Max Weber's Theoretical Paradox: Modernity's Challenge to Autonomy

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RESUMEN

En este ensayo, me dedico a explorar algunos de los temas y conceptos fundamentales del pensamiento social y político de Max Weber. Al hacerlo he tomado nota de una gran riqueza teórica como de algunas de las contradicciones que emanan de ella. Una de mis contenciones principales es que esta tensión es en parte producto de la relación dialéctica entre el pensamiento del autor y sus circunstancias socio-históricas. Estas tensiones y contradicciones son también sintomáticas de la condición moderna que el autor trató de narrar e interpretar. El pensamiento de Weber sigue siendo productivo para las Ciencias Sociales ya que captura mejor que muchos otros las paradojas fundamentales y aparentemente irresolubles de nuestra condición histórico-cultural. [*Palabras clave*: Teoría social de Max Weber, Modernidad, autonomía.]

ABSTRACT

In this essay, I explore what I believe to be the fundamental issues of Max Weber's social and political theory. In doing so, my approach is respectful of its profound richness yet does not evade its also profound contradictions. However, one of the main contentions of this article is that such contradictions are in part product of the dialectical relation between Weber's thought and his unique socio-historical circumstances. Weber's epistemological and political tensions are also symptomatic of the modern condition which he sought to narrate and interpret. Weber's thought continues to be stimulating for Social Scientists since it captures better than others the fundamental and apparently irresolvable paradoxes of our own cultural historic condition. [***Keywords***: Weber's social thought, Modernity, autonomy, plebiscitary democracy.]

> *Mechanical activity and what goes with it–such as absolute regularity, punctilious and unthinking obedience, a mode of life fixed once and for all, fully occupied time, a certain permission, indeed training for impersonality, for self-forgetfulness…*
>
> Friedrich Nietzsche

Max Weber is the modern thinker par excellence. A man of his times yet a soothsayer for many contemporary scholars, Weber provided a conceptual framework and methodology that reflects the ambiguities of the modern social theorist. These ambiguities include an epistemological tension (between an idealist subjectivism and a desire for sociological objectivity) and a problematic relation between science and ethics, that is, between facts and values. Despite the many philosophical issues permeating his work, Weber remained a man of his time for he sought to understand and promote a distinct ethico-political position. For Weber, an adequate understanding of the epoch entailed historicizing the present. Hence, his genealogy of modernity was not a mere intellectual curiosity, but part of a pressing concern for the immediate situation. In short, Weber was a man curious of origins but also tormented by possible futures.

My contention in this article is that Weber's theory and evaluation of Modernity is haunted by an essential set of contradictions impossible to solve.[1] In Weber's general social theory, the most striking paradox is reflected in his account and evaluation of the process of modern rationalization, which includes the introduction of a bureaucratic state form accompanied by a formalistic legal-economic order. The author's contradiction lies in recognizing that while the expansive rationalization and bureaucratization of life brings about a positive overcoming of tradition, thus allowing individuals to act according to rational instrumental goals and not according to superstition or myth, rationalization also results in a sharp decline of individual autonomy and freedom. In Weber's terminology, an "Iron Cage" replaces the emerging but spurious liberal order (1992: 181).[2] According to the author the rationalization of life is both a condition of possibility for individual emancipation, but is also responsible for creating a social structure so rigid and compartmentalized that the achieved autonomy is subsumed under a new oppressive order.

I shall explain this apparent contradiction by engaging in an immanent reading of some of Weber's seminal texts and analyzing some of his historical arguments. However, before commencing I want to delineate one major aspect of Weber's methodology, namely the ideal type. An understanding of ideal types is crucial in order to

engage Weber's antinomical analyses. Following this section I will draw out some of the most important historical arguments developed by the theorist in order to understand the emergence of rationalization. This problem will be briefly examined across different social spheres, though mainly I am mostly interested in its expression within the modern bureaucratic state and its legal regime.

In fleshing out some of Weber's paradoxical arguments, I also explore the possibility of whether the author himself conveys any theoretical solution to the contradictions produced by the modern world. For these paradoxes are not only social but also philosophical. It is my contention that even though Weber's reflections seem to provide possible solutions, their contents and forms remain underdeveloped at best. At the end, they remain unresolved. In analyzing this possibility I attend to the theorist's political writings between 1914 and 1920. Consisting mostly of concrete analyses of German politics during and after the First World War, these writings contain insight on not only how to analyze, but also cope with the paradoxes of Modernity.

Theory and Method in Weber's Work: Ideal Types

This essay does not pretend to fully outline Weber's complex methodology and sociological theory (for detailed studies see Giddens, 1971; Oakes, 1988; Ringer, 1997). However, for the purposes of this work it is essential to discuss Weber's use of ideal types and why this aspect of his methodology is so crucial in order to comprehend the contradictions of legal rationalization and bureaucracy.

For Max Weber ideal types might be thought of as abstract systematized concepts that depict historical phenomena. These are pure constructs that allow the social scientist to analyze certain social relations and historical trajectories: "This conceptual pattern brings together certain relationships and events of historical life into a complex, which is conceived as an internally consistent system" (Weber, 1949: 90). Nonetheless it is seminal to keep in mind that ideal types are subjective theoretical constructs, in no way do they mirror concrete life. According to the author, concepts cannot exhaust reality. Hence: "Substantively, this construct in itself is like a[n] utopia which has been arrived at by the analytical accentuation of certain elements of reality" (Weber, 1949: 90).

Ideal types serve a heuristic function, for they allow the clarification and understanding of certain aspects of cultural life. These

ideas demonstrate the influence of neo-Kantian idealism in Weber's methodology. According to the author, ideal types are formed by:

> [...] The one sided accentuation of one or more points of view and by the synthesis of a great many diffuse, discrete, more or less present and occasionally absent concrete individual phenomena, which are arranged according to those one-sidedly emphasized viewpoints into a unified analytical construct [*Gedankenbild*]. In its conceptual purity, this mental construct [*Gedankenbild*] cannot be found empirically anywhere in reality (Ibid.).

In other words, sociological inquiry (contra positivism) cannot proceed as if concepts effectively reproduce social reality, for it is the subject who constitutes what is to be known and explained. Weber (via Kant) has rediscovered the Copernican revolution. This subjectivist standpoint clearly places Max Weber within Kant's influence. However, it is important to know that his reading of Kant is limited to the *Critique of Pure Reason* (Lenhardt, 1994: 21). In this sense we can safely argue that the theorist follows Kant only in certain respects, namely in questions of epistemology. For Kant, as well as for Weber then, there is such a thing as cognitive objectivity. Partial to Kant's devastating critique of traditional metaphysics, Weber embraces the individual's actions and relation to the world as the sole source for knowledge. Thus any speculative musings on the nature of God or ultimate values should be expunged from the domains of science and rational inquiry. It is this Kantian defense of the rational subject over the mystifying forces of religious tradition that firmly places Weber within the Enlightenment spirit of Kant.

However, Weber contrary to Kant is not interested in explaining the unity of the knowing subject. For Weber, the individual is eminently a cultural being not an autonomous transcendental consciousness. As cultural animals, human beings are products of their social realities. Weber believed that there is no ultimate transcendent or universal rational order in the world. If Max Weber's attachment to Kant seems at times to reside in his epistemology, the same cannot be said about his theory of values. For the theorist, objective human values cannot be understood in the abstract. This proposition turns Weber away from Kant and redirects him to Nietzsche.

If human beings as finite subjects are the only ones responsible for the production of meaning in the world, we have to recognize that they are able to do so not only because they posses rational capacity,

but because reason itself is shaped and defined within the parameters of a particular culture. For Weber: "Culture is a finite segment of the meaningless infinity of the world process, a segment on which *human beings* confer meaning and significance" (1949: 81). In other words, rational action is consubstantial to cultural understanding. This is an important statement since it sheds light on the social dimension that surrounds the production of scientific knowledge. In fact, one can deduce from this claim that the social scientist, as a cultural subject and not necessarily a passive observer, participates in the production of meaning.

Ideal types arise when specific individuals (such as the social analyst) accentuate those aspects of life that are culturally relevant for them in order to come up with an explanation of their existence. Furthermore, ideal types emerge as the result of a specific cultural and socially situated process of abstraction. Therefore I contend that a methodological distinction between facts and values is untenable, especially if one follows Weber's own logic regarding his theory of ideal types. In the author's own words: "All knowledge of cultural reality, as may be seen, is always knowledge from *particular points of view*" (1949: 81). Ideal types can be considered to be the building blocks of Weberian methodology. In fact, every single study that Weber embarked upon during his intellectual life was structured around the careful use of such types, for example his study on *The Protestant Ethic and the Spirit of Capitalism* (1992).

I would like to stress that these ideal types serve not only as general characterizations of given historical and cultural phenomena, but also as tools of scientific comparison; for these concepts are used to differentiate one set of historical events and social institutions from others. Thus types are always about the specificity of a given phenomenon. Weber's sociological imagination is predicated upon the ordering of completely contingent events and their unique historical results. Ideal types function as the conceptual organizers of such randomness.

In Weber's theoretical repertoire however there is one essential concept that illuminates the historical process that led to the emergence of the modern world, rationalization. By reading Weber one learns that modernity achieves sociological significance or is constituted as an epoch and cultural condition only when we can contrast and compare this stage with others preceding it. Predictably the social analyst can accomplish this by using ideal types, and as I mentioned before it is in Weber's propositions and characterizations of bureaucracy and legal formal rationality, as ideal types, that we find the clearest expression of his paradoxical thinking.

Modernity's Fate: The Emergence of Rationalization

In the author's introduction to the Parsons' 1930 English translation and publication of *The Protestant Ethic and the Spirit of Capitalism*, Weber outlines a world-historical perspective. Subsequently, this effort endows all of his previous and future empirical work with a certain thematic unity. Weber presents his general perspective in the following manner:

> A product of modern European civilization, studying any problem of universal history, is bound to ask himself to what combination of circumstances the fact should be attributed that in Western civilization, and in Western civilization only, cultural phenomena have appeared which [as we like to think] lie in a line of development having *universal* significance and value (1992: 13).

According to Weber, Occidental modernity has a universal significance unachieved by any other previous cultural epochs. Modern life is the product of an expansive process of rationalization. Rationalization here means the continuous process through which society is liberated from a mythical perspective regarding the nature of the world. In order to understand these arguments we need to pay close attention to Weber's notion of fate; for fate is both a metaphor and a sociological characterization of the inevitable development of a historical-universal world-view. The fate of the modern world is described as an unfolding process of disenchantment that takes place through rationalization (Weber, 1961: 155). Disenchantment is the term that Weber uses to talk about the disappearance of traditional world-views. This process is understood as disenchanted in the sense that the withering away of traditional perspectives [enchantment] entails the loss of a special perception of the world in which humans have a meaningful, magical and organic relationship with nature (Lowith, 1982).

This world-view is described by Weber as one in which the world was conceived as an inexhaustible mystery imbued with manifold gods and spirits. In the pre-modern conception of the world, human beings relate to these spirits of nature through ritual mediation. In this stage, individuals orient themselves according to traditions and complex value systems. For the author, this view is eminently polytheistic in nature. However, through the historical development of both religion and abstract thinking this particular conception of the world starts to dissolve. Through an increased intellectualization of

the world, particularly with the rise of science, human beings begin to uncover patterns and regularities in nature. A formal rational mindset achieves dominance as the expansion of empirical knowledge leads to predictive capacity. The arbitrariness of the spirit world is thus replaced with a deterministic scientific mentality that grafts impersonal laws into nature, thus toppling the forces of the old gods.

If value orientation is substituted by an increased instrumental formality, then it is appropriate to say that science not only 'discovers' but also declares the world meaningless. Weber's understanding of meaninglessness drives his thinking into a kind of Nietzschean nihilism in the sense that for Weber, modernity does away with the idea of ultimate values. In the modern world, individuals are thrown into a place inhabited by multiple perspectives that contrary to the polytheistic era have no grounding whatsoever in any transcendental domain. The adoption of specific world-views is ultimately grounded on individual choice. In Weber's words:

> The fruit of the tree of knowledge, which is distasteful to the complacent but which is, nonetheless, inescapable, consists in the insight that every single important activity and ultimately life as a whole, if it is not to be permitted to run on as an event in nature but is instead to be consciously guided, is a series of ultimate decisions through which the soul–as in Plato–chooses its fate, i.e., the meaning of its activity and existence (Weber, 1949: 18).

The fateful character of the modern individual is to engage in this disenchanted world in which social action is eminently predicated on formal rationality, a means-end ideology. For Weber this type of rationality is crystallized around modern political, cultural and social institutions. The process of disenchantment and its increased formality lead to the development of semi autonomous social spheres, mainly a market driven economy, bureaucratic administrative units (both in the realm of politics and economics) and a formal and disciplined legal order. In addition, Weber also talks about the development of an esthetic and erotic sphere (1961: 340-50).

If cultural rationalization is indeed composed of a multiplicity of value spheres, there is also a sense that these are united by a general kind of abstract rationale. The typical characteristics of this type of rationality entail not only a deconstruction of meaningful social relationships but also an emergence of techniques of calculation and an increasing level of social relevance concerning the technical expert. Rationalization in other words, refers to the systematic extension

of control over both the social and natural world. Weber's work is primarily concerned with understanding the structure and significance of this historical phenomenon. However, it is important to mention that although the author talks about the existence and development of different value spheres, Weber's analysis largely focuses on the differentiation of the capitalist economy and the modern state as key moments in the modernization of society.

For the theorist, capitalist exchange can be considered as the expression *par excellence* of instrumental calculated individual action, while the bureaucratic state and its body of laws represents the institutionalization of purposive rational actions in terms of the rational administration of a specific population and territory. What I find most interesting about Weber's evaluation of these topics is their paradoxical nature, the antinomies contained in his analysis. As I hope to demonstrate later on, along with the detrimental qualities of formal rationality, the author also highlights certain positive aspects.

On Weber's Sociology of Law

In the posthumous publication of *Economy and Society* lies Weber's most comprehensive analysis of modern law. In this study, the author frames the problem of legality in a rigorous sociological manner through the use of ideal types and historical investigation. However, Weber is not only developing a sociology of law but is also engaging some of his contemporaries in discussing the relevance and importance of legal institutions for society (1978: 641-66). In other words, the theorist is both describing and evaluating his object of study.

For Weber, modern legality and law in general is primarily defined as a set of commands, which are thought to possess legitimate authority but can also be enforced by political violence. Law provides the framework for social obedience and regularity, as it becomes a guide for social action. His sociology is mainly interested in studying how the rule of law becomes a legitimate social order.

According to the author a legal order exists if "[...] It is externally guaranteed by the probability that physical or psychological coercion will be applied by a staff of people in order to bring about compliance or avenge violation" (Weber, 1978: 34). Therefore legal norms are protected and enforced by a particular actor, which in modern times corresponds to the state. Weber defines the state as that specific institution which claims the monopoly of the legitimate use of physical violence within a specific territory. The use of physical force is legitimately ascribed to particular institutions and individuals only to

the extent to which the state permits it. In other words, the state is considered to be the only source from which the 'right' to use violence emanates (Weber, 1961: 78).

Therefore legitimate legal authority is always backed up by the state's monopoly on the means of violence. Furthermore, Weber's analysis contends that the development and functioning of law is relatively autonomous from the realm of economics and politics. Thus the theorist can analyze the emergence of modern law as a quasi-independent process when studying its relation to Western capitalism and other modern institutions. For instance regarding the development of tort and criminal law as independent from economic interest the author states:

> The absence of general protection of bona fide purchasers in English and Roman law, as contrasted with German law, is yet another instance of the adaptability of commercial interest to the most diverse systems of substantive law. *It illustrates, moreover, the high degree of independence, which characterizes the development of law* (Weber, 1978: 650, italics mine).

For Weber, the primary factors that weight in the development of modern legality have more to do with the professional organization of the law and with an increased legal rationalism than with economic or political conditions (Turner, 1996: 323).[3] The continuous development of social mechanisms for enforcing and redefining the law, along with the emergence of a specialized group of experts who will dominate the language and practice of law making and execution is consubstantial with an increased process of general rationalization. In modern times, law making and law finding is controlled only by the intellect and not by emotive or traditional values.

Contrasting irrational systems of law with modern rational legality, Weber claims that the former are irrational to the extent that the execution of the law is influenced by a particular ethical or emotional substantive value. Modern formal legality on the other hand consists of the establishment and application of general abstract norms irrespective of the specific case to be considered. Modern law is only formally rational to the extent that in both substantive and technical matters only those general unambiguous characteristics pertaining to the facts of the case are taken into account in order to apply the law (Weber, 1978: 656-57).

Legal formalistic rationale will eventually displace patrimonial and traditional sources of evaluating justice, eventually

becoming the source of its own values and authority. I will now proceed to analyze this important issue and the repercussions that it will have on Weber's paradoxical evaluation of the modern rule of law, for legal rationalization is the historical outcome of an uneven but steady development of forms of authority and domination.

Regarding the conditions for the appearance of legal formalism and its link to changes in social structure, Weber states that:

> The older forms of popular justice had originated in conciliatory proceedings between kinship-groups. The primitive formalistic irrationality of these older forms of justice was everywhere cast off under the impact of the authority of princes or magistrates or, in certain situations, of an organized priesthood. With this impact, the substance of law, too, was lastingly influenced, although the character of this influence varied with the various types of authority. The more rational the administrative machinery of the princes or hierarchs became, that is, the greater the extent to which administrative "officials" were used in the exercise of the power, the greater was the likelihood that the legal procedure would also become "rational" both in form and in substance. To the extent to which the rationality of the organization of authority increased, irrational forms of procedure were eliminated and the substantive law were systematized, i.e., the law as a whole was rationalized (Weber, 1978: 809).

The modern legal system emerges from the disintegration of patrimonial and traditional law through the implementations of formal techniques of adjudication and a redefining of the foundation for legitimacy. According to the Weberian scholar Bryan Turner: "The development of stable and impersonal law-finding is a particular feature of the general trend of European culture towards rational, bureaucratic and machine like procedures, which are relatively free of magical and sacred elements" (1996: 324). This increase of rational mechanisms created a greater differentiation between spheres of law, eventually removing all conceptions of a holistic traditional authority that would apply to both the realm of the sacred and the profane.

Without going into details over this process it will be enough to say that it should create a legal order characterized by the following traits. First, every legal decision must be predicated on the application of an abstract legal principle over a "concrete fact situation". Furthermore, this should be possible only by means of a formal legal logic that reflects a "gapless" system of legal propositions.

Whatever happens to fall outside of these rational legal terms is legally irrelevant. It is interesting to see how these ideas convey a strong sense of what it means for the social scientist to understand social action in the modern world, since: "every social action of human beings must always be visualized as either an 'application' or 'execution' of legal propositions, or as an 'infringement' thereof, since the 'gaplessness' of the legal system must result in a gapless 'legal ordering' of all social conduct" (Weber, 1978: 657-58).

However, a gapless legal ordering creates the conditions for substantive changes in both politics and economics. For instance, Western capitalist exchange will be subsequently rationalized under the norms of contractual law. Contractual freedom becomes a form for stabilizing market transactions, thus hampering the irrationality and chaos of egotistic impulses within the market. Bryan Turner reminds us that "if each individual capitalist attempts to maximize profit, remove competitors and extend control of the market, then it is perfectly rational for each capitalist to resort to systematic deception, fraud, trickery or other 'immoral', but economically advantageous, actions" (1996: 326-27). The problem with these types of actions is that capitalist contracts become extremely unstable and unreliable. This process can eventually lead to shake the very foundations of capitalism which is profit making. It is therefore very important that markets be regulated by a plurality of institutions; norms and social groups that do not operate in terms of economic interest alone.

Contractual legality means that individuals become formally equal under the protection of law, of course always enforced by the state, thus allowing fair exchange and reducing the arbitrariness of capitalist greed. Here the modern legal system is evaluated in a positive sense for its production of a formal rational orientation to an otherwise substantial irrational market behavior. In Weber's words:

> The development of legally regulated relationships toward contractual association and of the law itself toward freedom of contract, especially toward a system of free dispositions within stipulated forms of transaction, is usually regarded as signifying a decrease of constraint and an increase of individual freedom (1978: 729).

However this analysis contains a fundamental paradox. Weber's assessment is paradoxical due to the fact that while he accepts the idea that a formal rational and steady legal system is preferable to an irrational system, in which laws have an emotive and irrational

basis [such as in premodern 'cadi' law], he also acknowledges the substantive coercion that formal legality can impose. Revisiting capitalist market exchange, the author claims that a great number of contracts are not necessarily produced in accordance to the individual's desires or sense of well-being. In fact, contractual relations are marked by the differences in the distribution of social property:

> […] The formal right of a worker to enter into any contract whatsoever with any employer whatsoever does not in practice represent for the employment seeker even the slightest freedom in the determination of his own conditions of work, and it does not guarantee him any influence on this process. It rather means, at least primarily, that the more powerful party in the market, i.e., normally the employer, has the possibility to set the terms, to offer the job "take it or leave it," and, given the normally more pressing economic need of the worker, to impose his terms upon him (Weber, 1978: 729-30).

When it comes to analyzing social reality Weber shies away from being a romantic. He is deeply aware of the profound contradictions that modern life brings forth. In his sociology of law, the eminent German theorist harbors no illusions in regard to a formalized legal regime. While recognizing the formal decrease of coercion that modern law grants, especially in regard to patrimonial and priestly authority, Weber is also concerned with escalating class conflict and the rise of a substantive domination exerted by a particular segment of the population. Hence, the same legality that Weber describes as enabling in terms of fostering the formal rights of individuals is also producing new forms of subjection. This is clearly exemplified in his analysis of concrete capital-labor relations within the framework of "contractual freedom". In a sense Weber returns to Marx by linking the appearance of formal law to the upsurge of modern class conflict. According to the author, freedom of contract formally represents a decrease of coercion since it does away with meaningful or traditional prohibitory norms on individual laborers. Workers are indeed free to sell their labor, however only those in advantageous economic positions really benefit. Freedom within the capitalist system is an abstract concept for its realization depends to a certain extent on the regime of property distribution, in no case can it be simply deduced from the content of the law (Weber, 1978: 730).

In addition to shaping the necessary framework for modern capitalist exchange, formal law installs an administrative system

that will have a profound effect in the restructuring of all spheres of society. Procedural, machine like institutions will provide the content for the functioning and secure execution of the law. This new social configuration will eventually expand beyond the state into the realm of the private. Weber uses the term bureaucratization in order to describe the process that will produce and characterize these new administrative units. Moreover, as in his analysis of law Weber poses antinomian propositions that speak about both the possibilities and limits of modern rationalized bureaucracy.

Bureaucracy and the Enslavement of Liberal Autonomy

Modern bureaucracies can be generally thought of as the successor to patrimonial systems of social organization. For Weber, this type of administrative structure is consubstantial with the advent of rational legal authority:

> The purest type of exercise of legal authority is that which employs a bureaucratic administrative staff. Only the supreme chief of the organization occupies his position of dominance by virtue of appropriation, of election, or of having been designated for the succession. But even his authority consists in a sphere of legal "competence" (Weber, 1978: 220).

Bureaucracy as a formal and procedural form of administration can be equally applicable with great ease to different social spheres: "It may be applied in profit-making business or in charitable organizations, or in any number of other types of private enterprises serving ideal or material ends. It is equally applicable to political and to hierocratic organizations" (Weber, 1978: 221). However, in terms of my argument I am mostly interested in exploring the sociopolitical consequences of rationalized bureaucracies. Weber believed that a bureaucratized state was the most technically efficient instrument of domination:

> The decisive reason for the advance of bureaucratic organization has always been its purely technical superiority over any other form of organization. The fully developed bureaucratic apparatus compares with other organizations exactly as does the machine with the non-mechanical modes of production. Precision, speed, unambiguity, knowledge of the files, continuity, discretion, unity, strict subordination, reduction of friction and of material and personal costs–these are raised to the

optimum point in the strictly bureaucratic administration, and especially in its monocratic form (1978: 973-74).

The speed and precision of modern bureaucracies allows these institutions to act as the most effective agents of the process of rationalization. Indeed, formal rationality is the basis for the superiority of bureaucracy over traditional forms of administration. This is best expressed in the way that scientific and technical knowledge constitutes the foundation for bureaucratic management in modern life. Scientific knowledge when applied to procedure will allow the civic official to calculate rationally in order to find out which possible means may allow him or her to achieve the rationalized ends of the institution in a more efficient and expedient manner. Weber argues that the process of bureaucratization offers above all the possibility for reorganizing administrative functions and has them function only according to purely objective considerations (1978: 975).

This type of instrumental rationality does not limit itself only to public administration. As stated above, bureaucratic techniques have the incredible capacity to expand into every nook and cranny of social life. As political theorist David Beetham explains, "bureaucracy had an inherent tendency to exceed its instrumental function, and to become a separate force within society, capable of influencing the goals and character of that society" (1997: 65). Moreover, modern bureaucracies behave as colonizers of the life-world. This process of bureaucratic expansion beyond the confines of public administration subjects all social action under strict rational rules. Weber contends that this may hold significant advantages for the individual.

This type of rationalization increases humanity's capacity to achieve proposed objectives within a complex differentiated society with the greatest measure of efficiency and predictability. Namely, bureaucratic techniques provide the means for attaining maximum rational conduct in the process of social interaction. These rational qualities allow the individual to displace traditional values, taboos or distinctions. The propriety of an action will now be valued only in relation to the individual's private concerns and desires, thus initiating a greater degree of freedom.

Nevertheless, this analysis of bureaucracy is also plagued with an important antinomy. Along with the notion of rational calculability and self-mastery comes a process of eventual dehumanization. Ironically this is almost a condition for its development: "Bureaucracy develops the more perfectly, the more it is 'dehumanized', the more completely it succeeds in eliminating from official business love,

hatred, and all purely personal, irrational, and emotional elements which escape calculation" (Weber, 1978: 975). By seeking to eliminate every residue of irrationality or human emotion from social action, bureaucratic processes hold severe consequences for the cultivation of individuality.

Not every aspect of a human being can be rationalized. As cultural animals we are prone to our emotions and our capacity to generate meaning. However, bureaucratic structures tend to undermine any substantive value orientation that the individual might have, such as the idea of justice and autonomy, by enslaving him into a formalized instrumental rationality that really corresponds to an impersonal logic (that of administration for administration's sake). By imposing this kind of rationale individual initiative is significantly decreased, for routine and procedure can only mechanize the person turning him or her into a cog in the machine.

The replacement of individual autonomy by the enslavement of bureaucratization is something that is inevitable for Weber in modern times. Another interesting aspect of bureaucracies is that while its logic seems impersonal, upon closer analysis one can discover that these structures are always directed by a selected group of people. To wit, bureaucracies are similar to contract law in the sense that they both share a formal structure that corresponds to specific group interests. Bureaucratization eventually serves the individuals who hold high offices within the institution. So in addition to stifling any kind of individual autonomous initiative, bureaucracy also creates a new privileged class:

> Once fully established, bureaucracy is among those social structures, which are the hardest to destroy. Bureaucracy is the means of transforming social action into rationally organized action. Therefore, as an instrument of rationally organizing authority relations, bureaucracy was and is a power instrument of the first order for one who controls the bureaucratic apparatus (Weber, 1978: 987).

Autonomy defined, as the ability of man to impose upon himself his own laws is something that formalism initially fosters by producing a sober and modern secularism that oversteps the boundaries of tradition. However, this formal rationality as expressed in modern units of administration such as the bureaucratic state, end up reproducing bonds that it initially removed, thus trapping the individual within its 'iron cage'.

Weber on Modern Ethics and Politics: Between Nihilism and Pragmatism

Weber's positive analysis of rationalization is not predicated on an optimistic framework contemplative of the utopian possibilities of modernity but more on a pragmatic view of things. By pragmatic, I refer to a practical point of view that recognizes the fate of modernity and thus struggles to formulate alternatives to the present situation. It is interesting to note that these options are not products of wishful thinking on Weber's part, but in fact constitute objective trends that the author finds in modern life.

I have argued so far on how formal rationality emerges as the driving force of capitalist modernity.[4] For Weber, this process is inevitable and while he accepts the despairing consequences of modern life he does not adopt a reactionary position towards it. In spite of it all, the imminence of the iron cage should lead individuals to cultivate responsible and reflective characters. In the face of social and cultural ossification, Weber urgently calls for a secular ethics of responsibility (1961: 120-21). Such an ethic entails that individuals should take full responsibility for the consequences of their actions. The modern person needs to accept the "ethical ambiguity of the world–the fact that good does not follow from good, nor evil from evil–and be ready to compromise on principle, if this is the only way to ensure that the cause he seeks to promote is not set back or rendered ineffectual" (Beetham, 1997: 174).

This ethics of responsibility is contrasted with what the German author calls an ethics of conviction. In the latter position, individuals act according to the imperatives of ultimate values.[5] This absolute standpoint commands the individual to behave according to principle, irrespective of its consequences. An unqualified defense of such a perspective in the modern world becomes extremely problematical for Weber.   Behind the author's reasoning is the interpretation that modern politics and social interaction is predicated on a loss of enchantment and transcendental ideas, hence an ethics of conviction becomes foolish and idealist in the sense that it ignores the complexity of sociality by understanding the political sphere as an arena in which to pursue the achievement of a moral standpoint. For Weber, politics is about the pursuit and maintenance of power through inevitable struggle, not about rational consensus building in order to implement quasi-transcendental ideals such as justice or the good. For example he states that: "the most narrow-minded kind of moralizing

underscores the self-evident fact that the will to power is one of the driving motives of parliamentary leaders, and that the selfish desire for office motivates their following" (Weber, 1994: 176). This issue is central to Weber's political writings, for it is here that one can see the German author struggling with the problems and ambiguities of modernity.

The modern state's dominance over its population becomes effective through the every day management of the administrative apparatus. This administration lies in the hands of what Weber calls the officialdom, i.e. the bureaucrats both military and civilian. The modernization of the state has seen the development of a class of bureaucratic officials based primarily "on recruitment, salary, pension, promotion, professional training, firmly established areas of responsibility, the keeping of files, and hierarchical structures of superiority and subordination" (Weber, 1994: 145-46).

Once this type of social organization is established it becomes very powerful since social life depends on it to provide the most basic needs. The legitimacy of this modern bureaucratic state is predicated on a legal authority, which in turn is based on a procedural and formal understanding of dominance and ruling. Having talked about the specifics of Weber's sociology of law, I would like to recall that the establishment of legal rationality is also connected in part to the emergence of a capitalist economic order. The presupposition of free individuals imbued with the capacity for reasoning (as established in bourgeois constitutionalism) is the basis for the introduction of contractual relations and exchange, the cornerstone of the capitalist market.

From 1914 to 1920 Weber wrote about these issues in terms of their specific dynamics in Germany. The paradoxical character of modernity becomes clearer when examining these analyses. In his political writings Weber distances himself significantly from his sociological method of ideal types; at least in the sense that his reflections, animated by a sense of the concrete, provide an illumination of the complexities of society that is harder to see in his habitual formalistic characterizations. The paradoxes of modernity are clarified when examined from the angle of that interesting tension between the development of ideal types and empirical research.

During Max Weber's lifetime German society convulsed through drastic and dramatic processes. Having lived through the demise of imperial Germany after the First World War and present at the moment of birth of what was to be known as the Weimar Republic, Weber had acute insight on the complexities of politics and economics

in a society experimenting with tense transitions (Mommsen, 1984). According to the thinker, Germany was experiencing an inevitable process of modernization both in government and economic policies. Weber tried to make sense of these events through a historical lens. For the author, Bismarck's legacy contained residues of an outdated and archaic social system. Germany's weak modernity and quasi-feudal social organization (with the hegemony of the Kaiser, Junkers and notables) was something that had to be discarded after experiencing the aftermath of the First World War if Germany were to move forward in the realm of international politics.

Weber's critique of Bismarck's political legacy ought to be contextualized as a critique of the social and cultural impediments that interrupted a smooth transition towards a full modernity. For Weber, full modernity is equated with a dynamic market economy and a democratic parliamentary state whose legitimacy rests upon a formal legal order. Weber believed that Germany lacked these institutions or at least found itself in a backward position when compared with other Western European countries and the United States. The idea that capitalist development and the "democratization" of political institutions in Germany would lead to a complete modernity was based on the historical analysis of the experience of other Western nations. Weber as other modern thinkers held the nation to be the emblematic configuration of the modern politically unified territory. More than a cultural entity, even though common cultural elements like language exist, Weber argued that:

> The concept of "nationality" shares with that of the "people" (Volk)–in the "ethnic" sense–the vague connotation that whatever is felt to be distinctively common must derive from common descent. In reality, of course, persons who consider themselves members of the same nationality are often much less related by common descent than are persons belonging to different and hostile nationalities… Today, in the age of language conflicts, a shared common language is pre-eminently considered the normal basis of nationality. Whatever the "nation" means beyond a mere "language group" can be found in the specific objective of its social action, and this can only be the *autonomous* polity (1978: 395).

Nationalism becomes the nascent ideology behind the modern European state. It is my contention that the link between modernity-nation state-nationalism is not fortuitous, but fundamental in Weber's

political theory. The author believed that if Germany was to become modern it could do so only on the basis of a strong nationalist identity.[6] For Weber, the Prussian chauvinism associated with Imperial Germany had to be discarded and replaced with a new conception of national identity based on the nation-state organized around a parliamentary-legal model though steered by a strong plebiscitary democracy.[7]

Though critiquing the problems of bureaucratization especially its capacity for stifling individual creativity, Weber understood that a rational bureaucratic government was not only the inevitable form of social organization for a modern German state, but also, the desired one. Moreover under the rule of Bismarck, Germany had already started to develop its own bureaucratic machine. However, the latter relied more on the rule of notables and passionless administrators. Parliament had to be revitalized since according to the theorist, the latter was "utterly without power" under Bismarck's rule (Weber, 1994: 145). Weber believed that after experiencing the Great War and Germany's defeat in it, it was the job of any sensible politician (and the bourgeoisie) to propose and pursue the establishment of a liberal constitutional state and a dynamic market economy. Only such arrangements would allow Germany to become fully modern and an important actor in international affairs. However, his defense of a certain process of parliamentarization for Germany was not predicated on an absolute value conviction, but on a realistic appreciation on the nature of international power politics (Mommsen, 1984: 392-93).

Recasting Modernity in German Politics: On Strong Parliamentary Leadership or the Defense of Plebiscitary Democracy

Contrary to liberal philosophers of the natural law tradition, Weber argued that such abstract ideas as equality, democracy, popular sovereignty etc., are mere ideological fictions products of a contingent historical process. For Weber, the political arena is framed by the will to power, by constant struggle. In other words, there are no proper universal normative goals from which politicians ought to be inspired in order to create a legitimate form of government. There is no ideal way to manage public life, only strategic and tactical maneuvers that allow obtaining and securing power.

The theorist argues that the notion of democracy is more procedural than substantive in nature, at least in modern times, since in his last lectures his genealogy of the citizen, leads to the presentation

of a premodern citizenry in what he calls the plebeian city in Western Europe which was more egalitarian in nature (Weber, 2003).[8] This means that a regime in modern industrial times is democratic to the extent that this political order is tied to the rational enacted rules or norms agreed upon within the confines of a constitution. Thus, the democratic discourse of individual participation is diffuse since politically most citizens are not really active individuals, but passive masses that express their desires for a particular candidate during elections:

> The organization of politics is necessarily an organization run by interested parties in all political associations of any magnitude where the holders of political power are elected periodically, which is to say in all associations with a territory and range of responsibilities extending beyond those of small, rural cantons. This means that a relatively small number of persons with a primary interest in political life (meaning participation in political power) create a following by free recruitment, present themselves or those under their tutelage as candidates for election, raise funds and set about collecting votes. One cannot imagine how elections could be arranged properly in larger political associations without this organization. In practical terms it means the division of all citizens entitled to vote into politically active and politically passive elements (Weber, 1994: 334-35).

However, it is interesting to note that Weber does exalt one particular virtue concerning the notion of citizenship; that it acts as a modern guarantor for securing a modicum of social equality since equal voting rights means that the individual achieves a certain level of autonomy in relation to social status. For the author, this says more about the political unity achieved by the modern nation state than about how the modern bureaucratic state follows normative principles such as the "natural" equality of human beings (Weber, 1994: 103).

Following this, Weber conceives the modern democratic state as a "functionalist system that gives the people no more and no less than the guarantee that the direction of governmental affairs is always in the hands of leaders (chosen by the free vote) who, at least formally, are optimally qualified for this task" (Mommsen, 1984: 395). These leaders are then responsible for appointing the officialdom that is to impersonally, run the administrative apparatus. Here Weber introduces a conceptual caveat in order to differentiate between ancient bureaucracies and modern parliamentary democracies. Concerned with the rigid administrative routine of the bureaucratic machine,

Weber believes that parliament and governmental bureaucracies in general, ought to be counterbalanced by a creative and dynamic force. This force will be the charismatic leader, a towering and creative executive that will act as a counterbalance to the bureaucratic process of ossification and lead the nation to glory: "Only a politically mature people is a 'nation of masters' (*Herrenvolk*), which means a people controlling the administrations of its affairs itself, and, through its elected representatives, sharing decisively in the selection of its political leaders" (Weber, 1994: 269).

This charismatic individual serves as the antidote to the forces of routinization that operate within the bureaucratic state. Weber explains this character by interestingly recurring to a concept he used in his studies on religion that is, the notion of charisma. In his seminal introduction to a series of articles on religion originally published in 1915, Weber defines charisma as "an extraordinary quality of a person, regardless of whether this quality is actual, alleged or presumed" (1961: 295). Charismatic authority then refers to the way in which the ruled submit because of their belief in the superb qualities of the governing person. This form of authority is certainly found in premodern societies, especially amongst patrimonial organized cultures. For Weber charismatic leaders are inherently agents of change. Acting according to ideals these individuals break through the stagnant tendencies of society and become lawgivers of the new. In a sense we can safely say that the political vocation expressed by the charismatic leader is a form of moral sensibility, however this 'morality' should not be understood as drawing upon an ethics of convictions. Quite the contrary, the charismatic leader acts out of a responsibility towards the preservation of the nation-state. In order to do so, ultimate values alone cannot frame his actions; they have to be mediated by calculation and the weighting of consequences. That is the core of his political vocation. This is clear when the author claims that: "Politics means slow, strong drilling through hard boards, with a combination of passion and a sense of judgment" (Weber, 1994: 369).

Paradoxically, the dynamics of the bureaucratic infrastructure over which charismatic leadership must command begins to weaken this type of dominance, for bureaucracies seem destined according to Weber to displace the creative qualities associated with the autonomous individual. In fact, from the perspective of the evolution of rationalization and disenchantment, charisma is an anachronism. Weber's genius lies in not only transposing the concept of charisma and redefining it in modern terms, but in accounting for its paradoxical necessity. Rescuing the transformative energies of the ancient charismatic leader and installing them into a modern political

figure is exactly what Weber does, for only such a force can act as a counterweight to the corrosive effects of bureaucratization.

The author does this by re-conceptualizing the patrimonial figure as a modern demagogue. By demagogue, Weber refers to the politician that acting under an ethics of responsibility uses any means necessary to win the hearts and minds of the population. This charismatic personality should act as a "leading" spirit able to make independent decisions and demonstrate brilliant organizational initiative and ability. For Weber this leader stands above the fray.

However, if the cultural conditions that initially helped to create this type of character have disappeared in the modern world (referring of course to the polytheistic, enchanted conception of life), then how does Weber account for the reappearance of such individuals? The answer to this question lies in the parliamentary body. As Mommsen succinctly argues: "In Weber's view, the task and purpose of parliamentary democracy could essentially be reduced to two functions: *the selection of political leaders and the control of the purely technical administrative bureaucracy, which was not to take a leadership role*" (1984:396). In other words, out of the training grounds of parliamentary and party institutions the charismatic leader ought to arise, this time as the product of secular skill, compromise, responsibility and rhetoric.

Nevertheless, Weber is not talking about a mere autocratic figure, for the leader needs to act according to constitution and parliament (though he can persuade the latter and influence some changes in the former). The leader must prioritize what he believes to be the interests of the nation and from there work his way through parliament, influencing and convincing those that might differ from his point of view.

Irrespective of this, Weber's position should not be necessarily interpreted as an authoritarian one. The theorist argues that if the charismatic leader fails to mobilize his influence he should resign his post. In addition, there is always the possibility that an accumulation of unsuccessful initiatives by the politician might create a situation in which other potential leaders might rise to challenge the authority of the waning charismatic personality (the party and parliament are supposed to keep the leader in check, although Weber presupposes that a successful charismatic politician ought to be able to blindly secure the following of the members of these institutions). Finally the idea that the charismatic politician should act according to an ethics of responsibility alerts us to the fact that the leader needs to account rationally for his political motives, in a sense precluding the over-ideologized nature of fascist public policy.

Weber's solution to the problems of bureaucratic rationalization and its enslavement of liberal autonomy seems ambiguous if not outright paradoxical. If the bureaucratization of social life uniformly reduces human relations to instrumental exchange, thus stifling the human capacity for creativity and freedom, Weber's proposals do not overturn completely these reified relations either. What the author sought as a secure antidote to the "iron cage", that is a plebiscitary democracy headed by a charismatic yet responsible leader does not guarantee an expansion of full substantive autonomous spaces of political deliberation for ordinary individuals. According to Weber, within modern mass society a sense of complete individual independence and civic responsibility in the sense of directly shaping the political horizon is impossible to achieve. For the theorist, really existing democracy refers to one thing primarily: "Democratisation in the sense that the structure of social estates is being leveled by the *state run by officials* […]" (Weber, 1994: 129).

Thus, Weber's theory inevitably fosters from the perspective of radical democracy a form of political pessimism that can only conceptualize the gifted and heroic individual as the only one capable of experiencing substantive freedom. He is free because he creates his own set of values. In this perspective the modern citizenry becomes an inert auxiliary mass whose political participation is reduced to the election process.

This elitist logic makes it difficult to think about the creation of alternative public spaces, beyond the confines of the sovereign nation-state in which a participating active body of citizens debate and decide over issues concerning the common. While Mommsen is right to point out that for Weber there is a difference between substantive and formal aspects of freedom and rationality, Weber does not think that other social arrangements and institutions could replace modern mass capitalist society successfully.

For the author, socialism was not an alternative. Weber thought that this would only worsen the tendency towards formal rationalization and bureaucratization (Weber, 1994: 272-303). Although Weber was convinced that the capitalist mode of production represented from multiple value orientations an irrational type of society, he was also convinced that this type of system was an inescapable product of formally rational modernity. Reification and the domination of instrumental rationality is not so much combated by Weber but accepted and pragmatically dealt with. In sum, the problems of the nation-state and Germany's precarious position after World War I led Max Weber to propose a politics full of unresolved paradoxes which logically lacked any inclinations towards an utopian imagination.

1. Symonds and Pudsey share a similar evaluation in a recent article (2008). However, their essay deals mainly with the epistemological side to this issue. Also, these authors engage some of the classic secondary interpretations regarding the nature of the concept of paradox in Max Weber, task I do not intend to reproduce here. I am more interested in confronting the tensions of paradox in Weber's socio-political engagement with the theoretical problem of modernity.

2. In this essay I use Parsons' classic translation of Weber's *stahlhartes gehause* metaphor. This phrase is translated by Parsons as 'iron cage' in the 1930 edition of *The Protestant Ethic*. However, a recent debate has ensued on whether this translation is faithful to Weber's intended meaning, or whether it responds to an idiosyncratic and somewhat inaccurate rendering of Weber by Talcott Parsons. I want to thank an anonymous reviewer for recommending a wonderful article on this subject by Peter Baehr (2001). Nevertheless, for the purpose of this work I choose to maintain this Standard English translation in order not to divert from my central thesis. The constitutive tensions I analyze in Weber's thought remain in spite of Baehr's interesting philological argument.

3. Weber's last work, based on lectures delivered before his death and compiled and published as *General Economic History* provides a more contingent and multi-causal reading regarding the development of modern social life (Weber, 2003). While, I agree with some interpreters such as Randall Collins that these lectures provide a more nuanced version of the origins of capitalism than what may be found in Weber's earlier writings, they don't necessarily invalidate his previous reflections even though I am convinced that it puts a wrench in much of traditional Weberian scholarship (Collins, 1980).

4. In contrast to Herbert Marcuse's understanding of the problem of rationality in Weber, in which Marcuse conflates formal with substantive rationality (1971: 133-51), I agree with Mommsen that Weber is very clear on the fact that capitalism is formally rational while substantively irrational. In other words while the capitalist system is rationally organized, its dynamic and social outcomes can be considered irrational from multiple value positions (Mommsen, 1974: 67-69).

5. In Kantian ethics this is represented by the categorical imperative, a deontological notion of ethics, which implies that the individuals must conduct themselves unconditionally according to moral norms. This means that the Kantian actor needs to behave in such a way that is adequate to a universal moral standpoint. This ethics stands against any teleological understanding of morality which means the results of an action are measured only according to their consequences and not in

relation to any normative content (Kant 1964).

6. Scholars such as Raymond Aron and Wolfgang J. Mommsen interpret Weber's political writings as eminently nationalist. A heated controversy concerning Weber's alleged nationalism took place during Aron's position paper at the 15th German Sociological Congress held in Heidelberg to commemorate the centenary of Max Weber's birth. Some of the papers presented at this meeting were later published under the editorship of Otto Stammer (1971).

7. How this "new" kind of nationalism is different from or breaks away with Prussian chauvinism is very hard to account for in Weber's writings, especially when considering Weber's imperialistic view of the international sphere and Germany's role within it. However, it is beyond the scope of this article to dissect nationalist discourse and its manifold expressions in Germany.

8. I would like to thank an anonymous reviewer for that observation. In addition, the reader can also peruse through the fourth part of chapter 6 in the second volume of Weber's *Economy and Society* entitled the Plebeian City (1978: 1301-33).

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