laws (RI: 144-52). The law aimed to serve holy ends. Even though officials appeared in India, no stratum of trained jurists or legal honoratores

crystallized indigenously. The unity of the secular and religious administration of justice prohibited such a development.

Unlike the West, no priesthood stood independent and strong against the state. On the contrary, the ruling Kshatriya caste, their Brahmin house priests, and members of their court, remained mutually dependent on one another, Weber argues (E&S: 791-92, 810-11). Not surprisingly, procedural formalism never gained a foothold, he insists. This remained the case despite long periods characterized by an absence of strong central authorities and thus the development of autonomous mercantile, occupational, and agricultural communities (E&S: 727). An approximation of trial law developed in the ancient guilds, but only in the most rudimentary sense, Weber argues. Because the town dweller in post-Classical India was legally a member of a caste, the notion of a ‘citizen’ in possession of autonomous rights could not appear, he holds (E&S: 1227-28; RI: 145).

Hinduism’s sacred books, the Vedas, contain ‘revelations’ rather than ‘law’, according to Weber, and the Dharma-Sutras and Dharma-Shastras, as compendia of dogmatics, ritual ethics, and legal teaching, constituted the authoritative source books for philosophers and legal scholars rather than documents arising out of and utilized in legal practice (E&S: 791). For this reason, legal erudition remained for the most part scholastic, theoretical, and systematizing; it was bound to sacred teachings rather than to the practice of law. Furthermore, as a consequence of the prevalent dogmatic objectives and the sheer centrality of caste throughout India, systematization carried out by priests as legal theorists concerned ‘the position of status groups and the practical problems of life’ (E&S: 792), as well as social convention and etiquette, rather than legal issues. As a result of all these factors, Continental law and formal rationality—let alone natural law—could not unfold in India’s law domain:

The consequence is a casuistic treatment of the legal data that lacks definiteness and concreteness, thus remaining juridically informal and but moderately rational in its systematization. For in all these cases, the driving force is neither the practicing lawyer’s businesslike concern with concrete data and needs, nor the logical ambitions of the jurisprudential doctrinaire only interested in the demands of dogmatic logic, but is rather a set of those substantive ends and aims which are foreign to the law as such (E&S: 792; see p. 817).

Moreover, as theocratic elements in legal thinking lost their hegemony in India, the practice of law never became either incorporated into a secular, oath-bound legal entity, such as occurred in the cities
of the Western Middle Ages, or carried by a stratum of professionally trained jurists. Rather, the practice of law remained ‘essentially patriarchal’ (E&S: 792, 845). In addition, legal development in post-Classical India was generally carried by priests attached to the royal courts of rulers—thereby uniting the secular and sacred realms of justice. The formation of an independent status group of secular specialists in the law was excluded, Weber argues (E&S: 792).

The extent of procedural formalism found in Western rationalism’s Roman and Canon law proved unique, Weber holds (GEH: 340; E&S: 790-91, 799). Also distinct to the West, as noted, was a strong differentiation—a ‘clear dualism’ of spheres of jurisdiction—between the spiritual and the secular. Hence, a public space became delineated within which secular monarchs and parliaments could legitimately form law, impose law, and systematize its procedural elements to ever higher degrees of formal rationality—unlike in India, China, and the Middle East. To Weber, ‘...the formalism of procedure in India was on the whole rather slight’ (E&S: 817). A sixth feature is also prominent in Weber’s construct Indian rationalism. It also points to this civilization’s uniqueness.

6. The Religion Sphere: Anchoring a Traditional Economic Ethic

A caste-based, traditional economic ethic constituted a core element of the rationalism of India, according to Weber. He focuses on, first, the consequences for action of the Brahmin’s mystical salvation quest directed ‘away from the world’ and, second, the purely ritual search for redemption pursued by the overwhelming majority of Hindus through ‘caste ethics’. Our discussion will address whether, for him, this world religion placed psychological rewards on mundane ethical action, whether it did so in a methodical fashion, and whether it placed incentives systematically on action oriented to the economy.

Because the Brahmin’s salvation striving devalued activity and aimed to withdraw from it through methodical meditation, his quest never introduced an economic ethic. All activity, relationships, and attempts to change the world drew the mystic inexorably into the karma chain of insufferable rebirth. Thus, they led away from redemption. All such endeavors interfered profoundly with the aim of silencing the inner drives and extricating oneself from worldly concerns, Weber contends. Submersion into the All-One in an ecstasy of unity could occur only if this virtuoso ‘turned away’ from and ‘fled’ the
world. This elevated indifference to the world and a cultivation of an inner distance from all things worldly became central values to the same degree that systematic contemplation acquired acceptance as the classical route to gnosis: ‘It would occur to no Hindu to see, from the success of his loyalty to his vocation, a sign of his state of grace or—more importantly—to evaluate the rational transformation of the world on behalf of objective principles as an execution of God’s will. Nor would the Hindu undertake such a transformation’ (RI: 326; trans. altered).

Similarly, Weber argued that the attempts to escape from the eternal cycle of rebirth and death carried out by the redeemers and gurus of Hinduism’s Restoration (ca. 300–800 CE), whether more meditative or orgiastic-ecstatic, also failed to place psychological premiums on practical activity or economy-oriented action of any sort (E&S: 630; FMW: 289). Except, to some extent, among Jains, trade, money-lending, and profitable pursuits were judged as activities devoid of relevance for salvation. Prevented by rigid ritual from using their learning on behalf of a vocation, the ‘knowing’ person’s activities involved teaching, sacrifice, passive asceticism, and flight from the world through meditation.

For the laity, adherence to caste ritual alone promised attainment of their salvation goal: rebirth into a higher caste. Only a small segment of each caste’s practical ethics pertained to economic action, either directly or indirectly, Weber holds. To him this ritual bestowed premiums on either means-end rational action or rigidly traditional action rather than on either an Indian ‘spirit of capitalism’ or action that aimed ethically to transform the world in a methodical fashion to conform to divine commandments. That both the virtuoso and lay Hindu ‘accepted this world as eternally given, and so the best of all possible worlds’ (E&S: 629), provided the most fundamental doctrinal presupposition for Hinduism’s ‘organic, traditionalistic ethic of vocation’. Signs of his state of grace could not be extracted, as occurred for the Puritan believer, from the integrity and success of his economic activity (RI: 326).

To Weber, the ‘spirit’ of the caste system constituted the ‘core of the obstruction’ to the development of modern capitalism in India (RI: 112). This ‘economic traditionalism’ became visible in the caste system’s glorification of the craftsmanship spirit, he argues (E&S: 436). This ethic placed a far greater emphasis on the quality and perfection of the product than on possibilities to rationalize production methods or to ‘systematically [organize] a commercial enterprise
along the lines of a rational business economy, which is the foundation of modern capitalism’ (E&S: 436; see also RI: 111).

In sum, classical Brahminism, the popular sects in Restoration Hinduism, and the caste ethic adhered to by the vast majority of lay Hindus all failed to assign subjective meaning to a kind of action capable of systematically rupturing ritual and magic. We can now turn to the seventh and last element that, according to Weber, belongs to Indian rationalism.

7. World Views

Wherever salvation-striving designated ‘the world’ as the appropriate arena and salvation paths oriented to the world developed, as occurred in the West, a confrontation with magic, ritual, and the practical-rational orientation of action followed. However infrequently ‘ideal’ thrusts carry the day, they may prove—given conducive ‘world’ constellations of patterned action and cohesive carrier strata—on occasion causally significant, Weber maintains (FMW: 324). Indeed, a broad range of societal domains and strata may be influenced, he holds. The opposition of monotheism, and particularly ancient Christianity’s doctrine of universal brotherhood, to a virtuoso–mass disjunction, as well as their opposition to magic, paved the way for this influence. The forceful articulation of this doctrine by a charismatic savior did so as well (FMW: 290).

An omnipotent and omniscient Deity in the West, demanding ethical action of the faithful in conformity with His ethical universalism, served more effectively to contest invidious dualisms rooted in clans and ethnic groups than did India’s immanent All-One, according to Weber. That is, to the extent that Christianity’s salvation paths succeeded, against obstacles, at conveying the universalistic ethical demands of the anthropomorphic Divinity into the world, these dualisms were confronted and to a greater degree held in check.

A legitimation of consistent ethical action in the world by Buddhism failed to congeal; instead, the search for salvation took place outside the world. As noted, Hindu elites were also engaged in a ‘flight from the world’. The conception of the supernatural in these salvation religions—as an immanent, All-One—stood in a relationship of elective affinity with the salvation quest of the mystic: namely, to withdraw from the world and to merge passively into this impersonal Being, Weber maintains (see above; E&S: 551; FMW: 289-90, 323-26).

As should now be apparent, salvation religions developing within the Judaeo-Christian world view will, according to Weber, with greater likelihood, introduce practical-ethical action among *both* lay and virtuosi believers and, possibly, even a methodical-rational organization of life. *This* foundation proved crucial for the crystallization of a rigorous economic ethic—also among the lay faithful. However, its appearance will await a later development in the Western religious rationalization process, Weber maintains—namely, the patterns of action specific to Puritan asceticism.

**Conclusion**

Taken together these seven elements constitute Weber’s ‘rationalism of India’. This construct not only distinguishes India from Chinese rationalism, the rationalism of ancient Israel, Western rationalism, and modern Western rationalism; it provides also a detailed discussion of the major features comprising the singularity of Classical and post-Classical India. In specific ways, each established obstacles to the rationalization of action in the law, rulership, and economy spheres. In conclusion, three aspects of Weber’s analyses must be emphasized.

His examination of Brahmin and Buddhist mysticism is exceedingly detailed. His multiple discussions demonstrate his attempt to understand the subjective meaningfulness of the mystic’s search for salvation through ‘withdrawal’ from the world and a silencing of the self through meditation. He is quite well aware that the mystic’s quest to convince himself of his salvation is every bit as subjectively meaningful and rational to him as the Puritan’s this-worldly search rooted in disciplined action *in the world*. And Weber is equally well aware that the lay Hindu’s adherence to caste dharma is likewise sincere and at the foundation of his life’s meaningfulness.

His aim in *PESC, EEWR* and *E&S* is to explain the rise of modern capitalism and, more generally, the rise of Western rationalism and modern Western rationalism. He can do so adequately, he recognizes, only through large-scale—but also empirically grounded—comparisons across civilizations, mainly to China, India, and ancient Israel. With this goal in mind, Weber is continuously executing ‘controlled experiments’ across civilizations. His research on India, China, and ancient Israel assisted his aim to define the uniqueness of the West’s rationalism.

17. See Kalberg, *The Social Thought of Max Weber*; see also Kalberg, forthcoming.
However, Weber’s full analysis of the rationalism of India, as reconstructed here from several major texts rather than alone from *RI*, is so broad in scope and scale that his comparative research must be viewed as offering not simply a ‘contrast case’ designed to illuminate the West’s singularity and particular development. Instead, his full analysis provides also a vivid portrait of Classical and post-Classical India itself. ‘Indian rationalism’ identifies powerfully India’s uniqueness. Although surely not ‘complete’ and, in reference to today’s scholarship, at points deficient, Weber’s model informs us even today regarding the specific ways in which India’s origins, contours, and developmental trajectory were unique.

Lastly, it must be stressed that Weber, unlike many of his colleagues, does not wish to demonstrate India’s ‘backwardness’ compared to the ‘advanced’ West. His criticisms of the modern West as a ‘steel-hard casing’ are massive (see *PESC*: 177-79). And his classic essay, ‘Science as a Vocation’,18 paints a portrait of a disenchanted world where work spheres are cold and harsh, an impersonal formal rationality permeates bureaucracies, modern law, and modern capitalism, and all brotherly compassion has been effectively pushed into the private sphere. Furthermore, Weber’s focus on an ‘interpretive understanding’ (*verstehen*) of the subjective meaning of action itself constitutes a foundational rejection of attempts to evaluate different civilizations and to order them along a ‘superiority--inferiority’ axis.

Indeed, perhaps Weber had a secondary agenda—one never directly stated—when he turned to China, India, and ancient Israel: namely, to evaluate whether features of these civilizations could be ‘transferred into’ modern Western rationalism in a manner that would modulate the ‘polar night of icy darkness and hardness’ he sees as on the West’s horizon (2005: 271). Rather than seeking to establish the West’s presumed superiority, perhaps he is searching outside the West for patterns of subjective meaning that might disrupt the West’s dominant contours and trajectory. Perhaps for this reason all of the *EEWR* volumes expanded to such a degree that each moved far beyond its putative status as a ‘comparative case’ vis-à-vis the West. Instead, each developed portraits of the uniqueness of the rationalism of China, the rationalism of India, and the rationalism of ancient Israel.

Dialectics of Disenchantment: 
Devaluation of the Objective World—
Revaluation of Subjective Religiosity

Hans G. Kippenberg

Abstract
Max Weber was interested in the fate of religion precisely in the modern period, but he did not apply the concept of secularization for this. It is ‘disenchantment’ that occupies the central position in Weber’s understanding of religious history. This paper addresses first the inherent connection between the section on religion in Max Weber’s Economy and Society (titled ‘Religious Communities’ or ‘Sociology of Religion’) and his studies of The Economic Ethic of the World Religions. Second, it turns to Weber’s concept of the process and consequences of disenchantment in these texts. Third, it traces the dialectics of disenchantment of religion in recent approaches to history, nature and society. There is a correspondence between progress in scientific knowledge and the bases of religion. Religions, divesting the world of magic and denying any inner-worldly salvation, change their own basis of existence. Religiosity takes on increasingly irrational relationships of meaning, such as ethical or mystical.

Keywords: secularization, religiosity, Weber’s systematic of religion, world rejection, ethics of ultimate ends and ethics of responsibility, rift in modern culture.

Max Weber was interested in the fate of religion precisely in the modern period, but he did not apply the concept of secularization for this. Richard Swedberg did not include ‘secularization’ in the lexicon of Max Weber’s key words, but he did include ‘disenchantment’. 2 For Weber, ‘secularizing’ and ‘secularization’ are concepts from the history of law that had been employed since classical antiquity to denote the transfer of land, institutions, and persons from ecclesiastical to secular law. When we inquire into Weber’s understanding of religious

1. Translated by Dr. Brian McNeil, Munich.
history in the modern period, it is ‘disenchantment’ that occupies
the central position.\(^3\) As the debate about whether the legal concept
of ‘secularization’ is an appropriate key to grasp the decisive trans-
formation of religions in the modern period has intensified in recent
decades, an increasing number of studies on the theme of disenchant-
ment-mentor intellectualization and rationalization have appeared. The list
is impressive.\(^4\) Highly pithy remarks by Max Weber have favoured
this thematic concentration. For example, in his celebrated discourse
on ‘science as a profession’ (*Wissenschaft als Beruf*) in 1917 in Munich,
he observed:

> The increasing intellectualization and rationalization do *not* indicate
an increased and general knowledge of the conditions under which
one lives. It means something else, namely, the knowledge or belief
that if one but wished one *could* learn it at any time. Hence, it means
that principally there are no mysterious incalculable forces that come
into play, but rather that one can, in principle, master all things by
calculation. This means that the world is disenchanted. One need no
longer have recourse to magical means in order to master or implore
the spirits, as did the savage, for whom such mysterious powers
existed. Technical means and calculations perform the service. That is
all what intellectualization means.\(^5\)

3. The notion of ‘secularization’ appears 10 times in Weber’s writings, ‘secu-
larizing’ 7 times, both as legal terms indicating a change of legal status independent
of when it happened in history or modern age. Disenchantment appeared 11 times:

(Princeton, NJ: Princeton University Press, 1999); Zoltan Hidas, *Entzauberte Geschichte. Max Weber und die Krise des Historismus* (Frankfurt am Main: Lang, 2004); Hartmut
Lehmann, *Die Entzauberung der Welt. Studien zu Themen von Max Weber* (Göttingen:
Vandenhoeck & Ruprecht, 2009); Wolfgang Schluchter, *Die Entzauberung der Welt. Sechs Studien zu Max Weber* (Tübingen: Mohr [Siebeck], 2009); Volkhard Krech, ‘Sec-
ularization, Re-Enchantment, or Something in between? Methodological Consider-
ations and Empirical Observations. Concerning a Controversial Idea’, in Marion
Eggert and Lucian Hölscher (eds.), *Religion and Secularity: Transformations and Trans-
fers of Religious Discourses in Europe and Asia* (Leiden: Brill, 2013), pp. 77-108; Egil

5. English translation: Hans H. Gerth and C. Wright Mills (eds.), *From Max
pp. 86-87. ‘Die zunehmende Intellektualisierung und Rationalisierung bedeutet also
*nicht* eine zunehmende allgemeine Kenntnis der Lebensbedingungen, unter denen
man steht. Sondern sie bedeutet etwas anderes: das Wissen davon oder den Glau-
The advantage of this way of looking at things is that there is a correspondence between progress in scientific knowledge and the bases of religion. We have learned from José Casanova and Jürgen Habermas that a removal of religion from the public sphere (secularization) does not eliminate it. When religious believers experience a world governed by autonomous laws, their religious values can be articulated as an oppositional force in the public realm of their society. Religions divesting the world of magic and denying any inner-worldly salvation change their own basis of existence. The notion of a disenchantment of the world generates a dialectic of religion different from the notion of secularization. This is the notion used by Max Weber when he turned to comparative religious studies. Hence my paper addresses:

1. The inherent connection between the section on religion in Max Weber’s *Economy and Society* (titled ‘Religious Communities’ or ‘Sociology of Religion’) and his studies of *The Economic Ethic of the World Religions*.
2. Weber’s concept of the process and consequences of disenchantment in his ‘Religious Communities’ and other contemporary texts.
3. Dialectics of disenchantment of religion in recent approaches to history, nature and society.

**The Link between the Section on Religion in Max Weber’s Economy and Society (‘Religious Communities’ or ‘Sociology of Religion’) and his studies on The Economic Ethic of the World Religions**

*Economy and Society* has a prehistory that surfaced with the critical edition of Max Weber’s works. In her preface to the second part of

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the work, published in 1921/22, Marianne Weber pointed out that, with the exception of some later additions, the manuscripts originated in the years 1911–1913. The reconstruction of the composition of *Economy and Society* confirms that date for the section on religion. The studies cited by Weber in this text, includes no publications after 1913.

A closer look at the genesis of the section reveals that Weber’s first outline of the *Handbook* in 1910 lacked a separate treatment of religion; at this point, Weber merely planned a section on ‘Economy and Culture (Critique of Historical Materialism)’. This was to change in the years to come. A clear indication of this appears in a letter, dated July 3, 1913, in which Weber thanks his longtime friend Heinrich Rickert for an off-print and adds that he would soon return the favour by sending him the manuscript of ‘my systematic of religion’. In late November of the same year, Weber repeated this, telling Rickert that he would like to send his ‘(empirical) casuistry of contemplation and active religion’, but adding that the manuscript was only three-quarters typed. Then, on December 30, 1913, Weber informed his publisher Paul Siebeck that he had finished an exposition relating all major forms of community to economy: the family, the domestic community, the commercial enterprise, the clan, the ethnic community, religion. In brackets, Weber explained what could be expected from the segment on religion: ‘comprising all great religions of the earth: a sociology of the doctrines of salvation and of the various religious ethics—similar to Troeltsch, however now for all religions, only much more concise’. In an outline of the content of the entire series...
that appeared in 1914,10 Weber projected as a contribution of his own the part ‘The Economy and the Social Orders and Powers’, consisting of sections on communities. After ‘Household, Oikos, Enterprise’, came ‘Neighbourhood, Kinship Group, Local Community’, then ‘Ethnic Communities’ and finally ‘Religious Communities’. Weber clarified the last item with the further title ‘The Class Basis of the Religions; Cultural Religions and Economic Orientation’.11 Weber’s topics and sequence in this announcement correspond roughly to the manuscript he described to Siebeck in December 1913 and to the text published in 1921/22.

The changes, evident in Weber’s 1914 outline when compared with that of 1910, reflected his growing interest in the history of world religions. According to Weber, his thesis about the Puritan origins of a methodical pattern of life conduct, enabling the development of Western capitalism, had withstood all objections in the heated scholarly debate that followed the publication of The Protestant Ethic and the Spirit of Capitalism (1904/5).12 Now he wanted ‘to correct the isolation of this study and to place it in relation to the whole of cultural development’, he explained in the second edition of his essay in 1920/21.13 In her biography, Marianne Weber gives some valuable particulars about this shift in her husband’s thought and work.

When around 1911 he resumed his studies on the sociology of religion, he was attracted to the Orient—to China, Japan, and India,

then to Judaism and Islam. He now wanted to investigate the relationship of the five great world religions to economic ethics. His study was to come full circle with an analysis of early Christianity.14

The segment on Religious Communities was an outcome of this scholarly work. When composing it in 1913, Weber drew (as his direct and indirect quotations reveal) on a profound study of comparative religion, Buddhism, Christianity, Hinduism, Islam, Judaism, Confucianism, Taoism, Zoroastrianism, tribal, ancient, and Hellenic religions.15

Although Weber published his studies on The Economic Ethic of the World Religions separately in 1915 and 1916, he did not see them as standing alone; he conceived of them, rather, as ‘preliminary studies and annotations to the systematic sociology of religions’.16 When the first of these studies appeared in 1915 (The Religion of China), Weber pointed out in a footnote to his introduction to both articles that he had written them and read them aloud to friends two years earlier, that is, in 1913.17 And he added in the same footnote that ‘they were designed to be published simultaneously with his treatise ‘Economy and Society’, his contribution to the manual Outline of Social Economics (Grundriss der Sozialökonomik), and were intended to ‘interpret and complement the section on the sociology of religion (and, however, to be interpreted by it in many points)’.18

Likewise, in 1919, when Weber reviewed the text of The Protestant Ethic and the Spirit of Capitalism for inclusion, along with the studies that constituted The Economic Ethic of the World Religions, in his Collected Papers on the Sociology of Religions (Gesammelte Aufsätze zur Religionssoziologie), he added that he hoped to treat ethnographic material when systematically revising ‘the sociology of religion’.19

15. See the surveys of authors and literature that Weber quotes directly and indirectly in Religiöse Gemeinschaften, pp. 75-83 and 505-507.
17. MWG 1/19, p. 83f.
19. ‘Einiges zu ihrer Ausfüllung hoffe ich bei einer systematischen Bearbeitung..."
Even at this late date, Weber viewed this section (now in its projected revised form) as a bridge between The Protestant Ethic and his subsequent historical studies of the ethic of world religions, emphasizing again that issues of systematic were crucial for its function.

The concepts Weber relied on were German scholars of religious history. Weber adopted a German Orientalist perspective that differed from the ‘orientalism’ famously described by Edward Said.\(^\text{20}\) It was not tied to colonialism, but grappled with religious meanings and their subjective appropriation.\(^\text{21}\) An early public forum for the German Orientalists was a series edited by Paul Hinneberg under the title \textit{Die Kultur der Gegenwart} (\textit{Contemporary Culture}). In 1906, two important volumes were issued, one on Oriental religions, another on Christianity as well as Israel and Judaism. Some of the most eminent scholars who established the historical-critical method in their fields contributed to these volumes and became key sources for Weber’s \textit{Religious Communities}: Julius Wellhausen on Israel and Judaism, Ignaz Goldziher on Islam, and Hermann Oldenberg on Hinduism and Buddhism.

According to Hermann Oldenberg (1854–1920) and his \textit{Indian Religion} (1906),\(^\text{22}\) the gods in early India were personified powers of nature. This primordial view ceased, however, when the necessities of social life required gods who would protect law and morals. Moreover, these gods were approachable not only by sacrifice and prayer, but also by magic—a force that was expected to intervene directly in the course of events. From cosmological speculation about the efficacy of both sacrifice and magic there then arose the notion of Brahman, understood as the unchanging essence of the universe, an essence that is also present in the individual (as Atman). Combined with the belief that the transmigration of the soul is dependent upon its karma, these notions formed the matrix on which Jainism and Buddhism emerged as religions of world rejection. Oldenberg’s contribution to Hinneberg’s manual retrieved from the Indian sources world-views and ethics that were constitutive of human subjects and their social practices.


Similar considerations informed philosophers. Hermann Siebeck in a textbook published in 1893 divided historical religions into three categories: natural religions, which considered gods as rescuers from external evil; moral religions, which viewed gods as guarantors of social norms and upheld a positive attitude toward the world; and salvation religions, which postulated a contradiction between the existence of God and the reality of evil in the world, and fostered an attitude of world denial. Siebeck's entire concept depended on an understanding of religion in terms of 'world-denial' (Weltverneinung).

Another important document for the German branch of comparative religious studies became an Encyclopedia edited by the protestant theologians Friedrich Michael Schiele und Leopold Zscharnack: Religion in Geschichte und Gegenwart (RGG). From its first edition (1909–1913) onwards, the Manual (Das Handwörterbuch) regarded it as its task to look at popular religious notions independently of their theological or philosophical interpretation and to trace the world view on which they were based. Religious phenomena must be more than a purely external phenomenon. One of the main entries in the dictionary explains this. In the entry 'Erscheinungswelt der Religion' ('Phenomenology of Religion'), Edvard Lehmann wrote in 1910:

Phenomenology should study religion ‘as this emerges into the world of phenomena and can be observed as an empirical and historical reality […]]. These external phenomena presuppose an internal life […]. In general, it can be said that the external emerges especially on the lower levels, and the internal on the higher levels. An alleged ‘inner life’ turned historical religious facts into circulating intellectual goods. This approach established a new category of entries. Current religious notions that derived from popular communication and not specifically theology became part of it. Entries conceived of the future not in secular terms of progress but in terms of meaning for the believer: ‘millenarianism’, ‘eschatology’, and ‘apocalyptic’; entries related to nature showed the same kind of approach: ‘magic’, ‘mysticism’, ‘contemplation’ articulated non-instrumental relations to nature; those related to society were ‘sect’, ‘acosmism of love’, and ‘brotherliness’. If one compares the notions of the first edition of the Encyclopedia from 1909 to 1913 with the second from

1927 to 1932, the third from 1957 to 1965 and the fourth edition from 1998 to 2002, one notices that some of these concepts were replaced by others more popular at their time. ‘Fundamentalism’ and ‘cult’ took the place of ‘sect’; ‘esotericism’ and ‘new age’ took the place of ‘new mysticism’.25 The phenomenology elaborated by Wilhelm Dilthey and Rudolf Otto had made an important contribution to an autonomous status of popular concepts as independent points of orientation or contents of consciousness. The validity of notions was dependent on the articulation of subjective experience by the laity, and could be replaced in later times by other equally popular roughly equivalent concepts.26

**Weber’s concept of the process and consequences of disenchantment in his ‘Religious Communities’ and other contemporary texts**

The notion of ‘disenchantment’ emerged in Weber’s writing for the first time in 1913 in an essay in which Weber explained the fundamentals of his theory of action: ‘Some Categories of Interpretive Sociology’.27 Here Weber introduced a crucial distinction. An action may be called instrumentally correct when relating to external natural laws; but it may also be called rational when it is based on an intelligible subjective meaning that consistently informs the practical attitudes of actors to the world. Even an action oriented towards magical conceptions may be called rational. In a world increasingly divested of magic (‘mit zunehmender Entzauberung der Welt’), religiosity must take on increasingly (subjective) irrational meaning relationships (ethical or mystical, for instance).28

Weber introduces the notion of disenchantment as a process with open end, not as a necessary development. Two types of subjective religiosity emerge (ethics of commitment [Gesinnungsethik] and mysticism) and these are independent of any instrumental relations to nature, history and society.

28. ‘Categories of Interpretive Sociology’, p. 155.

In the section on religion in *Economy and Society* Weber sketches the typology of the bearers of charisma who answer the expectation of salvation. Weber constructed the whole section on ‘Religious Communities’ around the *process* of disenchantment. Symmetrical constructions at the beginning and at the end of his sketch elucidate it. In the beginning, ‘only the things or events that actually exist or take place played a role in life’. This changed with the rise of the magician. ‘Now certain experiences of a different order, in that they only signify something, also play a role. Thus magic is transformed from a direct manipulation of forces into a *symbolic activity*. The charisma of the magician is represented by ecstasy’. For the laymen this psychological state is accessible only in occasional actions. […] [It] occurs in a social form, the orgy, which is the primordial form of religious community’ (*Vergemeinschaftung*).  

In Weber’s understanding, this occasional form of association was usually replaced by more regular forms, urged on by political necessities. In this context, he points to the interdependence of community and society:

> There is no concerted communal action (*Gemeinschaftshandeln*), as there is no individual action, without its special god. Indeed, if a social association (*Vergesellschaftung*) is to be permanently guaranteed, it must have such a god.  

By this route, the gods of religious communities became ‘guardians of the legal order’, a transformation accompanied by the emergence of priests and stable cults that, together, ensured the permanence of a social association. At the same time adherents, in their practical lives, began conceiving of the entire world as an ‘enduringly and meaningfully ordered cosmos’ (‘dauernd sinnvoll geordneter Kosmos’). Historically, acceptance of this postulate of meaningful world stimulated the spread of legal orders and ethical requirements, while simultaneously eliciting an awareness of the rift between this expectation and the inevitable experience of a reality devoid of meaning. In this circumstance, according to Weber, prophets arose to furnish

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explanations for this experience and to address the increasing ethical demands that the gods seemed unable to answer. To differentiate types of prophecy, Weber draws from contemporary religious scholarship the distinction between a strict, transcendent God who demands loyalty and obedience to His commandments and a divine being that is imminent in man and can be approached by contemplation. In his essay on categories of interpretive sociology he described them as two different kinds of subjective relation to the world: either ethical or mystical. While the former conception dominated Near Eastern religions and was at the origin of Western patterns of rational life-conduct, the latter conception prevailed in India and China.

The two prophetic types correspond, respectively, to Weber’s ‘ethical’ and ‘emissary’ forms of prophecy. Finally, turning to intellectuals, Weber presented this group as driven by ‘metaphysical needs’, by the urge to reflect on ethical and religious questions and to ‘understand the world as a meaningful cosmos and to take up a position toward it’. Driven by such needs, intellectuals played a crucial part in suppressing beliefs in magic and promoting the process of world disenchantment.

Intellectualism suppresses belief in magic, the world’s processes become disenchanted, lose their magical significance, and henceforth simply ‘are’ and ‘happen’ but no longer signify anything. As a consequence, there is a growing demand that the world and the total pattern of life be subject to an order that is significant and meaningful.

Weber is reconstructing a process that is responsible for the rise of a rational disenchanted vision of the world: the notion of a meaningful world order, an experience of a world devoid of meaning, various kinds of subjective religiosity coping with that experience, communal activity assuring salvation. In his introduction to the first of the essays on ‘The Economic Ethic of the World Religions’ written in 1913, published in 1915 Weber recapitulates his conception of the history of religions.

34. ‘Categories of Interpretive Sociology’, p. 155.
The unity of the primitive image of the world, in which everything was concrete magic, has tended to split into rational cognition and mastery of nature, on the one hand, and into ‘mystic’ experiences on the other. The inexpressible contents of such experiences remain the only possible ‘beyond’, added to the mechanism of a world robbed of gods.\(^\text{39}\)

The shift of religion into the realm of the irrational corresponds to a rational conception of the external world.\(^\text{40}\) Only the religious ascetic virtuosos succeeded in blocking the path to salvation by a ‘flight from the world’. The path to salvation is turned from a contemplative ‘flight from the world’ towards an active ascetic ‘work in this world’.\(^\text{41}\) This is not a thesis of a necessary evolution, but a narrative abbreviation for a complex process, viewed from today.\(^\text{42}\) Weber comparing Confucianism and Puritanism attributed a ‘magical religiosity’ to Asian religions such as Confucianism, preserving life in a ‘great enchanted garden’ (Zaubergarten),\(^\text{43}\) while Puritanism was able to get rid of magic and expected salvation from ethics.\(^\text{44}\) In this comparison, ‘magical religiosity’ replaced Weber’s former notion of ‘traditionalism’, the counter-notion he had previously applied in his study of the economic rationalism of Puritanism, as shown by Stefan Breuer.\(^\text{45}\)

Weber sketches the social consequences of a full developed disenchantment for the first time in chapter 11 of the section on religion in Economy and Society. He opens with the words:

\(^{40}\) Gerth and Mills, p. 281; MWG I/19, pp. 102-103.
\(^{41}\) MWG I/19, p. 450.
\(^{44}\) MWG I/19, pp. 450-51.
The more a religion of salvation has been systematized and internalized in the direction of an ‘ethic of ultimate ends’ (‘Gesinnungsethik’), the greater becomes its tension in relation to the world.  

Weber makes a distinction between an ethic of compliance (Gesetzesethik) with existing rules and a subjective ethic of conviction or ethic of ultimate ends (Gesinnungsethik). The first one sanctifies an existing order; the latter, in conjunction with a religion of world denial, is able to establish new practices. If the actor takes into account the consequences of his acting, Weber calls this an ethic of responsibility.  

In 1915 he revised and expanded his argument in the ‘Intermediate Reflection’ (‘Zwischenbetrachtung’). Religious communities that require brotherly love as a pure ethics of conviction generate tensions with respect to the spheres of economics, politics, sexuality, science and art. The believers experience these orders as autonomous and hostile, and resolve the tensions by either ‘fleeing’ the world or ‘mastering’ it—the former pathway constituting what Weber calls ‘mysticism’, the latter ‘asceticism’. In either case, new religious practices arise. For Max Weber, ‘disenchantment’ was not the rise of a godless culture, as Marianne Weber in her biography about her husband assumed. An increasingly rational unethical culture of the dominant social orders corresponds to the emergence of a variety of new forms of subjective religiosity defying those orders. Weber’s exposition abounds in examples of this process. With regard to the sphere of politics, congregational religiosity did not merely oppose military violence; it favoured either a world-fleeing pacifism or measures to fight the power of sin. With regard to the spheres of sexuality and art, he noticed a rise of practices that entailed a re-enchantment of life: eroticism and art as means to escape the cold rationality of the modern world. Max Weber, who studied religious world denial much more intensely than anybody else, recognized  


47. It is a misunderstanding that an ethic of responsibility is an ethic without conviction. Wolfgang Schluchter has vigorously shown that Weber does not regard the ethics of responsibility and the ethics of conviction as related to different values. There can be no ethical action without a conviction. Consequently, an ethics of responsibility can exist only where belief in the validity of particular absolute ethical values on which conviction about an action is based is already present.  

that the other-worldly values are by no means exclusively values of the beyond. ‘Psychologically considered, man in quest of salvation has been primarily preoccupied by attitudes of the here and now’.49

The one who renounces the world experiences his deed as a victory over the temptations of this world. ‘The ascetic who rejects the world sustains at least the negative inner relationship with it which is presupposed in the struggle against it’ (MWK 7/22-2, 324).50

In his ‘Intermediate Reflection’ he explains the link between the devaluation of the world based on experiencing injustice, suffering, sin, and futility on the hand, and this kind of religiosity on the other.

The need for ‘salvation’ responds to the devaluation by becoming more other-worldly, more alienated from all structured forms of life and in exact parallel, by confining itself to the specific religious essence. This reaction is stronger the more systematic the thinking about the ‘meaning’ of the universe becomes, the more the external organization of the world is rationalized, and the more the conscious experience of the word’s irrational content is sublimated.51

Weber resists conceiving of religion in terms of a definition of its essence. Instead, he conceives of religion as a process, generating a rift between rational ethical claims and worldly values. He states in his ‘Religious Communities’:

To define ‘religion’, to say, what it is, is not possible at the start of a presentation such as this (i.e. Religious Communities). Definition can be attempted, if at all, only at the conclusion of the study. The essence of religion is not even our concern, as we make it our task to study the conditions and effects of a particular type of social behaviour. The external courses of religious behaviour are so diverse that an understanding of this behaviour can only be achieved from the viewpoint of the subjective experiences, ideas, and purposes of the individual concerned—in short, from the viewpoint of the religious behaviour’s ‘meaning’ (Sinn). The most elementary forms of behaviour motivated by religious or magical factors are oriented to this world. ‘That it may go well with thee … and that thou mayest prolong thy days upon the

49. Introduction to The Economic Ethic of the World Religions (Gerth and Mills, 1946, p. 278).
50. Religiöse Gemeinschaften, p. 324; Economy and Society, pp. 544-45.
51. Gerth and Mills, p. 357; ‘Zwischenbetrachtung’, MWG 1/19, pp. 519-20f: ‘Auf diese Entwertung… reagierte das Bedürfnis nach “Erlösung” derart, daß, je systematisch der Denken über den “Sinn” der Welt, je rationalisierter diese selbst in ihrer äußeren Organisation, je sublimierter das bewusste Erleben ihrer irrationalen Inhalte wurde, desto unweltlicher, allem geformten Leben fremder, genau parallel damit, das zu werden begann, was den spezifischen Inhalt des Religiösen ausmachte’.
earth’ (Ephesians 6.2-3) expresses the reason for the performance of actions enjoined by religion or magic.\(^{52}\)

Weber called this approach in his *The Protestant Ethic and the ‘Spirit’ of Capitalism* a ‘historical concept-formation’.\(^{53}\)

Marianne Weber reported in her biography of her husband that Weber, while researching the world religions, had made a most exciting discovery:

The process of rationalization dissolves magical notions and increasingly ‘disenchant[s]’ the world and renders it godless. Religion changes from magic to doctrine. And now, after the disintegration of the primitive image of the world, there appear two tendencies: a tendency towards the rational mastery of the world on the one hand and one towards mystical experience on the other. But not only the religions receive their stamp from the increasing development of thought; the process of rationalization moves on several tracks, and its autonomous development encompasses all creations of civilization — the economy, the state, law, science, and art. All forms of Western culture in particular are decisively determined by a methodical way of thinking that was first developed by the Greeks, and this way of thinking was joined in the Age of Reformation by a methodical conduct of life that was oriented to certain purposes. It was this union of a theoretical and a practical rationalism that separated modern culture from ancient culture, and the special character of both separated modern Western culture from Asiatic culture. To be sure, there were processes of rationalization in the Orient as well, but neither the scientific, the political, the economic, nor the artistic kind took the course that is peculiar to the Occident.\(^{54}\)

The significance of this discovery for her husband was tremendous. She continues:


\(^{54}\) *Ein Lebensbild*, p. 348; *A Biography*, p. 333 [translation with emendations by HGK].

Weber regarded this recognition of the special character of occidental rationalism and the role it was given to play for Western culture as one of his most important discoveries. As a result, his original inquiry into the relationship between religion and economics expanded into an even more comprehensive inquiry into the special nature of all of Western culture.55

From this point onward, the process of ‘disenchantment’ figured centrally in Weber’s thinking about religion. It was at the root of two diverse types of subjective religiosities: an ethic of commitment on the one hand, and mysticism on the other.

According to Wolfgang Schluchter, Weber refers to two processes: a disenchantment of the world by religion and then a second by science, and it is at this point that he notices a disenchantment of religion itself occurring in this process.56 ‘Disenchantment’ denotes a denial of inherent objective meaning, and it is a precondition for generating new world views and ethics that are able to cope with the experience of a world devoid of meaning. Schluchter describes the process as follows:

‘The process of disenchantment intervenes in the basic constellation of the spheres of value, manners of life, and lifestyles. Weber’s view of the modern world is guided by a theory of the growing conflicts between the spheres of value and the manners of life and lifestyles that correspond to these’.57

The type of religion and the secularity of the world are dependent on each other. The notion of disenchantment provides the link: the more the world is regarded as rational, the more religion shifts to the realm of irrationality. An indication that Weber avoids any evolutionary assumption can be seen in the contemporary examples and cases he adduces, when illustrating the activity of the magician, the priest, the prophet, the intellectual and their circles in his section on Religious Communities or when depicting ecstasy or orgy as contemporary phenomena.

Dialectics of disenchantment and recent approaches to history, nature and society

When Weber speaks of a religious development by which the world becomes disenchanted, he envisages a repercussion on the religion

55. Ein Lebensbild, p. 349; A Biography, p. 333.
itself. The objects and occurrences in the world lose their significance as a divine sign—as prodigy or miracle—and become simple facts that no longer signify anything in religious terms. On the one hand, the world is conceived as an autonomous rational causal mechanism. On the other hand, religion reflects the independence of that kind of causal rationality. Religion, confronted with a growing demand that the world and the total pattern of life be subject to an order, provides significance and meaning.

What Weber sets out here is discussed from the standpoint of the study of science. The rational scientific comprehension of history, of nature and of society generated both: secularity and religiosity. This result is echoed by contemporary attempts to revise the theory of secularization. Craig Calhoun, Mark Juergensmeyer and Jonathan Van Antwerpen made the following point in their volume Rethinking Secularism:

> Until quite recently, it was assumed that public life [in the West HGK] was basically secular. .... Scholars could write with authority about politics, economics, and social behaviour as though religion did not exist at all. Secularism, on the other hand, appeared to have no ideological significance of its own.

The authors doubt this. Their statement confirms Max Weber’s concept of a history of a formation of the concept of secularism. The Canadian Charles Taylor has given an impressive account of secularism that varies Weber’s thesis about what happens to religion in the modern period. In A Secular Age (2007) Taylor reconstructs the path that made it possible in Western history, for a secularism to emerge. Though the faith in God, in the soul, and in immortality was taken for granted and all-permeating for centuries, secularism is every bit as much taken for granted today. In the process, Taylor sketches, the powers that once were located in the outside world were transposed into objects of scientific observation on the one hand, and relocated within the human being, in his or her thinking and feeling on the other; they are placed in an ‘immanent frame’. Two cross-
pressures define our culture today: an ordered, impersonal universe and a search for spiritual meaning. These cross-pressures are experienced in two different ways: as an objective universe that functions impersonally in accordance with laws, and as subjective universe that is seen as a source of spiritual meaning. Taylor quotes Czeslaw Milosz with approval when he speaks of the ‘dichotomy between the world of scientific laws—cold, indifferent to human values—and man’s inner world’.63 ‘This means that neither religion nor secularism is self-evident. For Taylor—as for Weber—it is a mistake, to see the relentless process of disenchantment as a facet of a decline of religion.’64 Taylor’s model is similar to that of Max Weber, though the historical details of his reconstruction are different.

Disenchantment of nature: distinguishing scientific notions from religious meanings

Weber describes the process of disenchantment with regard to nature. This process denies meaning expressed by nature. Nature becomes a scientific object, from which meaning is removed. This meaning may be metaphysical, religious or a signal.

Suppose that for conceptual purposes we distinguish the ‘meaning’ which we find ‘expressed’ in an object or process from all the other components of the object or process which remain after this ‘meaning’ is abstracted from it. And suppose that we define the sort of inquiry that is exclusively concerned with this last set of components as ‘naturalistic’. The result is still another concept of ‘nature’. It can be differentiated from the concepts of ‘nature’ identified in our earlier discussion. In this sense of ‘nature’ nature is the domain of ‘meaninglessness’. Or more precisely, an item becomes a part of nature if we cannot raise the question: What is its ‘meaning’?65

Kocku von Stuckrad has investigated the history of the scientification of the study of religion from 1800 to 2000 against the background of the distinction between rational, reasonable, and secular (on the one hand) and irrational, unreasonable, and religious (on the other hand). These mutually exclusive categories were so firmly

63. Charles Taylor, A Secular Age, p. 593.
64. Charles Taylor, A Secular Age, p. 553.

established in the academic discourse from the nineteenth century onwards that they permeated the entire terminology of the academic rhetoric of ethnographic and religious-historical descriptions: astrology as opposed to astronomy, alchemy as opposed to chemistry, magic as opposed to science. The one was now regarded as religious but scientifically wrong or irrelevant, the other as secular and correct from a scientific point of view.\textsuperscript{66} The consequence of this scientific operation was that the link was broken between phenomenon and meaning, sign and symbol, semantics and pragmatics. On the one hand, an object fell victim to a naturalistic isolation. On the other hand, a realm of religious meaning was made terminologically independent.

This analysis of the scientific operation of disenchantment has elicited a recent comprehensive study by Egil Asprem, \textit{The Problem of Disenchantment. Scientific Naturalism and Esoteric Discourse}.\textsuperscript{67} Asprem proposes that we must understand the notion of disenchantment as an outcome of the practice of modern natural sciences. The force behind disenchantment is a norm that derives from the ‘Scientific Naturalism’. Asprem attempts to identify limits to the concept of disenchantment in ‘Scientific Naturalism’ (1900–1939) and traces the pertinent scholarly discussions. What happened, Asprem asks, when scientists encountered in the world of transmitted knowledge notions that were neither derived from empirical evidence nor verifiable by observation, but were nevertheless necessary in order to understand natural processes? His answer: ‘The processes of rationalization have created the conditions for the problem of disenchantment to emerge’ (p. 6). The rational approach generates an unreasonable, incalculable, irrational area that is distinct from the reasonable, calculable, rational realm which at least the scholar inhabits. Similarly, applying this distinction to natural data excludes non-empirical metaphysical meanings from the natural world.

In his investigation of this process in the fields of physics, biology, and psychology, Egil Asprem brings to light debates among well-known scientists that revealed that they could not avoid concepts that elude the status of empirical observation but were nevertheless necessary for understanding nature. He refers to \textit{Angels Fear} by Gregory Bateson (1904-1980) that attacks the two rival ‘superstitions’ that


feed each other: the supernatural and the mechanical models of reality. The materialist believes that quantity can determine natural pattern. The supernaturalist claims the power of mind over matter. Both are untenable according to Bateson’s view. Take, for example, chemical elements. They are things that contain some communication in and between things. The entire conceptual separation between mind and matter is odd, Asprem argues.68 “Holism” or “system” or “mind” became watchwords for attempts to reintegrate immaterial elements into the observation of natural processes. According Asprem, a field of natural theologies emerged. Academic scientists and philosophers had to find ‘alternative solutions to the problem of disenchantment’. That field emerged not merely because of unsolved problems in the natural sciences, but also through the transmission of a Mediterranean religious world view that celebrated the visible cosmos as a place where divine powers reveal themselves to the human mind: ‘cosmostheism’ or ‘panentheism’. ‘Post-Enlightenment establishments may not have been all “that” disenchanted… It was not only the attempt to get rid of cosmostheism that was unsuccessful; the attempt to create a stable disenchanted identity for the Western academy was not completed either’.69 Asprem sees natural sciences as the driving force behind the disenchantment of the human attitude to the natural world. But this force did not succeed fully. The rejected knowledge turned into a stable and enduring Western tradition, today known as ‘esotericism’.70 The Disenchantment of nature created a rift between natural objects and subjective meaning.

The Doubling of the Concept of Future:
Human Progress and Divine Salvation History

The historian Lucian Hölscher has made a detailed description of a case of simultaneity and competition in the nineteenth century in industrializing Germany between religious expectations about the last judgment in future and secular expectations about future progress by a socialist revolution. He argued that, alongside the long-established religious belief a political expectation of a man-made revolution spread in the nineteenth century, inspired by the

experience of the French Revolution. He locates these changes in the
general context of the rise of the possibility of predicting the future
and controlling it. This change seemed to bring the future into the
sphere of the manageable; but it did not entail the abandonment of
hope in the coming of the kingdom of God. Alongside a prediction
of the future, the religious faith in a divine providence persevered.
The social conditions in the new industrial sector generated ambiva-
lent feelings toward the future; some people have lost confidence
in a social progress. Hölscher registers a ‘doubling of the concept of
the future’. 71

Each conception presupposes the other, although the nature of this
relationship is a matter of dispute, as we see from the debate between
Karl Löwith and Hans Blumenberg. Karl Löwith (1897–1973) argued
that a secular faith in progress had displaced the Christian expecta-
tion about the last judgment; the modern philosophy of history artic-
ulated in the Communist Manifesto originated in the biblical faith in
a fulfilment, and secularized the eschatological model. 72 Hans Blu-
menberg (1920–1996) objected that the faith in progress was based on
the extension of the domination of nature—while the biblical expecta-
tion of salvation had its roots in a general lack of meaning in human
existence and had not been diminished in the course of history. The
two positions are autonomous, and neither can replace the other. 73
Malcolm Bull revisited in 1995 the debate and concluded that both
concepts developed together by influencing each other. 74

The Fundamentalism Project of the University of Chicago shows that
all major modern religions display this doubling of the understand-
ing of future (Marty 1991–1994). 75 This is why considerable attention
has been paid in recent decades to ‘fundamentalism’, which exempli-
fies the complex relationship between religion and modern culture

71. Lucian Hölscher, Weltgericht oder Revolution. Protestantische und sozialistische
Zukunftsvorstellungen im deutschen Kaiserreich (Stuttgart: Klett, 1989), pp. 32-34; idem,
Die Entdeckung der Zukunft (Frankfurt am Main: Fischer, 1999).
72. Weltgeschichte und Heilsgeschehen. Die theologischen Voraussetzungen der
Geschichtspolitik (Stuttgart/Heidelberg: Metzler, 1953).
22-25.
74. An evaluation of the debate by Malcolm Bull ‘On Making Ends’, in the
volume edited by Malcolm Bull, Apocalypse Theory and the Ends of the World (Oxford:
75. Martin E. Marty and R. Scott Appleby (eds.), The Fundamentalism Project
(Marty 1988;76 Lawrence 1989;77 Riesebrodt 1990).78 Originally, fundamentalism designated a collective movement in American Protestantism that began before the First World War and actively criticized the modernistic milieu of the growing industrial society. Its program was the defense of basic biblical truths (‘fundamentals’) against enlightened liberal theologians who distanced themselves from particularly offensive teachings such as the infallibility of the Bible, the virginal birth, the resurrection of the body, the vicarious expiatory sacrifice of Christ, and his bodily return at the end of time. The heart of the fundamentalist movement was a rigorous rejection of modern liberal culture and an acute expectation of the imminence of the Last Judgment. It rejected emphatically liberal Protestantism.79 Liberal Protestants believed that Christ would return at the end of the millennium (post-millenarianism), and this is why they held that there would be a gradual transition to the perfect society. This was the basis on which they taught the social gospel: social reform was a task enjoined on Christians. Fundamentalists took a different position: they awaited the return of Jesus before the beginning of Thousand Years’ Reign and believed that the true Christians would be caught up in the ‘rapture’ before the terror of the last days (premillenarianism). It seemed to them impossible that the world, as it existed, could be saved, with the exception of the community of the elect. They disenchanted the alleged progress of the industrialized society. Sexual promiscuity, prostitution, and alcoholism belonged to an order of things on which the Lord would pronounce his annihilating verdict. Nevertheless, this expectation did not necessarily lead to a withdrawal from politics. Fundamentalists speak out in the public arena to demand a moral reform. They make use of the technical advances of the modern period, find support in the experience of communal faith, and oppose the further spread of individual autonomy. Global studies of the messianic expectation of salvation confirm these findings.80 The doubling of the concept of the


77. Bruce Lawrence, Defenders of God: The Fundamentalist Revolt against the Modern Age (San Francisco: Harper & Row, 1989).


80. See, for instance, David S. Katz and Richard H. Popkin, Messianic Revolu-
future presupposes the distinction between an autonomous world and subjective expectations of salvation—in other words, the dialectic that Weber linked to disenchantment.

**Practising Brotherliness in a World devoid of Solidarity**

In his project of relating the great forms of community to the economy, Weber kept to a particular sequence. Before he discussed the faith community, he dealt with the neighbourhood of household communities. Here too, he followed the strategy of turning a static state of affairs into a type of communal action.81 His reflections centered on help in need: when households get into difficulties, they must call on their neighbours for help.82 According to Weber, neighbourliness, as a mutual support in times of need and therefore bearer of brotherliness, exists not only in the forms of life that are found in villages, but also in the tenements in the big city slums, where it is also the neighbour who is the typical helper in need (MWG I/22-1: 121).

For systematic reasons, Weber puts the neighbourhood before the religious community in his treatment of the forms of communities (MWG I/22:2, 195). The reason for this sequence is that religious communities, which had their origin in prophets, took over the obligation of neighbours and clans to help in emergencies, and turned this into the commandment of ‘brotherliness’. Hence the religious congregation constitutes the ‘second category of congregation’ alongside the ‘neighbourhood that has been associated for economic or for fiscal or other political purposes’.83 It replaces the member of one’s clan with the one who shares one’s faith. Assis-

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tance and help in need are detached from neighbourly reciproc-
ity or clan obligation, and become demands made by a prophet-
ical religious ethic. It makes the faith community independent both of
the political alliance and of the laws of the market. This command-
ment could be radicalized in a further step, to become a specifi-
cally religious ‘attitude of love’, a ‘communism of love’.84 Where
this happens, the autonomy of the ethic of brotherliness comes into
a fundamental tension vis-à-vis societal reality, and becomes an ele-
ment in a religiosity of salvation that rejects the world.85

Weber regarded the transformation from neighbourly help in need
into an ethic of brotherliness as highly consequential. Accordingly,
he took it up again in his ‘Intermediate Reflection’, condensed it, and
intensified its dramatic quality. The religiosity of salvation transposes
the old ethics of neighbourhood on the brother in faith. The obligation
to help widows, orphans, the poor, and the sick in their need becomes
a fundamental ethical obligation, and salvation depends on its fulfill-
ment (MWG I/19: 48). When reality is seen as a reality of incompre-
hensible suffering, the societally limited reciprocal obligation yields
the place to a universalistic ethic of brotherliness, and transcends all
societal barriers (MWG I/19: 487). The more consistently it is prac-
ticed, the harsher will it clash with the structures and values of the
world. The more its own inner logic unfolds, the more irreconcilable
will the rift be.

Congregational religion added the fellow worshipper and the com-
rade in faith to the roster of those to whom the religiously founded
obligation of assistance applied which already included the blood-
brother and the fellow member of clan and tribe. Stated more cor-
correctly, congregational religion set the co-religionist in the place of the
fellow clansman. ‘Whoever does not leave his own father and mother
cannot become a follower of Jesus’. This is also the general sense
and context of Jesus’ remark that he come not to bring peace, but the
sword. Out of all this grows the injunction of brotherly love, which
is especially characteristic of congregational religion, in most cases

84. MWG I/22-2, pp. 373-76 n. 6 makes it clear that the concept of ‘Liebeskom-
munismus’ has its origin with Ernst Troeltsch.
85. See above p. 266. ‘The more a religion of salvation has been systematized and
internalized in the direction of an “ethic of ultimate ends” (“Gesinnungsethik”), the
greater becomes its tension in relation to the world’ (Economy and Society, p. 576). ‘Die
Erlösungreligiosität bedeutet, je systematischer und “gesinnungsethisch” verinner-
lichter sie geartet ist, eine desto tiefere Spannung gegenüber den Realitäten der Welt’
(MWG I/22-2, p. 367).
because it contributes very effectively to the emancipation from political organization.86

The religions of Judaism and Christianity, as well as of Islam, which see themselves as bearers of the promise made to Abraham (Genesis 12:1-3), are in this sense community religions par excellence. The faith community is the addressee of the assurance of salvation, and thus is itself the object of its members’ faith. This community religiosity is linked to the idea that the individual local faith communities are a part of a transcendent community of all the redeemed (‘people of God’, ‘church’, ‘umma’). The community demands that its members help and assist fellow believers or all human beings globally, when they are in need (‘ethic of brotherliness’).

With their praxis of an ethic of solidarity in times of globalization, faith communities can spread independently of the powers of state and finance, thereby unfolding a power of their own. Fundamentalist communities that are critical of the world and of society are exemplary in this regard. We should note here that even Pentecostal communities, which are attractive to many because of their individualized spiritual good things such as ecstasy, healing, and prosperity, have also made societal commitment their trademark.87 Social activism has taken hold of faith communities of other orientations and religions too, and has formed the basis of their power in contemporary civil society. The deprivatization of their ethic of brotherliness has allowed them to become activists in the public arena.

According to Jürgen Habermas, the religious neutrality of the secular state implies a separation of state and religion. But this does not exclude religious convictions opinions from the public arena of the secularized state, provided they are translated for the unbelievers. On the contrary! The separation enables citizens to express their position on present-day public issues (e.g., abortion; asylum for

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refugees; solidarity with needy people) in terms of a religious conviction. Habermas called this the ‘dialectics of secularization’.

When secularized citizens act in their role as citizens of the state, they must not deny in principle that religious images of the world have the potential to express truth. Nor must they refuse their believing fellow citizens the right to make contributions in a religious language to public debates.88 He presents the case of the brotherliness of religious congregations. According to Habermas, the duties as citizens of a state are largely fixed by law, but this does not apply to their role as members of society. This is particularly relevant when one considers that the powers of the markets and bureaucracy no longer bring about the social integration of the citizens by means of a mutual solidarity. Under such conditions, Habermas argues, we must be ready to extend reason beyond its own borders and promote a solidarity with those who are oppressed and insulted, hastening the coming of the messianic salvation.89

Citizens in a democratic state who are interested in maintaining this mode of social integration have good reason to establish with the help of religion a social bond that is independent of the rules of the market and the law, and to claim public recognition for it. With these ideas in mind, Habermas gave an affirmative answer in the discussion of whether there were ‘pre-political foundations [for] the democratic constitutional state’.

Religions of World Rejection: The Rift in Modern Culture

The concept of disenchantment must be distinguished from the concept of secularization, to which it is a superior analytic tool in the study of religion in the modern period. Whereas the concept of secularization is influenced by law and politics, and understands religion as something private that can acquire a new relevance in the public arena of a society through what José Casanova calls ‘deprivatization’, the concept of disenchantment focuses on the internal disruption of modern culture.90

89. Jürgen Habermas and Joseph Ratzinger, Dialectics of Secularization, p. 41.
This disruption was the long-term consequence of the Querelle, the conflict between the seventeenth-century *anciens* and *modernes* that was generated by the assertion that science and art in the age of Louis XIV were superior to classical antiquity. One side agreed and regarded classical antiquity as the permanent model also for the contemporary culture, while the other side saw the achievements of their own age as rooted in an innovative spirit of geniuses. Ultimately, it was accepted that one must draw a distinction between science and art, as far as progress was concerned: there cannot be any measurable and indubitable progress in art, but this is certainly possible in science. Art must be evaluated in keeping with the aesthetic criteria of each particular epoch; both classical and modern art have their own right to exist. German Idealism looked at the history of religion (ancient pagan religion and oriental religions) from this perspective. The realization of this kind of cultural disruption was accompanied by the transition from a classical to a modern approach. Modernity was ‘no longer “apprehended” as the opposite of what was old, but as a rift with the contemporary age’.91

The use of the category of ‘religion of salvation’ or of ‘rejection of the world’ to apprehend religion in connection with the sociology of modern society was momentous. The representatives of the emergent sociology at the first Sociologists’ Conference in Frankfurt in 1910 debated the question of the influence that the splitting-up of Christianity into church, mysticism, and sect had had for the development of the culture of the modern age.92 In religions that practice the rejection of the world, the subject detaches himself/herself from already-existing orderings and powers and bases the behaviour on worldviews that are independent of these. Subjective religiosity is capable here of disrupting already-existing, traditional forms of life and orderings. This perspective became central to Weber’s analysis of the link between Protestantism and capitalism. He argued that a process of disenchantment of the world means that religiosity takes on subjective forms of an ethics of commitment or of mysticism, while existing religious means of salvation lose their value through the ‘disenchantment’. Sociologists and philosophers elaborated this antithesis between subjective religiosity and an objective social ordering. Modern studies that investigate scientific representations of natural


or historical processes have demonstrated how the elimination of religious interpretations from the analysis of natural processes has helped to make possible the development of modern esotericism. Modern constructions of history likewise show that alongside faith in man-made progress, the expectation of a sudden irruption of salvation has left its mark on the modern ways of looking at history. Nor are the understandings of society marked exclusively by faith in rational conduct; they are influenced just as much by the validity of an irrational ethics of brotherliness. Thanks to the disenchantment of our world, therefore, there emerges the idea that secular orderings operate according to principles that are independent of subjective expectations of salvation, and vice versa that religious expectations of salvation are independent of existing norms. The dichotomy of modern culture thus acquires a permanent character through the uncoupling of social norms from subjective expectations of salvation and through the differentiation of new kinds of subjective religious paths of salvation.
Review Essay


In 1984 the Max Weber Gesamtausgabe commenced publication with Bd. I/15, Zur Politik im Weltkrieg. Schriften und Reden 1914–1918, edited by Wolfgang Mommsen with the assistance of Gangolf Hübinger. More than thirty years later we still await publication of the ‘methodological’ writings in the MWG; but whether this matters very much is an open question. As Wilhelm Hennis pointed out in a contemporary review of Bd. I/15, given the general lack of manuscripts, typescripts, and other materials, the MWG could never be a ‘historico-critical’ edition since the editors were chiefly limited to reprinting, correcting, and annotating published versions of Weber’s writings.1 It appears to have been Weber’s practice to discard notes, drafts, manuscripts, and proofs once he was finished with them, and so for the great bulk of his work all we have are the printed versions.

Of course, since he only ever published two ‘books’—an extract from his doctoral thesis and his Habilitationsschrift—these writings were scattered through journals, newspapers, and conference proceedings; but Marianne Weber had assembled much of this work in the early 1920s, publishing the ‘methodological’ writings in 1922 as the *Wissenschaftslehre*. And so we have had a working version of what will, eventually, be MWG Bde. I/7 and I/12 since 1922. What the world actually needed, argued Hennis, was not an exorbitantly expensive ‘complete works’ that turned out for the most part to contain what was already in circulation, but a cheap paperback version of the existing principal writings. He even went so far as to suggest that the publisher of the MWG had a strong commercial interest in the project, since copyright would run out in 1990 and the creation of a new standard edition would refresh the publisher’s rights.²

It soon become clear that having Weber’s writings on wartime politics (Bd. I/15 1988) or on rural and economic policy in the 1890s (I/4 1993) provided a solid basis for the re-assessment of the orthodoxies of the Weber reception. When he launched his acerbic criticisms of the MWG project in the mid 1980s Hennis was engaged in his own studies of Weber, travelling to the GDR to read the correspondence in the Merseburg archives, and subjecting Weber’s writings to line-by-line examination. The essays that resulted from this work contributed a great deal to the positive reassessment of Weber in the later twentieth century; the edition formed a valuable backdrop to this ongoing revision, but for a long time did not appear to be that central to it. The publication of the first volume of letters in 1990 revealed some of the real novelty that the edition would offer, although starting with the correspondence of 1906 and taking until 2012 to arrive at the letters of 1920 led to its own frustrations. Likewise the extension of Abteilung III, devoted to lecture notes, to seven volumes from the two originally envisaged has provided insights into Weber’s work that were genuinely unanticipated.³

With the publication of the volumes devoted to *Economy and Society* we can fully appreciate the careful and dogged approach taken by the editorial team. Here their work has changed our appreciation of the published writings and reputation of Max Weber. While

². The publishers later took the praiseworthy decision to make the MWG available in a very cheap Studienausgabe that reduces some of the editorial apparatus, and reproduces Weber’s texts in a compact format.

Economy and Society is Max Weber’s work, it is not ‘his book’. Part One—the first three chapters plus the fragment of a fourth—was in proof at the time of Weber’s death in June 1920, but the remainder was assembled by Marianne Weber, assisted by Melchior Palyi, from materials found in Weber’s study. Here again, while Marianne worked with manuscripts, typescripts, and proofs for the later sections, virtually none of this has survived, since she seems to have either given away, or herself discarded, the material with which she worked; and so all we really have is the version finally published in one volume in 1922. In any case, Economy and Society was never intended by Weber to be ‘a book’: it was part of a much larger multi-volume, multi-author handbook, the Grundriss der Sozialökonomik, a project that he had been directing since formally assuming responsibility for it in 1908.

All the same, Economy and Society did become his ‘big book’. Not simply because Marianne saw through the publication of Wirtschaft und Gesellschaft as part of the III Abteilung of the Grundriss der Sozialökonomik; but because of two parallel developments during the 1950s. First of all, Johannes Winckelmann, a retired banker and admirer of Max Weber, began ‘revising’ Weber’s writings and bringing out ‘new editions’—he brought out a second revised and expanded edition of the Wissenschaftslehre in 1951, a third in 1968, a fourth revised edition in 1973, and a fifth in 1982. In 1956 he published his fourth and in 1972 his ‘fifth edition’ of Wirtschaft und Gesellschaft, with added material and displacements of sections according to his own views of Weber’s intentions. His fourth edition had been the basis for the 1968 Roth and Wittich English translation, upon which they had collaborated closely with Winckelmann. And here the second strand emerges, for Roth and Wittich in essence amalgamated existing partial English translations according to Winckelmann’s plan, and then filled in the gaps themselves. Part One was their own revision of the

4. Proofs for Part One Chs. 2 and 3 survived: some in the Mohr Siebeck archive, and some in the hands of Wolfgang Mommsen, who was given them in the 1950s by Else Jaffé, who had in turn been given them by Marianne Weber as a memento. This was a common practice of Marianne’s when completing work on Wirtschaft und Gesellschaft, but no more of this dispersed material has since been located.

5. See the summary of the development of the GdS project below, and in my ‘What is Social Economics?’, History of European Ideas 40 (2014): 714-33.


Henderson and Parsons translation of Part One, published in 1947 as *Theory of Social and Economic Organization*; Part Two, Chs. 1, 9.1, 9.2, and 10 was Shils and Rheinstein’s *Max Weber on Law in Economy and Society* (1954); Ch. 14.iii was Gerth and Mills. In this way a ‘book’ was created that increasingly resembled the 1922 version as a text, while the place of *Wirtschaft und Gesellschaft* within the GdS, as one part of a larger project, had vanished entirely.

Although one could work through and itemise the changes to *Wirtschaft und Gesellschaft* that Winckelmann introduced into the pre-MWG corpus, the primary purpose of so doing would be to identify the editorial logic that he pursued, and there is a simpler route. He clearly stated the working assumptions guiding his interventions and re-orderings of *Wirtschaft und Gesellschaft* more directly in a grant report written in 1982 for the DFG, later turned into a book. He here stated his belief that:

1. The manuscripts left by Weber at his death were not a pile of unsorted papers, but a late draft for a manuscript close to setting.
2. There was a ‘compositional idea’ underlying this draft which related to the textbook character of the work.
3. The 1922 edition lacked this inherent *Gliederung* since the editors imposed their own ideas about sequencing on the existing material, on the grounds that Weber had more or less abandoned the 1914 GdS Plan (as they stated in the Preface).7

Unfortunately he was wrong on almost every count, as Edith Hanke has since demonstrated.8 Winckelmann showed himself in his report to be entirely preoccupied with the various draft GdS plans in which *Wirtschaft und Gesellschaft* had figured, and the implications that might be drawn from them concerning the ordering of parts. He ignored entirely the actual content of Weber’s writings—the sources on which he drew, the evident shifts and developments in his terminology, the crossover with his lecturing in Vienna and Munich, the relation of Part One Ch. 1 to the 1913 essay on categories, or the

relationship between the content of Part One Ch. 3 and Part Three of the 1922 edition, which in his fifth edition had become a very long Ch. 9, and in a different order. It could be said that one of the less obvious achievements of the MWG edition is to have rescued Max Weber’s writings from the clutches of Winckelmann’s well-intentioned, but utterly misguided, editorial agenda.

Winckelmann created such a muddle with his tinkering—a muddle reflected also in the existing Roth and Wittich English translation—that the MWG editors opted to return to the 1922 edition of Wirtschaft und Gesellschaft as the basis for their editorial work, and ignore the entire corpus that Winckelmann had created. While there was little in the way of additional materials to guide them, at least they had access to the correspondence between Marianne and the publisher that charts the course of the text’s construction. This correspondence also provided them with indications that enabled them to take the radical step of breaking Wirtschaft und Gesellschaft in two, and demoting everything following Part One to the status of draft manuscripts in which no clear overarching plan was discernible. Consequently Wirtschaft und Gesellschaft now appears as two separate volumes: the prewar drafts first, as Bd. 22-1 Gemeinschaften, Bd. 22-2 Religiöse Gemeinschaften, Bd. 22-3 Recht, Bd. 22-4 Herrschaft, and Bd. 22-5 Die Stadt; and Part One as Bd. 23 Wirtschaft und Gesellschaft. Soziologie. Unvollendet 1919–1920.

Edith Hanke’s editorial work on 22-4 is a model of careful scholarship—for what it is worth, when it was published Hennis thought it ‘ganz fabelhaft’, exemplifying qualities that he had missed in some of the MWG editions. For there is a further twist to an already tortuous story when it comes to these particular drafts. If we go through the three main chapters of Part One, we can fairly easily identify their genesis. Chapter 1 on ‘Basic Sociological Concepts’ is a development of the 1913 essay on categories and the lecture series delivered during the summer semester of 1918 in Vienna, and in the summer of 1919 in Munich. Ch. 2 on basic sociological categories of economic action is a development from his economics lectures of the 1890s, combined with elements from his lectures on economic history during the winter semester of 1919/1920. A fairly complete set of the earlier lectures did survive and has since been published as MWG Bd. III/1,

9. Given that several sets of student notes from the Munich lecture series on Wirtschaftsgeschichte survived, it is puzzling that not one copy from the Vienna lectures has ever turned up.

while the Munich economic history lectures were reconstructed from student notes and published as the *Wirtschaftsgeschichte* in 1923, with Frank Knight’s translation as *General Economic History* being published in 1927.\(^\text{10}\) Ch. 3 on ‘Types of Rule’ is however a refined version of the *Herrschaftssoziologie* developed in the years before the war, and so a refined version of the *draft that was also published in 1922* as *Wirtschaft und Gesellschaft* Part Three. So here in effect we get the same thing twice in *Wirtschaft und Gesellschaft*: first as a rigorously catechised presentation in Part One, Ch. 3, and then as the earlier draft now presented as Bd. 22-4. This duplication does not apply of course to the other sections in Part Two, on law, communities, and cities. Why then Marianne found this material among Max’s papers is not entirely clear; why had he not discarded it? And if he had not discarded it, what does this say about the other material with which it was found? While some of this material appears to have been in a more finished state,\(^\text{11}\) by 1920 this was all at least seven years old and we have no real idea what Weber then intended to do with it. Perhaps, indeed, *none* of these draft materials would have been retained had Weber lived — Part One would have been all there was ever going to be, for these particular purposes.

As it happens, the construction of the text in Part One does provide clues as to what was to come later. Airbrushed out of the existing English translations of Part One are very many asides in which Weber alludes to matters that he will ‘deal with in detail later’, but for which no new material exists. These become especially frequent towards the end of Ch. 3, and Edith Hanke footnotes them carefully, suggesting to what they might allude, and identifying passages from the drafts that provide some idea of what he might have written in 1920. These asides are also important evidence of something else: that even Part One, Chs. 2 and 3 as set in proof are unfinished. The fact that Part One was typeset is normally taken to indicate that this was a final version, since today authors are forcefully instructed by publishers that proofs are only there to correct setting errors or typos. That was not however the practice in 1920. As the surviving proofs demonstrate, Weber used proofs to redraft whole sections; for him, they were more like a clean copy of a manuscript that


\(^{11}\) Here again, the need to rely on the 1922 printed version in the absence of any of the original material renders any consideration of Weber’s intentions speculative.
revealed the need for rewriting and revision. This is reflected in the structure of Chs. 1-3. Chapter 1 is coherent and proceeds logically to its conclusion. Chapter 2 follows suit until about halfway, when the organising main paragraphs become longer and longer; and then, once the discussion of Knapp’s work on money is introduced, the text becomes increasingly incoherent, pursuing Knapp through his convoluted and obscure terminological maze. Here the catechiser is catechised. Once he has found a way out of this, the chapter limps to a hasty conclusion. Some order returns with Ch. 3, but here again, as it goes on we increasingly encounter asides pointing to ‘later discussion’ of points, later discussion that never materialised. Combined with the increasingly scrappy nature of the material in small print that elucidates the main paragraphs, the reader is left with the impression that this is a rough draft, not a final version. Chapter 3 is certainly more coherent than the car crash that Ch. 2 becomes, but at times it degenerates into rough notes. Chapter 3 is no more finished than Ch. 2. Both are obviously more finished than Ch. 4, which is a fragment; but there remained a great deal of work to be done if they were to have had the coherence of Ch. 1.

All of which reinforces the point that Weber was not in 1919–1920 simply running through a plan he had finalised in 1914; and the correspondence with Siebeck in the last year of his life includes no clear indication of what exactly would come next, after Part One. The practice of using the successive plans for the GdS as a means of construing how *Wirtschaft and Gesellschaft* might have turned out is shown by examination of the text of Chs. 2 and 3 to be a mistake. The only real clues that we have about what Weber had in mind in 1920 are there in the 1920 text, not in the various plans he drew up years before.

Whatever position we might adopt on this question, the relationship that exists between MWG I/22-4 and the third chapter of I/23 (or more precisely, Part Three and Ch. 3 Part One of the 1922 edition, presented in that edition therefore in reverse chronological order) does lend us direct insight into the development of Weber’s conceptions of power, rule, and bureaucracy from around 1909 to late 1919. Here we do not need to construct relationships between diverse texts in an effort to identify a central thread or a guiding theme, nor need we take a position on the various arguments surrounding these efforts. Instead, we have materials generated at different stages in the development of a *Herrschaftssoziologie* that was finally catechised in the third chapter of Part One and sent to press. And we are very fortunate that
the task of editing MWG I/22-4 was given to Edith Hanke by Wolfgang Mommsen, for she has executed her editorial duties with exemplary skill and dedication.

Part of the story that she tells is of course that only gradually did Weber’s work take conscious shape as a Herrschaftssoziologie; he originally referred to it as an ‘Analyse der Herrschaft’, or a ‘Kasuistik der Herrschaftsformen’, or a ‘soziologische Staats- und Herrschaftslehre’ (MWG I/22-4: 3). Writing to Michels in December 1910 Weber noted that ‘Herrschaft’ was not unambiguous, that it was a flexible term. This was, argues Hanke, because at the time the only systematic concept of Herrschaft was to be found in law, in the definition of the state by Laband drawing on Gerber—rule as the power of command and coercion. Not until the publication of Jellinek’s Allgemeine Staatslehre in 1900 was there any form of challenge to this purely legalistic definition of state power; and Weber himself up to 1919/1920 associated the power of command and coercion with a state monopoly.

However, she goes on to demonstrate the importance of Gierke’s account of Herrschaft and Genossenschaft to Weber’s eventual development of forms of rule. For example, a contribution on Herrschaftsformen by van Calker in the 1912 Handbuch der Politik countered ‘Herrschaft und Verwaltung’ to ‘Anarchismus’; and Hanke identifies this kind of connection being echoed in German translations of Mosca, where ‘tipi di organizzazione politica’ became ‘Typen der Herrschaft’ (MWG I/22-4: 23-25). Quite properly, Hanke seeks to identify the sources of Weber’s conceptual apparatus, the materials with which he could work, where he takes them up and simply repeats them, where he takes them in a different direction. Unless we know the evolving conceptual field within which Weber was placed, we cannot really know where Weber himself begins and ends.

From the existing discussion of rule Hanke then turns to bureaucracy—here again, around 1910 this was already associated (by Karl Kautsky and Alfred Weber) with rationalisation and capitalism (30-31); and then to patrimonialism (32-33) and feudalism, where Weber’s reading would have taken him into a debate among German historians about the origins of occidental feudalism—was it Germanic, or military, or perhaps related to tithes (34–37)? ‘Charisma’ was a term at the time applied to the early Christian church, and so a part of theological controversy, linked also to the way in which many of Stefan George’s followers characterised themselves as ‘disciples’ (38-41). Then Hanke turns to ‘legitimacy’, discussing the work of
Bryce, Michels, Gumplowicz, and Oppenheimer, the upshot being that while a number of writers related systems of power to a need for legitimation, the idea of legitimacy itself was not systematically used to characterise rule. From the argument in the older draft that the claim of legitimacy can rest on rational rules or personal authority, which in turn can be either traditional or charismatic, there then evolved the three types of rule: Bureaucratic, Patriarchal, and Charismatic (48).

Having reviewed the sources, Hanke then turns to the context in which Weber’s arguments developed. Partly of course this was the planning and management of the GdS itself, since the process of planning and commissioning contributions required Weber to elaborate a consistent, socio-economic framework within which they would all fit. Here there is something of a lacuna in the MWG editorial enterprise as a whole, for it seems to have occurred to none of the editors that the emergent structure of the GdS is itself a major source for understanding Weber. A volume was added to the MWG (I/24) detailing the development of Weber’s work on the GdS, pulling together a story that unfolds through correspondence with publisher and contributors from 1906 to 1914, and then from 1919 to 1920 (there being no evidence of any work by Weber on the GdS, and by extension *Wirtschaft und Gesellschaft*, from the summer of 1914 to the summer of 1919). Here in I/24 the various GdS plans are central to the story, rather in the blinkered manner of Winckelmann, whose focus on details of the plans overlooked entirely the nature and substance of the project for which these plans were made and revised. What goes missing is any sense of the field being created through the selection of topic and assignment of contributor—any consideration of what the whole thing was meant to be for, any sign that the editors have actually looked at the GdS and seen it as the work it is: a collaborative, systematic account of modern capitalism. Rather than seeing the GdS as a work designed by Max Weber, the editors consider it only from the point of view of Weber’s changing ideas about what he was going to contribute to it, and how that particular contribution was going to be organised. Attention is given instead to Weber’s great disappointment with Bücher’s cursory contribution on developmental stages for the first part published in June 1914,\(^\text{12}\) since this

\(^{12}\) Weber to Paul Siebeck, 20 December 1913, Heidelberg (MWG II/8: 449). He had received Bücher’s contribution earlier in the year, see his letter to Siebeck, 28 January 1913 (MWG II/8: 60).

prompts him to announce that as a consequence he has worked out a ‘rigorous [geschlossene] sociological theory and form of presentation that places all major communal forms in relation to the economy … a comprehensive sociological account of state and rulership’.13 But then one can only wonder quite what Weber expected from Bücher; why the first volume of GdS was structured in the way it was, opened by an account of economic stages (Bücher), followed by a history of economic thought (Schumpeter), and concluded with a synthetic account of modern economics (Wieser). No attention is by contrast paid to Weber’s fulsome praise of Gottl’s contribution on ‘Wirtschaft und Technik’, which he described in November 1913 as ‘quite excellent and highly original’.14 Even a cursory glance at this should make anyone wonder what Weber saw here that no modern reader could.

As for the term Herrschaftssoziologie, as late as the 1909/1910 GdS Plan there was no mention of this; it first occurs in a letter to Siebeck dated 30 December 1913, and no details were associated with it until the June 1914 Plan, suggesting that the idea of a Herrschaftssoziologie was developed between 1910 and 1914 (50). This was linked to his analysis of bureaucratisation. In October 1908 Weber had proposed to a Verein für Sozialpolitik committee investigating the reorganisation of Prussian administration that an analysis of bureaucratic machinery be made; in the chair, Schmoller ignored this and gave Hintze the task of writing a history of Prussian administration. Weber persisted with the idea: before his death in January 1911 Jellinek had been canvassing ideas for a new German-American Institute in Heidelberg, and in September 1909 Weber had suggested that the new institute should

14. Weber consistently praises Gottl and Liefmann in his correspondence; a modern reader familiar with the contemporary literature in the fields of technology and economics should wonder about this. Weber did, it is true, write to Gottl in April 1906 saying that when he read his Herrschaft des Wortes it was only on the fourth attempt that he got to the end without forgetting where he had started (MWG II/5: 70); but that he ever got past the first few pages testifies to something more than pure tenacity – see Friedrich von Gottl-Ottlilienfeld, Die Herrschaft des Wortes: Untersuchungen zur Kritik des nationalökonomischen Denkens; einleitende Aufsätze (Jena: Gustav Fischer, 1901). His ‘Wirtschaft und Technik’, Grundriss der Sozialökonomik, I. Abteilung, Erstes Buch: Grundlagen der Wirtschaft. B. Die natürlichen und technischen Beziehungen der Wirtschaft (Tübingen: Mohr Siebeck, 1914), pp. 199-381 is no better, claiming that definition is needed, but making none; introducing terms but then failing to elaborate their meaning; seeking distinctions, but not adducing any alternative meanings from which a particular definition might need distinguishing.
study the effect of bureaucratic machinery on state policy, which he described as ‘one of the most important problems of modern democracy’ (53). At the Verein meeting in September 1909 both Alfred and Max had criticised the older generation’s uncritical glorification of bureaucracy; Max gave Alfred the topic for the GdS (53). The phenomenon of the George Kreis led Weber to write of ‘charisma’ for the first time in a letter to Dora Jellinek of 9 June 1910; at the first meeting of the German Sociological Society he proposed a sociology of associations, from sects to political parties—all such organisations were ruled by a few, he noted; the question was how this ruling groups was selected, and what kind of personality does rule engender? Hanke concludes that, in the second half of 1910, Weber was turning the concept of Herrschaft into an instrument for the sociological analysis of associations, sects, and parties (55).

Hanke then considers the historical sources Weber was using in 1911, and finds direct evidence for his progress with Wirtschaft und Gesellschaft not in his own correspondence, but rather in the correspondence between Marianne and Helene Weber, Max’s mother. From this it can be established that the winter of 1911–12 was chiefly devoted to his GdS contribution, switching during the summer to the sociology of music and then back to the GdS in the autumn. By January 1913 Weber could write to Siebeck that his contribution on Staat und Recht would soon be completed; but then received the Bücher contribution, and decided that he had to recast his own work to compensate. This would however be done by May, he writes—and so roughly at the same time that he spent revising ‘Zur Methodik der verstehenden Soziologie’, which he sent to Rickert for publication in Logos on 3 July 1913, and was published in November 1913 as ‘Über einige Kategorien der verstehenden Soziologie’, the ‘Essay on Categories’ (63).

In this text there was for the first time a rigorous definition of Herrschaft as the ‘meaningful condition relating the action of one person (“command”) to that of another (“compliance”) and correspondingly vice versa, such that on the average the expectations to which mutual action is oriented can be relied upon to occur’. In turn, this is located in consensual and not social action, and linked to order and organisation through the concept of Verband. However, while consent is central to the maintenance and stability of an order, any statutory order does not emerge through agreement, but instead

by coercion. The conception of order, rule, and legitimacy has moved very clearly towards the formulations we can find in Chapters 1 and 3 of Part One.

Hanke points out that the while this material is of pivotal importance to the formulation of the conception of *Herrschaft*, we do not actually know when the original version of this essay was drafted; and the fact that the published version does not in its older sections include material contained in the *Herrschaftssoziologie* draft supports two opposed conclusions: either these categories had not been formulated when it was drafted; or they were already thought obsolete (66). Hanke favours the former option, implying that once the essay had been finally revised elements of it were then re-inserted in the drafts. The larger point of all this is to suggest that Weber had in 1913 developed a conception of rule that could provide an analytical focus, but that this meant that everything he had already written had to be systematically revised. Additionally, of the Herrschaftssoziologie manuscripts that amounted to 11.6 Bogen found in Weber’s study after his death in June 1920, 9.2 (147 printed pages) have no relationship to the structure of the GdS as presented in June 1914; the surviving text is closer to the original plan of 1909/1910 than to that of 1914 (69). In order to make sense of the development of Weber’s ideas we need of course to be certain of the sequence in which the texts we now have were composed, and Hanke shows how difficult this is. A great deal more evidence and argument is adduced regarding this issue, and in conclusion we can really be certain of only one thing: placing these drafts at the end of a big book that in 1922 opens with three new chapters composed at least six years after this material had been put to one side gets things seriously back-to-front. The drafts included by Marianne as Part III of *Wirtschaft und Gesellschaft* represent a mass of texts at different stages of revision which have not been pulled together according to any one overriding schema; Hanke concludes: ‘There is consequently no inherently finished version of the older “sociology of rule” that is ready for printing’ (95).

Besides printing the draft manuscript in a new ordering, the appendix includes related material: the transcription of a manuscript fragment related to ‘Staat und Hierokratie’ (683-713); ‘The Three Pure Types of Legitimate Rule’, included here not because it was part of the same group of papers, but because it is clearly an intermediate stage to what became Ch. 3 Part One, and which Marianne published separately in the *Preußische Jahrbücher* in January 1922; and a newspaper report of his lecture to the Vienna Sociological
Society, ‘Probleme der Staatsssoziologie’, delivered on 25 October 1917. The volume as a whole provides a rich resource for discussion both of the evolution of Weber’s ideas from around 1908 to his death, and the means of connecting these to prevailing conceptions of social and political order to be found in contemporary legal, historical, and political writings.

By contrast, MWG I/23 lacks the context and complexity that Hanke lends to the manuscripts on ‘Herrschaft’ and is something of a disappointment and missed opportunity. Apart from a few surviving proofs transcribed in an appendix (605-718), the text here is based upon the 1922 printing, with Wolfgang Schluchter taking responsibility for annotating Ch. 1, Knut Borchardt for Ch. 2, and Edith Hanke for Ch. 3 and the fragment of Ch. 4. Hanke’s work is best read in conjunction with MWG I/22-4, providing a natural way to open out the significance of what Weber does with his typology of rule. Knut Borchardt is certainly very knowledgeable about the contemporary German economics and economic history upon which Weber draws for Ch. 2, but which is today virtually unknown territory. The absence of any extensive informed introduction to this, of the kind that he so brilliantly supplied for Max Weber’s writings on stock and commodity exchanges,16 is unfortunate. The editors note in a preface that Ch. 2 is by far the longest chapter and hitherto neglected in Weber commentary, but since it is here treated as part of a finished text there is not even an editorial introduction of the kind we find in MWG I/22-4 for each section. There is consequently no overview or detailed evaluation in the volume of quite what Weber is doing here—how Ch. 2 relates to Ch. 1, how it relates to the Wirtschaftsgeschichte, how it connects ‘economic theory’17 to ‘economic history’ and so provides a resolution to a phoney Methodenstreit set off by Schmoller’s attack on Menger. When in 1932 Lionel Robbins for the first time clearly articulated the idea that ‘Economics is the Science which studies human behaviour between ends and


17. In the preamble to Ch. 2 Weber denies that he is about to expound any sort of ‘economic theory’ (MWG I/23: 216), but this is primarily because Wieser had already done that at length in the first volume of GdS. Certainly Weber does not in Ch. 2 present a conventional introduction to ‘theory’, but by the economic standards of the time he presents a ‘theoretical’ account of economic institutions and actions.
scarce means which have alternative uses’\(^{18}\) he cited Carl Menger in support, but he could just as well have referred to *Wirtschaft und Gesellschaft* Ch. 2, since a rather more sophisticated version of the same idea is elaborated there.

And this editorial reticence is a more general problem, since I/23 goes under the title *Economy and Society: Sociology. Unfinished 1919–1920*. These three statements are true enough in themselves—Weber in his correspondence referred to the text both as *Wirtschaft und Gesellschaft* and as his *Soziologie*, but whether he thought of these as the same thing, or that this was the ‘sociology’ part of a larger text, ‘economy and society’, is not clear. The editors have opted for the latter, but in so doing also introduced an ambiguity all of their own making: for is this an ‘incomplete sociology’ (three chapters plus a fragment of a fourth); or is it an incomplete ‘Economy and Society’ (Part One of an absent complete text)? As suggested above, and confirmed by Hanke’s textual analysis in I/22-4, there is no real evidence for what was to follow these four chapters, besides the existence of a mass of material Weber had drafted years before; so any suggestion that ‘Economy and Society’ is an incomplete text should by rights come with an explanation of the grounds for such a contention, and some kind of argument concerning what a ‘complete’ text might have looked like. If, on the other hand, we choose to relate the lack of completion to ‘sociology’, then we should by rights have some kind of account of what a complete sociology might look like. Any such argument would necessarily involve an exploration of contemporary sociology; in particular, comparison with the writings of Simmel, Tönnies, Gumplovicz, and Oppenheimer.\(^{19}\) Besides the fact that Weber constructed his arguments in a radically different manner to any of these, the failure to establish what *Soziologie* meant around 1920— to Weber, to his readers— opens up a problem for readers today, who could be forgiven for assuming that Weber ‘contributes’ to what they understand sociology to be. One would have thought that, by this stage, this old idea that ‘Weber was a sociologist’ had been definitively written off, a throwback to the kind of ‘sociological theory’ taught in the 1960s and 1970s, an approach whose terminal bankruptcy was in Hennis’s sights when he began to rethink his understanding of Weber in the later 1970s. It is true that


\(^{19}\) This is the approach that Hanke takes in her reconstruction of the way that Weber developed his *Herrschaftssoziologie*. 

Weber referred to this text as his ‘sociology’, but he meant by this something quite different to what a modern reader understands, and so there is here a translation problem. The literalist approach that the editors have taken—Weber called this a sociology, and so we have no choice but to reproduce ‘his’ terminology—entirely ignores that translation is a work of interpretation, actually in line with the whole early argument of Ch. 1; and that if we followed the literalist agenda with any rigour, nothing would make any sense at all.

Likewise Ch. 1 has a complex relationship to the 1913 essay on categories, and to the sociology of Simmel and Tönnies, discussed for example by Klaus Lichtblau in his detailed examination of the composition of Weber’s concepts of Vergesellschaftung and Verge- meinschaftung. But there is no sustained discussion of the way in which Weber refined his conceptual usage, nor any attempt to relate the genesis of Ch. 1 to his lectures in Vienna and Munich. Borchardt and Hanke could at least in their editorial notes to Chs. 2, 3 and 4 draw upon a relatively established historiography for economic and political thought, but nothing comparable for sociology exists. Schluchter’s 77-page introduction to Bd. I/23 recapitulates some of the GdS story, but there is none of the philological rigour of Hanke’s reconstruction of sources and textual variants in Bd. I/22-4. The material presented by Weber in Ch. 1 is discussed in conventional modern sociological terms without any attempt to locate Weber’s conceptual usage with respect to his sources, as for example done by Andreas Anter in his Max Weber’s Theory of the Modern State, published originally in German in 1995. These three chapters are the culmination of Weber’s re-orientation of the older languages of law, politics, and economics into the twentieth-century social sciences, and present a key to an understanding both of the possibilities and limitations of these new sciences. That Bd. I/23 is unable even to hint at the significance of the text in this way is a major lost opportunity.

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21. There is no reference to Anter’s work in Bd. I/23, despite it being the only source other than Hanke’s editorial work on I/22-4 that systematically reconstructs Weber’s conceptions of ‘state’, ‘bureaucracy’, and ‘legitimacy’.

The title of this book is unquestionably accurate, but it does not really tell the reader what to expect from the book. In contrast, the subtitle does tell the reader what to expect, but whether it does, or does not, meet the reader’s expectations depends largely on what the reader thinks an ‘introduction’ should be. If one expects an ‘introduction’ to be a survey of most of the major points then Buss’s book almost always succeeds; but if one expects an ‘introduction’ to be carefully and clearly written then his book does not always succeed. There are chapters in which Buss sets out Weber’s concepts and arguments rather plainly, and a few which seem to be written for the more advanced reader; some provide a more general overview, while others seem to be highly focused. Both contribute to sense that the book may have been composed from two different studies.

Chapter Three, the book’s longest, is devoted to ‘The World Religions and Their Ethics’, and is probably the most successful of all of the chapters. Buss introduces and explains many of the basic tenets of the six religions that Weber examined, and competently shows how and why Weber’s conclusions from his investigations were largely correct. For those who do not know much about Hinduism, Buddhism, and Taoism, Buss provides welcome insights into Weber’s understanding of the economic ethics of these religions. Weber recognized the impact of the caste system on Hinduism, but as Buss notes, he did not think that it prevented any major economic developments. Instead, it was Hinduism’s emphasis on tradition and the lack of interest in rationalism that made the difference (77-78). Buss suggests that what prevented any significant economic development in Buddhism was its lack of interest in planning and its ambivalent approach to wealth, which was viewed not as wrong in
itself but rather as a source of temptation (83-84). While Taoist mysticism shared the general tendency of mysticism to minimize action, it never led to the complete rejection of the world because it espoused the ideal of the educated gentleman (62). The notion of the educated gentleman is also found in Confucianism: study leads to grace and dignity, but not to profit and wealth (60-61). The question why economic development did not occur in China is a perplexing one. Weber acknowledged that there were certain similarities between Chinese rationalism and Protestant rationalism, but he pointed to the importance of tradition and magic for the former, which were superseded in the latter. Buss makes these important points but very briefly (65-66).

When it comes to Weber’s interpretation of ancient Judaism, Buss discusses the Jews’ status as a pariah people and how it affected their views about money. In this, Buss’s treatment is largely correct, except for the suggestion that it was Nietzsche’s Antichrist that inspired Weber (96); more likely it was Zur Genealogie der Moral. Though Weber never published an essay on Islam, Buss takes inspiration from Wolfgang Schluchter and attempts to outline how Islam’s exterior factors (institutions) and interior factors (motivational spirit) would have likely contributed to its particular economic ethics (101-102). Weber stressed the differences between medieval feudalism and Islam; while both tended to be traditional forms of rulership, feudalism was an ‘approximation of a rule based on law’. In contrast, Islam’s military institutions of slaves and taxation ‘lessened the calculability of the administrative/legal processes’ (103). In characterizing the ‘spirit’ of Islam, Buss suggests that Weber thought there were significant similarities with ascetic Protestantism: both Islam and Calvinism believed in a transcendent God and asserted that the gulf between this omnipotent deity and human beings cannot be bridged. However, Calvinism demanded that its believers engage in systematic conduct while Islam held to the ‘Five Pillars’ (107, 109). Specialists in these religions will be able to judge whether Buss and Weber were correct in their assessments; the point here is that Buss generally provides a clear account of Weber’s points.

Buss seeks to uncover the inner ‘spirit’ in each of these religions (the ‘spirit of Confucianism’, the ‘spirit of Islam’, the ‘spirit of ancient Christianity’, the ‘Hindu spirit’) and he is mostly successful in finding them. He is even more persuasive when he examines the outer ‘form’ of each religion and its connection to law. Buss believes that it is important to gain a proper understanding of Weber’s sociology
of law because of its particular emphasis on the process of rationalization in legal thinking (156). Buss claims that early law was irrational and it gradually became increasingly rational. Like some other scholars, Buss wants to focus on Weber’s typology of law, and while there is much to recommend that, it ultimately seems to blind him to some of the more subtle aspects of Weber’s thinking. Buss is right to emphasize the importance of the process of rationalization in law, but he misses Weber’s fundamental point about how the ‘spirit’ of Protestantism ‘led’ to Western capitalism. This is apparent in the conclusion Buss draws from Weber’s famous ‘switch’ metaphor: ‘Religion is an independent sphere having its own dynamics and following its own process of rationalization’ (159). Weber’s point was that while interests do largely tend to govern people’s conduct, certain key ideas often appear and then serve to switch tracks. Weber’s two key ‘ideas’ in the Protestant Ethic are Luther’s new and enlarged notion of ‘Beruf’ and Calvin’s strict Doctrine of Predestination, which Buss would have done well to emphasize.

*The Economic Ethics of the World Religions and their Laws* suffers from some notable problems of oversimplification and selection. In the single paragraph that is devoted to him, Luther is dismissed as traditional and susceptible to mystical influences (37). This does not begin to do justice to Weber’s nuanced discussion of Luther’s notion of ‘Beruf’ and the crucial role it played in the development of the ethics of work, not to mention Luther’s overall importance in the Protestant Reformation. A similar shortcoming is found in Buss’s interpretation of Calvin’s Doctrine of Predestination; in two short paragraphs, Buss suggests that Calvin’s contribution was simply to have added the idea of ‘proving one’s faith and election on worldly activity’ (37-38). However, Weber insisted that the Calvinist cannot know whether he belongs among the Elect and it is this extreme uncertainty that drives him to work harder in order to amass more money for the greater glory of God. Over the course of fourteen pages Buss deals with both editions of the *Protestant Ethic*, the criticisms of it, and the ‘Protestant Sects and the Spirit of Capitalism’ (34-47). Buss devotes almost as much space to his discussion of Russian Orthodoxy (115-27). There we learn much about the Russian ‘Old Believers’ but very little about Max Weber. There is a similar problem with Buss’s selective focus regarding certain approaches to law. An entire chapter titled ‘The World Religions in Control Tests’ is really a detailed discussion of ‘Elective Affinity and Causal Adequacy’. In particular, Buss discusses the notion of adequate causation
that was first promoted in the late nineteenth century by Johannes von Kries and how Weber adapted it for his own use (137-47). The explanations of von Kries and Weber are mostly correct and very interesting for those of us who are fascinated by Weber’s sociology of law, but Buss is not very convincing in his claim that adequate causation can help explain Weber’s comparative sociology of religion (147-51). He is not very convincing because he does not explain what Weber’s concept of adequate causation is nor does he offer a justification for why he thinks that it can explain Weber’s sociology of religion. Part of the problem is that Weber was discussing probabilities in alternative historical accounts and Buss is providing specific historical accounts. And, part of the problem is that Weber’s conjoined notions of objective possibility and adequate causation are rather difficult to understand.\footnote{See Part Two of ‘Critical Studies in the Logic of the Cultural Sciences’, in \textit{Max Weber: Collected Methodological Writings}, edited by Hans Henrik Brun and Sam Whimster, translated by Hans Henrik Brun (London: Routledge, 2012). For an account of Weber’s notions see Stephen P. Turner and Regis A. Factor, ‘Objective Possibility and Adequate Causation in Weber’s Methodological Writings’, \textit{Sociological Review} 29/1 (1981): 5-28.}

Buss never explains why he chose to ignore most of the relevant volumes in the Max Weber Gesamtausgabe. The volumes devoted to Confucianism and Taoism (MWG I/19), Hinduism and Buddhism (MWG I/20), ancient Judaism (MWG I/21), and law (MWG I/22-3) appeared in 1989, 1996, 2005, and 2010, which would have given him ample time to incorporate them into his book. Not only does the MWG contain the definitive text for Weber’s sociology of law, but it also contains an extremely informative introduction.\footnote{Eckhart Otto’s ‘Einleitung’ to Band 21 is briefly mentioned in a footnote on p. 100 but the index wrongly indicates p. 101. Gephart’s ‘Einleitung’ is listed in the bibliography but the only reference is to his \textit{Gesellschaftstheorie und Recht}, p. 173 n 133.} Then there is the selection of secondary sources. Given Buss’s apparent lack of interest in the Protestant Ethic one may understand his neglect of the various volumes of articles devoted to it, such as Schluchter and Graf’s \textit{Asketischer Protestantimus und der ‘Geist’ des modernen Kapitalismus} (2005), Swatos and Kaelber’s \textit{The Protestant Ethic Turns 100} (2005), or Lehmann and Roth’s now classic \textit{Weber’s Protestant Ethic} (1993). What is less understandable is the omission of Kippenberg and Riesebrodt’s \textit{Max Webers ‘Religionssystematik’} (2001), which contains excellent discussions of charisma (Martin Riesebrodt), magic

(Stefan Breuer), prophets and prophecy (Bernhard Lang, Riesebrodt), asceticism (Hubert Treiber), and mysticism (Volkhard Krech), all of which would have been relevant for Buss’s work. There is no doubt that one cannot take into consideration all of the important literature on Weber’s sociology of religion, but these omissions seem striking.

The book does have many positive attributes. For the most part, Buss’s explanations are relatively clear and free from technical terms and jargon. The book is clearly structured so that one can choose to focus on one major section of the book or to read to the work as a whole. And while Buss’s presentation of Christianity may seem shaky at times, it appears that he knows an impressive amount regarding many other religions. The Economic Ethics of World Religions and their Laws may not have so much to offer to the Weber scholar, but it does have much to give to the student who wishes to gain a proper overview of the various economic ethics that make up Weber’s comparative sociology of religion.

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Thomas Kemple’s book ostensibly concerns Weber’s two well-known vocation lectures, delivered in 1917 and 1919, as well as a less known and earlier ‘talk’, namely Weber’s reply from the floor to Sombart’s address on ‘Technology and Culture’ presented to the German Society for Sociology conference in 1910. It does not matter that the last of these bears little relation to the vocation lectures in structure, purpose or context, because Kemple is concerned with an extrinsic concern of his own making, not Weber’s; namely, an exploration of ‘speech acts’ as sites of intellectual engagement as read through Weber’s performances as orator. In pursuing this theme, Weber’s charisma as a person and as a public persona is core to Kemple’s account of value freedom in Weber, and paradoxically the values underlying it, and also rationality as a trope of discourse. Kemple does not find the intellectual apparatus required to execute this fascinating and more-or-less behind the scenes forensic excursion into Weber’s rhetoric style in Weber himself, but in an array of culture analysts who are brought to bear on Weber’s own assessment of classical and contemporary
thinkers. The result is terse, dense, difficult, and at times obscure, as well as perceptive, enlightening, and surprisingly entertaining.

A self-description on Kemple’s departmental website at the University of British Columbia, where he is a professor of sociology, indicates his research interests and approach:

My research advances European and North American traditions of classical and contemporary social theory from the late 18th century to the present. Rather than focus on the scientific formulation and empirical testing of hypotheses, I emphasize the reappraisal of classic problems and the recovery of forgotten or undervalued ideas, texts, and authors in the history of the social sciences. I aim to show how rhetorical arguments, interpretive methods, and literary genres that contribute to the formation of concepts enhance the public significance and cultural relevance of thinking sociologically.

This statement encapsulates a good deal that is represented in Intellectual Work and the Spirit of Capitalism: Weber’s Calling. Kemple’s concern for the non-obvious and underlying aspects of Weber’s calling, his rhetorical disposition and emotionalized engagement with currents of his day that we are told continue in our own, reflects Kemple’s own affective style and focus. This is not to deny Kemple’s forceful intellectual engagement that is infused throughout this book, but more than anything Kemple disarmingly displays a pure and true love for Weber. This is not said lightly, nor flippantly. But to fail to acknowledge the fact fails to identify the source of Kemple’s energy, the care with which he reveals Weber’s sensibilities, and the sense of devotion in his characterization of Weber and his calling.

It is appropriate here to reflect on two contrasting approaches to love. The great Austrian thinker Sigmund Freud characteristically saw love in terms of ‘overestimation’ and ‘idealization’ that ‘falsifies judgment’. Another view is that of William James, the American philosopher and psychologist, who observed that love enhances cognitive capacities, that through love it is possible to see qualities in another that those without love for the person in question will fail to notice or appreciate. A good deal of Intellectual Work and the Spirit of Capitalism suggests Freudian rather than Jamesian love. Indeed, the Weber Kemple presents to his readers is entirely recognizable as a projection of Kemple mediated by the latter’s fascination with the role of rhetorical techniques in scholarly activities. Kemple’s treatment and conception of Weber’s charisma also departs significantly from Weber’s own account of charisma including his understanding of its social bases and functions. In chapter 5, where Weber’s account
of charisma is purportedly resurrected, Kemple admits to transcending Weber’s understanding and taking ‘creative liberties’ (165). Later in the text we are advised that to appreciate Weber’s meaning requires not only the ‘traditional art of interpretation’ but also ‘idiosyncratic readings of Weber’ (205). These are slippery slopes, tempting for a confident scholar with a point of view of their own but also likely to invite unexceptional and to be expected rejoinders.

The object of love is always one’s own but the representation of Weber in Intellectual Work and the Spirit of Capitalism is distorted not only through the lens of the author’s feelings; errors of fact and not only interpretation also interrupt the readerly flow. In a work as detailed and ambitious as this it is inevitable that mistakes will be made; some, however, are more interesting than others. In a discussion of the contrast between Marx’s approach to capitalism and Weber’s we are told that the ideal type construction of capitalism includes a proposition concerning ‘the exploitation of formally free labour’ (11). While ‘Marx Weber’ may suppose such a situation, Max Weber instead insists that ‘Rational capitalistic calculation is possible only on the basis of free labour’ (General Economic History, 277); it is the rational calculation of labour output that Weber conceptualizes, not the appropriation of its value beyond reproduction cost. While in a critical frame of mind, this reviewer cannot help but mention another aspect of the book that is in itself neither right nor wrong but simply annoying, namely the distracting and confusing diagrams that are interposed between the text and the reader throughout. This may be merely a matter of taste, and for the pictorially or figuratively imaginative the diagrams might provide added value. One does not want to deny an author’s right to exhibit their scholarship, but it must have a point in carrying the argument forward. Sometimes, occasionally, I felt the display without noticing the trajectory. So it is with the diagrams, which have cute titles, ‘Weber’s window’, ‘Weber’s lectern’, ‘Weber’s bifocals’, ‘Weber’s prism’, ‘Weber’s machine’, ‘Weber’s pendulum’; they are inventive, certainly, but unfortunately more inventive than informative.

A review of this book need not end on a negative note, though. Its subject is fascinating and the argument it presents raises a crucial but neglected problem, namely that of a thinker’s relationship with those who listen to them. In The Philosophy of Money Simmel remarks that orators, teachers, and journalists feel ‘the decisive and determining reaction of the apparently passive mass’; the implication here is that this ‘reaction’ is an enabling provision in return for the orator’s,
teacher’s, and journalist’s activity, an enabling exchange between those who act and those who are acted on. Kemple covers the issues implicit in this formulation but takes us much further than Simmel. The presentation of Weber in this work, flawed and misleading as it occasionally is, exemplifies a more general account of scholarship as performance. This is a perspective infrequently engaged but informative of an element of intellectual work illuminating of its process where the focus is typically on its product. This is an important consideration and it is what makes Kemple’s *Intellectual Work and the Spirit of Capitalism* an important book.

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It might seem as if everything about the Weimar Republic and its intellectual friends and enemies had already been written. But in the run-up to the hundredth anniversary of the founding of the first German democracy, the deck has been reshuffled. The new study byAustin Harrington, a sociologist and philosopher at the University of Leeds, is among those offering new perspectives. There are nine ‘voices from Weimar’ which form a political choir in Harrington’s book. In the chronological order of the year of their death, which lie between the Kaiserreich and the Federal Republic, the voices are: Georg Simmel (1858–1918), Max Weber (1864–1920), Ernst Troeltsch (1865–1923), Max Scheler (1874–1928), Ferdinand Tönnies (1855–1936), Karl Mannheim (1893–1947), Ernst Robert Curtius (1886–1956), Alfred Weber (1868–1958), and Karl Jaspers (1883–1969). It is a choir of bourgeois and liberal social scientists and cultural philosophers. Harrington aggregates them as a specific intellectual milieu. What fascinates him are the texts produced by this milieu between 1914/18 and 1933, which he reads as a shared musical score.

The basic idea of the book is original. Following the lead of post-colonial studies, which has now encouraged us to think about ‘provincializing Europe’ (Dipesh Chakrabarty) from a non-Western perspective, we might read German-speaking social thinkers as voices


of intra-European criticism of the notion of a linear and evolutionary ‘long road West’. They stand for provincializing the West in the service of a cosmopolitan goal: ‘German cosmopolitan social thought of the Weimar years decentres, relativizes or “provincializes” European consciousness from a location immanent to European intellectual history’ (5). This thesis, applied to the ‘Western’ ordering ideas of democratic institutions, capitalist economy, and cultural individualism, has several implications for Harrington. First, there are diverse liberal traditions in Europe for thinking about capitalism as ‘the most fateful force of modern life’ (Max Weber). Working in the tradition of historicism and with the sociology of knowledge, German-speaking social scientists have developed a high capacity for reflecting on these matters. Their polemical writings during the First World War should not be read as an aggressive defense of an anti-Western Sonderweg; rather, their ‘protest at the West’ should be understood more as a plea for ‘cultural and civilizational plurality’, for distinct historical paths into European and ‘Western’ modernity.

Second, these selected social scientists and intellectuals have engaged critically but constructively with narratives of ‘the West’ from a universal-historical perspective. They always defended ‘Western traditions’ with cosmopolitan intentions. Their traditions, which are shared in many interlocking ways, cannot be reduced to mere Eurocentrism. Their historical thinking directs our attention to the problems of the present, and to traditions that ‘essentially survive problems of “Eurocentrism” and continue to suggest ways in which these problems can be tackled directly in the present day’ (2). The nine protagonists fight on multiple fronts to provide Germans with new perspectives for their future. Their cosmopolitan worldview moves them to self-critically question the claims of Eurocentric hegemony. Their sensitivity to differences enables them to critically deconstruct evolutionary Whig histories of Western civilization, such as H. G. Wells’s bestseller The Outline of History (1920), which offered Anglo-Saxon readers orientation about the new order of the world after the First World War. Their ‘radicalism of the centre’ (28) offers Germans a perspective that is open to the West, an alternative to the rightwing milieu of extreme nationalism and the socialist proponents of overthrowing capitalism through revolution.

Third, Harrington’s ‘voices from Weimar’ stand on a concrete stage. They have a literal Denkstandort, and that is Heidelberg, the ‘living medium of contemporary collective self-reflection’, superficially a romantic provincial town, but in intellectual terms a Weltdorf
(Hubert Treiber and Karol Sauerland) with cosmopolitan radiance. It was an intellectual counterpoint to the imperial metropole of Berlin, comparable to Goethe’s Weimar a century earlier (126). The cosmopolitan appropriation of Western cultural values was associated more with Alfred Weber’s Institut für Sozial- und Staatswissenschaften than with the university itself. Here Harrington follows older scholarship that describes the Institute as the centre of liberal and sociopolitical reform-oriented thinking in Germany, because it sought to engage especially intensively with capitalism and democracy, the two pillars of the Western model. This assessment points in very productive directions. It therefore would have been consistent to induct the economist and sociologist Emil Lederer (1882–1939) into the choir in the place of Max Scheler. Only at the end of his life at the University of Cologne did Scheler engage with the kinds of questions that Harrington’s book raises. Lederer, in contrast, helped define the liberal-social ‘Spirit of Heidelberg’ through his frequent publications on social science and social politics, and even contributed through his foreign experiences in Japan.

Max Weber and Ernst Troeltsch, the two master thinkers of Heidelberg, are usually treated as intellectual twins. One of the points of Harrington’s book is to present them as the two opposing poles in the field of Weimar voices. In keeping with the image of a choir, Troeltsch is presented as the leading singer, while Weber becomes a problem case with his dissonant voice. It is above all one text that makes Troeltsch the leading thinker of a German path into a global and, after 1918, a Western dominated modernity: the lecture on ‘Natural Right and Humanity in World Politics’, which he delivered on the second anniversary of the Deutsche Hochschule für Politik in Berlin. Troeltsch tried to attract support for a cultural synthesis of German Idealism and Western Enlightenment, German Sozialstaatlichkeit and Anglo-Saxon individualism. The present demanded such a synthesis, he argued, because its social problems had to be viewed from ‘the horizon of cosmopolitanism and the community of humanity’. Thomas Mann later admitted that it had been Troeltsch’s lecture which forged a bridge for him between his world of Goethe and Nietzsche and Western civilization (115). While Troeltsch thought about the interconnections between German and Western cultural traditions more intensively than any other thinker, Weber contributed the category of Kampf to his fundamental sociological concepts. He thereby gave expression to the idea of observing and describing all social relationships primarily as conflictual relationships. This was especially the case for political
communities. For Harrington, Weber remains a man of the nineteenth century: he distinguishes between empires and small Kulturvölker, and concedes only to ‘world powers’ the right to steer the wheel of history (166). On the one hand, Weber’s world is a world of struggling Machtstaaten. After a lost war, it was especially difficult for Germany to assert its cultural distinctiveness in this struggle. On the other hand, Harrington does not fail to notice how strongly Weber’s theory of modernity is fixated on Great Britain and America. William Ewart Gladstone serves as the model for Weber’s ideal type of the ‘charismatic leader’. He illustrates the democratization of state and society as a fundamental process of modernity through American sects and clubs, with the clear intention of curing the Germans of their Unterthanenmentalität. Harrington rightfully infers that Weber would have become intensively involved with international cooperation and treaties, had he not died in June 1920, at a time when the Treaty of Versailles dominated the public discourse with its imputations of guilt. It is without question that Weber also worked to critically appropriate Western modernity from a world-historical perspective.

We know what Troeltsch was thinking: before his death in February 1923, he took a position on all questions concerning the reconstruction of Germany and Europe—in a world dominated by America—in two series of thirty-two ‘Spectator Letters’ and twenty-four Berlin letters. It is the most important source that we possess for understanding the revolutionary and post-revolutionary period from the perspective of the insecure bourgeoisie. Troeltsch saw the future critically as well as realistically. In his letter ‘The Americanization of Germany’ from December 1921 he wrote: ‘The world has become different from what it was: not pacifist, socialist, fraternal, enthusiastic about the future, but rather Anglo-Saxon, completely capitalist, and prepared for new imperial world struggles. It is from Washington that the moral foundations have been laid out before us, in the “Confederation of Nations”, which completes Wilson’s League of Nations. For ten years there will be peace in the world on this basis. As for the rest, only the future will tell’. This captures the tone of Harrington’s book and prevents us from understanding Troeltsch’s model of ‘cultural synthesis’ too harmoniously.

Between 1924 and 1929, the Heidelberg scholar of Romance literature Ernst Robert Curtius engaged with Troeltsch even more intensively than Thomas Mann. In his view, Troeltsch showed Germans the way to sharpen their ‘sense of reality’ and reconcile their own historical self-understanding with ‘Western democracy’, namely,
'under a “horizon of the cosmopolitan world community”’ (116). It was a good decision to include Curtius in the choir of Heidelberg liberals. For the book makes the point that Curtius’s great controversy with Karl Mannheim in the mid 1920s should not be understood as a fundamental opposition. Rather, it should be seen as a complementary perspective on the threat to the trajectory of the self-responsible individual in the ‘new Europe’. Both interlocutors took Troeltsch as their model in different ways. While Curtius criticized the pluralism of worldviews and espoused the timelessness of traditional cultural values, Mannheim maintained that the acquisition of European Bildung necessitated reflection on one’s own social situation. This controversy shows that the modern sociology of knowledge takes its departure from Heidelberg intellectuals.

The more one reads through these seven chapters, and admires the erudition with which Harrington traces his protagonists’ Weimar struggles for a cosmopolitan society, the more one wants to know at the end what exactly ‘the West’ is supposed to mean. Harrington does not systematically enumerate the attributes that are characteristic of the West. He does not construct an ideal type; instead, he chooses to delineate it through intellectual history. In the eighth chapter, titled ‘European Nihilism’, he contrasts the new ‘construction of European cultural history’, as Ernst Troeltsch developed it, with the antiliberal positions of Carl Schmitt and Leo Strauss. Nonetheless, it is worth considering more closely who, in the political language of the time, spoke about rejecting or appropriating ‘the West’ as a singular entity, and with what intentions. The career of this concept began a century ago in the aftermath of the First World War. Max Weber avoided it; Troeltsch, on the other hand, helped shape it and called attention to its mutable meaning. In his letter ‘The New World Situation’ (June 1922), where he took issue with Karl Radek’s communist engagement in Germany, he wrote: ‘The “West”, against which he [Radek] and similar intellects wish to fight, is not a unity. The French and Anglo-Saxon systems are completely different [...]’. One can live with the English system, but not with the French’. Ernst Robert Curtius arrived at precisely the opposite conclusion. Jürgen Habermas was not the first to talk of ‘the divided West’. Harrington wisely decided not to define his title concept too rigidly, but rather to carefully develop the content—its inner differentiations as well as its boundary-setting functions—through texts.

In the concluding ninth chapter, ‘Protesting the West: Yesterday and Today’, Harrington returns to the intellectual impulse that
motivates the book. It was not enough for him to write an ‘intellectual history’, rather, he wanted it to become a ‘historically informed normative social theory’ (11). In a critique of Ulrich Beck, whose idea of ‘cosmopolitan Europe’ appears too abstract to him, Harrington prepares a third point: The ‘reflexive modernity’, in which industrial societies self-critically examine their way of living, did not first emerge in the 1970s in the aftermath of the postwar economic boom. A reflexive ‘protesting the West’, sensitive to European provincialization in the global new order after 1918 and distinct from anti-Western nationalism, commenced after the First World War. The debates of these liberal Weimar social scientists can thus serve as a touchstone for contemporary debates about the eroding and estranged West (351-58).

Harrington is not particularly interested in the socioeconomic dimension of his topic, and he tends to neglect controversies about the expansion or restraint of capitalism. As a result, the social philosophical aspect comes to fore. Karl Jaspers has the last word: ‘any collective individuality should be understood as becoming, or needing to become “individual not against the general but through the general”’ (373). With Jaspers, Harrington comes to the concluding point of the matter. Cosmopolitan thinking requires thinking about cultural difference. His protagonists correspondingly fight on two fronts. Against an evolutionary narrative of Western civilization, they defend the cultural difference of national traditions. But even more they attack the cultural nationalism that would suggest the possibility of withdrawing from the interconnections of the modern world. In his valuable study, Austin Harrington shows us just how rewarding the engagement with the voices of Weimar can be.

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One of the most significant contributions of the Max Weber Gesamtausgabe, perhaps the definitive contribution, has been the publication of Max Weber’s correspondence. The letters and related
commentary have opened a window not only onto Weber’s life and work, but also onto the culture and politics of Imperial Germany and the Wilhelmine era, the Great War, and the beginnings of the Weimar Republic. All published volumes of the correspondence are important in their own ways. But the fourth volume that is under review, comprising the crucial years 1903 through 1905, seems especially noteworthy, for it covers Weber’s emergence from illness and return to scholarship, the launching of the *Archiv für Sozialwissenschaft und Sozialpolitik*, the composition and publication in its pages of *The Protestant Ethic and the ‘Spirit’ of Capitalism*, the Webers’ journey to the United States, and Weber’s reentry into the always hypercharged debates in the Verein für Sozialpolitik. Along the way there are reports from numerous other travels—six alone in 1903 to the Italian Riviera, Rome, Scheveningen twice, Ostende, Hamburg, and Helgoland—and, of course, correspondence with family and colleagues, including examples of Weber’s proficiency in written Italian and English.

In 1903, Max Weber chose the relative freedom of the life of a private scholar, resigning officially from his Heidelberg professorship and service to the state of Baden, and foregoing his salary. The change was agonizing and discussed at length, resisted by Marianne, but made possible by her impending inheritance, which according to Max’s calculations would provide an annual budget of at least 4,000 Marks. Enjoying the ‘miserable existence’ (Max’s words) of a rentier, he remained a stranger to the university lecture hall for the next fifteen years.

The first sign of Weber’s return to intellectual life was the publication in Gustav Schmoller’s *Jahrbuch* of his painfully labored first essay on ‘Roscher and Knies and the Logical Problems of Historical Economics’ in October 1903. By then discussions had already begun for Edgar Jaffé to purchase Heinrich Braun’s *Archiv für soziale Gesetzgebung und Statistik* for the sum of 60,000 Marks, an amount Weber considered a ‘ridiculous impertinence’ (106). Jaffé agreed to the offer anyway, signing the contract with the publisher J.C.B. Mohr (Paul Siebeck) in August; the text of their agreement is included in the appendix (617–20). Together with Werner Sombart, Max Weber immediately joined Jaffé’s editorial team, one of the most consequential decisions of his life. It cemented his close relationship with Paul Siebeck, and as is well known, the newly retitled *Archiv für Sozialwissenschaft und Sozialpolitik* henceforth became the primary outlet for his most important publications, beginning in 1904 with the programmatic essay,
'The “Objectivity” of Knowledge in Social Science and Social Policy’, soon followed by ‘The Protestant Ethic and the “Spirit” of Capitalism’ (published in two parts in November 1904 and June 1905). The correspondence with Jaffé (6 January 1904: 195) shows that Weber intended the ‘Objectivity’ essay to serve as a statement of editorial policy for the journal. Weber also acknowledged in a letter to Heinrich Rickert (14 June 1904: 230-31) that two of the logical concepts he introduced — the ‘ideal type’ (terminology borrowed from Georg Jellinek) and ‘objective possibility’ — required further clarification in subsequent investigations.

The earliest reference to the work leading to publication of ‘The Protestant Ethic and the “Spirit” of Capitalism’ comes in a letter to Lujo Brentano from 10 October 1903 (162-64). Weber called the essay ‘my main work’ (231) and expressed frustration at the distraction caused by other commitments, such as his essay on entailed estates in Prussia, not to mention the hiatus of the upcoming journey to the United States. It cannot be a surprise that the letters from these years reveal very little about the genesis of Weber’s thinking about Protestantism and the capitalist spirit, a theme Weber himself dated to lectures on general theoretical economics in 1897. There are no letters to Karl Schellhass or Johannes Haller, colleagues at the Prussian Historical Institute in Rome that Weber frequented in 1901/1902, though regarding the latter, he did comment to Rickert that ‘in Rome there was no one with whom I communicated better than with him [Haller]’ (483). But there are occasional glimpses into Weber’s reading, such as in the letters to Lujo Brentano (10 October 1903) and Eduard Bernstein (10 December 1904), confirming what we have known previously from Weber’s copious footnotes to the 1920 revision of the Protestant Ethic text.

What is important for understanding Weber’s thinking, however, is the welcome publication of the entire handwritten correspondence and notes from the Amerikareise in the fall of 1904, surely the high point of this volume. In this instance the editors have wisely chosen to modify previous MWG guidelines: for the first and probably only time the text includes not just Max’s epistles home-ward, but all of Marianne Weber’s letters from the America journey (in a smaller font), starting aboard the steamship Bremen on 21 August, and ending aboard the Hamburg on 19 November 1904 as it was about to leave New York (261-401). Printing Marianne’s letters is important not only because it gives the reader a more complete account of the couple’s travels, but also because it underscores
Marianne’s woman’s perspective and juxtaposes her voice to Max’s in a way that is suggestive for understanding the dynamics of this most unusual partnership. On full display are Max’s enthusiasm and Marianne’s caution; Max’s jovial male camaraderie and Marianne’s critical feminist impulses; Max’s fascination with the Protestant sects and Marianne’s curiosity about the settlement houses; Max’s attraction for the American frontier and Marianne’s queries about everyday domestic life; Max’s interest in universities and colleges, and Marianne’s concern for women’s higher education and coeducational experiments. Some interests were shared: the fate of the German Fallenstein relatives in Tennessee and North Carolina, the problem of race relations, the nature of clubs and voluntary associations in American life, and the problems posed by rapid immigration in the cities. But the people they were drawn to were quite different: men like William James, W.E.B. Du Bois, Edwin Seligman, Jacob Hollander, Samuel Gompers, Robert L. Owen and David Blausstein for Max; and for Marianne, women like Jane Addams, Martha Washington, Martha Carey Thomas, Ethyl Puffer, Lillian Wald and Florence Kelley. Sociologically, the variety of interests, experiences, and personalities is remarkable. At the same time, Max’s reliance on Marianne is obvious, as is hers on him: agreeing to a division of labor, commenting on what the other has written, completing one another’s letters—a partnership of complementarity.

What is the importance of this three-month episode in Max Weber’s life and work? In terms of Weber’s personal struggles, the course of the journey and its aftermath upon returning to Heidelberg provide strong evidence for the pattern that persisted throughout his mature years: travel as intellectual stimulant and flight into the new and unexpected, followed by depressing descent into the all-too-familiar tedium of the everyday. When in later years, Goethe in mind, Weber praised the courage of meeting the ‘demands of the day’, he knew what he was talking about. But what of the work itself? For Marianne, who experienced Max’s moods first-hand, the journey was a decisive turning point, a second chance, the beginning of the ‘new phase’ of productivity. In Joachim Radkau’s retelling, the American experience directed Weber along a path toward ‘salvation and inspiration’. Reviewing the correspondence, readers now have an opportunity to judge for themselves. In my view the journey was important, not because it led to specific publications or changes in viewpoint, but because of a far more wide-ranging and penetrating result: intensification and development of the imagination. Weber seemed to sense
the change himself when he spoke of an ‘expansion of the scientific horizon’ (19 November 1904: 407), and indeed, from 1904 until the end of his life, American examples and comparisons recur repeatedly in Weber’s most passionate work, such as the notable passages in ‘Science as a Vocation’ and ‘Politics as a Vocation’. As a youth Weber had already developed an interest in the United States, inspired by his relatives’ emigration to the New World; his father’s travels with Henry Villard on the Northern Pacific Railroad; and conversations with the family friend, German-American politician, forty-eighter and abolitionist publicist, Friedrich Kapp. But following the personal experience of 1904, what had been merely an interest became a stimulant and inspiration for deeper reflection.

In September 1903, Max Weber ventured into the circle of his colleagues for the first time in years, attending the meeting of the Verein für Sozialpolitik in Hamburg, though on that occasion avoiding participation in the public debates. That reticence disappeared two years later at the Mannheim meetings of the Verein, September 1905, a somewhat tempestuous affair because of a confrontation between Gustav Schmoller and Weber’s friend and political compatriot, Friedrich Naumann. The substantive issue behind the exchange was Schmoller’s speech defending cartels or monopolies in German industry as advantageous for the state, particularly in contrast to the American trusts. In the ensuing debate Weber attacked this position, as did Naumann. The resulting fallout led to heated exchanges, bruised egos, and then a somewhat confused introduction of an issue close to Weber’s heart: preservation of an intellectual culture valuing the pursuit of scientific truth, the issue that led finally to Weber’s unpublished manifesto or ‘Gutachten’, the ‘Äußerungen zur Werturteilsdiskussion’, delivered to a committee of the Verein in 1913, and the earliest version of the well-known essay, ‘The Meaning of “Value Freedom” in the Sociological and Economic Sciences’ (1917). A useful starting point to understanding the institutional and personal background to Weber’s eventual position on ‘value freedom’ can be found in this episode in the Verein and in his letters to Naumann, Schmoller, and other interested parties, such as his brother and fellow economist, Alfred Weber (540ff.).

The Briefe contain a few surprises and some revealing comments. One unexpected revelation is that already in 1905 Paul Siebeck approached Weber concerning a new edition of Gustav von Schönberg’s out-of-date Handbuch der politischen Ökonomie, the proposed project that eventually led to the composition of Economy and Society
Both agreed that such an undertaking had to be postponed until Schönberg (who conveniently died in 1908) was no longer available. Among the colleagues, the letters to the theologian Adolf von Harnack, the art historian Carl Neumann, the Romanist scholar Karl Vossler, and the neo-Kantian philosopher Heinrich Rickert are usually rewarding for their substantive comments and discussion of ideas and literature. It is important to note, for example, Weber’s view of the radical religious sources of the American idea of ‘freedom’ (422), or the extent to which Weber was immersed in Neumann’s comprehensive study of Rembrandt during his stays in Holland, an influence that finds its way into the pages of the Protestant Ethic. The four letters to Rickert in this volume will not settle the vexing question of Max Weber’s intellectual relationship to this childhood friend, though their content and tone suggest an asymmetry weighted distinctly to Weber’s side.

Max Weber is often remembered for his explosive temperament. But for an insight into his soul and his humanity there are no better examples than his letters to Marie Auguste Mommsen on the death of her husband, Nobel laureate and Weber’s mentor, Theodor Mommsen (181–82); and to Ernst Benecke, Max’s uncle, following the suicide of his son, Otto, who had accompanied the Webers for several months during their travels in Italy (186-87). It is such deeply personal and revealing documents that make Max Weber’s letters not just informative about his life and times, but emotionally rewarding, thought-provoking, and a pleasure to read.

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These two volumes are a good measure of the growth in the sophistication and volume of Weber studies in recent decades. Both works are of course focused on Weber’s sociology of religion, but their scope takes us further into the heart of Weber’s sociology as a whole.
Christopher Adair-Toteff is well equipped to undertake a comprehensive evaluation of Weber’s diverse contribution to the sociological understanding of religion. As a result, he offers us a masterly presentation of Weber’s texts, context, and legacy. These volumes are addressed to scholars who are already familiar with the many issues arising from Weber’s analyses of religion; they are not suitable for undergraduates and they are not directed at such an audience.

In many respects both volumes consolidate articles that he has previously published. In *Max Weber’s Sociology of Religion* (hereafter MWSR) he notes, ‘The ten articles in this collection represent almost half of the twenty-plus essays that I have published over the last fifteen years. Nonetheless this collection has a cohesiveness that goes beyond the topic of the sociology of religion and also displays a pattern of development’ (MWSR: 3). While this volume offers a wide-ranging discussion of Weber’s sociology, *Fundamental Concepts in Max Weber’s Sociology of Religion* (hereafter FCMWSR) is at least in intention more confined to a single issue: ‘my task here is to explain what Weber meant by some of his most fundamental concepts in his sociology of religion’ (FCMWSR: 29). This task is necessary because, while Weber ‘continually insisted on conceptual clarity, he often did not live up to his own standards. As a result, many of his fundamental concepts are not as clear as they could have been’ (FCMWSR: viii). The fundamental concepts that occupy Part II are asceticism and mysticism; prophets and pariah-people; salvation and theodicy; and charisma.

There is inevitably considerable overlap between the two volumes. MWSR considers mysticism (chapter 1), charisma (chapter 2), asceticism (chapter 4), and theodicy (chapter 9). FCMWSR looks at asceticism and mysticism (chapter 4), prophets and pariah people (chapter 5), salvation and theodicy (chapter 6), and charisma (chapter 7). There are also important themes or topics that provide an overarching theme and give both volumes a coherence. One such common theme inevitably is *The Protestant Ethic and the Spirit of Capitalism*. For example in chapter 5, with its valuable subtitle ‘Weber on Conscience, Conviction and Conflict’, Adair-Toteff starts by acknowledging that Weber’s ‘reputation rests primarily on his work regarding the development of modern rational capitalism’ (MWSR: 79) and therefore the Protestant Ethic essays are crucial to understanding Weber’s general sociology and not simply his comparative research on religions.

In chapter 5, Adair-Toteff does not focus on issues relating to economic rationality, but takes a different track in pointing out that
Weber believed there was a political development (namely, the development of the modern state) that was parallel to the economic development of capitalism. To illustrate this development Adair-Toteff considers two contrasting theological views of politics in which ‘Luther’s conservative and passive theology meant shunning politics and avoiding political conflicts; Calvin’s radical and active theology meant taking political stances and even justifying rebellion and revolution’ (MWSR: 79). Both theologies were deployed to challenge Catholic authority, which was perceived as hierarchical, bureaucratic, and authoritarian, but their critique involved very different starting points. For Luther the Christian God is a god of love as manifest in his mercifulness and kindness, while Calvin insisted on God’s majesty and emphasized the unbridgeable gap between man and God. Adair-Toteff concludes this chapter with an insightful commentary on Weber’s famous lecture ‘Politics as a Vocation’, in which Weber, while admiring the ethic of absolute ends, believed that politics requires the opposite of the Sermon on the Mount—one should forcefully resist evil.

But what did Weber think about the Catholic Church? For Weber Catholicism was a traditional and conservative force in society. Unlike Protestantism, it was divided into a religious elite and the laity, and it lacked a rational form of vocation in the world. Catholicism held to a doctrine of the keys of grace which only the Church could open primarily through baptism and confession. Weber concluded that confession of sins relieved the individual of responsibility for their actions and hence eroded the radical impact of asceticism.

In facing up to the realities of power, responsibility in modern secular politics means responsibility for the future. Adair-Toteff might at this stage have usefully introduced Weber’s discussion of the absolute ethic of Leo Tolstoy, who appears only once in FCMWSR (116), on the meaningless of death. We know from Marianne Weber that Weber was fascinated by both Tolstoy and Dostoevski as representatives of what Robert Bellah called ‘a radical ethic of world-denying love’.4 Weber eventually rejected this ethic in favor of the idea that at the end of the day politics is always about holding and using power. For similar reasons he departed from both Ernst Troeltsch and Georg Jellinek in showing little interest in natural and human rights. Weber

rejected the teleological principles underlying natural rights and the belief in human equality that underpinned human rights.

In comments on natural and human rights, Adair-Toteff missed an opportunity to point out that Jellinek had tried to locate the origins of human rights in the Protestant tradition of individualism, the moral equality of all human beings, and the idea that freedom was a necessary condition for being a person, in The Declaration of the Rights of Man and the Citizen (1895). Jellinek’s thesis that Protestantism was the foundation of human rights was compatible with Weber’s general view of the progressive character of Protestant theology. Jellinek’s position has been challenged by Samuel Moyn in Christian Human Rights, who argues that the Catholic notion of human dignity underpins the modern idea of universal human rights. Thus it was the Catholic philosopher Jacques Maritain and Pope Pius XII who in the 1930s promoted an inclusive notion of dignity that would counter nationalism, racism, and fascism. It was therefore a moral notion of personalism in Catholic theology that was the basis of human equality.

As I have noted, the debate about the relative impact of Protestantism and Catholicism on the modern world was of course an ongoing issue in Weber’s sociology, but the sociology of Roman Catholicism was one of the ‘missing’ components of Weber’s comparative sociology of rationalization. I have similarly argued that Islam was another missing component of Weber’s study of the ‘world religions’. (Turner, 1974). Adair-Toteff approaches the issue of Catholicism in both volumes. One of the most interesting chapters in MWSR concerns Kulturprotestantismus. This conflict between the Catholic Church and the state was intensified in the 1870s with Bismarck’s Kulturkampf, which was a response to the Infallibility Decree. Bismarck insisted that citizens were subject to the sovereignty of the state and not to the church. The wider debate was about the relationship of Catholicism to science and hence to modernity, and obviously the broader historical context was the Reformation and Luther’s contribution to German culture, especially through his translation of the Bible. Thus Adair-Toteff argues that the critical date in the unfolding of the Kulturkampf was the 400th commemoration in 1883 of Luther’s birth. The Catholic

Church had responded through Ultramontanism as a strategy for overcoming the negative impact of Protestantism.

Weber wrote in a context where Protestantism was regarded as superior to Catholicism and the statistics on the contrasted employment characteristics of Protestants and Catholics, which occupies the opening section of Weber’s *The Protestant Ethic and the Spirit of Capitalism*, demonstrated among other things the overrepresentation of Protestants in positions of economic leadership. These statistical data have often been challenged, but in chapter 10 (‘Statistical Origins of the “Protestant Ethic”’) Adair-Toteff defends Weber’s inferences from the research of Martin Offenbacher on the occupational profile of Catholics and Protestants in Baden showing the occupational distribution of various Protestant Churches and the Roman Catholic Church. While Offenbacher’s data inspired the debate within Weber’s Protestant Ethic thesis, ‘Weber came to understand that this relationship was not merely about capitalism and Protestants; but it was more about the different types of Protestants’ (MWSR: 193).

This issue of the political place of Catholicism in German society is also implicit in the chapters on the dominant concepts of Weber’s sociology of religion in both volumes. Let us consider asceticism and mysticism in chapter 4 of FCMWSR and chapters 1 and 4 of MWSR. These chapters overlap to large degree, but I found the discussion in FCMWSR to be the most comprehensive. Adair-Toteff is often at his most impressive when he traces the intellectual history of concepts such as charisma, and the chapter on ‘Asceticism and Mysticism’ is no exception. He unpacks the rich and complicated background to these ideas in German theology and religious history. Unsurprisingly he notes that asceticism is an essential concept if we are to understand Weber’s general thesis about Protestantism and rational capitalism—and for that matter the rise of military discipline. However the drift of the chapter is to suggest that we should not regard mysticism as simply the opposite of asceticism or that it is defined largely by default. In *Economy and Society* Weber did set up a stark contrast between the two forms of religion, but this is an odd position to take because asceticism and mysticism are typically combined in the history of Christianity. However as Weber developed this typology a more complex and important set of distinctions emerged as he described two forms of asceticism—either the ascetic rejects the world (*Weltablehnung*) or the ascetic flees from the world (*Weltflucht*). This distinction was connected to Weber’s interest in self-mastery while
remaining in the world—that is, ‘inner-worldly asceticism’. Returning once more to the issue of Catholicism versus Protestantism, Weber argued that, while there was certainly a tradition of Catholic asceticism, the critical difference was the emergence in Puritanism of a rational plan for asceticism. There was obviously ascetic planning in Catholicism, for example, in the rules of S. Benedict. However there were two crucial issues separating Catholicism and Protestantism. First, Puritanism rejected the division between the laity and the elite—the so-called ‘double ethics’. Secondly, the radical rationalization of the life-world arose in Calvinism, which demanded a systematic and rational system of the ethical life.

One curious puzzle about Weber’s sociology of religion—and a puzzle Adair-Toteff does not fully resolve—is what did he mean by ‘religion’? At one level Weber did not want to get involved in the debate. In this regard there was a major difference between Weber and Durkheim. Weber entertained the idea that a satisfactory definition of religion could only emerge at the end of research and not at the beginning. Then there was the problem of Confucianism—is it a religion or a state ideology? Was early Buddhism an atheist philosophy and system of meditation? If we are to find an answer to these puzzles, we need to look closely at three key issues—salvation and theodicy (FCMWSR ch. 6); prophets and pariah people (FCMWSR ch. 5); and charisma (MWSR ch. 2).

One common interpretation of Weber is that he defined religion as a system of beliefs that give meaning to life especially addressing questions about suffering, violence, and injustice. Therefore salvation and theodicy are central concepts in Weber’s sociology of religion. The quest for individual salvation takes us back to asceticism because Weber’s main concern was how salvation drives can be primarily ritualistic. Weber argued that the dietary regulations of Judaism blocked the way to a conservative and traditional framework for everyday life. Adair-Toteff does not consider Islam, but Weber took the view that the quest for personal salvation in Islam was redirected into military conquest and occupation of land. Salvation in Luther’s theology was based on the idea of a kind and loving God, but that assumption immediately raises the problem of how to understand and justify evil and suffering. The concept of theodicy was invented by Gottfried Leibniz in 1710, but major objections to theodicy developed after the Lisbon earthquake in 1755. Weber also believed that secularization and the garden of ‘disenchantment’ would limit the scope and credibility of theodicies, but on the other
hand he believed that science cannot give our lives any meaning; science is only valuable in fashioning means to ends.

Charisma is an extraordinary gift of grace that confers a special authority on its recipient and hence Weber contrasts it with traditional and legal-rational authority. If the concept of charisma played a large role in Weber’s sociology, then the same is true for Adair-Toteff, who confesses, ‘it was confusion over the origins and meaning of charisma that gave the impetus for this book’ (FCMWSR: 131). He provides a detailed account of the background to the concept which, contra Talcott Parsons, Weber did not invent. It emerged in a debate about the nature of authority in the Catholic and Protestant churches between Adolf Harnack and Rudolf Sohm, especially over the question: Is Roman Catholic canon law consistent with the early church as a community and is it necessary for the orderly conduct of religious affairs? Harnack said it was; Sohm said it was not. For Sohm, the ‘early church was not led by law, but by charisma’ (FCMWSR: 136).

Adair-Toteff offers a long and instructive account of the complex relations between legality, legitimacy, the state, and the various forms of Herrschaft, and insists that what defines charisma is that it is extraordinary. While charisma is extraordinary, it is also typically short-lived. With the death of a charismatic leader, charismatic authority either disappears or it is absorbed into a bureaucracy such as the Catholic Church. He concludes by looking at the emergence of modern political charismatics, but I wanted to hear more about Stefan George and his circle (FCMWSR: 137). In 1910-11 Weber entertained the idea that George was the last pure charismatic prophet but eventually discarded the idea, concluding that pure charisma could no longer emerge in modern society. ‘The concept of charisma has apparently suffered the same fate as has the power of charisma itself—it has been appropriated by the everyday and the ordinary’ (FCMWSR: 155).

There is a sense in which the two volumes have no conclusion as such. If there is a conclusion, it is contained in his observation about the fate of charisma or what we might call ‘the domestication of charisma’. However that is simply to say that Weber, while recognizing the power of religion in human history, believed that modern societies are inevitably secular and devoid of the extraordinary. Is that the legacy of Max Weber? In my view, an important aspect of the legacy of Weber is not the sociology of rational capitalism, but his insights about the enduring conflict between ethics and violence.
Thus MWSR ends in my view with the wrong topic, namely, a discussion of Martin Offenbacher’s statistics and their influence on the evolution of Weber’s work on rational capitalism. I suggest the real ending of the book is to be found in the previous chapter (“Sinn der Welt”: Max Weber and the Problem of Theodicy), in the discussion of Karl Jaspers’s struggle to make sense of Germany and German civilization after the First World War. Adair-Toteff does not consider whether a response to Weber’s legacy might be found in *The Origin and Goal of History* (1949), in which Jaspers, among other things, explored the idea of the Axial Age religions.\(^8\) The question is, to what extent did the religious breakthroughs (indeed charismatic breakthroughs) from the 8th to the 3rd centuries BCE shape the world of human beings—whose influence continues to this day? A study of the Axial Age registers the long, enduring, and powerful impact on human societies of charisma and confronts us with the irony, familiar to Weber, of how irrational forces have determined the rational world in which we moderns live.

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Notes for Contributors

Max Weber Studies is an international journal which is published twice a year. It concerns itself with the interpretation, reception and application of Max Weber’s writings and ideas and celebrates his polysemic legacy. The journal publishes new academic work on Max Weber and includes among its aims:

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