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MAX WEBER'S THEORY OF THE FAMILY

by

LESLIE DAVID BLUSTONE

A dissertation submitted to the Graduate Faculty in Sociology in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York.

1982

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This manuscript has been read and accepted for the Graduate Faculty in Sociology in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

March 12, 1982 — Joseph Berman
date — Chairman of Examining Committee

March 12 1982 — Bogdan Denitch
date — Executive Officer

Professor Sidney Aronson

Professor Norman Storer

Professor Guy Oakes

Supervisory Committee

The City University of New York

Abstract

MAX WEBER'S THEORY OF THE FAMILY

by

Leslie David Blustone

Adviser: Professor Joseph Bensman

Weber is recognized for his studies of religion and for his political sociology. His thesis on the rise of capitalism is still a basis for research and debate. His work is so vast that it extends from agrarian sociology to the sociology of music. However, he has not been thought of as a sociologist of the family.

It is the contention of this work that Weber developed an extremely detailed conception of the family and that this conception was part of his larger framework of analysis. Specifically, the focus of this work is a textual analysis of Weber's writings. The objectives are (1) to elicit his framework for the analysis and study of institutions, and how this framework underlies his substantive writings. It will be shown (2) that Weber considered the family as a separate and distinct institution. What appear to be 'bits and pieces' of a des-

cription of the family in Weber's writings will be shown (3) to be consistent elements in a coherent theory of the nature of the family. His theory of the nature of the family, it will be argued (4), provides a foundation for understanding its relationships with other institutions. Finally, even though other institutions have usurped many of the functions originally performed by the family, Weber argued that the family continues to thrive. In his theory of the nature of the family (5), Weber perceived certain basic elements of the family relationship that resist rationalization and permit the family to survive even in diverse social situations which are often hostile to it. It will be shown how the family's internal dynamic gives it the power to resist rationalization and to resist the intrusions of other institutions.

TO MY PARENTS

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INTRODUCTION

Many sociologists describe Max Weber as one of the founding fathers of sociology. He is recognized for his studies of religion and for his political sociology. His thesis on the rise of capitalism is still a basis for research and debate. His work is so vast that it extends from agrarian sociology to the sociology of music.

However, Weber has not been thought of as a sociologist of the family. Most major studies, journal articles, and textbooks on the family do not cite Weber; and those authors who refer to him, do so in order to apply one of his concepts to their work (e.g., bureaucracy, ideal type, authority, etc.) William Goode, an important sociologist of the family, has gone so far as to discount Weber's contribution to the field of family sociology:

> From Gemeinschaft und Gesellschaft to the present, theorists of the first rank wrote no major work on the sociology of the family. Of Weber, Pareto, and Durkheim, for example, only Durkheim made enough observations on the family as a part of social structure to permit a compilation of his ideas on this institution -- and no one has bothered to make such a compilation. (Goode, 1965: 179)

The greatest coverage given to Weber's conception of the family is in a comprehensive work on Weber by Reinhard Bendix (1962). However, this work, in aiming for complete descriptive coverage of Weber's substantive works, could not give a separate and independent

treatment of a Weberian theory of the nature of the family. In another highly significant analysis of Weber's writings, Guenther Roth (1968) stressed the importance of the family in Weber's major work, Economy and Society. But, like Bendix, Roth was not able to explicate the separate and distinct nature of the family within the confines of his relatively short introduction to Economy and Society. Hans Gerth, a major Weberian scholar, did a wide-ranging institutional study in collaboration with C. Wright Mills (Gerth and Mills, 1964). This study used an explicit framework similar to Weber's implicit one and included an analysis of kinship. Yet Gerth and Mills' objectives were, in part, to apply a Weberian perspective and not to examine in detail Weber's substantive writings.

There is a curious pattern in Weber's writings. They appear to have an underlying framework of analysis which Weber never completely specified. It is the contention of this work that Weber developed an extremely detailed conception of the family and that this conception was part of his larger framework of analysis. But Weber did not systematize this framework, nor did he present it in a wholly explicit form. Weber, despite some contemporary interpretations, was not primarily a methodologist. He developed parts of the

framework as answers to particular problems he posed in his substantive work.

> Only by laying bare and solving substantive problems can sciences be established and their methods developed. On the other hand, purely epistemological and methodological reflections have never played the crucial role in such developments. (MSS 116)

He was interested in substantive historical problems; and his respect for the complexity of historical reality in the context of specific societies did not permit the full, explicit development of a general theoretical framework. Furthermore, he explicitly used aspects of this underlying theoretical framework as a format in only a few of his writings. For the most part, in his substantive writings, he gave no more than a very limited articulation of his analytical framework, often allowing the context underlying his analysis to express the framework.

An attempt will be made to codify this framework. This means it will be necessary to bring together the different parts of the framework from his writings over a twenty year period. Once the framework is systematically articulated and presented, it will be used as a basis for analyzing Weber's conception of the family. We will concern ourselves with Weber's writings, not with the immense secondary literature which has developed around them.

Specifically, the focus of this work is a textual analysis of Weber's writings. The objectives are (1) to elicit Weber's framework for the analysis and

study of institutions, and how this framework underlies his substantive writings. It will be shown (2) that Weber considered the family as a separate and distinct institution in his framework. What appear to be 'bits and pieces' of a description of the family in Weber's writings will be shown (3) to be consistent elements of a coherent theory of the family. His theory of the nature of the family, it will be argued (4), provides a foundation for understanding its relationships with other institutions. Finally, even though other institutions have usurped many of the functions originally performed by the family, Weber argued that the family continues to thrive. In his theory of the family (5), Weber peceived certain sexual and emotional elements of the family relationship which resist rationalization and allow the family to survive even in diverse situations which are often hostile to it.

Much of this work will focus on Weber's substantive works from the standpoint of the relationship between the family and other institutions, and it may be necessary to review materials which are familiar to the reader in other contexts. There is no alternative to presenting otherwise familiar materials, since we are engaged in a process of rotating the perspective from which Weber wrote his works. Our perspective will also differ from most other scholars

who have previously examined Weber's works. In addition, Weber's theoretical framework concentrated on myriad interpenetrations of many types of social phenomena and hence, by the very nature of his work, there is some repetition. In order to avoid too much repetition in this study, social phenomena which are thoroughly covered in earlier chapters will not be re-examined in later ones.

There is a point of view in modern sociology which sees the study of Weber's work as 'dead' museum scholarship. The reason is that, since Weber's time, there have been substantial improvements in historical techniques and the newly discovered knowledge has served, in some cases, to alter some of the specific historical conclusions made by Weber. However, our concern is with Weber's theoretical framework and with its application to his conception of the family. On many historical phenomena, Weber's judgment was remarkably correct, given his limited research tools; but, regardless of this fact, alterations of historical knowledge, though influential on particular historical descriptions and conclusions, may have little affect on Weber's theoretical formulations. The theoretical framework and its constituents are, to a large extent, trans-historical and trans-cultural. The status of Weber's theoretical formulations is clearly pointed

out by Guenther Roth in his introduction to Economy and Society:

> After 1903 Weber clarified his methodological position toward the cultural and social sciences in half a dozen essays. But in Economy and Society he focussed on those concepts and typologies that would directly aid the researcher. He developed his sociologocal theory -- his Kategorienlehre, as he sometimes called it -- as an open-ended, yet logically consistent formulation of fundamental aspects of social action, on the one hand, and of historical types of concerted action ("general ideal types") on the other. The construction of such trans-epochal and trans-cultural types as, for example, enterprise and oikos or bureaucracy and hierocracy, makes sociological theory historically comparative. In this way sociological theory provides the researcher with the dimensional concepts and empirical types that are prerequisites for the kind of comparative mental experiment and imaginative extrapolation without which causal explanation is impossible in history. (ES xxix-xxx)

Thus the proper way to question Weber's theoretical formulation is not through challenging it on the grounds that particular historical facts are somehow 'wrong' or 'out-dated.' The only legitimate way to dispute Weber's theoretical formulation, or any other theoretical formulation, is by an examination of its adequacy in comparison with other major theoretical positions commonly in use in a scientific field at the time of the examination. To criticize any theoretical argument purely on the age of the data on which it was developed is to make the grave error of an ad hominem fallacy, that is, to shift the attention from the argument to the arguer, in this case, by referring

solely to the arguer's antiquity.

The writings of Weber to be used as the main references for the textual analysis are the English translations of most of his important methodological and substantive works between 1903 and 1920. The translations to be used are listed on pages seven and eight. (Note: the abbreviations in parentheses will be used to refer to these works throughout the text, e.g., AJ 51 refers to page 51 in Ancient Judaism.)

(ES)
Economy and Society: An Outline of Interpretive Sociology (translated and edited by Guenther Roth and Claus Wittich) New York: Bedminster Press, 1968.

(Note: Economy and Society includes several sections which were previously translated and published in separate volumes. Since ambiguities can be avoided by referring consistently to Economy and Society, the other volumes will not be referred to in this work. The other volumes are:
--- The Sociology of Religion (translated by Ephraim Fischoff) Boston: Beacon Press, 1963.
--- The Theory of Social and Economic Organization (translated by A. M. Henderson and Talcott Parsons) New York: Oxford University Press, 1947, Free Press, 1964.
--- Max Weber on Law in Economy and Society (translated by Edward A. Shils and Max Rheinstein) Cambridge, Mass.: Harvard University Press, 1954.
--- The City (translated and edited by Don Martindale and Gertrud Neuwirth) New York: Free Press, 1958.)

(AJ)
Ancient Judaism (translated and edited by Hans H. Gerth and Don Martindale) Glencoe, Ill.: Free Press, 1952.

(C)
The Religion of China: Confucianism and Taoism (translated and edited by Hans H. Gerth) New York: Free Press, 1964.

(I)
The Religion of India: The Sociology of Hinduism and Buddhism (translated and edited by Hans H. Gerth and Don Martindale) Glencoe, Ill.: Free Press, 1958.

(F)
From Max Weber: Essays in Sociology (translated and edited by Hans H. Gerth and C. Wright Mills) New York: Oxford University Press, 1946.

(GH)
General Economic History (translated and edited by Frank H. Knight) London & New York: Allen & Unwin, 1927, Collier Books, 1961.

(MSS)
The Methodology of the Social Sciences (translated and edited by Edward A. Shils and Henry A. Finch) Glencoe, Ill.: Free Press, 1949.

(Mu)
The Rational and Social Foundations of Music (translated and edited by Don Martindale, Johannes Riedel, Gertrude Neuwirth) Southern Illinois University Press, 1958.

(PE)
The Protestant Ethic and the Spirit of Capitalism (translated and edited by Talcott Parsons) London, 1930, New York: Charles Scribner's Sons, 1958.

(SAC)
The Agrarian Sociology of Ancient Civilizations (translated by R. I. Frank) London: NLB, 1976; Atlantic Highlands, New Jersey: Humanities Press, 1976.

(RK)
Roscher and Knies: The Logical Problems of Historical Economics (translated by Guy Oakes) New York: Free Press, 1975.

(Note: We again emphasize that we will be dealing solely with the writings of Weber and not the secondary literature, even though the secondary literature was extensively examined in the preparation of this work. A full review of the literature would encompass a work far beyond the scope of this one.)

CHAPTER I

THE ANALYTICAL FRAMEWORK

This chapter will present the framework of analysis which appears to underlie Weber's work. Since Weber never explicitly systematized this framework, it has been necessary to bring together various incomplete elements of the framework from his substantive and methodological work written between 1903 and 1920. An attempt will be made to complete, for our purposes, this process of systematizing and to present it as a cohesive whole. This will be done in order to project major tendencies within Weber's work which could not otherwise be shown. But it will not be asserted that the complete consistency and unity achieved through the process of systematization was actually complete in Weber's writings. Weber resisted total (universal) theories, preferring on epistemological grounds to analyze those aspects of an infinite reality that were necessary to resolve the theoretical problems which he posed.

(A) The Foundation of the Framework[1]

An attempt will be made in this section to show the foundation for the framework through the presentation of several important concepts which Weber developed in his writings. These important concepts are as follows: "action", "motive", "value", "collectivity",

"order", and "legitimate order." The rest of the chapter will present the analytical framework and the position held by kinship within the framework. The framework specifically focuses on institutions (i.e., "organizations" and "associations" in Weber's terminology). The framework has two parts: first, the classification of institutions in relation to values; and second, the classification of important types of action within each institution. The classification of institutions will be called a typology of institutional orders and the classification of types of action within institutions will be called a typology of spheres of conduct. Weber did not use the terms institutional order and sphere of conduct, but, these terms are necessary for the sake of clarity in systematizing a coherent framework.

The terms institutional order and sphere have been adopted from Character and Social Structure (Gerth and Mills, 1964). This work appears to explicate and use a framework similar to that of Weber. This is not surprising given the fact that Hans Gerth was an exceptional Weber scholar. Even though the framework developed by Gerth and Mills is much more explicit than that of Weber, it does not appear to be a completely closed system. Since Weber's writings lack any unambiguous terms for the concepts institutional order

and sphere the terminology of Gerth and Mills will be used, with some modifications.

Weber separated action from simple human behavior: action is always defined through the intent of the individual engaged in that action. Weber refers to behavior as action when the individual ascribes a subjective meaning to that behavior, and when the meaning takes the behavior of others into account, Weber calls this type of action social action. When social action occurs with some degree of regularity among two or more persons, Weber calls it a social relationship.

In order to understand an action, one must find a motive. For Weber, a motive is a

> ... complex of subjective meaning which seems to the actor himself or to the observer an adequate ground for the conduct in question. (ES 11)

The key to this definition of motive appears to lie in the phrase adequate ground. Since not every subjective meaning could constitute an adequate ground for action, there must be a means for discriminating among meanings. This discrimination requires a set of standards through which different complexes of subjective meaning can be evaluated.

These standards, which underlie all motives, are values. Values are described by Weber as the "ultimate ends" through which life is meaningful; and since there can be no logical or scientific way to prove the superiority of one set of values over any other set of values,

the belief in one set rather than another is a "matter of faith." In other words, the ultimate belief in a set of values, e.g., a religious belief or an ideology, is beyond any capability of human beings to prove or refute. Although the belief in a set of values is a matter of faith, the nature of the belief and its practical consequences for believers in their actions and social relationships are open to analysis. The logical consistency of the values can be studied, along with the influence of social relationships on the definition and interpretation of the values as well as inevitable conflict between sets of values.

The values do not reflect the intrinsic worth of any object or idea. Values are a creation of human beings who are

> ... endowed with the capacity and the will to take a deliberate attitude towards the world amd to lend it <u>significance</u>. (MSS 81)

There is no way in which 'facts' can 'speak for themselves,' for reality is infinitely complex; hence, any attempt to understand a small part of reality requires that some standard be used to separate the significant from the trivial. This applies to all forms of social knowledge -- thus, Weber said that

> All knowledge of cultural reality... is always knowledge from <u>particular points of view</u>. (MSS 81)

It is by values that we judge all social phenomena, whether ideal or material.

The values, which can provide an adequate basis for action, fall into three categories: standards based on individual self-interest, standards based on custom or habit, and standards based on the belief that certain actions are "binding" (i.e., that it is one's duty to perform such actions). Social actions must be based on some standard and, in reality, a particular action may come from any combination of these standards. A social relationship, since it has more than one participant, does not necessarily require a single set of standards for the participants. When the content of a social relationship is "... oriented toward determinable 'maxims'... " (ES 31), that is, oriented to some set of standards, Weber called the social relationship an <u>order</u>. In other words, an order can be said to exist when the action within a social relationship is, to some extent, oriented toward what is believed to be a common set of standards. An order may be oriented to standards of self-interest (or expediency), standards of custom, standards of duty, or any combination of these standards.

An order based on standards of expediency reflects a set of social relationships which are oriented to purely instrumental conduct directed to each individual's self-interest. This means that the choices of means, ends, and indirect consequences are based on what appears to be the 'best' technically rational result achievable in the given situation by each of the persons involved in it. Technically rational conduct is not being equated with self-interest or psychological egoism, since self-interest may be present with without conduct being oriented to expediency. An order based on standards of expediency is created when the self-interest of each of those involved in a social relationship leads each one to examine the paths open to him or her and to select the path which appears to give the 'best' technically rational result.

Although an order based on standards of expediency is usually achieved only within some larger framework of values, the conscious aim of the individuals is always oriented to obtaining some object, feeling, right, or advantage for themselves, even if it means changing values or aiming exclusively for subjective satisfaction. In daily life, the expedient route is the common conscious choice:

> On the whole, people are strongly inclined to adapt themselves to what promises success, not only... with respect to the means or to the extent that they seek to realize their ideals, but even to the extent of giving up these very ideals. (MSS 23)

An order based on standards of <u>custom</u> involves social relationships which lie at the boundary of meaningful conduct. These social relationships are oriented toward common social <u>usages</u> which are sometimes habitual and unthinking. Their stability lies in the fact that if an individual does not comply with them he faces "... both petty and major inconveniences and annoyances...." (ES 30) The standards of custom are by far "... the most common type of subjective attitude." (ES 31) They are important to the uniformity and communication of social groups, and to their sense of community. However, custom, like self-interest, could be disregarded by an in-

dividual with the only result being that of leaving him at a disadvantage in a social relationship (e.g., embarrassment, loss of income, etc.) To disregard standards of duty may lead to much more than just social disadvantage.

An order based on standards of duty reflects social relationships which are oriented to a set of values considered binding by the participants in these social relationships. In other words, the participants in the social relationship believe in the legitimacy of a set of values under which the social relationship takes place. Weber described this order as a legitimate order or a valid order, and he defined it as follows:

> ... it is only the probability of orientation to the subjective belief in the validity of an order which constitutes the valid order itself. (ES 33)

Implicitly, the participants in the social relationship have, in some way, committed themselves to the set of values. The conscious aim of the individuals is the fulfillment of some end consistent with a particular set of values. The greater the commitment, the less the consideration for the practical consequences. Disregarding standards of duty may lead to a subjective disturbance (e.g., guilt, fear, abhorrence to one's sense of duty, etc.) other than the objective one of being placed at a disadvantage in a social relationship.

Any set of standards can be recognized by par-

ticipants in a social relationship as legitimate, i.e., binding, on their actions within that relationship. However, standards of expediency are usually recognized not for their legitimacy but for their purely technical outcomes; and such standards are often, but not always, contained within a larger set of standards.

Although ultimate values lie beyond proof or refutation, the creation and interpretation of values by human beings and the commitments which human beings make to values are social phenomena which are open to influence by elements in the social situation in which they exist. The commitment to any set of standards is not necessarily clear or permanent; the level of commitment, and the very nature of the standards themselves, varies along with the changing social situation and with the people involved in that situation.

(B) The Framework: Institutional Orders[2]

Weber described a collectivity as a "complex of social interaction" occurring between individuals which is oriented toward the belief that the collectivity exists, and thus that its rules are valid for their actions. The rules are based on some set of values. At different points in his work, Weber appeared to be formulating an analytical framework using categories of values as a means of studying different types

of collectivities. To describe this framework, different translators of Weber's writings have translated his terminology as "legitimate orders," "life orders," and "departments of life."

The procedure for this analysis is to construct categories of values in order to classify organizations and associations. The purpose will be to use this typology as a series of ideal types, or, as Weber described it,

> ... the construction is merely a technical aid which facilitates a more lucid arrangement and terminology. (F 324)

A category of values does not refer to a single complex of values, such as a single religion or political system, but to a classification of values according to the different elements of social reality for which they primarily provide specific sets of presuppositions (e.g., "economic values" primarily refer to presuppositions about the production and distribution of goods, services, and economic advantages; "political values" primarily refer to presuppositions about the use of force, etc.)

The term <u>institutional order</u> (as adapted from the Gerth and Mills definition) will be used to refer to the classification of institutions (i.e., associations and organizations) according to the category of values which forms the underlying presuppositions of the institutions.

The concept of institutional order is only a methodological device for classifying and analyzing social reality, it is not reality itself.

(C) The Typology of Institutional Orders[3]

Weber appears to have used the following typology of institutional orders:

1- The Economic Order
2- The Political Order
3- The Religious Order
4- The Status Order
5- The Aesthetic Order
6- The Intellectual Order
7- The Kinship Order

Weber defined the economic order as follows:

> We shall apply the term economic order to the distribution of the actual control over goods and services, the distribution arising in each case from the particular mode of balancing interests consensually; moreover the term shall apply to the manner in which goods and services are indeed used by virtue of the powers of disposition, which are based on de facto recognition. (ES 312)

In other words, the economic order is composed of institutions which are concerned with the production and distribution of goods, services, and economic advantages.

Whereas institutions in other orders may be defined by their ends, institutions in the political order can only be defined by their means.

> It is not possible to define a political organization, including the state, in terms of the end to which its action is devoted.... there is no conceivable end which some political association has not at some time pursued.... Thus it is possible

> to define the "political" character of an organization only in terms of the means peculiar to it, the use of force. (ES 55)

The political order is composed of institutions which are concerned with the threat and use of force. Much of Weber's work involves the political order, so it is useful to have a supplementary description of the state: it is a political organization in a given area whose

> ... administrative staff successfully upholds the claim to the monopoly of the legitimate use of physical force in the enforcement of its order. (ES 54)

There is a difficulty in defining a religious order because of the vagueness of the beliefs to which it applies. So Weber described the nature of the religious institution as follows:

> In formulating the concept of a hierocratic organization, it is not possible to use the character of the religious benefit it offers, whether worldly or other-worldly, material or spiritual, as the decisive criterion. What is important is rather the fact that its control over these values can form the basis of a system of spiritual domination over human beings. (ES 56)

Thus, the religious order is made up of those institutions which are concerned with monopolizing access to some claimed transcendent realm, and the benefits derived from such access.

The status order refers to

> ... the way in which honor is distributed.... stratification in terms of "honor" and of styles of life peculiar to status groups as such. (F 181, 192)

Status groups are

> ... statified according to the principles of their consumption of goods as represented by special "styles of life." (F 193)

Style of life is the crucial distinction between status groups and political, economic, or religious groups. A group may be political, economic, or religious without its members seeking the same style of life. Moreover, the members of a status group may draw their style of life from more than one value framework.

The status order is, thus, composed of institutions which are oriented toward the monopolization of the distribution of social honor, or "prestige," within a society.

The aesthetic order is an outgrowth of other orders, especially the religious order. As long as the conscious approach to artistic work remains "... naively attached to the content and not to the form as such...", art remains less than autonomous as an institutional order. But once "... uniquely esthetic values..." are developed which allow "... uninhibited surrender to the distinctive form-producing values of art," the aesthetic order has become autonomous. The aesthetic order is made up of those institutions which are specifically oriented to the defining, judging, and creating of the beautiful elements in society. Weber's concept of aesthetics was much wider than what is usually referred to as the fine arts (e.g., painting, music, literature, etc.), he was also referring to fashion, ritual, and style of life, each of which plays an important part in other institutional orders.

Although Weber did not completely define the intellectual order, he gave a definition of "intellectuals" from which the nature of the order may be delineated.

The intellectuals are

> ... those who usurp leadership... within a group of people who by virtue of their peculiarity have access to certain products that are considered "culture goods." (ES 926)

The intellectual order is composed of institutions which are primarily oriented to defining the nature of knowledge, creating new knowledge, and distributing knowledge.

Unlike most of the other institutional orders, the kinship order is never given a clear and specific definition at any one point in Weber's writings. However, Weber described the major institutions of the kinship order to a point where he gave a direct indication of the two elements which he considered crucial to a definition of the kinship order: hereditary succession to rights (e.g., rights to goods, services, position; rights to perform rituals; rights to knowledge; rights to join organizations) and legitimate sexual access. The kinship order is composed of those institutions which are primarily oriented to the monopolization of succession to rights and privileges through familial relationships and to monopolization of legitimate sexual access.

The description of the typology of institutional orders immediately leads to a question: how is such a typology to be used? This question is related to the method that Weber developed for analyzing social reality.

Each institutional order represents an emphasis

on certain essential elements of a complex historical reality. Each is, in Weber's terminology, the basis for ideal types. An ideal type is an analytical accentuation of the essential characteristics of a historical phenomenon to produce an internally consistent system. The ideal type is not meant to be used as an adequate description of a social reality; instead, it is meant to serve as a guide to research by allowing for a more thorough search for understanding of the essential nature of that reality. An example of this is Weber's analysis of bureaucracy: the ideal type analysis of bureaucracy is not a description of any particular bureaucracy which has existed or which now exists; its intent is to provide a model of a legal and instrumentally rational organization which, at the theoretical level, is internally consistent. This model is not an end in itself, it is only a means to clarify the analysis of what exists and to provide a basis for formulating hypotheses. The ideal type portrays only the essential characteristics, i.e., the crucial elements through which we recognize the phenomenon, and specifically avoids "accidental" properties which may be represented in different individual cases of the phenomena. The ideal type is just a means of studying reality and not reality itself. Weber recognized the danger in using an ideal type, which is a mental construct of a portion of reality, as reality itself:

> ... there is an almost irresistable temptation to do violence to reality in order to prove the real validity of the construct. (MSS 103)

The typology of institutional orders appears to serve as a means of orientation for the examination of institutions and their inter-relationships. Weber seems to have been developing an overall strategy of analysis aimed at the cross-classification of the inter-relations of institutions between institutional orders or within one institutional order. The major cross-classification of the inter-relations of institutions between institutional orders can be represented as a matrix:

	Institutional Orders						
To:	1	2	3	4	5	6	7
From:							
1	X						
2		X					
3			X				
4				X			
5					X		
6						X	
7							X

Institutional Orders
1- The Economic Order
2- The Political Order
3- The Religious Order
4- The Status Order
5- The Aesthetic Order
6- The Intellectual Order
7- The Kinship Order

Each cell in the matrix can be understood as posing a series of questions relating to the influence of institutions in one institutional order upon institutions in another institutional order. Of course, a classic example of this type of analysis is The Protestant Ethic and the Spirit of Capitalism. In this case, Weber traced the social actions and relationships of businessmen, traders, and others involved in economic institutions back to the ideas and inducements which were a part of

religious institutions. This work on Protestant religiosity represents a relatively narrow study concentrating on two institutional orders; many of his other works go into the inter-relations of more than two orders.

This type of analysis is complicated in two ways. First, there are often many institutions of differing types within an institutional order and their inter-relationships must be studied. Second, Weber also considered the internal nature of the institutions, thus adding greatly to the complexity of his analysis. The problem is that Weber never explicitly described this type of internal analysis at any point in his writings -- again, he focused on particular substantive problems, and only turned to methodological problems as a way of dealing with substantive ones.

(D) The Framework: The Spheres of Conduct[4]

Weber understood that institutions do not exist in a vacuum. Every institution, besides its dominant orientation within a set of values and its particular goals, is also confronted with what may be described as "support" problems. These problems involve the crucial need to arrange actions so as to facilitate the acquisition and utilization of knowledge or materials in support of the values and specific goals of the institution. The ways to arrange actions will be called spheres of conduct

(this term is also taken -- with some modifications -- from Gerth and Mills). In alternative translations of Weber's work, different terms have been used for this concept (e.g., "order," "action," "authority") and these terms have also been used to refer to other Weberian ideas. So the term sphere of conduct will be used for clarity. Given his substantive interests, Weber never systematized the idea of the spheres of conduct, and hence these definitions, like those of the institutional orders, remain scattered through his works. Moreover, the definitions of the spheres of conduct were never fully explicated, so they remain somewhat vague (e.g., bureaucracy is described below in the technological sphere, but it could justifiably be linked with other spheres).

The following are the spheres of conduct in support of the values and specific goals of an institution:

1- The Internal Economic Sphere
2- The Technological Sphere
3- The Administrative Sphere
4- The Symbolic Sphere
5- The Sphere of Value

The internal economic sphere refers to actions of an economic character which are not specifically and knowingly oriented purely to economic considerations. It essentially involves "economically oriented action," that is,

> ... every action which, though primarily oriented to other ends, takes account, in the pursuit of them, of economic considerations.... (ES 64)

As an example, a church may have to rationalize its econom-

ic activities by tithes, land ownership, contributions, etc., in order to provide funds for its religious activities. Thus, the internal economic sphere is an arrangement of actions in order to provide necessary economic resources in support of actions toward the dominant values and specific goals of the institution.

The technological sphere concerns "the technique of action," that is,

> ... the means employed as opposed to the meaning or end to which the action is, in the last analysis, oriented. (ES 65)

The technological problem is,

> ... given the end, of choosing the appropriate means.... (ES 67)

Hence, the technological sphere is involved with the skills, methods, and instruments for carrying out actions. The technological sphere is an arrangement of actions to provide or use skills or instrumentalities in support of actions toward the dominant values and specific goals of the institution. Bureaucracy is thus a technical system which in the main serves economic, political, or other ends.

The administrative sphere concerns rules which govern organized actions of the members of an institution toward the ends sought within the institution. It concerns not only the existence of the rules, but their enforcement as well. For there can be no true organization of activities without an individual in authority whose actions are

directed to achieving the goals of the group and enforcing sanctions against all who violate the conventions of the group.

There are two types of rules: first, there are rules to facilitate and coordinate organized action, and hence, define the members' positions in regard to one another; and second, there are rules

> ... which govern other kinds of social actions and thereby protect the actors' enjoyment of the resulting benefits.... (ES 51)

The administrative sphere is an arrangement of actions by which social positions are created, defined, and circumscribed to what are considered legitimate paths of action in regard to the values and specific goals of the institution.

There is a special case of the administrative sphere wherein there exists a staff primarily to enforce the rules:

> Law exists when there is a probability that an order will be upheld by a specific staff of men who will use physical or psychical compulsion with the intention of obtaining conformity with the order, or of inflicting sanctions for infringement of it. (F 180)

There are two remaining spheres of conduct, the symbolic sphere and the sphere of value. These spheres differ from the others in that the others involve arrangements of actions but these involve expressions of meaning and of justification. To understand these

spheres, it will be necessary to understand what Weber meant by rationalization.

All values are complexes of ideas and hence the creations of human beings. Much of human conduct is performed without reflection on the nature of the values which underlie it. However, as social relationships and social situations change and become the object of self-consciousness, there comes a need, on the part of at least some people, to organize and understand the values underlying conduct and to be able to justify conduct explicitly in terms of values. Weber described unreflective human conduct as "unthinking acquiescence," and called the process by which it becomes, in some way, reflective, the process of rationalization. Any expression of the meaning or justification of human conduct is a product of some degree of reflection, that is, some degree of rationalization.

The problem is: what did Weber mean by rationalization? The process of rationalization is a process of consciously and deliberately questioning some aspect of life. The process of rationalization has many different forms and directions, since there are a great number of pathways in which questioning may go and types of questions which may be posed. However, questioning must always begin with a set of "givens" or presuppositions; thus, underlying any process of rationalization are

irreducibly irrational presuppositions, i.e., values. The processes of questioning differ as to the degree and the way they consciously involve values.

In Weber's typology of action, purely instrumentally-rational action and purely value-rational action represent the poles of a continuum reflecting the balancing of value commitments and practical consequences. Pure instrumentally-rational action is the case where the primary conscious aim of the actor is to obtain some form of success, that is, to gain something; and hence, is open as to specific means, goals, and ultimate values. Of course, this does not mean that the values are in any way chosen as to their intrinsic worth. The only consideration on the part of the actor is his or her perception of the probability of success under a particular value framework. Pure value-rational action is the case where the primary conscious aim of the actor is to fulfill commitments to a particular ultimate value without regard for practical consequences and therefore is closed as far as values are concerned, though means and ends are open insofar as they do not violate the actor's perception of the value framework.

The typology of action is reflected in the process of rationalization. Again, there is a continuum balancing value commitments and practical consequences. Every

process of questioning involves the selection of activities and purposes, but the conscious aim of the actor determines the range and depth of the process. When the conscious aim is solely that of success in a particular circumstance, the focus of the process is on the best way to achieve the most benefit in the situation. This is reflected in the everyday process of practical rationalization. If necessary, an actor concerned only with success will change values or even drop conscious consideration of values, accepting subjective satisfaction in their place, rather than hold to values which might interfere with the pursuit of success. When the conscious aim involves not only success but also the intention of continuing or increasing the probability or degree of success in the future, the focus of the process is on understanding and improving existing circumstances. This is technical rationalization and may or may not occur in a consciously recognized value context. The most common form of the process of questioning within a consciously accepted value framework involves the selection of means and goals in any way consistent with the ultimate values. But value-rational action in its purest sense involves an absolute commitment to a set of values, and to the goals most consistent with those values, without regard to practical consequences -- in

other words, it is little more than a form of unquestioning acquiescence. Formal rationality is purely instrumental; it refers solely to the level of technical rationality which can be achieved in a situation. Weber considered formal rationality to be a highly restricted concept since the ultimate values underlying an action are not explicitly considered in the pursuit of the most technically-rational process of conduct. Substantive rationality is any process of rational reflection which takes more into consideration than just an orientation to the 'best' means to some technically 'successful' end. In substantive rationality, the criterion of some configuration of values is consciously applied in determining means and ends. Thus the 'best' technically-rational means or ends may not be selected as the 'best' substantively-rational means or ends.

Other than providing a direction for action, values also provide a justification for action. Behind social actions stand "... ideas of cultural values..." which "... provide an ideological halo..." for those performing the actions. (ES 959)* Since values are the standards for judging actions, an action is legitimate to the extent that it can be shown to represent an observance or compliance with the values. The sphere of value refers to the expression of the justification for the arrangement of actions within the institution.

Values, being complexes of ideas, are open to interpretation and reinterpretation. When the process of questioning involves the values themselves, the result is a concern for interpreting the meaning of the values. Interpreting the meaning of the values may come through questioning the internal consistency of the values, questioning how the values are to be translated to action, or questioning how the values apply to some given social reality as an attempt to understand "... the world as a meaningful cosmos..." (i.e., intellectualization). The meaning of the values is important to the existence of an institution, since the meaning is the standard by

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* See also F 199.

which actions are judged, and thereby allows the integration of many varied forms of social action into a coherent framework. The symbolic sphere refers to the creation and expression of meanings in order to define and integrate the arrangement of actions existing within an institution. Moreover, if the meanings and justifications (as described in the symbolic sphere and the sphere of value) are internalized by an individual, they will form a part of his personal value orientation through which he evaluates his own actions and those of others.

Values are complexes of ideas and foundations upon which other ideas are built. Weber said that "... not ideas, but material and ideal interests, directly govern men's conduct." (F 280) Social action comes directly from the interests of human beings; it is from these interests that action is created. However, this does not mean that ideas have no influence over action, for the ideas are a source of human interests. Ideas never create action in themselves, but they direct action by providing the framework underlying interests. Also, as interests may be profoundly influenced by values, it is the case that values may be influenced "... by the nature of the external interest situation..." and by the structure of the society and the lifestyles of its members.

The spheres of conduct are conceptualizations of the arrangements of support actions formulated by individuals within an institution in order to meet the operational problems of the institution. However, the importance of each arrangement of actions in a particular institution will vary with the values, the specific goals, and the specific historical context of the institution.

(E) The Framework as a Tool[5]

The institutional orders and spheres of conduct were never fully systematized or explicitly presented by Weber. His great respect for complex historical reality did not permit the development of such a systematic conceptual scheme, even though he recognized the usefulness of concepts in comparative analysis:

> A genuinely critical comparison of the developmental stages of the ancient polis and the medieval city... would be rewarding and fruitful -- but only if such a comparison does not chase after "analogies" and "parallels"... in other words, it should be concerned with the distinctiveness of each of the two developments that were finally so different, and the purpose of the comparison must be the causal explanation of the difference. It remains true, of course, that this causal explanation requires as an indispensable preparation the isolation (that means, abstraction) of the individual components of the course of events, and for each component the orientation toward rules of experience and the formulation of clear concepts without which causal attribution is nowhere possible. (ES xxxi)

To be able to find the essential properties of concrete social phenomena, Weber pointed out that there must be a set of "tools" to guide the analysis of an

overwhelming and fluctuating social reality. The tools which he used to aid him in the formulation of hypotheses were analytically pure concepts, or ideal types. The institutional orders and spheres of conduct are sets of ideal types on a high level of abstraction. These sets of ideal types represent "cutting points" into concrete social reality and they are useful only insofar as they select and order concrete phenomena. They are guides to social reality in that they allow the formulation of propositions about relevant properties of social phenomena, and they are not to be seen as reality itself.

Since Weber did not explicitly identify these concepts, which appear to underlie much of his work, he unintentionally created a situation in which his analyses are often difficult to understand. The reason for this problem of comprehension is that Weber not only cross-classified the inter-relations of different institutions, but he also examined intra-relations within each institution. In those areas which were of prime interest to him (i.e., political, economic, and religious institutions), he did not content himself with examining only a few elements. Instead, at times, he dealt with a large number of different permutations and combinations of relationships between and within institutions. This, more than the complexity of his style, accounts for the difficulties casual readers have in understanding a

particular essay of his substantive work.

Given his use of the institutional orders as a methodological approach, it is understandable how Weber can be considered as a sociologist of the family. The kinship order represented for Weber a distinct category of institutions which can be examined in relation to other institutions.

* * *

In attempting to present the framework in a logical and consistent manner, emphasis has been placed on those elements which "hang together" and not on the fragmentary, and sometimes contradictory, nature of some of Weber's definitions. This overall framework will serve as a basis for organization and analysis in the same way as an ideal type serves as a guide to particular aspects of historical reality because, like any other ideal type, it can be better organized than any of the complex and fluid situations to which it is being applied.

We will now turn to our main interest, the kinship order. According to Weber, the kinship order has four major institutions: the <u>family</u>, the <u>house community</u>, the <u>oikos</u>, and the <u>sib</u>. The latter three institutions developed in different ways from the family, which was, and still is, the basic and universal institution of the kinship order.

(F) The Family[6]

The family, in its most elemental form, consists of the husband, the wife, and their children. Weber portrayed the family as having a dual nature: economic and social. Since his primary interests were economic, political, and religious institutions, the family was often described in relation to these institutions. In many of his writings, he concentrated on the family as an economic group, which he called the household. Hence, his discussion of the family's internal dynamic was not extensive. However, Weber considered the social aspect of the family as the basis for understanding it. He clearly rejected the notion that economic factors dominate family relationships:

> Domestic authority and household are relatively independent of economic conditions, in spite of the latters' great importance, and appear "irrational" from an economic point of view; in fact, they often shape economic relationships because of their own historic structure. (ES 377)

The family encompasses continuous social action usually based on common residence, and on in-group solidarity and closure when dealing with the outside world. It is always a consumption unit and almost always exogamous. It is based on the emotional social relationships existing among its members and is stabilized and maintained by its internal economic organization. Even though the family depends on economic factors to

maintain itself, the essential nature of its social relationships is largely independent of these factors. "Loyalty" and "authority," which provide the foundation for most institutions in society, originate in the intense social relationships of the family.

A profound element of social life is sexuality. In its manifest and subtle forms, sexuality constitutes the greatest irrational force of social life, and as such, influences all institutional orders. Weber described "sexual love" as

> ... among the most fundamental and universal components of the actual course of interpersonal behavior. (ES 601)

Due to its fundamentally irrational nature, sexuality is a problem for most institutions. There is no way to eliminate sexuality, but the institution of the family has served as a means by which the most visible forms of sexuality can be, at least in part, controlled.

Sexuality is but a part of the intense complex of emotions which pervades social life. The family was and is the prime institutional focus of this complex of emotions. Although Weber discussed sexuality more often, he portrayed both sexuality and other intense emotional phenomena in the same light, namely, they are all profoundly and irrevocably irrational. Their very irrationality is crucial to the internal dynamic of the family and, in the later chapters of this work, we will intensively examine their fundamental nature.

The original means of acquiring privileges and property was through a family relationship, but this control of economic and other rights hindered the historical development of other social institutions. Other institutions were forced to regulate the family in regard to inheritance.

Marriage, in the form of a "contract," represented a major form of regulation on inheritance through family ties. This form of marriage was imposed on the family by other social groups, establishing the rights

of the family members within the family and often throughout the community. Weber described marriage as follows:

> One cannot think of marriage as a mere combination of sexual union and socialization agency involving father, mother, and children. The concept of marriage can be defined only with reference to other groups and relationships besides these. Marriage as a social institution comes into existence everywhere only as an antithesis to sexual relationships which are <u>not</u> regarded as marriage. The existence of a marriage means that (1) a relationship formed against the will of the wife's or husband's kin will not be tolerated and may even be avenged by an organization, such as in olden times the kinsmen of the husband or of the wife or both. (2) It means especially that only children born of stable sexual relationships within a more inclusive economic, political, religious, or other community to which one or both parents belong will be treated, by virtue of their descent, as equal members of an organization -- house, village, kin, political group, status group, religious group; while descendants who are a product of other sexual relationships will not be treated in such a manner. This and nothing else is the meaning of the distinction between birth in wedlock and out of wedlock. ... Thus, it is the regulations of groups other than mere sexual groupings and sibling communities of experience which endow the marriage with its specific quality. (ES 357-358)

<u>(G) The House Community and the Oikos</u>[7]

The small family has been able to grow into larger kinship structures under certain conditions. The limited expansion of the family was usually based on economic and technological requirements or on specific political circumstances. Weber delineated the two directions of expansion:

> The small family may evolve into an expanded household and this either in the form of a free

> community or in that of a manorial household, as the oikos of a landed baron or prince. The first resulted generally where the centralization of work developed on economic grounds, while the manorial development resulted from political conditions. (GH 51)

The expansion of the family for economic or technical reasons was usually confined to those areas where economic gain had to be based on the "centralization of work." In other words, a relatively large number of people were required to perform the work of the household. Weber's term for this type of family arrangement has been translated as "house community," "free community," and "commune." We will use the term house community. It was not a very common type of household, for it required a sufficiently developed technological base to support a large group, even while economic, technological, or physical conditions must have been so poor as to require a "large number of hands" to do the work. The household could have been composed of several related families living close to one another or even under the same roof. When economic or technological conditions changed to allow more individualized production, many of these households eventually decreased in size to become single families. In some cases, however, the house community became the model for certain types of business enterprises.

For the most part, throughout history, the family

has usually been small. The number of related people living under the same roof rarely extended beyond the parents, the children, and possibly one or two other relatives when conditions could support this. Of course, in each generation, the family naturally changed its size due to births, deaths, marriages, adoptions, some members moving out to form new households, and other members moving in due to physical, social, or economic conditions. But, these natural processes did not produce the extensive enlargement found in the house community or the oikos. Although there are many examples of large extended households in history, at no time did they become the predominant form. In the relatively few cases where the family grew in size, this was usually due to technological conditions, due to the attempt of family members to preserve intact the family wealth, or due to political circumstances.

Familial expansion in size and economic power usually occurred where the political situation allowed a few families in an area to appropriate privileges and property. Weber called this type of family arrangement an oikos or manorial household. The oikos is not simply a large household

> ... rather, it is the authoritarian household of a prince, manorial lord, or patrician. (ES 381)

The formation of an oikos was often the result of the family head being a chieftain in the sib or in the

military association. Chieftainship, or even membership in a military group, could lead to the procuring of wealth (including land and slaves) and to the exercise of domination over members of one's own sib or tribe.

> The manorial administration develops quite naturally out of the patriarchal household that is turned into an apparatus of domination; everywhere the manor originates in patriarchal authority. (ES 372)

Further development of an oikos sometimes led to the formation of a political state, or even to the generation of a rational economic enterprise.

(H) The Sib[8]

The fourth major institution of the kinship order is the sib (Weber's term for this institution has also been translated as "clan" and "kin group," but, for the sake of clarity, we will only use the term "sib"). The sib is an association of people linked together by a common relationship to some hereditary and charismatic person or object. Social action within the sib was often discontinuous, and it was possible for the sib to be so large and widely dispersed that all of its members did not know one another. The sib provided protection to its members and revenged wrongs done to them. It also provided economic and physical aid in times of distress. Weber described the relationship of the sib to the family as follows:

> Substantively, the kin group competes with the household in the sphere of sexual relations and in-group solidarity; it is a protective group... and it is also a group of expectant heirs made up of those former household members who left when it was divided or when they married, and of their descendants. (ES 365)

Since sib members were prospective heirs to family property and the power of a sib in the community frequently depended on the wealth of its constituent families, the sib attempted to limit the family's control over its membership and over the disposition of its property. Inheritance outside the immediate family began with the more distant relatives in the sib.

(I) The Neighborhood (Community)[9]

The four major institutions of the kinship order, as briefly described here, co-exist with an important, and equally elemental, group which is outside the kinship order. This is the neighborhood or community. The neighborhood is a "natural" group like the individual family: its membership is based on the common interests of those who live close to one another. However, it has neither the intensity, the continuity, nor the solidarity of the family.

The family is capable of meeting common everyday situations, and the neighborhood is usually only important when an emergency or an extraordinary problem arises which requires more than what a single family is capable

of doing. But the neighborhood can become the basis for the development of an economic or political association which may challenge the authority of kinship institutions. Moreover, on the level of the family relationships, it is the neighborhood which provides an opportunity for the development of a non-institutional family surrogate -- friendship.

Although its activity may range from little more than self-help in times of emergency to the formation of an active economic or political association, the neighborhood is as truly a universal phenomenon as the family. Its importance is in the fact that it has been an alternative to the family in the formation of "higher-order" non-kinship institutions, and in the fact that the community provided certain minimal levels of social conventions for the formation and existence of families.

* * *

The kinship order, embodied in the family, the house community, the oikos, and the sib, is for Weber the basic institutional order in society. Only the neighborhood association shares a similar elemental quality. It is from the family and the neighborhood that all other institutions developed. It will be shown in later chapters that many institutions were originally direct extensions of kinship institutions, but as they

separated from kinship structures, they developed an internal autonomy based on values and goals other than those of kinship. It will be shown why the family continues to thrive despite adverse circumstances.

Throughout this work we will examine how kinship institutions are related to institutions of other institutional orders. We will also examine how changes in other institutions have affected kinship institutions. Furthermore, we will show the configuration of characteristics which, Weber argued, made the family highly resistant to external change and internal rationalization.

The Analytical Framework

1- Sources for section (A) The Foundation of the Framework:
ES 4-12, 24-33, 319-320
MSS 17-18, 22-23, 27-30, 55-57, 60, 72, 75-82, 111, 115-116
F 270, 286-287

2- Sources for section (B) The Framework: Institutional Orders:
ES 1-56, 576-610
PE 13-31
F 294, 323-359

3- Sources for section (C) The Typology of Institutional Orders:
ES 54-56, 248, 253-254, 305-306, 312, 356-384, 576-610, 688-691, 925-926
F 77-79, 181, 192-193
GH 24, 37-53, 76, 92-94
MSS 90-111
PE 13-31
AJ 11-22
C 34-35, 81-89
I 39-54

4- Sources for section (D) The Framework: The Spheres of Conduct:
ES 5, 11, 24-54, 63-74, 85-86, 194-202, 500-517, 576-579, 590-593, 655-656, 953, 959, 968, 979, 1116-1117
F 180, 199, 267-270, 275, 280-282, 286-287
MSS 26-57, 60, 76-84, 99, 110-111

5- Sources for section (E) The Framework as a Tool:
ES xxxi (SAC 385-386), 1-28
MSS 72-82, 89-94
RK 55-58, 98-101

6- Sources for section (F) The Family:
ES 4, 7, 22, 25, 34, 40-41, 324, 356-366, 370-377, 601, 606-607, 669-676, 688-691, 1007
GH 37-38, 43-45, 49-54, 63, 92
F 343-350

7- Sources for section (G) The House Community and the Oikos:
ES 231-233, 364-365, 372, 375, 378-383, 708-709, 756, 777-778, 1006-1007, 1010-1015
GH 27, 36, 51-59, 94, 173

8- Sources for section (H) The Sib:
ES 358-359, 364-367
GH 49-51
C 89-91
I 48-54

9- Sources for section (I) The Neighborhood (Community):
ES 357-358, 360-363, 367, 901-910

CHAPTER II

THE ECONOMIC ORDER AND THE KINSHIP ORDER

The economic order is composed of institutions which are concerned with the production and distribution of goods, services, and economic advantages. This chapter will concentrate on the ways the institutions of the kinship order influence, and are influenced by, economic institutions.

(A) Introduction[1]

In early societies, most types of property and economic advantages were held by the kinship institutions. Ownership could be held by individuals as members of a kinship group, or by the kinship group itself. Almost all the distribution of all forms of wealth was thereby controlled by kinship groups.

Although households tended to be communistic in regard to consumption, this was not true of the production or distribution of economic resources. The control of economic resources within a household was often problematic. The distribution of economic resources within the households of a community could have a direct influence on the wealth, power, and prestige of the larger institutions of the community. Therefore it was in the interests of economic, political, religious,

and status institutions, and of the sib, to regulate not only the distribution of economic resources within the household, but also the household's definition and membership.

According to Weber, the distribution of resources within the household was regulated by two techniques: the line of descent (i.e., patrilineal, matrilineal, or cognate) and the legitimate contractual marriage. Authority and property rights of the household members were, to a large extent, determined by the line through which descent was traced. Legitimate marriage was a far more important tool than the nature of descent, because most of the principles of descent were firmly established by custom and the marriage contract was somewhat more open to manipulation by the members of kinship and other groups. The legitimate marriage contractually established the social and legal status of the household and its members. By regulating the formation of households through the use of the marriage contract, the leaders of groups in different institutional orders were able to influence the distribution of economic resources in ways consistent with the interests and ideals of their groups.

This brief introduction to economic rights and the household provides a basis for discussing Weber's

study of ancient and medieval civilizations and his writings on religion. Although none of these works was intended as an analysis of kinship institutions, in all of them Weber delineated certain major relationships between kinship institutions and economic institutions.

In his discussion of ancient civilizations, Weber was completely aware of the problem of the lack of evidence as to the origin and development of certain institutions, especially the origin of the family, which is lost in the distant past. All that can be said is that everywhere the earliest ties appeared to be those of kinship and of community, that is, those based on the solidarity of a claimed familial relationship and those based on the joint efforts of neighbors to deal with common problems.

(B) Pharaonic Egypt and Mesopotamia[2]

According to Weber, a conspicuous feature of ancient Egyptian society and of the societies of ancient Mesopotamia was the dominance of the royal oikos, that is, the entire government was an extension of the personal household of the ruler. This, of course, had important political ramifications, but the concern of this chapter is its economic importance.

Unlike a modern society, the types of economic

activity which could be categorized as workshops and factories did not make up a large part of the economy in these ancient societies. The greatest influence on the economy was from projects conducted by the government, namely, "government contracts." Government projects constituted the largest sector of the economic structure outside of agricultural activities. The projects were for public works (e.g., regulating irrigation, mining, building fortifications and temples, etc.) and for the collection of taxes. The need for irrigation and waterway regulation was a major source of the great power exercised by royal oikoi in Egypt and Mesopotamia.

The factories and workshops in Egypt and Mesopotamia had little in common with their modern counterparts. Both the factory and the workshop were extensions of the royal or manorial households. These economic institutions were often staffed with unfree skilled labor, and sometimes, with formally free artisans. These economic institutions did not develop in a purely rationally-economic manner, rather they developed from "purely personal circumstances," namely,

> ... the fortuitous accumulation of a large number of slaves in the possession of a single individual. (SAC 66)

Since the factory or workshop was little more than a part of an existing oikos, it had no independent legal status

and was not in any way a business organization devoted solely to the rational pursuit of profit. Weber commented that:

> The slaves in fact constitued the workshop or plant, and their maintenance by the master was the crucial factor, not their employment in a single production unit. (SAC 56)

Existing alongside the rulers, the lords, and their oikoi, were the other categories of free strata: farmers, artisans, shopkeepers, small property owners (who engaged in "small-scale production" and trading; and who owned a few slaves), and the tenant workers and farmers. Families existed among all the free elements of the population, and frequently they also existed among the slaves.

In Mesopotamia,

> The patriarchal family was the residential and economic unit, and was already nuclear in character (though there were of course many cases where heirs lived together). (SAC 94)

The Mesopotamian family was male dominated, but as time passed, the power of the male family head over his kin and the family wealth was limited by contract and by law. Among wealthy families, there developed a means to protect a female family member marrying out of the family: The position of the prospective wife would be protected by a contractual marriage agreement by which her property, and the right of her children to inherit

property from the marriage, were placed beyond the control of her husband. Furthermore, a dowry would be given by the bride's family to the new husband, which he would be required to return after a divorce. This form of contractual marriage eventually spread throughout the population and became the legal basis for woman to obtain greater compensation than merely the return of the dowry if the marriage was dissolved by death or divorce. Moreover, as familial wealth continued to grow among the upper and middle strata, the contractual marriage was used to limit the father's right to dispose of the property which would be given to his legitimate children. This limitation of the father's right to control family property preserved the economic position of most upper and middle strata families and maintained a relatively stable economic structure. Weber stated that

> ... the development of commerce and expanded opportunities for private profit caused a change in the status of family property; from being entirely under patriarchal control it came to be regarded as the joint capital of all family members. The father's paternal authority remained in force, but his sons now counted as partners in a certain sense. (SAC 95)

The fundamental difference between the real or adopted son and a male slave of the household was that the son had the right of inheritance of property and position.

According to Weber, the Egyptian family was much like the Mesopotamian family except that women in Egypt had legal equality with men to inherit property and conduct economic enterprises. The legal rights of women in Mesopotamia were originally almost non-existent (i.e., women were the legal equivalent of property) but as time passed, women gained some rights to property ownership and to initiate legal action against others. Although women's rights had also improved in Egypt over the centuries, women had already obtained inheritance rights even in the earliest historical records.

In Egypt, as in Mesopotamia, the marriage contract was the basis for the changing relation between husband and wife. The contract gave the husband authority over the wife and children, but also imposed limits to that authority, especially in the area of family property. However, there existed aside from the legitimate marriage, an "unwritten marriage" in which the man and the woman lived together without a marriage contract. This meant that there was no dowry given and that the man had no authority over the woman, although he retained some rights over the children, and the children would inherit some property after the children of the man's legitimate wife received their rightful portion of his property.

In these ancient civilizations, it was often necessary to permit slaves to have families and even their own semi-independent economic enterprises. Slavery was a costly activity: slaves had a high mortality rate; they could create political disturbances; they also had to be fed, clothed, and housed; further, they had little interest in learning new or complex techniques -- hence, they slowed technological progress; and finally, the only way to maintain an adequate number of slaves was through a fully supplied slave market which in turn depended on successful and continuous warfare.

The slave market had a particularly important relationship to the treatment of slaves, since

> If... the market ceased to receive regular supplies over a period of any length, then the slave force had to be replenished through natural increase, leading to abandonment of slave barracks and establishment instead of slave family life. The slaves then became themselves responsible for replacement of slave capital, and this imposed limitations on exploitation of the work force. Slaves could then no longer be worked in chains and whipped in a plantation system; the result was inevitably to decrease profits, except where a way was found to use the economic self-interest of slaves for the benefit of their masters. (SAC 55)

Since labor income from slaves was highly profitable in only a few cases, the masters found it useful to have skilled slaves establish independent economic enterprises as artisans or merchants, and to pay a "rental" income to their masters. In this way the

master would receive income without incurring the expenses of supporting the slave, and it would be in the slave's economic self-interest to develop a prosperous enterprise to support himself and his family, and in some cases, to buy freedom for his family.

An important aspect of the political and economic structures of both Mesopotamia and Egypt was the ultimate possession of land by the royal oikos. All land, with the exception of temple land, was owned by the royal oikos and was granted or assigned to families or sibs in return for the performance of certain duties or the payment of rent. In the early period in Mesopotamia, land was inherited by and through the sib, but in the later period the sib was eliminated and inheritance was then given through the family. In Egypt, the governmental structure which grew out of the royal oikos destroyed all remnants of the sib, hence the inheritance of land was through family ties. However, this inheritance in Egypt and Mesopotamia was in the form of a right to the landed property upon the condition of fulfilling the duties required by the royal oikos. Eventually, as land became saleable, the buyer not only gained possession of the land, he also acquired the duties owed to the royal oikos.

(C) Ancient China[3]

The sib played a relatively minor role in Mesopotamia, and no role at all in Egypt, because of the powerful central government which had developed out of the royal oikos and because of the lack of support for the sib in religious beliefs. This was not the case in ancient China: the sib was a strong influence on non-kinship institutions and an active competitor with them. The power of the sib was so great that the individual's position in society was, for the most part, determined by the hereditary charisma of his sib. The individual owed allegiance to his sib and not his city, for this reason the cities of China never gained the autonomy known in cities of the Occident. Weber commented on the difference between Egypt, Mesopotamia, and China, as to the power of the sib:

> In Egypt, not the ancestral cult but the cult of the dead dominated everything, and there sib cohesion was broken under the influence of bureaucratization and fiscalism just as it was broken later in Mesopotamia. In China, the influence of the sib was maintained and grew equal to the prerogatives of the overlord. (C 88)

Two fundamental features of life in the Chinese sib and family were the worship of ancestral spirits and filial piety. The management of the worship of ancestors was conducted by the head of each household and by the

sib elders (each elder was the head of a separate lineage of the sib). The reason for bringing in the issues of ancestor worship and filial piety, both of which should belong to other chapters of this work, is that, according to Weber, the religious element of ancestor worship and the social ethic of filial piety are key concepts in understanding the economic aspects of the Chinese sib. The beliefs, that ancestral spirits must not be provoked and that respect and obedience to one's parents and elders was the highest possible virtue, were the underlying reasons for the cohesiveness and internal order of the sib. Since the head of each household and the elders of the sib were not only the oldest male members of the sib but also had the function of acting as family priests who appeased the ancestral spirits, their power was formidable. By antagonizing an elder, one was violating the canon of filial piety and going against the tradition which, if changed, would provoke the ancestors. With their great power and authority, these leaders of the sib and its households allocated the labor, property, sib income, and tax burden among sib members. Thus, the ancestral religion supported the kinship structure and the kinship structure, in turn, impeded rational economic development.

The sib prevented a large and predominant market

economy from developing in China, even though the Chinese were no less acquisitive than any other people. The sib was an impediment to the development of the market because the emphasis within the sib was on aiding the households to maintain themselves without going outside the sib for any major necessity. Furthermore, the formation of a rational economic structure was hampered because all economic organizations evolved along the lines of kin relationships or in some way duplicated kin relationships. In fact, this type of economic structure tied the individual even more firmly to the household and the sib. It was quite possible for a sib itself to become a single economic entity. Weber described the strength of the sib (called the "clan" in this translation) and the lack of rational economic enterprises as follows:

> In China, the cohesion of the clans in villages was extraordinarily strong. Workshop industry is there communal clan economy. Beyond this, China developed only the domestic system. Centralized establishments were founded only by the emperor and the great feudal lords, especially in the manufacture of porcelain by servile hand workers for the requirements of the maker and only to a limited extent for the market, and generally on an unvarying scale of operation. (GH 138)

Since the sib was the center of business activity and the basis of economic organization, most technological and economic changes were slow. Sib elders, as

both the economic and religious leaders of the sib and its constituent families, saw technological changes as a possible provocation of the ancestral spirits and as a threat to their positions. To protect the sib from the anger of the ancestors and to prevent a challenge to their authority, the sib elders refused most changes in favor of the traditional methods of business activity.

The predominance in China of the particular ties of kinship over universal ties of rational economic action is a clear contrast tc the situation that existed among the ascetic Protestant groups in Europe. The Protestant sects developed an ethical community of believers (which will be more thoroughly discussed in the chapter on the religious order). The ascetic Protestants were distrustful of the same personal ties which were so highly important to the Chinese. The Chinese were distrustful of sib outsiders, while among the Protestants there was a high level of confidence in business relationships because there was an ethical community of fellow believers. It was expected among the members of the religious community that each person would act ethically in his "calling" regardless of personal ties. The Chinese could not create a purely impersonal and rational business association as long as the sib remained strong.

Guilds (occupational associations) developed in those areas of China where the power of the sibs was weak, especially in the cities. The guilds were similar to the sib in structure, since the actions and relationships of the guilds were generally modeled on the personal relationships of the sibs. Moreover, the individual guild member was dependent on the prestige of his guild for his own position and protection in the same way that a sib member was dependent on his sib. Membership in a guild of a certain trade was required of anyone who engaged in that trade, often under threat of death or injury for failing to join the guild. Some guilds restricted their membership to the members of one sib, a fact that made entry to certain trades impossible for outsiders. The need for guilds in the cities came about as a protective measure for tradesmen and artisans who were far from the protection of their own sib or who had no sib. Although the guilds were important in the cities, they did not have the solidarity, internal cohesion, or strength of the sibs. The guilds could exist alongside the sibs but could not control or replace them.

Even though the domestic authority of the head of the household was officially recognized in China, it was not sufficient to overcome the power of the larger kinship unit, the sib, in household affairs. The central

government, which was an extension of the household and sib of the royal family, favored the weakening of the sibs, which were its political and economic competitors. Land was originally allotted to the sibs, although the central government later distributed land to individuals and families rather than sibs in order to increase the tax base and weaken the sibs. This and other kinds of fiscal measures succeeded in Egypt and Mesopotamia. But in China, the sib was supported by the ethical principles of filial piety and by the worship of sib ancestors. The central government could not destroy the sibs or appropriate their powers without undermining filial piety and ancestor worship, and the government itself depended on these ethical principles and religious beliefs for its own stability.

In towns and villages, the local government was often under the control of the sib elders. In periods of financial fluctuation, the sib became the only means of alleviating the economic distress and the tax burden of small households. The sib would oppose land buyers and speculators who sought to obtain its ancestral lands. In this struggle, the central government favored that side which would provide it with the greatest financial gain.

The sib was the only economic protection available to the small family. However, with its great power, the sib could be the greatest threat to its own members when sib elders misused their power in allocating property and economic advantages. An elder could appropriate property belonging to the sib which had only been placed under his control for distribution to its members. In this way, an elder could become a wealthy landlord and force his kin to become his tenant workers.

In China, as in Egypt and Mesopotamia, the foundation of the central government was in the need to control vast water resources. The hub of the Chinese government structure was the royal household and the sib of the emperor; however, unlike Egypt and Mesopotamia, the power of the other sibs had not been curbed, so the dominance of the central government was far from complete. Similarly, in India the sib remained strong and had a significant impact on economic institutions.

(D) India[4]

Although the sib was strong in India, the situation in India was in some respects more complex than that of China because of the existence of the Hindu "caste" system. The castes were status groups which were

endogamous, each caste having its own social rank, life style, and often its own occupations. The caste characteristics were assured by custom, law, and religious sanction.

The sibs and castes reinforced each other. Sibs were exogamous but this was limited by the endogamy of the castes, that is, a sib member was required to marry out of his sib, but only among members of his caste. This restriction increased the internal cohesion of the castes.

The social order of the Hindu religion was built on the hereditary charisma (or "clan charisma") of the sib. Hereditary charisma was an extraordinary quality which adhered primarily to the sib: the sib members did not have this quality as individuals, but only by virtue of their sib membership. The charismatic character of the sibs strengthened the structure of the caste system.

Weber described hereditary charisma as a routinized form of pure charisma: whereas pure charisma is an extraordinary quality of an individual which in some way makes him or her exceptional, hereditary charisma is

> The conception that charisma is a quality transmitted by heredity; thus that it is participated in by the kinsmen of the bearer, particularly his close relatives. ...
> In the case of hereditary charisma, recog-

> nition is no longer paid to the charismatic qualities of the individual, but to the legitimacy of the position he has acquired by hereditary succession. (ES 248)
>
> The classical case of the development of hereditary charisma is that of caste in India. All occupational qualifications, and in particular all qualifications for positions of authority and power, have there come to be regarded as strictly bound to the inheritance of charisma. (ES 253)

The caste was the prime determinant of permissible occupations; it gave strict limitations on occupational choice, although in certain castes wide variations were permitted. Religious law indicated that caste degradation could occur in the case of any group which changed its occupation or occupational techniques. The acceptance of a person on his own merits for an apprenticeship or as a trader in the market was impossible because of sib and caste restrictions. The growth of economic organizations could not occur in a rational manner because their development only took place along sib and caste lines. The influence of the hereditary charisma of the sib permeated all major political, economic, and religious institutions.

Through the hereditary charisma of the sib and the strict sib-based social ranking of the caste, development of all economically-rational commercial and industrial organizations was as severely limited in India

by the sib as it was in China. Any change in technology or commerce would have required either the degradation of old castes or the formation of new sub-castes; so changes were highly unlikely, and would occur slowly, if at all. As a practical matter, the workplace in India, like everywhere else, was declared ritually clean so that industrial and commercial activities could be conducted. But outside the actual site of work activities, the castes were expected to refrain from social intercourse for any reason. Moreover, there were some castes which were regarded as so degraded that they were not even allowed to participate in normal community workplaces and markets.

The guilds of India were contained within the castes since each occupation was ritually limited to a certain caste or caste grouping. The guilds played a role in the administration of cities similar to that which the guilds played in Chinese cities, but cooperation among the guilds in India was even more limited due to caste barriers.

Land was distributed on the basis of the caste system, namely, sib members were entitled to land according to the rank of the head of the sib and of the sib itself. This was especially true of those belonging to

a noble sib.

> One is not noble because one possesses land, but conversely one has an inherited right to a share in the land because one belongs to a noble clan. (GH 50)

(E) Ancient Israel[5]

In ancient Israel, as in India and China, the wealth of a sib in combination with its hereditary charisma determined its political and social power. A further similarity between Israel and the two great Asian societies was that the sib appeared to have originated partly as a military organization for the protection of its constituent families. The religion of the Jews, however, was vastly different from the religions of China and India: Judaism did not offer support to the sibs, instead, it threatened their existence. Judaism abolished as ethically untenable the principle of blood revenge which was an integral part of the sib's reason for existence. In the place of kinship brotherhood, Judaism instituted an ethical community of believers.

The original economic relationships, which were like those in China and India, changed from a pattern of ethical behavior to sib members and unscrupulousness toward and distrust of sib outsiders to a pattern of ethical behavior with all fellow believers. Thus in

China and India, kinship ties remained paramount which resulted in an economy bounded by sib-oriented particularism, while in Israel the ethical religious rationality of Judaism fostered a form of economic universalism which weakened the power of the sibs. However, universalistic ethical economic behavior was not extended to the non-believer, as it was among Protestant groups in Europe, so rational economic activity could not develop beyond the community of believers.

Although Judaism did not serve as a basis for rational economic activity in a universal framework, it did produce a hostility to magical beliefs which were in themselves a restraining influence on rational economic activity and a source of sib authority. This hostility, later, in Christianity, was to serve as a support for rational economic behavior.

Judaic law did not specify the need for ethical behavior with non-believers. Further, it did not allow Jews to participate with non-Jews in non-Jewish organizations and guilds. Although Jews were not permitted to work in non-Jewish organizations, they were allowed to have economic dealings with non-Jews.

Religious and political forces undermined the existence of most sibs so that the individual could

not call on them for economic support or for protection. Such support was provided by religious brotherhoods that replaced the sibs. (More will be said of this in the chapters on the political order and the religious order.)

The family in ancient Israel was patriarchal and, originally, the domestic authority of the head of the household was almost unlimited. Patriarchal authority was eventually restrained through the influence of the wealthy sibs. Initially, women were little more than property to be given by their fathers to their husbands, but wealthy sibs and families came to regard female members as more than saleable items to be traded for other property.

The legitimate contractual marriage protected the wife and her children by limiting the husband's power: he was required to give them a certain portion of his property and he could not divorce his legitimate wife without compensation. Moreover, all other women of the household who were not contractually protected wives did not have any right to the husband's property and their children could not be heirs to the husband's property or position. Landed property usually belonged to individual families within a sib, although in very ancient times land could only be transferred or sold

within a sib. Originally, daughters did not have the same right as sons to inherit property, but as daughters gained rights through the marriage contract, the levirate was created in order to avoid the possibility of dissipating the wealth of the individual families within a sib. This helped to maintain the power which the sibs were able to appropriate through their being sufficiently wealthy to equip their own soldiers for the army.

(F) Ancient Greece[6]

The nature of the family in Greece, according to Weber, was similar to that just described in ancient Israel. Originally, the family was absolutely patriarchal: the wife was little more than property and the children could be treated in any manner desired by the head of the household, as long as it was in accord with community conventions. Again, the power of the head of the household was modified by sibs seeking to protect their own female members. Laws regulating inheritance and legitimacy were formulated to protect the rights of the wife and her children, and to stabilize the distribution of wealth in the community.

An important aspect of inheritance was the ownership of land, since landowning not only indicated an individual's wealth but also his political status:

possession of land gave one the ability to equip oneself as a warrior and thus become a member of the warrior community. Only landed families and wealthy sibs were capable of equipping soldiers; and since only sons could be soldiers, if there were no sons to own land, the daughter was required to marry the nearest relative in the same male lineage (e.g., a cousin). However, if there were more than one heir to the land, the division of the land was confined to protect the family's wealth and to maintain the right to bear arms. It is important to note that although the sib could control land through its constituent families, it was the families that actually owned the land. Weber commented as follows on the relation of the sib to landed property:

> In Antiquity the clans were everywhere of much later origin than private property in land, as indicated by the fact that private ownership of land was limited usually by the pre-emptive rights of family rather than clan members. (SAC 195)

The sibs derived much of their power from controlling land and from properties obtained in war. Many people who were not wealthy or under the protection of a sib were forced for their own safety to seek a relationship with a wealthy sib or an aristocratic family, that is, they sought to become "clients" or

subjects of the sib or family elders. As clients, they still had their political status as free men. These clients added even more power to the kin groups that they joined because they became soldiers in time of war and laborers in time of peace. Aside from the clients, many of those who worked on the lands of the noble sibs and families were "debt slaves," in other words, peasants who had fallen into debt to wealthy families and who farmed the same land for the nobility that they had originally owned themselves.

Although trade did not represent a very large segment of the Greek economy, it had a significant impact. In very early times the Greek economy was, for the most part, a barter economy. Trade brought with it a money economy. This had the effect of creating a new stratum of wealthy families outside the older noble sibs and families whose wealth was mostly land. Some families became wealthy by pooling their resources to start trading enterprises. Other families transmitted as an inheritance the knowledge of techniques unknown to others and used the knowledge to produce rare and highly valued goods.

Trade increased the complexity of the social structure of the Greek cities. This meant that there were new interest groups which were at least somewhat

independent of the landed wealth of the noble sibs and families. Many Greek cities were composed of the following elements: (1) the wealthy classes -- the older wealthy sibs and families who derived their wealth and power from landowning, and the families of rich parvenus who were merchants and artisans; (2) the free poor classes -- the many free farmers who owned small areas of land, the unpropertied free men (mostly artisans and merchants) who were not clients of the wealthy families, the aristocrats who had lost their wealth, and the clients who, though technically free, were rarely able to leave their positions with the wealthy families; and (3) the unfree poor classes -- the debt slaves who were often tenant farmers for the wealthy. With the formation of so many classes, each with its own set of interests, the possiblity for conflict grew. (The resulting political struggles within the Greek cities will be discussed in the chapter on the political order.)

Apparently early Greek cities were usually ruled by a king and a council of sib elders. Unlike Mesopotamia, Egypt, and China, the royal oikoi in Greece did not develop out of the need to control waterways and irrigation. Instead, most of the oikoi were linked to the profits gained by the ruler from the ability to

control trade (especially, the monopolization of the sea trade), from political ventures (e.g., war, piracy, slave raids), and from economic ventures (e.g., slave workshops). The position of the king was inherited within a hereditary charismatic family lineage and the elders were the hereditary chiefs of the wealthy and powerful sibs. Since land was inherited through individual families within a sib, the head of the household of each wealthy family lineage in an aristocratic sib was a landed noble. The household of the ruler, that is, the royal oikos, and the manors of the nobles were the foundations of most factories and workshops. These factories and workshops, like those in other ancient civilizations, were extensions of the noble households with no legally separate existence in society. Since the workshops were based on slave labor, they could not perform much of the highly skilled work. This type of work was performed by formally free artisans. Slaves who developed specialized industrial skills were often permitted to become virtually the equivalent of free artisans (except for their legal status). Often, these skilled slaves were allowed to have families and their own semi-independent shops and households, with the requirement that they pay rent to their masters rather than serve in their households.

Unskilled slaves, who were used in farming and heavy work (e.g., mining), had no families or separate dwellings. This condition only changed when it became difficult to maintain a constant supply of slaves through warfare. The slave-owning families then allowed slaves to have families and to farm land as tenants. This technique enabled the wealthy families to cheaply maintain an adequate supply of manpower while fostering self-interest among the slaves.

(G) Rome[7]

Weber compared the existence of the sib in Greece to its existence in ancient Rome. In Rome:

> The clan (gens) here too was found only among the aristocracy (a long debated point), and here too there was nothing "primitive" about it. Rather it arose out of social differentiation, the process in which aristocrats came to possess cattle, precious metals, land, and slaves, and on the basis of this wealth developed a life style characterized by knightly manners and military training. There can be no doubt that here too clans were formed by accumulating property, stressing kinship, and the associated phenomena, and here too they developed first among the families of the ancient tribal chiefs, which had become castle lords as in Greece. (SAC 272)

The evidence indicated to Weber that the sib, in both Greece and Rome, developed through the extensive accumulation of land and property by the members of one family. The aristocratic sibs in early Rome were politically dominant. Their political power, which had

both military and economic roots, was extended by their economic usurpation of land, property, slaves, and the control of trade outside the city.

The divisions of the Roman population were determined by membership in the aristocratic sibs. Sib members were patricians and all others were plebeians. This did not mean that all the wealth was held by the patricians, for among the plebeians there were artisans and merchants who accumulated sizeable family fortunes. However, being a member of a noble sib entitled a person to hold political, military, and priestly offices. Even after the plebeians obtained the right to form their own sibs and gained, thereby, some of the patricians' privileges, the method of inheritance continued to differ between patricians and plebeians.

> The actual chain of causation was the same at Rome as elsewhere; it was not because they were plebeians that they had no clan, but rather it was because in earliest times they had not entered the circle of wealthy and powerful clans that they became plebeians. Then later, when a compromise settlement was reached between the orders, the plebeians gained the right to form clans and thereby entrance to the clan federation (curiae), to establish their own clientages, and to other clan institutions. Yet there continued to exist the ancient distinction, resting on feudal law, between two kinds of inheritance. The patrician inherited according to his clan rights (gente), the plebeian according to family rights (stirpe), and even in the Late Republic this opposition figured in the conflict between the patrician and plebeian Claudians over the estate of a freedman. (SAC 287)

In an early period of Roman history, the sib elders, acting as a military and political council, controlled and assigned land to the members of the community. It is probable that at least some sibs and families had rights to certain land allotments, although the land was not completely inheritable. Later, the noble sibs appropriated to themselves about a third of the land in the countryside surrounding the city, which became privately owned and directly inheritable without assignment.

The Roman sib and household were strongly patriarchal: the father's authority was closer to being absolute than in most other ancient civilizations. The strong patriarchalism of the family was modeled after that of the sib. The patriarchalism of the sib was originally intended to preserve the wealth of the constituent families of the sib under the single control of the head of the sib. However, the power of the head of the sib and of the heads of its families was modified later by legal action in a manner somewhat similar to the modification of the power of the father in Greece. Under the new inheritance laws, the daughters of noble families gained rights to inherit property, so the sibs restricted marriage between patricians and plebeians in order to preserve their wealth and power.

In Rome, and to a lesser extent in Greece, the noble sibs owned large areas of land in the country but lived in the city. The sibs were centered in Rome, rather than in the countryside, because a substantial amount of their income began to come from trading rather than from agriculture and because their political strength was tied to their joint action. But landowning still provided the foundation for the wealth of the sibs since the capital used in all other activities (very often, highly speculative activities) was continuously derived from the estates, that is, manorial households. Two phenomena are important to an understanding of the nature of the estates: clientage and slavery.

When a free individual had no sib to aid him or no land to give him economic security, he often turned to the noble estate owners, the elders and family heads of the sibs. If he was accepted (and with him, his family) by the elder of a sib, he became a client of that sib and the sib elder became his patron. Between a patron and his clients there existed a rule-governed personal relationship which required obligations on both sides. The patron was bound to provide economic aid and military and legal protection for his client. The client, on the other hand, was required to work for the patron (possibly on land leased to him by the

patron) and to serve as a soldier of the sib (which equipped him) in time of war.

Since most Roman sibs were not very large (Weber estimated the average size of a sib in the Roman Republic at thirty members with eight client families attached to each sib), the clients significantly increased the military power of the sibs. There were, however, some sibs and noble families of immense wealth and power, and these were able to take as "clients" entire cities or regions and to run them almost as if they were separate states and "represent" them in the Senate. Individual clients lost their legal status when they and their families joined the sib of a patron. This was not necessarily a loss of power, for some wealthy merchant and artisan families sought to be clients of powerful sibs in order to gain their military and legal support in speculative ventures.

Overseas trade, combined with tremendous overseas and inland expansion, had an effect in Rome similar to that caused by international trade in Greece. It produced a large new stratum of wealthy families outside of the aristocratic sibs. In fact, the ancient customs and enacted laws often precluded members of the old aristocratic sibs and families from anything but a secondary interest in business and industry. Trade

effectively changed the character of the nobility. Its bases changed from exclusively landed wealth to a combination of wealth from land, business, or trade, with power deriving from political offices. Weber described this occurrence as follows:

> The historical differentiation between plebeian and patrician was in any case becoming almost devoid of meaning in practical life as a new nobility developed, based on office-holding and wealth (nobiles and equites). (ES 1309)

The domination of Roman society by the noble sibs was further undermined by changes in the composition of the army. In early times, the main force of the army was composed of a knighthood made up of sib members and their clients. Gradually, the main force of the army was taken over by a more effective, larger body of highly disciplined heavy infantry ("hoplites") which was primarily composed of rural small landowners. Although the noble sibs still supplied the officer corps, they could no longer ignore the political power of the rural free yeomanry which made up the bulk of the army. Furthermore, with the rise of a hoplite army, clientage lost its political importance. All these changes had an influence on the legal status of the estates: while the estates were originally tied to military preparedness, they were now open to unrestricted sale to all those who had the financial resources to purchase them.

This meant that the land was divided, for the most part, between the two major wealthy classes: (1) the families of the noble sibs, who controlled land, slaves, and some investments in trade and business, and whose members held political offices; and (2) the bourgeois families, who owned businesses and workshops, and who used the wealth from these activities to buy land and slaves purely for speculation.

The massive numbers of slaves produced by Rome's conquests and the lack of any restriction on the sale and use of land ultimately reduced the economic importance of sib clientage. Both the families of the noble sibs and the bourgeois families bought slaves to work their land since slaves were plentiful and cheap. In addition, warfare caused a decline in the importance of the small rural landowners late in the Roman Republic as they were economically bled by the requirements of army conscription. Finally, the small landowners were politically weakened when the self-equipped citizen infantry was replaced by a state-equipped infantry of propertyless freemen. The result of these changes was that much of the land took the form of estates owned by the families of noble sibs and by wealthy bourgeois families. Moreover, these estates were worked by slaves.

By the end of the Republic, most estates were worked

almost exclusively by slaves. Generally slaves were not permitted to have families and were usually confined to barracks. The only exception to this was the slave overseer who was married, had his own residence, and was allowed to own a small amount of property.

However, as the period of expansion ended, the supply of slaves dropped so that the slave markets could no longer meet the continuing demand for slaves from the estates. Attempts were made to rear new slaves through slave breeding, but these were totally inadequate for the ever-increasing demand. Slaves, as long as they remained without family ties and without property, could not reproduce in sufficient numbers to keep the estates operating. Weber explained this situation as follows:

> Then, just as always, private property and nuclear family went hand in hand: slave marriage was accompanied by slave property. The overseer, and according to the manuals only the overseer, could own private property, his peculium.... But the great mass of slaves had no peculium, just as they had no monogamous relationship. Their sex life was a kind of supervised prostitution, with bonuses for the slave girls who reared children, some receiving their freedom if they reared three.
>
> Now this custom in itself suffices to indicate the situation that resulted from the lack of monogamous family life. Man thrives only in families, and so slaves condemned to live in barracks did not reproduce themselves. The barracks demanded constant replenishment; hence new slaves had to be continually purchased. (SAC 398)

The situation of the slaves confined to barracks

was slowly replaced by one in which each slave had a family, a small amount of personal property, and possibly, a separate residence. Eventually, the slave became a serf (i.e., an unfree tenant) of his master who now became a landlord. The tenant was required to work the master's land and to give either a portion of the crops or a portion of the money received from selling the crops to the master. Thus the serf was working to pay rent to the master and to feed his family. It was in his own interest to do an adequate job. At the same time, the coloni (i.e., the free tenants) of the master lost status because their work was not differentiated from that of the unfree tenants.

During the early Empire, the estates of the noble families had been able tc produce for the market. But without large numbers of slaves to farm the fields intensively, without coloni which could be used on the remaining land, and without improved agricultural techniques, the estates could no longer maintain the necessary production levels to feed themselves and provide for the market. The estates eventually ceased to produce for the market and began to concentrate on achieving self-sufficiency. Inland estates, because of their large size, became independent of the economic situation existing outside their area. The noble families and the families of wealthy merchants resettled during the late

Empire on their large, insular, inland estates. This movement magnified the decline which was already occurring in the economic importance of the cities. These rural estates became the center of medieval life in Europe.

(H) Medieval Europe[8]

The early medieval period was dominated by a rural landed aristocracy. Of course, as in any major historical situation, there were many exceptions; the most important being that of the urban aristocracy of the cities near the Mediterranean Sea which depended on commercial trade. However, in most cases the urban areas were controlled by the rural landed aristocracy despite the presence of a small urban aristocracy.

According to Weber, an important difference between ancient Greece and Rome and medieval Europe was that the vast majority of noble families in medieval Europe were rurally based in both wealth and residence. This aristocracy was primarily composed of families, for by this time the ties which held most sibs together had been undermined by religious and political events, such as the rise of an ethical religion which opposed the sibs, and concurrently, the vast movement and resettlement of people through military activities and colonization. Much of the trade and industry, which

depended on slavery, commercial estates, cities, and an expanding Empire, declined with the gradual collapse of the Roman Empire and the rise of self-sufficient estates.

The intensive agriculture of the inland estates and the small farms did not permit the widespread use of either serfs, coloni, or small landowning freemen as soldiers. In addition, the small landowning freemen did not have the wealth to equip themselves. Hence, the lords of the estates equipped a cavalry composed of paid professionals and maintained them by personal contractual relationships. These professionals stood above serfs, coloni, and freemen, for they were of the nobility -- they were knights, with a specific style of life and rights to position and prestige. In return for their military services, the knights received remuneration in the form of either grants (fiefs) or office positions (benefices) which were supported by rent-producing properties. Although there were many variations in Western Europe, a knight usually received a fief in the form of an estate. The ownership of the fief was not full ownership, since the knight could only keep it for as long as he was capable of supplying military services to the lord. The heir of the knight could only become the holder of the fief by proving his

qualifications for military service and by showing himself to be prepared to carry on the knightly style of life and obligations to the lord. As time passed, the family tie became crucial in that the right to a fief became completely hereditary in a single family lineage.

The large governmental structures and the cities declined with the fall of the Roman Empire. The Christian religions, the estates of the noble families, the towns (which were often parts of estates), and the small landowning peasantry were the important social phenomena remaining after the collapse of the Empire. The large medieval states which developed in the centuries following the fall of Rome were mostly rural and were led by patrimonial rulers. The ruler's domain was an extension of his household: this was a form of <u>patrimonial domination</u>, that is,

> ... that form of domination which developed on the basis of the oikos and therefore of differentiated patriarchal power.... (ES 1010)

The patrimonial ruler extended his power as a tribal chief or lord of an estate to become a political overlord, ruling many nobles and peasants beyond his own tribal or estate subjects. The patrimonial ruler faced opposition to his power from the local estate lords who were hereditary landlords themselves and thus had their own sources of power. This political

situation was economically important in medieval Europe because it greatly influenced the redevelopment of cities and the creation of large markets.

Although the ancient European cities had been communities of warrior sibs at their beginnings, the medieval cities were established by patrimonial rulers and estate lords in an attempt to profit from rents and from surpluses of goods. The surpluses of goods were produced as the agricultural techniques on the estates began to improve and the increasing rental income was due to the increasing level of production of finished products by the skilled serfs who then attempted to sell some of them in a market.

The medieval cities were thus contained within large patrimonial states and noble estates, instead of being independent city-states, much as the ancient cities were at the time of their founding. In ancient times, the city was very often a market contained within a fortress which was controlled by noble sibs or families. In the early medieval period, the landed noble families sought to avoid direct participation and membership in the cities. The source of the wealth and power of the noble families was in their rural holdings and they attempted to maintain at least a legal separation between their oikoi and the cities. Often they kept a

separate political status from the cities, only accepting the honorary position of "external citizen."

The lords of the estates used their serfs as small businessmen, merchants, and artisans in the cities. In return, the serfs were required to pay rent to their masters. The serf, if he were successful in his urban activity, could produce the wealth necessary to buy his freedom and that of his family. This had occurred in the ancient cities but to a much smaller extent than in the medieval cities.

> The Occidental city thus was already in Antiquity... a place where the ascent from bondage to freedom by means of monetary acquisition was possible. This is even more true for the medieval city, and especially for the medieval inland city. In contrast to all known urban development elsewhere, the burghers of the Occidental city engaged in status-conscious policies directed toward this goal. (ES 1238)

Moreover, the higher patrimonial rulers often supported the burghers in an attempt to weaken the power of the rural noble families.

In this way, a large number of free people arose in cities who were also citizens in that they belonged to a fraternal association of urban residents. This could not have happened in Asian cities because any association of residents would have been a competitor with the sibs and would have violated social and religious prohibitions against relationships with sib outsiders. Even

the ancient European cities were originally organized by the sibs, and all other associations within the cities were based on common descent and cult restrictions. Later in the ancient period, European cities began to break away from sib domination. On the other hand, medieval European cities were often free of sib and religious restrictions from the time of their founding.

In one sense, freedom from sib domination was dangerous because it also meant that one was without sib protection. The loss of the sib ties left the urban families without economic or political protection of a larger association. In order to regain some degree of security, heads of the urban families united in an association based solely on residence.

> In medieval Europe, especially in the central and northern European cities, ritual exclusiveness was never strong, and the sibs soon lost all importance as constituencies of the city. The city became a confederation of the <u>individual</u> burghers (heads of households), and the membership of the burghers in non-urban associations also lost all practical significance for the city commune itself. (ES 1243)

All industry in Antiquity began as domestic or house industry, whether the house was the small household or the oikos (i.e., manorial household or estate). As discussed earlier, many of the factories and workshops of ancient civilizations were little more than additions to existing oikoi. However, most of these

industrial production units were relatively small and did not produce for a large market. The lack of large markets in ancient Europe was due to the fact that a large segment of the population was unfree and most of the available wealth was held by the landed nobility. Conversely, in the medieval world there were many more free urban dwellers, and some of them began to accumulate wealth from their business enterprises which enabled them to buy products formerly reserved for the noble families. Also, improvements in agricultural technology increased the income of free and unfree tenant farmers, while their lords could not benefit as much because of limitations imposed by custom on their rent exploitation of tenants.

In the medieval cities, artisans residing in the community organized into guilds to protect themselves from outside competition and to regulate their own activities. The guilds struggled against the competition from the house industries of the noble estates and against the political domination of the cities by the noble families.

The guilds set up standards for production through which non-guild artisans were precluded from producing for the city market. There were guild-recognized masters (frequently these positions became hereditary)

in whose workshops an individual could be trained and actively produce for the market. All members of the community, other than the masters, were prohibited from working at home where production could not be supervised and controlled. The structure of the guilds usually favored the masters over other members, and these few often became merchants and employers of other guild members.

At the end of the medieval period, the guilds declined because of internal and external conflicts, and because of their difficulties with both importing raw materials and exporting finished products. However, the existence of the guilds had led to the creation of a new class of merchant-employers. Each merchant-employer used his capital and his knowledge of production and distribution to control the work of other artisans. First, he kept the artisans out of the market by keeping information about buyers from them. Second, he deprived the artisans of the opportunity to work on their own by providing the tools only at the time of production and, later, by centralizing the work through removing it from the artisans' homes to a workshop or factory which concentrated exclusively on production.

(I) Post-Medieval Europe[9]

The merchant-employers were the entrepreneurs who, unlike the estate lords, based their economic activities on grounds other than that of kinship. However, for the wage-earning urbanite, the situation was similar to serfdom.

> When this stage was reached the craft worker again had a master, in quite the same sense as the craftsman on an estate, except that in contrast with the latter he received a money wage and an entrepreneur producing for the market took the place of the aristocratic household. (GH 126)

The entrepreneurs took over the urban market and successfully competed with the manorial households.

The old patrimonial relationship between lord and serf had been regulated by custom and law for many centuries, but the relationship between the entrepreneur and his employees, and the relationship between entrepreneurs in business transactions, were only beginning to be established. The new business organizations required legal and accounting standards by which business activity could be conducted in the most economic manner. Kinship ties did not apply to the development of these organizations -- hence, the legal regulation of the conduct of businessmen was largely free of kinship restrictions.

At this time, in order to solve the problems of the structure of the business organization, of the separation of business activity from the personal activities of the entrepreneur and his employees, and of the regulation of business conduct, a legal "fiction" was created by which the business organization was recognized as a person under the law. In this way, a business organization could become a social entity which could hold property and have the right to inherit property outside of family lines. Although a business organization was legally entitled to become a person, its existence in law and in practice was similar to that of the family. The business organization had become a corporation, that is, by a legal fiction a business organization was able to become a surrogate family. Like a family or sib, it was not subject to the mortality of its individual members and could obtain, transfer, and inherit property.

The separation of economically productive activity from the household has two aspects: the physical separation and the social separation. Physical separation is simply the removal of the place of work from the small household or the manorial household and in itself is not as important as the social separation. The social

separation is a change in the way economic activity is conducted so as to create a separate set of laws and accounting practices for this activity. The social separation of economically productive activity from the household (and ultimately from the family) was crucial to the development of wholly rational economic enterprises. This separation was just as crucial for the nature of inheritance, since it became possible to have legitimate succession to economic rights outside of family inheritance. This separation was achieved to the greatest extent in Western Europe where corporations (including the state) became formally independent entities.

In ancient Europe, the natural economy (i.e., an economy based on barter or exchange-in-kind) predominated over the money economy, with some short-lived exceptions. In ancient Greece and Rome, during the short periods of time when the money economy was dominant, it had the effect of putting the family on a monetary accounting basis with regard to work performance and property ownership. This permitted the division of formerly indivisible property holdings, thereby, allowing the breakup of extended kinship groups. Some sibs and extended families were able to separate into nuclear families by the division of property.

At the same time, monetary accounting permitted the formation of business house communities. These house communities were economic enterprises through which related merchants and artisans could pool their resources in an attempt to amass greater wealth in a joint business venture. In the change to a money economy in the medieval and post-medieval period, house communities also developed in order to obtain the funds necessary for extensive economic enterprises. Moreover, joint business ventures, modeled on the fraternity of the house community, began to develop among unrelated entrepreneurs. Through these joint economic enterprises, entrepreneurs obtained funds for business operations in even highly speculative activities while limiting the monetary contribution and the legal liability of each entrepreneur.

Rational economic activity, the money economy, and the creation of legal economic enterprises outside of kinship ties for the express purpose of acquiring wealth, were the underlying conditions for the development of a rational exchange association, the formally free market. In an economy composed of autocephalous units, that is, where

> ... the chief and his staff are selected according to the autonomous order of the organization itself, not, as in the case of heterocephaly, that they are appointed by outsiders... (ES 50),

there are two basic types of economic systems: the household economy and the market economy. In the purely household economy, the units (i.e., households, lineages) are autocephalous but they are also heteronomous, namely, they follow the economic order of higher organizations (i.e., the sib, the oikos). They are therefore not free to seek the greatest profit from other units of the same organization, the sib or estate, but only from groups outside of it. The household of a sib member or of a serf of an estate exists in a special relationship with other households in the sib or oikos, and with the sib or oikos itself, and cannot violate the rules imposed by the sib or the oikos.

Conversely, in the completely free market economy, the units (e.g., households, economic enterprises) are autocephalous and autonomous, and are thus free to achieve the maximum economic gain in accord with their own self-interest. The personal ties, which are central to a household economy, have no place in a (theoretically universalistic) market economy based on totally impersonal exchange. The free market, in its most rational form, is completely oriented to the commodities being exchanged and to the acquisition of wealth. The only form of regulation in the most rational market economy would be by the state, or some organization

similar to it, which would maintain order among the units in the market and prevent appropriation of commodities by force or any other means besides the legitimate purchase of the commodities.

It might appear that the lords of the estates would have been opposed to a free market, since such a market is based on principles other than those which underlie the manorial household. The lords were only opposed to a limited urban free market when it was used by city associations to advance the political or economic rights of citizens over those of the lords (e.g., the city associations sometimes did not permit the market to become fully free by giving the urban guilds the right to monopolize the urban retail trade). Generally, the manorial lords wanted the monetary return provided by selling estate products in a free market. The lords received money by selling in the market the in-kind rent payments of his tenants or by having the tenants sell their products in the market and accepting only money rent payments from them.

There is a tendency for the household economy to limit the growth of a free market, and there is also an opposite tendency for a free market to dissolve a household economy. The creation of a strong free market,

combined with the willingness of the estate lords to participate for monetary gain in such a market, led to the slow conversion of the family-based estates into rational economic enterprises. From the late seventeenth century onward, the estates in much of Western Europe began to lose the political and feudal limitations which had restricted rational economic development. Under pressure from urban commercial interests, the estate land became transferable to those who were not members of noble families. At the same time, the duties required of estate lords were gradually eliminated and the unfree serfs became free (although their abject poverty meant that freedom was nothing more than a formal legal status) which provided a larger and less restricted labor force for the growing rational economic enterprises. In this development, estate lords often became indistinguishable from the entrepreneurs of rational economic enterprises in the way in which they conducted their business activities.

Along with the creation of rational economic enterprises, there occurred the development of new, highly rational means of administration: the <u>legal-rational bureaucracy</u>. Rational bureaucracy developed as an alternative to <u>patrimonial and feudal bureaucracy</u> (this

will be discussed further in chapter three on the political order). Rational bureaucracy establishes a fixed and unambiguous set of administrative and legal procedures that support the rational conduct of business, while patrimonial bureaucracy is unstandardized, erratic, and subject to administrative determinations made on a case-by-case basis. Patrimonial decisions are made in accord with personal and familial ties which would not be considered in purely legal-rational decisions.

Weber's description of rational bureaucracy as an ideal type shows the lack of consideration of personal factors which, theoretically, accompanies economic or political rationalization.

> Bureaucratization offers above all the optimum possibility for carrying through the principle of specializing administrative functions according to purely objective considerations.... "Objective" discharge of business primarily means a discharge of business according to calculable rules and "without regard for persons."
>
> "Without regard for persons," however, is also the watchword of the market and, in general, of all pursuit of naked economic interests. ... 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. (ES 975)

The obvious result of the existence of rational bureaucracies in political and economic institutions

is the formal elimination of familial and all other personal differentiation in regard to bureaucratic activities. In this administrative and legal universalism, no individual or group has a formal advantage over any other either in business activities, in the market, or "before the law." However, the formal elimination of differences does not mean that the actual elimination took place.

In the modern state, the worker, regardless of whether he or she is in production, administration, finance, or even science, has been separated from the material means through which he or she works. The means are held within a bureaucracy in which

> ... the disposition over these means is in the hands of that power whom the bureaucratic apparatus (of judges, officials, officers, supervisors, clerks and non-commissioned officers) directly obeys or to whom it is available in case of need. (ES 1394)

Thus, not only are bureaucracies open to use by those who head them (e.g., politicians, entrepreneurs) but also by any individual or group having sufficient wealth, power, prestige, or knowledge. Although a purely rational bureaucracy is, ideally, required to act "without regard to persons," in actuality, every bureaucracy is open to outside influence. In modern society, much of the wealth, power, prestige, and

knowledge is obtained without the direct influence of kinship ties. But kinship ties continue to play a powerful role indirectly in determining which people will be favored in the pursuit of wealth, power, prestige, and knowledge. The direct hereditary succession to influential positions has faded with the rise of rational bureaucracies, but hereditary appropriation of cultural goods (e.g., style of life, informal knowledge) and of material advantages remains the most powerful source of assistance in obtaining influential positions.

(J) Summary

In the earliest recorded period, the family embraced almost all economic activity. Only the neighborhood was truly independent. The family was central to the distribution of property and economic advantages. The control of the family's power to dispose of wealth was thus paramount for the development of independent economic institutions. This control was initially established through the regulation of marriage and descent.

* * *

In pharaonic Egypt and Mesopotamia, economic institutions existed as extensions of family activities.

Those families which accumulated sufficient wealth often established economic enterprises. But the enterprises had no separate legal standing in society and were intended to serve the purposes of family members, whether or not these purposes were economic in nature. In fact, no economic enterprise, including the economic activities of the government bureaucracy, had a separate existence from the family. Even the government and the army were mere extensions of the household of the royal family.

Since the family was the natural route of succession for almost all property ownership, laws and contractual agreements became the means to limit the purely arbitrary right of some family members, especially the male head of the household, to dispose of family property. The controls on the idiosyncratic allocation of family assets were supported by the wealthy families in order to protect the family wealth and to protect the rights and property of their members as they created their own households.

* * *

In China, most of the economic enterprises were extensions of the larger kinship units, the sibs. The great belief in ancestral spirits and in filial piety

sustained the sibs in the face of opposition from the government bureaucracy. Performance of religious obligations, while protecting the sibs, also impeded the development of rational economic enterprises.

Since there was a great mistrust of sib strangers, most economic organizations were limited to the members of a single sib. Moreover, this mistrust led to an emphasis on self-sufficiency, and the drive to make the individual families of the sibs self-sufficient was conducted with little regard to economic rationality or efficiency. The stress on family self-sufficiency doomed any attempt to create a rational market economy.

The only other major economic enterprises were run by the households of the emperor and the feudal lords. These enterprises had no legitimacy of their own. Their legitimacy came solely from the families that owned them. They were extensions of noble households and often in early China they were conducted primarily for household consumption rather than for the market.

The sib was the main economic and political protection for its constituent families. As long as the sib elders recognized their responsibility to their kin as more important than any economic gain they could obtain from their positions of power, the sib stood as

a buffer against external forces. But in those cases where the elders acted so as to enhance their own economic circumstances over their responsibility to their kin, the sib became an instrument of economic oppression, leaving most sib members as little more than tenant farmers or economically-enslaved artisans.

* * *

Many of the major economic enterprises in India were extensions of sibs or sib-based castes. The nature of occupational activities was intimately related to the hereditary charisma of the sibs. This meant that any purely economic rationalization might endanger the charisma of a sib, so economic and technological changes were strictly limited.

In China and India, the economic limitations of the close connection between economic enterprises and kinship groups were tempered by the practical designation of work places as ritually clean. This permitted business activities to go on despite the strong barriers between kinship groups. But this did not alter the economically non-rational principles under which business was conducted.

* * *

In Israel, the barrier between sibs was breached by ethical religious beliefs. Each believer was

expected to act ethically in all economic relationships with fellow believers. At the same time, the magical and cultic ties between sib members were negated by religious practices, opening the way to a further rationalization of economic activities. However, the rationalization of economic relations and activities was only permitted to proceed in accordance with religious principles and not along the lines of purely economic rationalization.

Before their decline, the sibs were partly responsible for the restriction of domestic authority. Women, who were once little more than property, received legal and economic rights through the intervention of the sibs. Sib elders sought to protect the family wealth and to protect female members marrying out of the sib by binding the prospective husband's family to a marriage contract. But the establishment of legal and economic rights for women brought new legal encumbrances upon them. The right of women to hold property meant that new provisions had to be created in the law to prevent the dissipation of sib property by each of its constituent families.

* * *

The women of Greece also received their legal recognition from the intervention of the sib elders. Again, restrictions were placed on women in order to avoid dissipation of the wealth of the individual families of the sib. Since sib wealth was passed through each of its families, as daughters gained inheritance rights, the sib elders feared the loss of wealth which would weaken the sib's ability to deploy soldiers.

The families of older wealthy sibs depended on land as their primary source of wealth. The head of each family in these sibs was a landed noble. Though these noble families often obtained wealth from business and trade ventures, these economic activities were not conducted as truly rational economic enterprises. The families were unwilling or politically unable to dominate economic activities beyond their immediate interests. Non-sib families became wealthy in the sectors of the economy which the sibs did not monopolize -- namely, goods from overseas trade and the knowledge created and controlled by artisans.

Slaves represented a source of wealth to the sibs. Conversely, they also represented a potential drain of wealth. Slaves were not self-reproducing and were costly to maintain. As long as they were plentiful

and had a low purchase price, they made a profit for their owners. When this was no longer the case, sib elders solved the problem by permitting slaves to establish families and separate households, thereby reducing the overhead of maintaining the slaves in the master's household. The rents paid by the slave families involved in farming or craft work became a significant source of the urban and landed income of the sibs.

* * *

The patrician sibs of Rome were much like their Greek counterparts, except that in Rome the rights of inheritance along sib lines were much more extensive. In order to preserve the wealth and military power of the sibs, the sib elders in Rome enacted laws which placed much of the landed property of the families of a sib under the sole control of the sib elder. However, the personal wealth of the individual patrician families which remained under their control was often quite substantial, and when daughters gained inheritance rights, marriage restrictions were created to preserve the family's assets.

The largest part of the wealth of the patrician sibs was in their land holdings. The income of the sibs came from the agricultural and industrial production

occurring on their estates, but the sibs were far from being entirely economic enterprises. The council of sib elders specifically precluded the sibs from participating in rational and systematic profit-making enterprises in an effort to preserve the political equality of the sibs and to maintain the customs of the patrician stratum. Since trade and business opportunities were expanding, and the sibs had excluded themselves from much of this, individual plebeian families reaped the profits of business operations which were outgrowths of their own households.

In many areas, agricultural work on Roman estates had to be labor intensive so as to be able to produce for the market. This required large numbers of slaves who, maintained in barracks, were non-reproducing. As in Greece, slaves eventually ceased to be cheap and plentiful. The Roman patrician family heads solved this problem the same way the Greeks had solved it: they permitted the slaves to have families, their own households, and some personal property. The slaves became legally unfree tenant workers doing either farming or craft work. The free tenants of the noble families lost their social rank because their position and duties were now the same as those of unfree workers.

The replacement of large slave barracks by unfree

tenant workers and their families reduced the agricultural production of the estates. With fewer hands to do the work, the estates ceased to produce for the market and sought only self-sufficiency.

* * *

By the early medieval period in Europe, most sibs had disappeared after gradually being shorn of their political, economic, and religious significance. The economy of inland Europe was based on the households of the noble families, that is, on the production of their estates. At this time the agricultural and industrial production of the estates was not a rational economic enterprise, but a self-sufficient, self-contained entity.

Whether the land was owned by a noble family or held as a grant (fief) by one noble family from another, the economic situation was the same. The entire economic structure of each estate was geared to support all the economic needs of the noble and peasant families which inhabited it and, in addition, to support the military, administrative, and status activities of the noble family that ruled the estate.

The noble families supported the formation of towns as market settlements in order to use the surplus of goods produced as a result of improvements in agri-

cultural and industrial technology. They viewed the market settlements as a means to increase their wealth and, in turn, their political power. Moreover, they saw the settlements as a means to rid the estate of the families of tenant workers no longer needed for production.

The cities which developed out of the market settlements were the only economic structures in early medieval Europe, other than the churches, which were not completely dominated by the noble estates and the growing patrimonial realms. A noble family simply did not have an administrative staff capable of managing all the complex economic activities of a city. Also, many estate serfs who were sent to the cities by their masters were able to buy freedom for themselves and their families. These newly freed families became part of a growing urban political constituency which owed allegiance only to its own immediate kin and to its place of residence and its neighbors. The patrimonial rulers saw the urban population as a potentially powerful ally against the noble families and prevented the nobles from imposing their will on the cities.

The urban propertied families began to organize into guilds (occupational associations) so as to regulate the commerce of the cities. Though the guilds did not

survive the medieval period, they provided the urbanites with administrative experience in city government and with a knowledge of non-familial economic enterprises.

As the guilds declined, the key economic position in city life was no longer the estate noble, rather, it was the entrepreneur. Since the cities were free of large kinship groups, kinship ties did not enter into the emerging economic relationships. Moreover, the stereotyped patrimonial relation between noble and serf could not be applied to the new economic reality. The lack of the "fetters" of kinship not only freed rational economic development, it also left the common worker and his family without a natural source of protection.

* * *

Nearing the end of the medieval period, factories and businesses were still mere extensions of the noble and bourgeois households, and all business property and relationships were part of the household. In the creation of a new relationship between an entrepreneur and his workers, it was necessary to establish a new framework for work activities. The noble household, with its stereotyped and particularistic relationships, was too confining for rational economic activities.

The return of the money economy in the medieval period gave a potential for greater flexibility to economic operations. Only an individual or a group with a large amount of money could take advantage of the new opportunities in profitable, but risky, ventures.

The new framework had to take into account both the changing nature of business activities and the development of new economic potentialities. The new framework was a legal fiction, an entity which existed on paper and which could own and inherit property. The legal fiction, the corporation, became an alternative to family business activities. It established the social position of the business within the community. It preserved the rights and advantages of those involved in business activity, just like a family. In addition, like a family, it was not subject to the limited mortality of any single member. The existence of the joint venture, in which family members pooled their assets to conduct business activities beyond the resources of any one of them alone, had become increasingly common since the rise of the money economy. But the corporate framework permitted the gathering of any related or unrelated citizens of the community for a specific economic purpose in which the rights and duties of each party to the business were clearly

delineated.

Although there had been corporate-like enterprises in earlier periods, they were neither widespread nor permanent. The corporation in Europe was an entirely separate creation, a legal entity which had an existence entirely dissociated from the private family lives of those involved in the business operations. The crucial element in this dissociation was not so much in the physical separation of business activities from the household, but in the social separation of the rules and practices of one from the other. Under a corporate framework, business activity could undergo purely economic rationalization.

The growing use of money, the increasing numbers of entrepreneurs, and the formulation of exclusively economic corporate entities undermined the household economy which depended to a large degree on personal ties and the use of non-monetary means of exchange. In its place developed the free market economy, in which the sole object was supposed to be the achievement of the greatest economic gain through the legitimate exchange of goods and services for money with any participant in the market.

The development of a somewhat free market situation meant to the noble families that they might be able to

increase the profitability of their estates. Wherever possible, the nobles attempted to alter the rules and practices of their estates to resemble the more profitable corporate enterprises of the entrepreneurs. When the nobles were unable to do so, they often attempted, with little success, to restrain the growth of the free market and of the corporations.

In the creation of a new framework for work activities, the characteristics of the customs and procedures of family-based businesses were called into question. Unlike the family, the corporation was consciously created with a specific economic purpose in mind. This legal fiction had none of the encumbrances of family values and relationships, which were entailed in family-based businesses. The administrative and legal procedures of the corporate bureaucratic structures were formulated on the basis of producing the greatest economic return and, most often, this meant the elimination of all ambiguous rules and customs and of all formal and obvious personal ties.

Ideally, wherever economic rationalization has progressed to its greatest degree, the rules and practices within the corporation begin to approach the principles of calculable rules and of actions "without regard to persons." However, this does not negate the

indirect influence of family ties on those who effectively control the corporate bureaucratic apparatus. The family is no longer the sole route to wealth, power, prestige, and knowledge, but the hereditary succession to rights, privileges, and a particular lifestyle still remains a potent alternative to the personal or corporate acquisition of these ends. Furthermore, the family remains a crucial part of the early experience of each person which may enhance or hinder his or her future success in the extra-familial world. The inherent conflict between the particularistic values of the family and the universalistic values of the rational corporate economy has abated only when one principle has been so submerged in the other that no conflict was possible -- otherwise, the kinship institutions and the economic institutions of every society are locked in an unresolvable conflict.

(K) Conclusion

In ancient and medieval times throughout complex non-primitive societies, the institutions of the kinship order provided the central framework for economic activities. For the most part, economic activities were extensions of familial relationships and activities, and had no legitimacy independent of kinship structures.

Although the goal of economic activities could be the same as that sought by autonomous economic institutions in the modern era, namely profit, the activities and their goals served the ultimate ends of family and sib ties. Moreover, the economic rationalization of these activities was often held to limits condoned by family and sib ties.

The family in these societies was the primary means for the creation, ownership, and transfer of property and economic advantages. In order to maintain their supremacy, the heads of wealthy and powerful families, oikoi, and sibs placed restraints on the idiosyncratic disposition of family property and economic advantages.

Economic rationalization could increase wherever the particularistic ties of the family and the sib were somehow removed from business practices. In Israel, this occurred when cultic barriers between sibs were weakened by religious beliefs which stressed the universalism of ethical economic practices among believers.

In Greece and Rome, economic rationalization occurred in the sectors of the economy not controlled and stereotyped by the powerful sibs. This was due to the lack of trust between the sibs. The continuous

effort of sib elders to maintain some level of political, economic, and status equality among the sibs precluded extensive sib involvement in many areas of trade and craft work. Since the sibs were not economically rational enterprises, they did not use their overwhelming economic and political power to stop other families from entering these types of businesses.

The noble families of medieval Europe sought greater profits from the surpluses of goods and people on their estates. They supported the development of cities which they were ill-equipped to administer. Since the families that gathered in the cities were usually without sib ties, there were no barriers to the formation of protective and occupational associations. These associations became the regulators of city commerce, and they successfully opposed any intrusion of the rural noble families into the economic administration of the city.

The business activities in medieval and post-medieval European cities were economically rational to an ever-increasing extent. But the familial framework of business activities was uneconomical, stereotyped by tradition and by particularistic relationships, and only permitted the gathering of kin in an enterprise.

The corporation was a legal fiction which establish-

ed the social position of a particular business activity as a separate entity within the community. Enterprises created through the framework of the corporation were formally freed from the values underlying family life and family relationships. Ideally, these corporate entities were not burdened with particularistic relationships, traditional and ambiguous rules, and inflexible family-based practices. However, the families of corporate partners and administrators often exercised an informal and indirect influence over corporate actions.

The family is no longer the sole route to wealth, power, prestige, and knowledge, but the hereditary succession to rights, advantages, and a distinct lifestyle remains a powerful alternative to personal or corporate acquisition of these ends. The family remains a crucial cultural element in the formation of an individual's life chances. Although corporate entities are formally independent of family values, family symbols continue to be used as a source of legitimacy for corporate practices. Moreover, the economic differences created by business success almost always lead to an attempt by those who are successful to retain this privilege for their descendants. This is

done through hereditary succession, if not to formal rights, at least to informal access to advantages.

The Economic Order and the Kinship Order

1- Sources for section (A) Introduction:
ES 248, 356-375, 668-669, 687-690
SAC 68-70, 74
GH 37, 38, 44, 48-51

2- Sources for section (B) Pharaonic Egypt and Mesopotamia:
SAC 44-46, 51-60, 65-66, 84-98, 105-106, 109-117, 131-132, 250-251
ES 1044-1047
GH 51, 58
C 88

3- Sources for section (C) Ancient China:
C 14-22, 26-27, 30-31, 34-39, 63, 66-72, 81-82, 85-96, 157-158, 236-237, 240-249
GH 50, 58, 111, 138
ES 579

4- Sources for section (D) India:
I 30-40, 49-54, 81, 102-112, 131
ES 248, 253, 932-934
GH 50, 102, 110-112

5- Sources for section (E) Ancient Israel:
AJ 25, 165, 185-187, 260, 264-265, 343-345, 386, 417
SAC 135-145
ES 614-617
GH 49-51

6- Sources for section (F) Ancient Greece:
SAC 44-46, 51-58, 64-66, 148-175, 184, 191, 195, 204-214, 264
ES 1282-1285, 1311-1312, 1340-1341

7- Sources for section (G) Rome:
SAC 261, 264-266, 269-300, 306-329, 358-359, 397-404, 408-409
ES 365, 1295, 1309, 1365-1367

8- Sources for section (H) Medieval Europe:
ES 1008-1020, 1031-1038, 1055-1059, 1068-1081, 1220-1226, 1236-1247, 1290-1291, 1331-1333
SAC 338-353, 359-365, 404-409
GH 101-132, 233-249
C 86

9- Sources for section (I) Post-Medieval Europe:
ES 50, 122-125, 225-226, 364-365, 375-383, 635-640, 705-720, 843-852, 941-946, 966-1000, 1081, 1220, 1331-1333
SAC 108-109, 148-149, 166, 168, 208-210, 227-228, 354-356
GH 72-94, 107-108, 126-133, 207-209
PE 21-22

CHAPTER III

THE POLITICAL ORDER AND THE KINSHIP ORDER

The political order is composed of institutions which are concerned with the threat and use of force. These institutions are defined by the means they use, since they could have an endless variety of declared ends. In the special case where the members of an organization successfully justify its monopolization of the legitimate use of force in a given area, Weber called such an organization a state.

(A) Introduction[1]

The household, in ancient times, was equipped to manage mundane social and economic activities, but in extraordinary circumstances (e.g., major harvests, environmental disasters, attacks by enemies) the lone family was often inadequate. In the face of such extraordinary occurrences, the family was dependent on larger groups for aid and protection. Throughout the world, these larger groups were usually the neighborhood, the sib, and the oikos.

The neighborhood association was based simply on the proximity of a number of households. Neighbors provided one another with aid during times of need:

> This mutual help is guided by the primeval popular ethic which is as unsentimental as it is universal: "Do unto others as you would have them do unto you." For everybody may get into a situation in which he needs the help of others. (ES 361)

Generally, the neighborhood association was a sporadic phenomenon in those areas which were most commonly peaceful. Under peaceful conditions, the family was usually predominant over its internal and external activities, except where these activities conflicted with the central activities of the sib or where family activities grossly violated the social conventions of the community. Where force was necessary to obtain and use economic resources, especially land, the neighborhood association became a more enduring source of social action. Where economic resources needed to be regulated, joint action of sib elders or formation of a neighborhood association often accomplished this. In fact, all political and economic phenomena which required unified action by more than one family or sib required the temporary creation of some type of association or the appointment of a leader for the duration of the unified activities. The two political institutions which developed where a need existed were the defense association and the office of the community chieftain. Sometimes only one

of these developed, sometimes both, and in areas free of political strife and of the need to regulate economic resources, neither one might be present.

(A-1) The Defense Association and the Community Chief

In ancient societies, the political order began in the family and sib, since the major source for the use of force legitimately recognized by the community originally pertained to the protection of one's kin and the duty to seek blood revenge for transgressions against one's kin. Legitimacy for the use of force by non-kinship territorial groups was usually the result of a threat to the whole community. Against such a threat, the families, the sibs, and the neighborhood associations would unite in a defense association which would exist for the duration of the threat. Such temporary defense associations have existed throughout the world.

Frequently, the threat would become a persistant condition and the defense association would become a permanent part of the community structure. In some cases, the defense association remained within the everyday activities of the families, the sibs, and the neighborhoods of a community. Where this was so, there might be little change in the kinship groups of a community. In other cases, the defense association

became a separate group with only tenuous attachments to the daily affairs of the community.

Where the defense association became detached from community life, the organizational requirements of a permanently operating association often led to alterations in daily family life. A common form of this type of defense association was the men's house, which exhibited some similarities to the monastic religious order. The individual warrior who was accepted for service in the men's house was called upon to commit himself to the association: on the one hand, he might not be permitted to marry until he reached a certain age when he would "retire" to family life or, on the other hand, he might be expected to spend long periods away from his family, leaving women and children to do all domestic work. The men who could not qualify physically or economically for service in the men's house were classified as "women," that is, they were as deprived of political rights as the women of the community. The warriors of the men's house lived on property confiscated in war and on economic resources obtained through some form of taxation on the households of the community. The sexual needs of the warriors were directed to women captured in war, women

who were purchased or stolen, and unmarried women of the community who could be forced into prostitution.

In a defense association detached from everyday community structures, there was commonly a lack of control over spontaneous violence and criminal acts. As a defense association became tied to a single territorial community, the free use of illegitimate violence was strictly curbed. Generally, this happened through the progressively greater participation of the warriors in the everyday activities of the community, and through the efforts of sib elders and family heads in the community to guarantee the safety of both kin and neighbors.

In areas of frequent conflict where community members were economically or politically indispensible, the men's house could not develop as a separate entity, so other means were found to fill permanent defense needs. Two common ways of organizing permanent defense associations were by using sib-based or sib-like military associations, or by using associations of self-equipped, self-supported warriors. The military association, based on or patterned after the sibs of the community, often became a foundation for political action -- some examples were the Greek phratries and the Roman curiae (both of which will be described later in

this chapter). Where the defense association was composed of self-supported warriors, it was necessary for each warrior to possess an adequate amount of land and other resources to equip himself for war. In many cases, the resources were enough to free the warrior from most mundane obligations. Sometimes, the resources provided ample reserves on which to develop an oikos.

Whether temporary or permanent, whether built on kinship or neighborhood structures, whether part of a community or divorced from it, the defense association was always the source of military discipline. Although the family was the ultimate source for loyalty and authority, military discipline was the direct precursor of all other forms of discipline, which were, in turn, the sources of bureaucracy. The importance of the most rational forms of discipline lay in the eventual devaluation of the importance of individualized conduct, at least in formal settings.

> The content of discipline is nothing but the consistently rationalized, methodically prepared and exact execution of the received order, in which all personal criticism is unconditionally suspended and the actor is unswervingly and exclusively set for carrying out the command. ...
>
> Discipline in general, like its most rational offspring, bureaucracy, is impersonal. Unfailingly neutral it places itself at the disposal of every power that claims its service and knows how to

> promote it. ... Discipline puts the drill for the sake of habitual routinized skill in place of heroic ecstasy, loyalty, spirited enthusiasm for a leader and personal devotion to him, the cult of honor, or the cultivation of personal fitness as an art. (ES 1149)

Throughout the ancient and medieval world, discipline was to play a major role in the destruction of family-based feudal domination.

As long as political and economic problems were neither large nor persistant, there was no need to form a permanent defense association or to appoint a community chief. In this situation, the only truly permanent authorities were the sib elders and the family heads. The important community decisions and the settlement of major disputes were made by the gathering of sib elders and family heads. Commonly, religious leaders and heroic warriors were also permitted to attend this gathering.

Where there was a need to regulate economic activities or to maintain preparations for war, the position of community chief was often created by the sib elders and family heads in order to carry out these specific duties. The community chief was usually chosen from among family heads who were magicians or heroic warriors. Apparently the frequent selection of someone who was not a sib elder avoided competition

among sibs and allegations of favoritism. The authority possessed by the community chief did not come from his high office, rather, it was an outgrowth of his personal qualities as a leader and advisor. Moreover, the chief could not exert his authority against any member of the community without the support of the sibs and the important families of the community.

(A-2) From Defense Association to Political Organization

As the defense association gradually became tied to everyday activities and structures of a single community, its original duties of external defense could be expanded to cover the maintenance of internal order. Once the private violence by members of the association had been controlled, the association leaders were able to gain the support of the sibs in order to regulate community activities. The sib-supported defense association thus became a political organization as it attempted to dominate, through threat of force, the activities of people living within a certain territory in regard to both economic and non-economic practices. The use of violence by the defense association was legitimized in two ways: first, with the support of the sibs, it was considered as an extension of the kinship right of revenging transgressions; and second, it served as a

recognized protection for the legitimate economic and religious interests of the community members.

> Thus the political community monopolizes the legitimate application of violence for its coercive apparatus and is gradually transformed into an institution for the protection of rights. In so doing it obtains a powerful and decisive support from all those groups which have a direct or indirect economic interest in the expansion of the market community, as well as from the religious authorities. (ES 908)

(A-3) From Oikos to Political Organization

An alternative, although not mutually exclusive, path to the development of a political organization was through the development of an oikos (e.g., manorial household, estate, plantation). This type of household was usually created where the head of a family group, through his political position, usurped wealth and power for himself and for the members of his household. Such an individual often held a position as the elder of a sib, as a personally charismatic warrior or religious leader, or as a community chief.

A common type of household organization known throughout much of the world was what Weber called the patriarchal household. This type of household was organized according to the principle that the head of the household was selected by a specific rule of inheritance. In a patriarchal household, the

master was obeyed because of the traditional belief in the respect for elders and because of the belief of family members that the master was acting in their interests. Since the master had no organization to enforce his orders, obedience ultimately depended on the willingness of family members to cooperate.

In the few small households where the master had an external political position of some kind, an internal differentiation could occur in the household due to increasing wealth and responsibility. Through his position, the master was able to appropriate land, slaves, war booty, and eventually to usurp some of the political rights of other community members. Often beginning from a few simple duties which he performed for the community, this master of a small household and his descendants gathered wealth and power at the expense of the entire community. The internal differentiation of the household, produced by the great influx of wealth, gradually created an expanded and decentralized structure in which it was no longer possible for the master to maintain direct personal control of his domain.

In the process of decentralization, the master used his kin to control his vast holdings. Weber described this movement, from the master's direct control

of his household to the use of surrogates selected from his kin to control it, as the movement from purely patriarchal domination to patrimonial domination.

> Patrimonial domination is thus a special case of patriarchal domination -- domestic authority decentralized through assignment of land and sometimes equipment to sons of the house or other dependents. (ES 1011)

With the continued growth of the household, the familial representatives of the master were gradually replaced by a larger administrative staff to coordinate and supervise the activities of all those who lived in the master's domain. Moreover, such large holdings had to be protected from external threats and internal disruptions, therefore a military force was established to serve the personal wishes of the master.

In the patriarchal household, the master was limited by the willingness of his kin to comply with his orders and by the sanctity of traditional practices. In the oikos, the master was served by a staff and an army that were his "personal instruments" for the exercise of authority. This rarely meant that the master of the oikos was as free of traditional limitations on his authority as he appeared to be. Since legal-rational structures did not exist, the continuous relationship between the master and his staff and army had to be a personal one based on a quasi-familial

arrangement. This relationship eventually came to be surrounded, first by expectations on both sides, and then by the sanctity of traditional practices. The result of this process was the manor, in which patrimonial relationships of a family-like character were standardized by tradition, and in which pure patriarchalism had almost disappeared.

> A strongly tradition-bound structure of domination arises, the manor (seigneurie), joining lord and manorial dependent with ties that cannot be dissolved unilaterally. (ES 1012)

Where the relationship between the master and his staff remained completely personal, Weber referred to it as pure patrimonialism or, simply, patrimonialism. But where the relationship became completely stereotyped in the form of a contractual agreement specifying rights and obligations of both the master and his staff, Weber called it estate-type patrimonialism or feudalism. In pure patrimonialism, the master personally maintained control of the means of administration and provided them to his staff. In fully developed estate-type patrimonialism, the contractual agreement between the master and his staff placed the means of administration in the personal control of the staff.

The staff, in estate-type patrimonialism, rep-

resented an alternative source of power to that of the master since it controlled the means of administration. Estate-type patrimonialism was always a restraining influence on the privilege of the master to exercise his authority over his staff and his domain. There are two forms of estate-type patrimonialism: the first is based on the appropriation of the right to exercise authority over a part of the master's domain (i.e., the fief), and the second is based on the appropriation of the right to revenues from property owned by the master (i.e., the benefice). Weber preferred to limit the use of the term feudalism to the former condition, while reserving the term prebendalism for the latter.

In ancient and medieval times, the oikos served a similar function for the small families of the community as was served by the sib and the defense association -- the oikos provided protection from external threats to households that were not equipped to defend themselves. But protection was gained at the price of giving allegiance and obedience to the family which ruled the oikos.

(A-4) Legitimizing Political Organizations

The domination of political organizations arising from sibs, neighborhood associations, defense associations, or oikoi was justified by one or more of three

bases for legitimacy. The traditional foundation for legitimacy justified domination by the sanctity of long-standing practices. This type of domination was most frequently based on family or family-like relationships, since these relationships were natural and very stable. With a purely rational foundation for legitimacy, dominantion was justified by belief in the sanctity of enacted rules and properly appointed officials. Those structures based on a charismatic foundation were linked by purely personal ties and inherently unstable, tending to slip inexorably toward a traditional or rational foundation.

According to Weber, in empirical reality no organization is ever justified exclusively on one foundation for legitimacy. One of the most common and most important deviations in the justification of structures of domination is in the use of family relationships as a source of imagery in addition to the justification derived from other sources of legitimacy. Such imagery can be seen in the description of the leader or king as the "father" of his people and, later, when impersonal structures developed, the country was portrayed as the "motherland," "fatherland," or "homeland," and the economic enterprise as the "corporate family." Even religious structures used

such imagery to support their claims to legitimacy -- the deity becomes an "all-embracing mother" or an "all-wise father," and religious officials and believers become fathers, mothers, brothers, sisters, etc. Family imagery was an attempt by political and religious groups to justify family-like obedience in both ancient and modern times.

> Just as patrimonialism has its genesis in the piety of the children of the house toward the patriarch's authority, so Confucianism bases the subordination of the officials to the ruler, of the lower to the higher-ranking officials, and particularly of the subjects to the officials and the ruler, on the cardinal virtue of filial piety. The typically Central and East European patrimonial notion of the "father of the country" (Landesvater) is similar, as is the role which filial piety plays as the foundation of all political virtues in strictly patriarchal Lutheranism, but Confucianism elaborated this complex of ideas much more consistently. (ES 1050)

(A-5) The Patrimonial State and the Oikos

One of the most common routes for the formation of a patrimonial state was through the elaboration of an oikos. The lord of an oikos may have been able to create a condition of political domination over areas and subjects not within his oikos. This type of domination, at least in the beginning, was not truly patrimonial. The lord did not have the means to directly suppress the disobedience of all of his political subjects and his power was thus circumscribed to the lines of

traditional patriarchal authority. He managed to make himself the master of a larger political realm only with the aid of the lords of surrounding oikoi. His relationship to these other lords was a patriarchal one, since he rarely had the military and economic power to compel all of them to obey.

The master, who was now a political ruler (prince), had two kinds of subjects: patrimonial subjects and political ones. The patrimonial subjects were residents of his own oikos and directly subordinate to his household. The political subjects were residents of other oikoi and subordinate to the local lord, who was, in turn, subordinate to the political overlord. With the passage of time, a prince who ruled patriarchally over his fellow lords might consolidate enough military or economic power to become a patrimonially-ruling king. If the ruler should succeed in amassing this kind of power, the difference between patrimonial subjects and political subjects might cease to exist.

Weber gave a comprehensive description of the patrimonial state and part of it will be repeated here due to its importance for our subsequent discussion.

> We shall speak of a <u>patrimonial state</u> when the prince organizes his political power over extrapatrimonial areas and political subjects -- which is not discretionary and not enforced by physical coercion -- just like the exercise of

> his patriarchal power. The majority of all great continental empires had a fairly strong patrimonial character until and even after the beginning of modern times.
>
> Originally patrimonial administration was adapted to the satisfaction of purely personal, primarily private household needs of the master. The establishment of a "political" domination, that is, of one master's domination over other masters who are not subject to his patriarchal power implies an affiliation of authority relations which differ only in degree and content, not in structure. ...
>
> In the patrimonial state the most fundamental obligation of the subjects is the material maintenance of the ruler, just as is the case in a patrimonial household; again the difference is only one of degree. (ES 1013-1014)

(A-6) The City

Before discussing the development of political institutions and their relationship to kinship institutions in different societies, it is necessary to turn from our main theme to explore the origin of the city as a form of social organization. The city will be important to any discussion of political and economic rights which are not exclusively based on kinship.

Since geographical, economic, political, and legal circumstances varied greatly in the formation of urban communities, Weber chose to define the city in three different ways -- economically, political-administratively, and legally:

> Accordingly, we shall speak of a "city" in the economic sense of the word only if the local population satisfies an economically significant part of its everyday requirements in the local market, and if a significant part of the products

> bought there were acquired or produced specifically for sale on the market by the local population or that of the immediate hinterland. A city, then, is always a market center. (ES 1213)
>
> ... The city must still to some extent be a partially autonomous organization, a "community" (Gemeinde) with special administrative and political institutions.
>
> The economic concept of the city previously discussed must, at any rate, be clearly differentiated from the political-administrative concept. Only in the latter sense may a special urban territory be associated with it. A locality can be thought of as a city in the political-administrative sense even though it could not claim this name in the economic sense. (ES 1220)
>
> Not every "city" in the economic sense, nor every garrison whose inhabitants had a special status in the political-administrative sense, has in the past constituted a "commune" (Gemeinde). The city-commune in the full meaning of the word appeared as a mass phenomenon only in the Occident. ... Elsewhere one finds nothing but rudiments. To develop into a city-commune, a settlement had to be of the nonagricultural-commercial type, at least to a relative extent, and to be equipped with the following features: 1. a fortification; 2. a market; 3. its own court of law and, at least in part, autonomous law; 4. an associational structure (Verbandscharakter) and, connected therewith, 5. at least partial autonomy and autocephaly, which includes administration by authorities in whose appointment the burghers could in some form participate. (ES 1226)

Cities, like villages, had their origin in families, sibs, and neighborhood associations; of the most ancient cities, Weber had little more to say. Generally, cities were created in three ways: economically, through the establishment of a permanent everyday marketplace; politically, through the formation of a

distinct political community encompassed by the oikos of a noble family; or through a combination of the market and the patrimonial oikos. Although purely economic or purely political cities have been created, the most common form of urban development has been one in which the oikos of a noble family co-existed with a permanent market. The major exception to this type of urban development, which was of great importance in the formation of large Greek cities and of Rome, was the synoikismos, or the gathering of sibs. Even though the synoikismos was imaginary in the case of some cities whose leaders claimed it had occurred, in other cities such a gathering appears to have actually happened. Just the claim of synoikismos was enough to serve as a justification for the formation of a city administration.

Some of the most important considerations for the political and economic development of a city are: the strata of those who made up the city defense association, the strata of those who conducted the bulk of the economic activities in the market, and the ways these groups were related.
Regardless of their varied origins, cities frequently became arenas for the complex struggles of political, economic, religious, status, and kinship groups.

(B) Ancient Mesopotamia[2]

The societies of Mesopotamia began as small city-states. Each city-state was ruled by a patrimonial ruler and his family, and each was defended by knightly warrior families. These small city-states were gradually absorbed into the growing patrimonial states of the Mesopotamian region. Each patrimonial state was a political dominion of the lord of a royal oikos: it was composed of his own patrimonial domains and of all the territories whose lords had sworn allegiance to him or which he had conquered.

The main sources of income for the "king" (i.e., the lord of the royal oikos) were his own estate, taxes, foreign trade, and war booty. The early political challenges to the authority of the king usually came from either the lords of the lesser oikoi or from the priestly sibs. The lords of the lesser oikoi had sworn allegiance to the king but might defy him if their own interests were involved. The king undermined the power of these lords by financing a staff and an army out of his own household income. The priestly sibs had the only major supplies of wealth which were not under royal control or subject to royal taxes. The king was unable to undermine the power of the hereditary priest-

hood since they often acted as representatives of the lower and middle strata of the society, and they were considered by the populace to be members of the temple household of the deity. Moreover, the priesthood was needed to sustain the legitimacy of the ruler.

The kings in each of the major Mesopotamian societies had to prove their legitimacy by having their rule endorsed by the gods. The route of confirmation by the gods was through the establishment, in a religious ritual, of a family-like relationship between the ruler and the gods. The king would be declared the son or other kin of a god, or he would be given the kingdom as a fief by the gods in the same manner as a patrimonial dependent receives a grant from the lord of an oikos in return for services.

The kings in early Mesopotamian societies gave fiefs to soldiers but, unlike the medieval European fiefdoms, these fiefs were relatively small and did not confer noble rank on the soldiers. In fact, a soldier was rarely considered as more than a patrimonial servant of the king. To serve the king as a soldier, a man was forced to give up his hereditary rights. When soldiers eventually gained the right to marry, the rulers were forced to change the configuration of the army. During

the time a soldier was separated from his family, the royal oikos was burdened with the responsibility of supporting his family. Many kings began to rely on mercenaries as first line troops, leaving regular soldiers at home in reserve. In this way, the kings avoided paying for the support of the regular soldiers' families while maintaining the ability to activate these soldiers in time of war to assist the mercenaries.

Although the first elements of a manorial system had developed in the later Mesopotamian societies, it was overwhelmed here, as it was in Egypt, by the growing power of the patrimonial bureaucracy. The secular noble families which developed in this late period were commonly a product of the decentralization of the royal oikos. These were the families of the highest ranking members of the patrimonial staff and army, who had received or usurped large fiefs, benefices, and hereditary feudal rights in return for their service and allegiance to the king.

(C) Pharaonic Egypt[3]

Although very ancient Egyptian records show the existence of independent fortresses, by 3000 B.C. the society was already becoming a unified patrimonial state under the rule of a royal oikos. In fact, Weber described the entire country as resembling a huge household:

> Patrimonial conditions have had an extraordinary impact as the basis of political structures. As we shall see, Egypt almost appears as a single tremendous oikos ruled patrimonially by the pharaoh. The Egyptian administration always retained characteristics of the oikos economy, and the Romans treated the country essentially like a huge Imperial domain. (ES 1013)

Before the royal oikos became completely dominant, there were independent local noble families with their own oikoi. These independent oikoi, for the most part, ceased to exist with the rise of the pharaohs of the Old Kingdom (ca. 3000 B.C.)

At first, the state was organized into feudal estates of noble families, but the need to regulate commerce, water usage, and agricultural production led to the administrative division of the country into "nomes" (i.e., provinces). The feudal families were gradually replaced by nomarch administrators drawn from the staff of the royal household. But by 2200 B.C., the highest administrative offices in the nomes were hereditary, thus producing a new type of feudal nobility. In the Middle Kingdom (ca. 2000 B.C.), the nomarchs became an entirely hereditary aristocracy holding extensive estates composed of clusters of villages and the land surrounding them. Even temple lands within the boundaries of a nome were managed by the nomarch.

The conquest of Egypt by the Hyksos and their

subsequent expulsion (ca. 1680-1580 B.C.) destroyed the power of the hereditary nomarch nobility. The administration run by the nomarchs was replaced with a staff of scribes who remained part of the royal household of the pharaohs. The only major estates in the New Kingdom which existed outside of the royal oikos were those of the temples.

Technically, the pharaohs of the New Kingdom had consolidated their power through the creation of a unified secular patrimonial bureaucracy which was answerable only to them. In reality, their weakness was greater during the later period of the New Kingdom (after 1200 B.C.) than in any earlier dynastic period. The priesthood had become a hereditary aristocracy with wealth and power equal to that of the pharaoh. At the same time, the priests educated the scribes of the pharaoh's household and many intermarriages occurred between priestly families and those of the high-ranking scribes. The pharaohs were faced with a powerful hereditary priesthood, on the one hand, and with a secular patrimonial bureaucracy with divided loyalties, on the other. The New Kingdom pharaohs had no powerful group, such as the feudal noble families in the Old Kingdom, with which to counterbalance the power of the hereditary priesthood.

> The entire bureaucratic system, royal as well as temple, was run by scribes, most of them serfs. It was not, as before, in the hands of the old hereditary nomarch aristocracy. The priestly class increased in number, importance, and exclusiveness. In the Old Kingdom the priesthood had only begun to be a separate profession, and in the Middle Kingdom it had become mainly hereditary. In the New Empire the priests were divided into tribes, and membership in the priestly estate (rather than office) was inherited by sons if they were fit.
>
> It is true, however, that the priestly tribes seem never to have been closed to recruits from outside. Marriage with members of other classes was also possible. Therefore one cannot speak of the priesthood as a caste. Nevertheless it developed into an estate with enormous influence, charged with educating the offspring of the administrative class, with which it was connected by many kin ties and by multiplication of offices.
>
> Every attempt of the pharaohs to free themselves from the power of the priests was thwarted, because the counterweight of independent secular feudal families had now nearly entirely vanished. (SAC 119-120)

There could have been another possible counterbalance to the power of the hereditary priesthood, namely, the sibs. But the sibs had been destroyed by the growth of the patrimonial bureaucracy. The Chinese sib was protected from the patrimonial bureaucracy of imperial China partly because of the domestic ancestor cult. However, the Egyptian sib apparently had no such protection from the patrimonial bureaucracy of the pharaoh because the domestic ancestor cult had been usurped by the priests in a cult of the dead.

One of the consequences of the destruction of the sibs was a higher degree of equality between men and

women than that which existed in societies where there were male-dominated sibs. There was also greater freedom of sexual contract where there were no sibs to regulate property ownership and inheritance.

Freedom of sexual contract in Egypt was unusually extensive compared to other ancient societies. Although the absense of sibs contributed to this, it was not the only reason. The source of this freedom, according to Weber, was the character of the Egyptian patrimonial state. Egypt simply approximated an elaboration of the political domain of a royal oikos; and anyone who was not a patrimonial subject of the pharaoh's household was his political subject. Both patrimonial and political subjects were held accountable to discharge their responsibilities to the royal household. Even though there were differences between the responsibilities of patrimonial and political subjects in the Old Kingdom, as time passed and the bureaucracy regulating the subjects grew, the differences became almost non-existent.

Neither patrimonial nor political subjects had political rights. Political rights usually came from membership in politically powerful associations, such as sibs and urban associations. But sibs were gone from Egypt. Egyptian cities were cities in the economic and

administrative senses, but were not so in the legal sense of being partly autonomous urban associations of residents. The patrimonial army was primarily composed of serfs and mercenaries who were paid out of the treasuries of the pharaoh's estates, and the general populace was totally disarmed. With no sibs, with no local urban associations, and with no citizen army, the subjects had few political rights. The lack of political power and political rights also meant in this case the lack of power to regulate sexual contracts.

Since women had an equal right to hold property and to inherit it, the women of wealthy families could have complete economic independence. Among the wealthier strata, the economic independence of both sexes created an almost absolute freedom of sexual contract. Even among the lower strata, freedom of sexual contract was common. The only limitations on marriages, other than the status barriers imposed by high strata families, were economic in nature. Such full freedom of marriage and divorce could influence the distribution of property. Therefore, where significant amounts of property were involved, a marriage contract was drawn up determining the distribution of all property within the household. Where no marriage agreement was used, each spouse kept

his or her own property with no claim upon or authority over the other partner, except that the husband had domestic authority over the couple's children.

(D) Imperial China[4]

Ancient China was a land of many small, often patrimonial, realms. Warfare was frequent and defense associations were formed by sibs and neighborhood associations. The defense associations were composed of foot soldiers who resided in men's houses. With the young men frequently away from their households, women and children were left to tend to most domestic needs.

During the Shang* dynasty (ca. 1523-1028 B.C.), in which the Shangs conquered much of north central China, the men's house was replaced by technically superior, highly trained knights who used horse-drawn chariots. The wealthy sibs were the source of both the knights

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* Weber did not mention the Shang dynasty by name. The historical and archaeological evidence of early China available at Weber's time was much less complete than the evidence available today. Therefore, he could not avoid describing the Shang as early Chou. Since Weber's description of historical events gives enough detail to distinguish the Shang from the Chou, the author has taken the liberty of correcting the dynastic references. These corrections do not alter Weber's conclusions or the thesis of this work.

and their expensive armaments, including the war chariots. The feudal states which composed the Shang empire were a product of local chieftains' sibs freeing themselves from participation in the men's house through the purchase of improved military equipment. The chieftains' sibs used their hereditary charisma and their greater military and economic resources to usurp control of the local territory.

> In China, as far as one can judge, political feudalism was not primarily connected with landlordism in the occidental sense. Both emerged from the "state organization of the gentes," as in India, when the chieftains' sibs escaped the ancient fetters of the bachelor house and its derivatives. The sib, which according to a documentary note originally furnished the war chariots, was basic to the ancient status structure. The actual political constitution was clearly delineated at the threshold of recorded history. It directly continued the primeval administrative structure common to all conquering empires including even the great nineteenth century Negro empires. (C 33)

Gentes - (def.) sibs

The Shang dynasty was eventually overthrown by the Chou (ca. 1027 B.C.) The feudal states which made up the Shang empire were taken over by the members of the sib of the Chou patrimonial emperors and by their allies. However, by the eighth century B.C., the strong control originally exercised by the Chou emperors had deteriorated to the point where the emperors received no more than formal recognition by the hereditary lords of the feudal states. The centuries which followed

were filled with repeated struggles for political and economic power by the feudal states.

(D-1) The Feudal States and the Sibs

During this period of struggle between the feudal states, the highest positions in each state were held by the members of the relatively few noble sibs and their allied warrior sibs. These sibs were in many cases the families and relatives of community chiefs and charismatic warriors. Hereditary charisma was vested in the sib rather than in the individual, and noble rank was a product of a sib's charisma. In other words, the personal charisma of leaders and warriors was inherited by their sib and, thereafter the rank of the sib members in the society depended largely on the hereditary charisma of their sib. To claim the right to a fief or a high position, a person almost always had to be a member of a noble sib. The wealth and political power of these noble sibs were intimately connected to their charisma, since their wealth and power bolstered their claims to great hereditary charisma and their hereditary charisma entitled them to claim more wealth and power.

> These "great families," as they appear in later inscriptions, were the charismatic sibs whose position was financed largely through political incomes and hereditary landed wealth. (C 35)

Before the feudal period and the replacement of the foot soldier by the knight, the ruler was forced to go before the elders of all the sibs in order to go to war because the army was based on the large numbers of infantry fielded by the sibs. The shift to knightly warfare meant a concentration of the political power in the hands of the elders of the noble sibs, which were the only sibs with the wealth to equip and train knights. The peasant warrior sibs, which had provided the bulk of the infantry, ceased to have a direct influence on high-level political activities.

Warfare occurred both between and within the feudal states. As patrimonial rulers made war on each other, feudal lords and vassals made war on each other and on their own rulers. Changes of allegiance by lords and vassals (who were also members of noble sibs) were very common and often they were made simply on the basis of which side appeared to be winning. The incessant wars between and within the feudal states forced the patrimonial rulers to establish rational economic and military procedures in order to consolidate their power. The literati, or scriptural scholars, carried out the rationalization of the administration in each feudal state.

The process of rationalizing the administration of the feudal states was slow, and was conducted against

the continuous opposition of the noble sibs. The rulers used taxation to raise patrimonial armies which were provisioned by them and answerable only to them. By uniting through agreements, the rulers undermined the power of their feudal lords, vassals, and noble sibs. However, the noble sibs were not deposed so easily -- they used their considerable military and economic power to secure high administrative positions for their members in the new bureaucratic structures. In many localities, the noble sibs continued to rule without much interference. Where they were not able to obtain high positions in a central administration, the elders of the sibs arranged marriages of political convenience with the new administrators. The attempt of the rulers to eliminate political administration conducted through the feudal lords was an attempt to replace one kind of estate patrimonialism, namely feudalism, with another kind, prebendalism, which was more amenable to the control of the rulers.

The process of replacing the feudal administration of each state with a prebendal administration began with the attempt of the rulers to replace the fiefs of the noble sibs with prebends (i.e., benefices). In a system of fiefs, the elders of the noble sibs controlled property in exchange for military and economic services to

the ruler. In a system of prebends, the nobles or officials received income, fees, or the right of land use in exchange for services to the ruler. To rid themselves of feudal property holders, the rulers and their literati placed educational requirements on office-holding. The principle of office qualification was to refer solely to educational attainments rather than to the rank of one's sib. Neither the change to prebendalism nor the use of educational requirements as a criterion for office-holding were to be achieved before the unification of the feudal states.

(D-2) Unification: the Sibs, the Literati, and the Patrimonial Bureaucracy

Centuries of warfare had diminished the number of feudal states to a few large states possessing some degree of rational administration. These states were conquered by the state of Ch'in. The officials of the other states were replaced by the Ch'in nobility and their allies, and the Ch'in bureaucracy was placed over the existing bureaucracies of the other states. The conquest was completed in the year 221 B.C.

The gradual shift from a feudal to a prebendal administration did not mean the end of an aristocracy composed of sibs. In the feudal system, the aristocracy had consisted of both wealthy sibs and sibs of

high hereditary charismatic rank. Conversely, under a prebendal system, the financial needs of the patrimonial state led the ruler to favor the sibs which could supply large amounts of money to the state. As the administrative system slowly changed, so did the aristocracy -- from an aggregate composed of wealthy sibs and highly charismatic sibs to one composed of the wealthy sibs and the literati who had become patrimonial bureaucrats.

In principle, the standards of the patrimonial officialdom, which were formulated by the emperor and the literati, precluded consideration of sib rank in the appointment of a person to office. In practice, sibs played a significant role in the selection of candidates for office. The burden of paying for the candidates' education fell to the sibs since few individuals could afford it. Only sibs possessing substantial wealth could provide financial aid for candidates. Moreover, the higher the post sought, the more examinations that a person had to take, hence, the greater the expense to the sib. Furthermore, high offices could be bought or procured in other ways by wealthy sibs. However, regardless of the great influence of the sibs, there were always a few individuals who succeeded in the examinations without the aid of a wealthy sib. The examination system was designed to weaken the power of

the noble sibs, but it only succeeded against noble sibs that were relatively poor.

Sib intervention to support candidates for examination resulted in a family-based administration, since it was the obligation of the successful candidate to repay his kin for his education. The repayment took the form of providing favors, preferential treatment, and other particularistic services outside the sphere of government conduct. These forms of repayment inhibited tendencies toward a more universalistic, rational bureaucracy.

The opposition of the sibs to the examination system, and their attempts to circumvent it, could not destroy its effectiveness as far as the emperor was concerned. The examination system fostered strong competition for relatively scarce administrative positions. The system also halted the practice of obtaining positions through the charisma of one's sib (notable exceptions to this were the members of the highest ranking noble sibs and the sib of the emperor). Moreover, the term of office in any one area for a patrimonial official was three years. The competition and the restricted term of office of the officials protected the patrimonial ruler from the possibility that these officials of his own household would become an independent hereditary feudal nobility with the power and cohesive-

ness to revolt against him.

The examination system and the scarcity of positions weakened the patrimonial officials in relation to both the great wealthy sibs and the poorer local sibs. In time of need, the officials were more likely to turn to their own sibs than to their fellow literati, who were not simply members of their scholarly status group but also their chief competitors. The lack of feudal powers and the short term of office put the officials at a disadvantage in dealing with the sibs of the district to which they were assigned.

According to Weber, the patrimonial bureaucracy which developed in China was fundamentally different from modern legal-rational bureaucracy. The patrimonial official gains his position from his personal, often family-like, relationship to the ruler and is committed to serve in his office as the ruler sees fit. The rational bureaucratic official, on the other hand, is formally committed to serving the "purpose of the office" itself. The formal duty of the official in a rational bureaucracy is devoted to the "impersonal and functional purposes" of the office and to him, "the office is a 'vocation.'" (ES 959) The office in a rational bureaucracy is delineated as to jurisdiction, position in the hierarchy, educational competence required, specialization, a system of specific rules, and the

separation of the official sphere of the office-holder's life from the private sphere. The office for the patrimonial official is rarely as clearly defined, especially in the areas of jurisdiction, rules, and the separation of the official sphere from the private areas of life.

In one sense, Egypt in the time of the New Kingdom was more of a "state" than imperial China. The Chinese emperors and their patrimonial bureaucracy never totally succeeded in usurping the legitimate use of force. The sibs, whether noble or common, retained their legitimate right to use force to avenge wrongs done to their members and to punish members for disobedience. The emperors and their patrimonial officials could not remove the sibs, for they were central to ancestor worship and to the Confucian ethic of filial piety.

Filial piety was a prime foundation for patrimonialism. However, as long as respect and obedience were not owed solely to the emperor, but to the sib elders as well, the political organization was incapable of stripping the sibs of their power. The emperor achieved legitimacy by usurping the image of an all-powerful father, but he could not monopolize that legitimacy as long as sib elders shared that image.

The patrimonial bureaucracy duplicated the personal

familial relationships idealized in the Confucian ethic of filial piety. The personal obedience and respect of the official to the emperor was an extension of the ethic of obedience and respect of family members to the head of the household and the elders of the sib. Confucianism specifically rejected professional expertise as uncultured, and the examination system did not test administrative or technical competence, but knowledge of the classics and moral conduct in accord with the Confucian ethics of filial piety and propriety.

(D-3) The Han Dynasty: The End of Feudalism and its Rebirth

Even though the patrimonial bureaucracy replaced many divisive and inefficient aspects of feudal administration, this process was slowed and in some cases reversed by political events. The Ch'in dynasty, in unifying the empire, pushed far beyond patrimonialism to a point where only the personal discretion of the emperor mattered. Although patrimonialism, as Weber defined the concept, is based on family and family-like relationships, it still has a strongly traditional element. If patrimonialism were to be pushed to the extreme, all traditionalism, including hereditary rights, would be ignored, leaving purely discretionary conduct -- a situation which Weber called <u>sultanism</u>.

At his own discretion, the Ch'in emperor disregarded tradition, hereditary rights, and educational achievement while summarily imposing drafts, high taxes, and instituting large government projects. By acting in this manner, he alienated the noble sibs, the peasant sibs, the patrimonial staff, and the patrimonial army all at the same time. These distinctly different elements of the populace revolted, simultaneously, ending the rule of the Ch'in dynasty after only fourteen years (221-207 B.C.) The main legacy of the Ch'in was that for the first time the empire was truly unified as a patrimonial realm and that the Ch'in emperors had partly succeeded in bringing down the feudal system.

The Han dynasty (202 B.C. - A.D. 220), which came to power after several years of civil war, kept most of of the Ch'in reforms. But one important reform was abandoned -- the patrimonial bureaucracy based on prebends was replaced at the higher levels by a restored feudal system. Within less than seventy years (ca. 154 B.C.), the princes of the feudal states were strong enough to revolt against the Han emperors. After suppressing the revolt, the Han emperors spent several decades instituting major administrative reforms. Immediately after the revolt, the feudal states were put under the direct supervision of patrimonial officials sent from the imperial court. Twenty years later, the

emperor weakened the feudal noble families by demanding that fiefs be divided among all male heirs. Soon after that, and against the strong opposition of the noble sibs, the emperor ordered the granting of high offices to men of less than noble birth. The literati, who already controlled the lower patrimonial ranks, managed to restrict most of the higher positions to men of their status group (ca. 124 B.C.) Again, the feudal system had been ousted by emperors who were endeavoring to increase their own control through the installation of a prebendal patrimonial bureaucratic structure.

In the time of the Han dynasty, the patrimonial bureaucracy became firmly entrenched in all activities of the central government. However, as in the past, the highest positions began to revert to hereditary feudal arrangements. The highest positions under the later period of Han rule were treated by the emperors and the noble sibs as fiefs. Even after these positions finally became prebendal patrimonial offices, the noble sibs continued to control them. Various noble sibs were to continue dominating these offices until the final collapse of imperial China in the twentieth century. Although the feudal noble sibs again rose in power under the Han emperors, the patrimonial bureau-

cracy remained prebendal in character. By the second century A.D., the feudal noble families were in control of the patrimonial bureaucracy and the army, and the Han emperor had been reduced to a figurehead.

(D-4) The Patrimonial Officials and the Sibs

The literati had taken over all but the highest ranks of the government, but their power was by no means absolute in dealing with the populace. The patrimonial officials had great difficulties in challenging the elders of even the common sibs, especially on matters pertaining to the sib's activities.

> No matter how many examinations the official had passed, he had to obey unconditionally the completely uneducated sib elder in the traditionally fixed affairs of the sib. (C 95)

On the one hand, the patrimonial official could not directly challenge a sib elder out of fear of violating the Confucian ethic of filial piety. On the other hand, all organizations in China, including the patrimonial bureaucracy, rested on family or family-like relationships, thereby preventing the complete rationalization of governmental structures.

Not only were the structures minimally rationalized, but all legal matters were shaped by inviolable traditions and personal ties -- thus creating jurisdictional problems for officials. Law was not the province of a

separate judicial body of the government nor were legal rulings collected in a rational code. In matters pertaining to the internal processes of the sib, the sib elders would judge infractions of sib members and order punishment to be given. Externally, the sib would exercise its right to take revenge for wrongs done to its members.

Beyond the wrongs involving sib members or wrongs against the sib, all legal activities were in the hands of the patrimonial officials, who acted as the personal representatives of the emperor. The officials acted as both administrators and judges for the areas to which they were assigned. The conduct of judicial proceedings was not rational since the officials had to take into account any ramifications of legal decisions in religious and family matters. The prestige and wealth of a sib influenced the findings of officials in most matters involving that sib.

(D-5) Cities, Villages, and the Sibs

Usually, urban areas in China were cities only in the economic sense of the term. There was a market and a fortress but no autonomous political-administrative structure. The only cities which had political facilities in early China were those that were the seats of power of feudal princes and their sibs. In later per-

iods, such cities were the courts of the patrimonial officials. Even when feudal lords or patrimonial officials were in residence in a city, that city was not truly self-governing since the residents had no political rights and, at least officially, had no influence over the administration of the city.

The political autonomy of the villages was almost always greater than that of the cities. There were several reasons for this. First, urban residents did not owe allegiance to their city, but rather, their allegiance was to their sibs, to their families, and to their ancestral homes. The sib was their source of aid and protection. Both the sib and the family maintained their tie to the ancestral spirits. Moreover, Confucian principles were permeated with prescriptions supporting family and sib ties over all others. Second, the urban residents who belonged to weak sibs or did not belong to any sib owed allegiance to occupational, rather than political, associations. Even though an occupational association might, in fact, have more power in a city than the patrimonial officials, it was not recognized by the officials as having any legitimacy in political matters. Third, a village had a political leader -- the village chief -- who was appointed by the sib elders.

Weber described the weaknesses of the cities as follows:

> In contrast to the Occident, the cities in China and throughout the Orient lack political autonomy. ... Revolts of the urban populace which forced the officials to flee into the citadel have always been the order of the day. But they always aimed at removing a concrete official or a concrete decree, especially a new tax, never at gaining a charter which might, at least in a relative way, guarantee the freedom of the city. This was hardly possible along occidental lines because the fetters of the sib were never shattered. The new citizen, above all the newly rich one, retained his relations to the native place of his sib, its ancestral land and temple. Hence all ritually and personally important relations with the native village were maintained. (C 13-14)

> As generally indicated above, the "city" was, therefore, never the "hometown" but typically "a place away from home" for the majority of its inhabitants. The alien character of the city was further sharpened by the above-mentioned absence of the organized self-government found in the village. (C 90)

Two major reasons for the weakness of the patrimonial administration beyond the walls of the cities were the strength of the common sibs and the political autonomy of the self-supported government of the villages. Beside the sibs, villages were also organized along the lines of the neighborhood associations. In each village, the central facility for political action of the sibs and the neighborhood associations was the "temple," which had little religious significance. The village temple served as a meeting hall, as a school,

and as a center for all activities which were not handled by the sibs (e.g., village defense, police, large construction, medical care). In the temple, the sib elders, the wealthy and important citizens, and the village literati would meet with the village chief to decide on actions affecting the entire village. The patrimonial bureaucracy intervened in village government when imperial interests were involved, but the officials were careful to avoid a confrontation with the sibs when intruding in the affairs of the village.

> The forces which the state had to take practically into account were the sib elders behind the village administration who might function as a sort of vehme* and, in conflict, might be dangerous. (C 94)
>
> *vehme- (def.) secret tribunal

(D-6) Patrimonialism in the Late Imperial Period

From the rise of the T'ang dynasty (ca. A.D. 618) to the fall of imperial China (A.D. 1912), the prebendal patrimonial bureaucracy served as the main instrument of governmental administration. At the same time, the patrimonial army deteriorated into a totally mercenary force and remained one for the rest of imperial history. The reason for the weak and mercenary nature of the army was the intense opposition of the literati, who both feared the army as a counterbalance to their power and

hated military activities as unseemly and a violation of the Confucian principle of propriety.

Threats to the patrimonial officialdom did not end with the eradication of feudalism or with the elimination of the non-mercenary patrimonial army. The emperors of several dynasties attempted to undermine the power of the literati. In every imperial attempt at sultanism, the emperors would seek the aid of commoners, who were looking for wealth and power, and of the palace eunuchs. The emperors did not fear the eunuchs for they could not sieze his throne.

The literati invariably won because the appearance of any internal discord, external threat, or natural disaster, would lead the emperor to call upon the literati out of fear that he would be overthrown for violating tradition. Any serious condition was viewed by the populace as Heavenly wrath and an emperor would immediately seek to restore the traditional form of administration, namely, that of the literati. Many emperors continued to employ eunuchs as a protection against usurpers and as a way to weaken, if only slightly, the great power of the literati. The struggle for power between the emperor and the literati was to go on through every dynasty until the end of the Manchu dynasty and the fall of imperial China.

(E) India[5]

Although the historical records were and are incomplete, the evidence led Weber to conclude that community defense associations based on the men's house were common throughout ancient India. In addition, the phenomena known to accompany the defense association included the separation of young men from their families, forced prostitution of captive and unmarried women, and the retirement of warriors to marriage and family life. A remnant of this period survived into relatively modern Indian history, namely, the principle that men who could not or would not participate in the army were considered "women" and were deprived of political rights just as women were.

(E-1) The Kshatriya Sibs

Between 1500 and 1200 B.C., Aryan tribes invaded the region which eventually became India. The Aryans were led by warrior chiefs and their sibs who defeated the local inhabitants and established castles from which they ruled. Beside his sib, each chief depended on a small military force of his own personal household, in other words, a small patrimonial army.

By the sixth century B.C., the caste system was assuming a set form. The caste system, as previously discussed, was a framework of social ranks which

were tied to the hereditary charisma of the sibs. The warrior sibs were organized into the Kshatriya (noble) caste groupings and their dharma (ritual duty) was warfare and political rule. The warrior sibs of the Kshatriyas apparently had many opportunities to carry out their dharma: India continually fluctuated from a collection of many small states to either several large patrimonial states or a single unified patrimonial state. In every case, the unified patrimonial state broke apart through invasion, internal revolt, or dissolution of the central authority of the patrimonial ruler.

For the most part, the warrior sibs of the Kshatriyas never became a primary source for the kind of feudal patrimonialism which occurred in medieval Europe. First, the criterion which permeated all relationships and social positions was that of hereditary charisma. Second, trust did not extend beyond the boundary of kinship. A patrimonial ruler of a small state commonly permitted only his own sib members to be enfeoffed (i.e., granted a fief). Third, enfeoffment was not in the form of feudal estates, but in the form of prebends. Fourth, the feudal army of knightly horsemen did not achieve the level of superiority to the patrimonial infantry in India that it did in early medieval Europe.

The status of the warrior sibs was based on hereditary charisma in India, rather than on feudal rights.

> As a rule, in India, in accordance with the universal principle of clan charisma, only sib and clan members of the ruling clan tended to be enfeoffed; the system was not based upon a personal relation of trust between sib strangers. In early times enfeoffment did not comprise seignorial* but only economic and personal rights of political origin. The Kshatriyas were royal sibs, not feudal landlords. (I 66)
>
> *seignorial- (def.) concerning a feudal domain

Although feudal patrimonialism occurred, prebendal patrimonialism was the common condition of the large patrimonial states. Feudal patrimonialism frequently came into being as the authority of the patrimonial ruler declined. Local noble sibs, during a period of patrimonial weakness, were able to usurp a greater degree of political control in areas surrounding their hereditary land.

(E-2) The Kshatriya Sibs and the Shudra Sibs

The patrimonial rulers of the Maurya dynasty (ca. 400 B.C.) were the first emperors to seriously attempt to undermine the sibs of the Kshatriyas. Their empire was large, encompassing much of the area now occupied by India and Pakistan. The warrior sibs had hereditary control over most of the offices in the many small states which were consolidated into the empire of the Mauryas.

The Maurya emperors, seeking to increase their political power, replaced the members of the warrior sibs in administrative posts. In this way, the emperors attempted to avoid the creation of a strongly feudal or prebendal patrimonial administration. This could be done by choosing non-warriors whose sibs had few rights to land or had no hereditary charisma or both. Of course, the replacement of the Kshatriya sibs only took place in those areas of the empire where the emperors had firm control.

In the highest political positions, the Maurya emperors replaced the Kshatriyas with the members of the sibs of the Brahmin (priestly) castes, in most other positions they replaced the Kshatriyas with members of the sibs of the Shudra castes. The Shudras were primarily composed of artisans, merchants, and domestic servants since Shudras had no hereditary right to own land.

Some of the sibs of the Shudras were employed as domestic servants in early historical periods. Later, many Shudra sib members became semi-independent artisans and merchants. As servants, they had performed most of the industrial activities and craft work in noble and priestly households. To reduce his financial burden,

the master of a noble or priestly household permitted the Shudra artisans and their families to leave the manorial household and work independently. In this way, the master was no longer concerned with the support of the artisan and his family. In return, the artisan who practiced his craft and sold his product in cities and villages paid the master a part of his income.

Other sibs of the Shudras had a different history. They began as parts of independent tribes which possessed the knowledge of certain crafts. Eventually, as they adopted Hinduism, the performance of these crafts became their dharma.

In principle, the castes were to maintain a ritually separate existence from each other. The Shudras were to keep distant from the Brahmins or the Kshatriyas. In practice, this could not occur in the work place. As a simple matter of practical necessity, the work place had to be left ritually unfettered. The sibs of the Shudras which remained pure in their distinctive hereditary charisma, that is, those that did not pursue unclean activities, could approach, converse with, and possibly, touch a member of a higher caste within the context of their occupational duties. Since their hereditary charisma was so low, nothing else was permissible.

By installing members of the Shudra sibs in positions formerly occupied by Kshatriyas, the Maurya emperors sought to circumvent potential opposition from those sibs which had the hereditary charisma and political rights to interfere with imperial activities. The sibs of the Shudras had little hereditary charisma and had no political power based on hereditary charismatic rank. The members of these sibs owed their political positions to the emperor alone, thus, creating a situation of pure patrimonialism.

The political power of the Maurya emperors was still limited by the sibs of the Brahmins, whose tremendous religious power extended into political affairs. In addition, the Kshatriyas remained in control of outlying districts. Despite this, the Maurya emperors had greater power than the previous Indian monarchs.

The empire of the Mauryas eventually suffered the same fate as many other Indian patrimonial states: royal authority was undermined by patrimonial officials, territory was usurped by local hereditary patrimonial officials and disgruntled warrior sibs, and smaller neighboring patrimonial states invaded, seeking wealth and land.

Later in Indian history, the emperors of the Gupta

dynasty (ca. A.D. 400), in creating a new unified patrimonial state, tried to destroy the power of the Kshatriya sibs by replacing them in political offices. Again, where feasible, the Gupta emperors replaced the Kshatriya sibs with Brahmins and Shudras. This time, however, the Kshatriya sibs were severely weakened in the areas under complete Gupta control because they suffered the loss of their hereditary political rights.

> Patrimonialism broke the old monopoly of offices by the knighthood. ...
>
> Surely the old Kshatriya caste had considered enfeoffment with political power its special monopoly. The caste was not able to retain its monopoly, however, and indeed it helped work the decomposition of the caste. The patrimonial state utilized as officials not only Brahmans but scribes of other castes. (I 74-75)

(E-3) The Sibs of the Rajputs

The old warrior sibs of the Kshatriyas never attained their former power after the rule of the Guptas. In many small patrimonial states that replaced the Gupta empire, the rulers would always counterbalance the Kshatriyas with Brahmins and Shudras as officials. During the rule of the Islamic emperors over many Indian states (from about the eleventh to the eighteenth century), the old sibs of the Kshatriyas practically disappeared.

The members of these old sibs had been as well

educated as the Brahmins. They had challenged Brahmin authority in both political and religious areas. In addition, the Kshatriyas had been strong supporters of heretical religions, such as Buddhism.

The warrior sibs that replaced the old Kshatriya sibs were the Rajputs. The Rajput sibs, unlike the old warrior sibs, were uneducated and deferred to the Brahmins in matters of religion and education. In fact, the Rajputs were not truly descendants of the older noble warrior sibs of the Kshatriyas.

The Rajputs came to power in a state in northwest India in the eighth century A.D. In their own state of Rajputana, the royal sib of the Rajputs was in itself a feudal nobility. The feudalism of Rajputana was not based on the personal contract between a lord and his vassals, but on the blood relationship of kin group members. The members of the sib of the ruler held the feudal positions in Rajputana. Many of the sibs of the Rajputs spread throughout the patrimonial states of India where they served as either mercenaries or self-equipped knights.

The Rajput sibs took advantage of the frequent upheavals in Indian society to improve their hereditary charisma. This was also done by other non-Indian warrior tribes, but the claims of members of the Rajput sibs

were, on the whole, much more successful. The result was that the originally non-noble Rajput sibs were able to claim membership in the Kshatriya caste.

> The social presige of self-equipped knights was always different from that of soldiers equipped by the king or a recruiting officer. However, the hiring of mercenaries from all sorts of half-barbarian tribes and the enfeoffment of the more deserving with land and prerogatives since the time of the Rajputs must have made status differences fluid.
>
> Similarly, the vascillation of social structure and political organization created a fluid situation. When the tendency toward feudalization was ascendant the king, as usual, made use of old distinguished secular or priestly nobles; when the tendency toward patrimonialism was ascendent the king appointed lower-class upstarts to positions of political power.
>
> The strength of the noble elements deriving from the ancient chieftainship and war-following among the present day Rajputs cannot be ascertained. Certainly it is not great. (I 72)

The chiefs of some Rajput sibs became the rulers of small patrimonial states throughout India. Some of these states were affiliated with the great patrimonial domains under Islamic rule. The Rajput sibs were not the source of the first major revolt against Islamic control. Many of the Rajput sibs were too deeply involved with the patrimonial army of the Islamic emperors to revolt against them. In addition, the loyalty of Rajput sib members was given only to their own kin, which meant there was no way to unite the Rajputs into an effective political force.

(E-4) The Maratha Patrimonial State

A peasant tribe, the Maratha, lived under the rule of the Islamic emperors near Bombay. The wealthy sibs of this tribe provided knights for the army of the Islamic state and, in return, were permitted feudal rights. In the seventeenth century, the Maratha successfully revolted against Islamic rule and established the last unified Hindu state before the British invasion.

Although the Islamic emperors had ruled India for centuries, most of the populace remained Hindu. In order to maintain their hold over the Hindus, the emperors allowed the Brahmins to continue their Hindu priestly functions. But since they did not trust the Brahmins, the emperors employed sibs of other castes in administrative positions in the patrimonial bureaucracy.

After the revolt, the Maratha developed a prebendal patrimonial state in which many administrative posts were again given to the Brahmins. In addition, military prebends were given to the heads of loyal warrior sibs. The Maratha emperors avoided the possibility of prebendal patrimonial officials undermining their rule by requiring that each official receive part of his prebendal income from districts other than the one in which he served.

In the time of the Maratha, administrative activities on the village level were frequently disrupted by jurisdictional disputes among the village chief, who had hereditary rights and obligations; the village Brahmins, who were the local scribes and accountants; and the patrimonial officials, who were from outside the village. Struggles especially occurred when the prebendal patrimonial officials attempted to obtain the "watan" land, which was a special plot of land belonging to the most charismatic sib of the village. In the early period of Maratha rule, it was considered a question of honor for a patrimonial official to hold the watan land of at least his home village. As the Maratha rulers sought to secure a greater tax yield from land, many of the wealthy families bought watan land as a refuge from the taxes. The watan land, being protected by the hereditary charisma of a high-ranking sib, was immune from all but the ritually-prescribed taxes.

Beside the charismatically-protected watan land, there were other land areas which were protected, but to a lesser degree. These lands, called "miras," also had charismatic protection derived from the hereditary charisma of the sib which had originally held them. Frequently, the records of village land holdings listed these lands as belonging to patrimonial officials, members of

noble and royal sibs, and urban merchants, none of whom lived in the village. These landowners could not work on their own land since it would have meant a violation of their dharma to do so. Instead, they employed local peasants to work the land. Loss of wealth among such landholding notables often meant ritual degradation since they were forced into agricultural work in violation of their dharma.

(E-5) Cities, Villages, Guilds, and Sibs

Indian villages, like Chinese villages, often had greater political autonomy than the large cities. Many of the villages had village chiefs and councils composed of sib elders and of the elders of notable local families. The village chief did not hold a position which was completely hereditary through his own family lineage. Instead, it was tied to the charisma of his sib, that is, if the members of the chief's lineage were unqualified to succeed him, a new chief would be chosen from the old chief's sib by the council. In fact, all political positions were tied to the charisma of the sib.

The "panchayat," or council, of the village was organized along the same lines as the panchayat of the caste. Both were primarily composed of sib elders of

the sibs belonging to the village or caste. The village panchayat, like the village temple in China, was concerned with the local political issues of the village that were not handled by individual sibs. The major issues confronting the caste panchayat were religious ones, especially the maintenance of ritual purity. Many of the matters coming before the caste panchayat concerned sexual and marriage offenses, such as adultery, sexual misconduct, and intermarriage between members of different castes or sub-castes.

The Indian city was an economic center and possibly an administrative center, much like its Chinese counterpart. Also, like the Chinese city, it was rarely self-governing. There was no political commune of urban citizens and the sib-based castes impeded the development of one. The urban residents were more profoundly influenced by the heretical religiosities, Buddhism and Jainism, than were the rural populace. Hence, there was a great degree of pacifism among urban dwellers and the concomitant absense of urban defense associations. Moreover, ritualistic caste barriers blocked the formation of almost all non-sib organizations. The political disunity and pacifism left Indian cities peculiarly open to rule by a king or noble, his sib, and his patrimonial staff and army.

In cities where trade and craft work were important, guilds became a major source of financial support for the patrimonial ruler. Guilds were possible in spite of caste barriers due to the fact that the work place was ritually unfettered. Moreover, as in China, there were urban residents who belonged to a weak sib or had no sib affiliation and therefore lacked the aid and protection provided by a sib. In some trading centers, the great wealth of the guilds made them so powerful that the guild elders were treated as equals by the patrimonial officials and by the elders of the noble and priestly sibs. In some cases, the guild elders became the political representatives of the urban residents to the patrimonial officials.

The guilds surpassed the castes in economic power within the cities. But the castes were politically superior in the long run since the caste organization had the support of its constituent sibs in enforcing religious compliance. The sib elders of the caste panchayat could depend on the military, economic, religious, and police powers of their sibs to enforce their rulings on caste members. The guilds had little more than economic sanctions, which were no match for the sib-based caste sanctions.

The ruler, with a patrimonial army at his command, could be restrained in his political pursuits by guild elders, who could deprive him of the financial resources to pay his army. Thus the ruler naturally supported caste efforts to destroy the political and economic power of the guilds. Further, the sibs of the Brahmins supported the lower castes against the guilds. The financial power of the guilds not only deprived the ruler of the funds to pay the army, but also deprived him of the funds to pay his household staff, that is, the patrimonial officials, many of whom were Brahmins. The defeat and eventual destruction of many guilds left the cities with no independent foundation for political organization.

The legal system was administered in a fragmentary manner by the sibs, the sib-based castes, the priests, the patrimonial officials, and, wherever they were active, the guilds. The position and rights of an individual depended on the hereditary charisma of his sib and, through it, his caste rank. Political rights did not exist for the individual as an individual or as an urban resident. The strongest legal sanctions for most of the populace remained those of the sib and the caste. Failure to perform one's dharma correctly could mean sib and caste expulsion, and the concomitant loss

of both social and political rights.

(F) Ancient Israel[6]

After the return from the Egyptian exile (ca. 1400-1200 B.C.), the Israelites do not appear to have been completely nomadic. Depending on geographical and meteorological factors, the mode of life of the Israelites ranged from settled village households to semi-nomadic tents. An early Israelite city was nothing more than a market protected by a fortress. Indeed, major walled cities along the coast, ruled by various sea-going societies, pre-date the Israelites in this region.

(F-1) The Early Period: the Sib and the Chief

According to Weber, no matter how the Israelites lived, they were dominated by hereditary charismatic warrior sibs. The position of community chief was partly charismatic and partly hereditary through a sib lineage. This meant that the oldest male heir in the family lineage of the chief would inherit his position, except where the heir proved to be unfit; in that case, the position would go to another senior member of the same sib.

If an exceptional individual was recognized for

his extraordinary abilities, his personal charisma would become transformed through succession into hereditary charisma and would descend upon the elder of the sib to become part of the sib's permanent hereditary charisma. Although at this time wealth was not necessary to establish the hereditary charisma of a sib, it provided a support for claims by sib members that their sib possessed a high degree of hereditary charisma.

The community chief in these early times ruled patriarchally. He had no patrimonial staff and army to enforce his rulings. The power in the community was in the hands of the elders of the sibs, and the chief ruled primarily through persuasion and example.

Although the hereditary charisma of the sibs remained important, as larger cities were formed, landownership became an alternative means for sibs in obtaining political rights. Eventually, as the character of warfare changed, the wealth of a sib became more important than hereditary charismatic rank. The reason is that it became very expensive to equip and train men for war. The sibs with the greatest land wealth could place the largest number of fully equipped sib members and tenant farmers on the battlefield.

(F-2) Patrimonial Kings and Warrior Sibs

Before the time of the monarchy (ca. 1100 B.C.), the hereditary charismatic princes who ruled the larger cities often ruled in a patriarchal manner. They had little or no patrimonial staff and depended on the family heads of their own sibs and on the elders of the other wealthy warrior sibs to carry out political activities. But there were cases where "pure" charismatic warrior chiefs usurped power in a city through the use of a small patrimonial force and thereby were able to rule independently of sib elders. Moreover, such warrior chiefs were sometimes able to continue to rule by fostering disputes between the warrior sibs, thus neutralizing their opposition.

Long before the existence of the kingdom, a confederacy was formed for military action during times of war. The confederacy was built upon the contractual agreements between the warrior sibs that constituted the tribal associations. The tribal associations were linked in the confederacy only in times of war, and only then because of their common interests and religious beliefs. The confederacy lacked a separate political organization and a common basis for citizenship. Warrior sibs of peasants and charismatic warrior chiefs gained importance in the early confederacy only to be

replaced later, as warfare changed, by wealthy warrior sibs and by the patrimonial kings. With the rule of the kings, the confederacy attained a permanent structure and became a political organization.

The urban-dwelling elders of the wealthy warrior sibs dominated the rural areas politically and militarily since they commanded the most effective fighting force in the countryside. The wealth of these warrior sibs came mostly from land rents and they maintained economic domination over the countryside through their ownership of large areas. Many of the farm workers were slaves, serfs (i.e., those who work for the landowner), or coloni (i.e., those who pay rent to the landowner) of the sibs.

The peasants, who either belonged to a poor sib or to no sib at all, lost all political rights after the decline of the peasant army. As the army was eliminated, many of the peasant sibs disappeared. The lack of sib protection for the free peasantry provided opportunities for elders of the wealthy sibs to drive peasants into debt slavery, reducing them to serfs or ccloni of the wealthy sibs.

The first patrimonial king, Saul, ruled through the power of his own sib, other sibs of his tribe, and his small patrimonial army. Most of the important

positions in his government were given to the elders of wealthy sibs. King David created a much larger patrimonial staff and army, but he still relied on his own sib and on other sibs who had sworn allegiance to him. David attempted to act independently of the wealthy sibs of Jerusalem and filled many posts with members of his own patrimonial staff, some of whom were foreigners and others not of noble birth. This situation continued under Solomon, but under the later kings, the elders of the sibs again took over all of the high positions.

Even under the most powerful kings, much of the economic and military power remained in the hands of the sib elders; and a king who lacked a large personal following disregarded them at great risk.

> The transition between princehood and city kingship was actually quite fluid. For, throughout Israelite antiquity, even for the mightiest kings, the great land-owning sibs and their elders as a rule remained an element not to be permanently ignored. (AJ 19)

(F-3) The Post-Exilic Period: Wealthy and Priestly Sibs

Rule in the cities alternated between the kings and the wealthy sibs, but the countryside was completely controlled by the sibs. The conquest of the nation by Babylon and the subsequent exile (ca. 586-536 B.C.) of

the upper strata of the population, brought about major changes in the organization and functions of the wealthy sibs. Part of these changes were due to political circumstances and part due to the growing power of the priestly sibs.

The Persians, after defeating the Babylonians, permitted the exiles to return home but without the right to rule themselves. Although the wealthy sibs and their elders again took over their former positions with most of their former rights, the sibs were not permitted to field a private army.

The hereditary priestly sibs, whose pre-exilic conflicts prevented them from exploiting their charismatic religious power for political ends, centralized religious practice after the return. The priestly sibs now had the support of the Persians, who used the priests as a means to control the populace.

The pre-exilic attempt of the priesthood to strengthen religious activities had stripped the non-priestly sibs of much of their power outside the political sphere. They had eliminated ancestor worship and the separate cultic meals of the non-priestly sibs. They also had restricted the right of revenge to the deity and thereby undermined the sib right to exact

blood vengeance. The Persians, in post-exilic times, continued the process. They stripped the sibs of their political and military powers.

Except for the wealthy and priestly sibs, most other sibs lost their importance and went out of existence soon after the return from exile. The priesthood and the Persians had eliminated their reasons for existing; and the exile, itself, had dispersed their membership over wide areas. In their absence, the wealthy and priestly sibs assumed control over all but political matters. The wealthiest secular sibs however, having little purpose in remaining together, eventually disintegrated in the ensuing centuries into separate wealthy noble families. More will be said of the priestly sibs in the chapter on the religious order.

(G) Ancient Greece[7]

Before the formation of cities (ca. 1500-1100 B.C.), the Greeks lived in clusters of unfortified villages and, in times of trouble, the residents of neighboring villages would rally to a fortified strong point (acropolis) which was usually situated on high ground. Weber argued that, although the exact political relationships in these communities are not fully understood, it is quite clear that the villages were ruled by warrior

sibs. The political structure of the cluster of villages began at the lowest level with the elders and members of the warrior sibs. Several warrior sibs made up a military brotherhood, the phratry. Several phratries made up the political association, the tribe, and several tribes usually made up the whole political community. The leadership at all levels of the political community was composed of the elders of the warrior sibs.

The formation of a city (polis; plural, poleis) was considered by the Greeks to be a product of a real or imagined act of synoikismos, that is, a voluntary gathering of the sibs and their constituent families. The belief in a synoikismos justified actions by the whole community or by those who claimed to be acting for the community. Politically, the structure of the city in the early period was about the same as that of the cluster of villages which had existed previously. The city was composed of several tribal associations (phylae) which were in turn composed of sib-based military associations (phratries). Apparently, in some of the early cities, the phratries were almost independent of the phylae, but this was almost always replaced by a structure in which the

phratries were part of the phylae.

The cultic activities of the sibs prevented a large amount of inter-sib community activities. Before a polis could be formed, it was necessary to have some form of political organization which served in some way to restrict the ritual separation inherent in a sib-based community. The phylae and the phratries were founded on family and family-like relationships. The phylae and the phratries were patterned after the sibs in that each phyle and phratry possessed its own cultic meals, rituals, meetings, and its own deity. The idea that the community itself was a synoikismos justified all later cooperative activities.

> The truly fundamental element in the formation of a polis, however, was always thought to be the fraternization of the sibs into a cult community: the replacement of the prytaneia* of individual families by a common prytaneion of the city in which the prytans took their communal meals. ... The confraternity of Antiquity signified much more: the very foundation of a new local commensal** and cultic community, for there was no common church, as in the Middle Ages, of which everyone was already a member before the formation of the city fraternity. (ES 1286)

> It was still true in Antiquity that the religious ceremonies of the gens*** were as inaccessible to non-members as was the Chinese ancestor cult. On the other hand, already for

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* prytaneion- (def.) meeting hall

** commensal- (def.) dining together

*** gens- (def.) sib

> the ancient polis it was (according to the Hellenic tradition) one component of the (real or fictitious) act of "housing together" (synoikismos) that the individual prytaneia of the communities joining in the establishment of the city, the localities of their cultic meals, were replaced by a common city prytaneion. This was originally an indispensable feature of the city which symbolized the commensality of the urban clans in the wake of their confraternization. Nevertheless, officially the ancient city at first continued to be organized in sibs and superordinate groups which often rested (at least fictionally) on common descent and formed strictly exclusive cult associations. Membership was purely personal (i.e., not territorial or occupational). It was the belief of the ancient townsmen... that their cities had originated as freely-willed associations and confederations of groups which were partly of a clan character and partly... of a military character.... For this reason the cities of Antiquity were religiously exclusive not only toward the outside, but also internally against everyone who did not belong to one of the confederated sibs -- that is, against the plebeians, and for this reason they remained compartmentalized into initially very exclusive cult associations. (ES 1242)

Thus the poleis were religious associations justified by synoikismos and patterned after the communal cultic activities of the families and sibs. For the most part, the political associations of the poleis were to retain their religious character throughout their history as independent entities. But, later, in many poleis, the close relationships between the sibs and the phylae and phratries were to be broken. This

was to occur wherever the army changed in character from knightly warriors to disciplined heavy infantry (hoplites).

The early Greek cities (ca. 1100-800 B.C.) were often little more than market places, each of which was protected by an acropolis. The city kings, who were as weak as the earlier village chiefs, were patriarchal rulers, not patrimonial ones. Having no personal staff or army, the kings were forced to depend on the elders of the warrior sibs. Each king had to rely on his abilities to persuade the sib elders, on the respect of the warriors for the hereditary charisma of his own sib, and on the support of the members of his own royal sib.

Both wealth and hereditary charisma were necessary to establish the noble status of a sib, but in early times hereditary charisma was the more important factor. With the rise of knightly warfare, landed wealth became the main criterion for noble rank. The noble sibs were those which had the resources to support, equip, train, and field knightly warriors.

In order to maintain the wealth required to field knights, a common but by no means universal technique was to make the sib itself the owner of certain plots

of land and of ships. In this case, the sib, not the individual member, was granted via inheritance valuable pieces of property and sources of wealth in order to prevent the dissipation of property through marriage. The concept of group inheritance did not exist for the poorer, non-warrior sibs and families. Whatever property they held was held on a purely familial basis. Even among the wealthy, the inheritance of property through the sib was limited due to the exemption of the personal property of individual wealthy families and to the ability of many wealthy families to retain control over familial assets.

> Thus both separate and group inheritance are mentioned in the Homeric epics; see the homosipuoi of Charondas, equivalent to the homogalaktes of Attic law. The description of the house of Priam is well known. (SAC 148)

The nobility of the polis, since it was now based on land and trade wealth, was open to wealthy outsiders. Landed sibs which did not belong to a polis could move to a polis and become members. In addition, those families of the polis which became wealthy, often through trade, were able to enter the nobility of warrior knights. The only requirement of the new members was that they maintain the style of life of the urban knightly sibs.

The Greek kings never attained the strength of Mesopotamian or Egyptian monarchs because the need for

large and coordinated government irrigation projects did not exist. Without such centralizing governmental activities, there was no impetus to develop a large patrimonial staff. Even though some kings provided household funds for small patrimonial armies of mercenaries, the bulk of the army was not paid out of the kings' households. The army was primarily composed of landed warrior sibs who shared in the profits of all military ventures. Moreover, as the kings' mercenaries became wealthy from military expeditions, they also became independent self-equipped warriors. The kings in many Greek cities eventually were reduced to the level of sib elders who possessed some special privileges.

Due to the technical and economic problems of maintaining inland trade, no Greek polis before the time of Alexander the Great (ca. 335 B.C.) was more than one day's travel from the coast. The inland kings were the last to develop personal fortunes, and their wealth was far less than that of the rulers of coastal cities. This was true despite the fact that the inland cities were usually only half a day's travel from the coast. The inland kings consequently had smaller patrimonial armies, if they had them at all. These kings were also the first to lose political power to the elders of the

warrior sibs; and the inland poleis were the first to be ruled directly by councils of sib elders. The inland kings were often permitted to keep their positions but they were nothing more than figureheads.

Much of Weber's discussion of the Greek poleis, reflecting the extant state of knowledge of ancient Greece, centered on two cities, Sparta and Athens. These cities, of course, played an important role in the development of ancient Greece. Politically, they differed greatly. Although no other Greek cities had the identical political structure as either of these cities, many of the cities more closely resembled Athens than they did Sparta.

(G-1) Sparta: Political Structure and Kinship

Technically, the sib army of knightly warriors in Sparta was replaced by a more disciplined body of self-equipped hoplites (ca. 600 B.C.) The changes in military technique, particularly the emphasis on discipline and coordinated action, led to the end of the knightly style of individual combat. Individual combat, charioteering, and cavalry became secondary to disciplined infantry. While political rank had been based on membership in a warrior sib, under the new military system of disciplined hoplites, rank was now based on

participation in military training. The shift from warrior sib membership to participation in military education was so thorough that non-noble children could be considered for a military position and political rights. Illegitimate children and the children of serfs, if they showed promise as neophyte soldiers, might earn their freedom and, eventually, become citizens.

The warrior sibs were composed of urban landowning families, some of whose members were economically expendable for training and combat. The hoplite system permitted the replacement of sib ties by territorial ones as the basis for entry into the army, even though the hoplites were drawn, for the most part, from the same landowning families which had been the backbone of the sib knightly army. The major change was that territorial residence and loyalties began to replace sib loyalty.

Each hoplite soldier was an urban-dwelling, feudal lord who had title to a rural estate which supplied him with the means to maintain him and his family, and to equip him for the army. The serfs (helots) who worked the land had families and personal property, and paid a government-established rent to the absentee lord.

The requirements of military training precluded the possibility of the hoplite being able to move out of the polis to his estate. If he were to be absent for any length of time from the polis he would have lost the right to bear arms and thereby his political and economic rights. The land, though controlled by the hoplite, was a feudal possession in that it could not be divided or sold without the permission of the state. Of course, this was related to the economic potential of the land to support the hoplite's military duties. The limitations on land led to strict control of the number of children allowed to be raised in each hoplite family.

> In any case the legal prohibition on division of the kleros must have had the practical effect of forcing the choice of a principle heir, and it must also have encouraged the maintenance of extended families. It led, at least in Sparta, to limitation on the number of children reared and even gave rise to polyandry-- that is, shared possession of a woman, hardly 'a survival of very ancient conditions,' as Eduard Meyer thinks. (SAC 166)

The hoplite army structure had similarities to the men's house defense association from which it apparently developed. The phratry, as just one of a number of cultic communities within the polis, rose

in status to replace the communal activities of the sib and to compete with the activities of the family. The men were required to have communal meals with their fellow soldiers, and were kept away from home for daily periods of training, leaving the women in control of most household activities.

> In this case the men's absence frequently establishes the household as a "maternal grouping" in which children and property are attributed to the maternal household, or the woman achieves at least a relative domestic independence, as it is reported for Sparta. (ES 371)

The cultic community of the phratry was not a full men's house, for the hoplites still maintained a home life with their wives and children.

The phratries, which were originally sib-based, were reorganized on the basis of territory with the creation of the hoplite army. The three sib-based phylae became five territorial phylae. The political structure during the time of the knightly army was led by two hereditary kings; the "ephors" (overseers), representing each phyle; and the "gerousia" (the council of the sib elders). Later, the kings were reduced to the status of highly privileged sib elders in peace time and served as leaders only in time of war. The ephors, who had been nothing more than the representatives of the sibs in the sib-controlled phylae, became the predominant administrators of Sparta through the support they gained from the reconstituted territorial

phylae. With their new power base, the ephors were independent of the sib elders in the gerousia with whom they shared power.

In an effort to preserve the unity of the hoplite army, the ephors rigidly restricted the hereditary ownership of the land reserved for hoplite soldiers so as to establish economic equality among hoplites. Each hoplite had been given a certain amount of land to be worked by serfs; and he could neither sell nor divide this land, nor could he buy other types of land. Moreover, hoplites were also forbidden to work in commerce and industry, or to employ anyone who did. Although Sparta expanded through annexation and conquest, the hoplites could not acquire any of the new land on their own account. A hoplite could only pass along his allotted land to his son, if the son was militarily qualified. The allotted warrior land plots could not be increased in size or in number, except by the order of the ephors.

However, warrior land plots could decrease in number, and did so during the three centuries following the creation of the hoplite army (ca. 600-300 B.C.) Some hoplites lost wealth due to personal reasons and therefore ceased to be hoplites. The main reason for the loss of warrior plots was the simple fact that

women had gained the right to inherit land and to buy and sell it. Either by being the sole heir to hoplite land or by purchasing alienable land (including forfeited hoplite plots) with accumulated wealth, individual women were able over the intervening centuries to amass so much landed wealth that only several hundred of the citizen hoplites remained out of an original total of eight thousand.

The victory of Sparta over Athens in the Peloponnesian War (431-404 B.C.) was disastrous to the hoplite system of Sparta. The full use of a money economy in Sparta would have ended the economic equality among hoplites and thereby their social equality as well. The Spartan ephors, recognizing this, attempted to preserve the natural economy despite opportunities for wealth to both the state and the hoplite families which would have come from increased trade. The victory in the Peloponesian War meant a large increase in the monetary obligations of the Spartan state; obligations which could not be paid for in a natural economy. The money economy which was eventually instituted by the ephors to repay these obligations opened the way for hoplite families to indulge in commerce and land speculation. The result was the

creation of a small monied class of noble families and the end of the natural economy in all areas of life. An example of the increasingly monetary character of daily life was the fact that only after the Peloponnesian War did wills become common for transferring family wealth; before this, wills served merely to reaffirm the continuation of family traditions and obligations or to legalize adoptions.

The existence of the money economy in Sparta led to the end of the communal activities of the phratry. The several hundred remaining hoplites no longer ate together or trained on a daily basis. Many families who had originally held full citizenship, lost it through the loss of their landed wealth. The remaining hoplite families possessed most of the land and trading wealth, and almost all political rights.

During the two centuries following the Peloponnesian War, repeated calls were made by former hoplite families for reforms in the division of land and the debt laws. The expansion of the Spartan empire had been partly responsible for the disenfranchising of the former hoplite families. The empire faded due to the victories of Thebes (ca. 370 B.C.) and Macedonia (ca. 359-335 B.C.) Only then were the kings, with the

support of the disenfranchised hoplite families, able to redistribute the land, cancel debts, and re-establish an army based on discipline. At the same time, the kings abolished the ephorate and the council of sib elders, which had both come to represent smaller and smaller numbers of wealthy hoplite families. The reforms produced a restoration of the previously disenfranchised hoplite families, and restored to each the land rents which were the original source of support for the hoplite army. These reforms failed in their purpose with the defeat of Sparta by Macedonia at Sellasia (ca. 222 B.C.)

(G-2) Athens: Political Structure and Kinship

Early Athens (ca. 700-600 B.C.) was, like most other Greek cities, organized on the basis of warrior sibs. The male members of the landowning families made up the body of the warrior sibs and phratries. Each phratry was composed of several warrior sibs, and each phyle was composed of several phratries. The phylae together made up the political community. In time of war, the army was divided into the same units: sibs, phratries, and phylae. Only family heads who were members of a warrior sib were entitled to the full rights of citizenship.

Although legends surround the disappearance of kingship in Athens, it is obvious that it disappeared early. Hereditary kingship was primarily patriarchal as it was in most other Greek cities. The king was replaced by a small group of officials, the "archons," who were the elders of some of the most important sibs.

> We ... may note now that the specifically urban constitution of Antiquity under the domination of honoratiores* from the militarily qualified sibs always represented -- and most pronouncedly so in its most typical examples -- a transformation of the power of the city king on the one hand, and of that of the sib elders on the other. (ES 1250)
>
> * honoratiores- (def.) notables

Also, there was a larger legislative body, the "Areopagus," which was composed of sib elders who previously had been officials, but this assembly did not have as much power as the archons.

The wealthiest warrior sibs fielded knightly cavalry. Only members of these noble warrior sibs could become archons and priests. Members of sibs possessing less wealth but still able to field hoplites were not accorded full citizenship. They were citizens but they could not become archons or priests.

Changing techniques of warfare led, as in Sparta,

to an emphasis on large groups of disciplined hoplite infantry and the relegation of cavalry to a minor role. This led to an increase in the number of full citizens since all sibs were able to field hoplites. In addition, improvements in the market facilities for agricultural products created a situation in which non-sib landowning families obtained the wealth to support hoplites. These non-sib landowners were recognized in the Code of Draco (621 B.C.) as full citizens due to their ability to arm themselves for hoplite duties. For the first time, any landowner of Athens or surrounding Attica who could equip himself for military service was allowed to do so, and thus the monopoly of the wealthiest sibs on citizenship was broken.

Even with the increase in the number of families possessing full citizenship through their participation in the hoplite army, the number of citizens remained relatively small compared to the total population of the polis and its surrounding countryside. The arms, other equipment, and training of a hoplite were still far too expensive for most city-dwelling artisans and merchants, and -- of course -- for the peasantry, many of whom were in debt slavery to the wealthy sibs.

The peasantry, which made up the majority of the population, often needed loans to operate their farms since farming was a very precarious occupation on the plains of Attica. When these farmers were unable to repay the money which had been borrowed from the large landowning families, their land was confiscated and they became tenant farmers on what had been their own land. Even the farmers who avoided debt slavery rarely became prosperous.

Although artisans and merchants, whose wealth was steadily increasing through trade, were not permitted to become full citizens at the time of the Draconian Code, by the time of Solon (ca. 594 B.C.) they were able to achieve participation in the political community. They did so with the aid of the free rural peasantry. This alliance was forged in the interests of both groups, since both sought to break the monopoly of political power by the wealthy sibs.

The reforms which allowed the expansion of the citizenry were initiated by Solon for military reasons. The strength of the polis depended on the size of the hoplite army. Solon expanded the hoplite army by permitting all free men, including peasants, who had the resources to join the army. To increase the number of peasants with the means to participate in the army, he instituted major reforms of the debt laws and freed

many of the debt slaves.

The hoplite army and the polis, however, retained their old sib-based structures regardless of the new recruits. New hoplites had to be formed into artificial sibs and phratries in order to participate in military and civic affairs. The phratries and the phylae still remained under the control of the wealthiest noble sibs, and thus the sibs retained control over the political activities of the polis.

For over a century, the struggle for political power went on between the landowning noble sibs and families (through their political party, the "Plain"), the urban merchants and trading sibs (the "Shore"), and the peasants and artisans (the "Mountain"). Pisistratus (561-527 B.C.) used the disgruntled peasants against the wealthy sibs. He did not come to power through legitimate means, as had the archons, but instead he took power by force. Pisistratus managed to divide some of the estates of the large landowners among his peasant supporters from the Mountain party, but he avoided directly challenging the most powerful noble sibs. He showed that the sibs of wealthy nobles could be defeated by a political challenger who could unite the diverse elements of the community. Not all of the

supporters of Pisistratus were from the Mountain party. His Shore party supporters, who were involved in the sea trade, were rewarded when he built a large navy and established trading alliances.

Earlier, in the time of Solon, the rural area surrounding Athens was divided according to tax districts. Villages did not exist as separate political entities. The wealthy noble sibs dominated the rural areas through political control of the polis and through their ownership of many farms. The family heads of the noble sibs often owned land in several different rural districts. Such holdings were not concentrated in any single district since many of these properties were acquired through the default of peasant loans. Even after Solon reformed the debt laws, the noble sibs retained control and many peasants again fell into debt. Regardless of his efforts to divide some aristocratic estates, Pisistratus could little influence the debt situation.

After the abdication of Pisistratus' son, Cleisthenes became ruler over the objections of the wealthy noble sibs. Cleisthenes owed his position to both peasants and the urban merchants and artisans. He enacted a series of reforms (ca. 508 B.C.) to weaken the power of the noble sibs. He reorganized the

entire political structure of the state from one which was founded on kinship to one which was solely determined by territory. The four phylae, which were composed of sib-based phratries, were replaced by ten territorial tribes, which were composed of local political districts, the "demes."

The landed family heads of the noble sibs could not use the new territorial system to advantage. Their holdings were scattered through many demes in many tribal areas so that they had no way of consolidating control in any single area. Simultaneously, the hoplite army was also changed to reflect the new territorial divisions. Moreover, to prevent domination by geographical or occupational associations, Cleisthenes required that each artificial territorial tribe be composed of demes from many areas of the city and countryside.

The new tribes and demes were legitimized by creating family-like activities and rites within them. Communal meals and rituals were begun so as to integrate the new associations. Contests were held between the new tribes to foster tribal unity through cooperative efforts. The communal gatherings of the deme and the territorial phratry were given the right to decide the

citizenship status of each of their members, thereby taking over another sib function.

Since the entire population of Attica was divided into demes, an individual, once assigned to a deme, was permanently treated as a member of that deme regardless of his place of residence, his property in other demes, or his occupation. The deme represented the individual to the tribe and the state. The sibs thus no longer had any political function. The deme was also used to determine the level of taxation and served as the basis for the selection of officials. A new council, composed of fifty members from each territorial tribe, replaced the sib-dominated state organs. One consequence, which arose after the time of Cleisthenes, was that the urban lower classes were able to select a leader without regard to his family background or former position.

> In Antiquity ... the old personal patrician family associations (the gentes, phylae and phratries) were replaced or joined by (territorial) subdivisions of the city state, the demoi and tribus, and these bodies or their representatives assumed all political power. This had two consequences. Firstly, it signified the dissipation of the influence of the patrician families, for their holdings, as is natural for land obtained through mortgage lending and debt foreclosures, were typically dispersed all over the territory and could now no longer be brought to exert concentrated political weight in a single constituency, but were reduced to diffuse effect on the individual demoi where the component parcels happened to be situated. ... Furthermore, and most

> importantly, the division of the entire city territory into *demoi* signified that henceforth all council positions and offices would be filled with representatives of these units, as happened in Hellas, or at least that the voting bodies would be organized according to *tribus*, as happened in Rome with the thirty-one rural and four urban *tribus* in the *comitia tributa*. (ES 1347)

After this change to demes, deme membership became hereditary -- one was born into one's parents' deme and could not exempt oneself from its responsibilities as long as one remained in Attica. This created problems for the local political associations of the demes. The population of the polis grew at the expense of the countryside as the wealth from trade increased. The urban citizenry was filled with merchants and artisans who were descended from many different rural demes. Membership in the deme and the tribe was reduced a simple ascriptive quality in a manner not dissimilar to the earlier reduction of sib membership. The urban citizens, regardless of deme membership, came to dominate the political organization of the state because of their proximity to the location of the council meetings.

It was under the rule of the urban citizenry that the "demagogues" (leaders of the common people), came to power in Athens. The most important of these was Pericles (ca. 457-429 B.C.) Though the sibs had been

stripped of their political power under Cleisthenes, the individual noble families remained wealthy, especially in land. Since the laws on landowning during the age of Pericles still reflected the need to maintain inalienable areas for the families of hoplites, all foreign investment in Athenian land was prohibited. This prohibition applied to virtually all land in Attica with the result that wealthy families had exclusive control of the land in much of Attica.

The wealthy noble sibs had been excluded from the command structure of the hoplite army by Cleisthenes, but many of the wealthy families that made up the sibs still provided the officer corps. Only wealthy families could spare the time and money for extensive military training and equipment.

The growing emphasis on overseas trade led the Athenians to build a large commercial fleet along with a navy to protect the fleet. Unlike the hoplite army, the sailors did not need costly personal equipment and rigorous training. Hence the navy was open to all citizens regardless of wealth. After the defeat of the hoplite army at Koroneia (447 B.C.), the navy became the primary military force of Athens. Without the requirements of extensive training and equipment, the navy tended to be far more democratic than the

army. The landless urbanites provided the majority of sailors and the leaders of these urbanites used their status as sailors and their proximity to the capital to influence the government.

Before the Peloponnesian War (431-404 B.C.), the demes of the countryside still had some influence on the political councils in Athens. The wealthy noble families no longer controlled the state or the military service, however by the end of the war, they were in control of the countryside. The peasantry was financially ruined by the war and a major basis for the hoplite army simply ceased to exist. The noble families then bought themselves into rural political power by acquiring the land of the peasantry.

After Athens regained its freedom from Sparta, the decimated hoplite army was replaced by mercenaries. Although landless urbanites still dominated the councils, the ruling position was usually held by a man of wealth. Since the noble families, as remnants of the warrior sibs, were distrusted, the urbanites selected members of wealthy families that had few ties to the nobility. The last ruler of Athens, before it fell to the overwhelming power of Macedonia(ca. 335 B.C.), was Demosthenes, a member of a wealthy merchant family.

(H) Ancient Rome[8]

(H-1) Republican Rome and the Noble Sibs

The history of the formation of the Roman polis, Weber reports, is unclear. The early Roman polis (ca. 800-500 B.C.) had many similarities with the early Greek poleis. The political structure was composed of tribes (similar to Greek phylae), curiae (similar to Greek phratries), and sibs. The ruling body of the polis was the council of elders of the wealthy warrior sibs, which was called the "Senate."

The most important determinant of one's political and social rank was membership in a warrior sib. The patricians were the members of the warrior sibs and were entitled to full political rights, including the right to hold political office and the right to become military officers. At a very early time, the patricians were the only stratum entitled to political rights. The plebeians were not members of sibs and, while they eventually gained some political rights and could be called to support the army in wartime, they could not hold high political or military positions.

The army was composed of the sib members and their clients (who were discussed in the economic order), and battles were fought on the basis of knightly single

combat. The elder of a sib would equip himself, his fellow sib members, and his clients. When many sibs took the field, they were assembled in curiae, but each sib could act independently. In personal feuds, sib elders could call out their sibs to do battle. The plebeians could also be assembled in the curiae, but only under the leadership of the sibs.

Weber described the political structure of the Greek poleis and the Roman polis in much the same way. In both cases, the sibs dominated the early political structure of the city-states.

> Members of the phylae and phratries, tribus and curiae were, as "active" or "passive" citizens, all participants in the army of the polis, but only the members of the noble clans were "active" citizens -- i.e., only they shared in the offices of the city. Hence the term denoting a "citizen" is at times directly identical with the word for a member of the patrician "families." The attribution of a family to the nobility was here, as elsewhere, without doubt originally tied to the family-charismatic dignity of the district chieftaincy; with the advent of chariot warfare and castle construction, however, it seems to have become a function of castle ownership. (ES 1288)

For over a century (ca. 655-508 B.C.), Etruscan kings ruled Rome. Although some of these kings ruled with the support of at least part of the patrician stratum, one important king, Servius, ruled without them. Servius allied himself with rich merchant

plebeians and reorganized both the army and the tribal structure in order to strengthen his position against the noble warrior sibs. As a counterweight to the army of sib knights, he established a separate force of self-equipped cavalry and infantry from among property-owning plebeians. At the same time, he weakened the hold of the sibs over the four urban and sixteen rural tribes. Where previously one's rank in the old tribal system depended on a combination of kinship and wealth, in the new system it depended, in part, on one's designation as a member of a particular tribe. Once an individual was listed in official records as residing in an area belonging to a certain tribe, he remained a member of that tribe, owing it certain responsibilities, regardless of where he moved or what property he owned.

The formation of a hoplite army and the reorganization of the tribes survived the termination of Etruscan rule. After the ejection of the Etruscans, the polis of Rome dominated its surrounding countryside. The sib elders attempted to take advantage of this political situation for their own political and economic ends. The wealthy warrior sibs of Rome owned at least a third of the land surrounding the polis. Initially, the sib elders used their political offices to make

their own land hereditary and to usurp much of the common land. But the sibs were not able to fight Etruria and the other states of central Italy without the aid of the hoplites: the entire knightly army was too small for this task. At first, the solution to this problem was to create lower-ranking noble sibs from among the wealthy merchant families. Later, it became necessary to mobilize larger numbers of plebeians.

The plebeians took advantage of this situation. Little more than a decade after the expulsion of the Etruscans, the plebeians formed their own "assembly" (Concilium plebis) and elected their own leaders, the "tribunes" who could not be members of the noble sibs. Through the tribunes and the assembly, the plebeians halted some of the exploitation by the sib elders and forced a few political concessions from the noble sibs.

The tribunes were not legitimate holders of the regular political offices of the polis. They did not have the right to represent a cultic community or to order city authorities to punish wrongdoers. The only power possessed by the tribunes was a parallel to the sib right of blood vengeance; they had the power to call upon fellow members of the plebeian brotherhood to avenge wrongs done to plebeians.

In 460 B.C., the assembly of plebs was formalized in a "tribal assembly" (Comitia tributa) which eventually became the plebeian attempt to counterbalance the Senate of the noble sib elders. Before this, two other formal plebeian assemblies had been created (i.e., the Comitia curiata and the Comitia centuriata), but both were gradually taken over by the sibs, leaving the plebeians without institutional protection.

The Etruscan kings had been replaced with "magistrates," who acted as both military and civilian chiefs. No matter how they were elected, the magistrates remained under the control of the Senate. Even when the plebeians gained the right to have plebeian magistrates, the sib elders either weakened the particular position involved, created a new type of magistracy to which power was transferred, or, ultimately, allowed intermarriage between patricians and co-opted plebeians. The purpose of these intermarriages was to eliminate rivals to sib power from among the wealthy plebeian families by bringing them into the aristocracy. In this way most plebeian magistrates, usually wealthy merchants, were neutralized.

In its early years, the noble sibs were permitted to join the tribal assembly. During this time, they were only a small minority within it. In 287 B.C., the

tribal assembly was officially raised to equality with the Senate, but by this time it was already too late. The tribal assembly had been taken over by the noble sibs. The number of tribes had been increased over the years to thirty-five: four urban and thirty-one rural ones. Voting in the assembly was counted by tribe, and the decision of each tribe was based on the vote of the members of the tribe who were present at the assembly. The sibs joined with the landowning peasant hoplites (ca. 300 B.C.) to confine the wealthy merchant plebeian families to the four urban tribes, thus making the only effective competition to the sibs into a permanent minority. With most merchant plebeians so confined and with most peasant plebeians remaining outside the city, the urban-dwelling sibs, whose members were registered as members of the rural tribes, controlled the vote of the thirty-one rural tribes. Only later, in the era of the Gracchi (ca. 133-121 B.C.), were so many peasant plebeians displaced from their farms to the city that they could outvote the sibs in the assembly.

The Senate frequently restricted the activities of the magistrates, even though these officials were usually sib elders. The danger to the noble sibs was

the possibility that the magistrates might form an alliance with the plebeians. The sib elders, in addition, tried to prevent any single sib from becoming too powerful by prohibiting senators from individually obtaining substantial amounts of income from sources other than land.

> Collegiality is in no sense specifically "democratic." Where privileged groups have had to protect their privileges against those who were excluded from them they have always attempted to prevent the rise of monocratic power. Indeed, they have had to do so because such a power could base itself on the support of the underprivileged. Thus, while on the one hand they have tended to enforce strict equality within the privileged group they have tended to set up and maintain collegial bodies to supervise or even to take over power.
>
> Examples are Sparta, Venice, the Roman Senate before the time of the Gracchi and in Sulla's days.... (ES 277)

The struggle for land was a major aspect of the late Roman Republic. As Rome conquered more territory, the peasant hoplite families demanded that lands in the public domain should be divided into private lots. The sibs, on the other hand, sought to have more grazing and farm land available under lease. With their slaves and large herds, the sibs could make effective use of large areas leased from the state. When Rome began to make conquests outside Italy, the sibs resisted colonization since it often meant the distribution of private lots to colonists, most of whom were peasants who had served in the army.

The conquests spurred increased commerce and a greater emphasis on the money economy. Alongside the sibs, there developed a large stratum of wealthy plebeian merchant families. Up to this point, Roman society had been divided, for the most part, along status lines: patrician versus plebeian. Now the society gradually became oriented to class divisions: the wealthy and the office-holders versus the free peasants and the middle-class artisans and merchants.

Hoplite peasant lands had been protected by the state in the early years of the Republic. At that time, the hoplites had sufficient political and military power to oppose a sib takeover of their lands. The peasants had gained the freedom of testament which enabled them to pass their land to one heir, knowing that their other kin, who had been disinherited, would obtain new land as new territories were conquered. This method was successful until the long overseas wars (ca. 200-146 B.C.), which exhausted the economic resources of the peasantry. Moreover, the sib elders in the Senate deprived the peasantry of the benefit of the new conquests by not permitting them to have much of the newly conquered land. Furthermore, the land that was offered was often rejected -- many of the disinherited kin of the peasantry went to Rome, rather

than to the colonies, refusing to become farmers in distant areas.

The Gracchan revolt (ca. 133 B.C.) was led by Tiberius and Gaius Gracchus and their supporters in the Claudian sib. The Gracchi brought together the peasantry and the middle-class merchants in the attempt to restore the property and rights of the plebeian stratum and thus to re-establish the weakened hoplite army. At the same time, the Gracchi sought to provide themselves with a strong political base for their continued rule. After ruling for a decade, the Gracchi were defeated when the sibs bought the support of the middle-class merchants.

The period which followed was one in which the hoplites were replaced by state-equipped, unpropertied urbanites. During this period, the public lands that were formerly leased to the sibs were now absorbed into the estates of the noble sibs and wealthy merchant families. Having lost political power, peasant families were often forced to sell their land to estate owners, especially in areas where the land was of high quality. On the plains and other areas where valuable labor-extensive crops could be grown, estate owners took over the land and used slaves or tenant farmers as farm laborers. The free peasantry survived wherever non-cash,

labor-intensive crops were grown and wherever the terrain was unsuited for large-scale exploitation. Many areas of land were given to veterans of the state-equipped army; but most veterans preferred to sell the land to the estate owners.

During the era of the Republic, a change had gradually taken place in the composition of the upper stratum. In the early Republic, there were up to several hundred sibs. By the end of the Republic, only twenty sibs remained. In many cases, intermarriages between sibs had produced larger sibs with many more lineages. In addition, intermarriage had become common between sib members and the children of wealthy merchant families. In fact, much of the upper stratum was composed of wealthy families who depended on profits from trade.

(H-2) The Empire and the Rise of Manorial Households

After the reorganization of the army into state-equipped soldiers, the noble sibs and the merchant families withdrew from the cavalry and the infantry officer corps. By 60 B.C., much of the land in the central part of the Republic was owned by the sibs and the wealthy merchant families. On this land, most of the workers were unfree labor: slaves, serfs, and coloni.

The elders of some of the wealthiest sibs had learned from the example of the Gracchi the usefulness of influencing the soldiers and the unpropertied plebeians of Rome. In addition, the middle-class merchants and artisans of Rome, who had gained political rights under the Gracchi only to lose them later to the upper stratum, were willing to support individual sib elders who offered them redress for their grievances. At the same time, the officer corps was gradually becoming dominated by middle-class plebeians. The absence of noble ties among the officer corps and the state bureaucracy, combined with an army devoting its loyalty to those sib elders and wealthy merchants who financed it, was a convenient circumstance used by a succession of nobles to take personal control of the magistracy. After the de facto rule of several sib nobles (including Sulla, Pompey, and Julius Caesar), Octavian (Augustus) Caesar was officially recognized as the first emperor, and his family was installed as the first hereditary charismatic line of Roman emperors.

Under a large, unified, and increasingly pacified Roman Empire, the overriding concern of the upper stratum became the amassing of greater wealth through landownership and trade. Two centuries later (ca. A.D. 193), so little military power remained in the

hands of the noble sibs that militarist usurpers, the Severi, took power without resistance. The army at this time was completely in the hands of the non-privileged strata who responded to any leader who preserved their economic security and political power.

> A universal means of assuring loyalty was the use of officials who did not come from socially privileged strata, or even were foreigners, and who therefore did not possess any social power and honor of their own but were entirely dependent for these on the lord. The interests of the ruler were the same: when Claudius intimidated the senatorial nobility with the threat to rule the empire, in disregard of the Augustean status regulations, solely with the assistance of his clientele of freedmen, when Septimus Severus and and his successors appointed as officers common soldiers of their armies instead of Roman nobles.... (ES 1043)

The remaining noble sibs, shorn of much of their political power, eventually divided into separate families, many possessing large fortunes. But the Roman sibs were not the only ones to decline. The wars and migrations of the Hellenistic and Roman eras had forced sib strangers into close contact throughout Europe and the Mediterranean region. Moreover, these circumstances often separated the lineages of many sibs. The close contact of sib strangers and the geographical separation of parts of the same sib gradually weakened and destroyed sib ties in many

regions. Larger territorial military associations often replaced sib-based armies. In addition to the great political disturbances, sibs were also faced with the growth of Christianity which, with its concept of the brotherhood of believers, shattered what remained of the cultic community of sib members.

Even before the end of noble political power, the expansion of the empire had ended during the reign of Hadrian (ca. A.D. 117-138). This meant the end of territorial gains, the end of the expansion of commerce, and the gradual decline in the number of slaves.

The wealthy families of Rome and of the other imperial cities started to abandon the cities for their estates. There were many reasons for the upper stratum to leave the cities. First, they had a decreasing influence over the large, state-financed bureaucracy and army. Second, the end of expansion had meant a reduction in commerce and hence a decrease in the monetary profits of the wealthy families. Third, on their large estates, the wealthy families were able to exercise complete control of their affairs without significant imperial interference. They had left the cities to avoid political coercion and a tax administration which, at its lowest level, was still

directed by the imperial bureaucracy. These families managed to have their estates declared separate administrative districts with the provision that they would furnish tax revenues and army conscripts from their estates. The emperors favored this method since it did not drain vital monetary reserves for rural government administration. The loss of the wealthy families from the cities led to a further drop in overseas trade since they had been generally the ones who imported the luxury items that made up the bulk of such commerce.

The end of imperial expansion was the beginning of the end of slavery. The existing slave population, living in barracks, was not self-reproducing and was increasingly costly to maintain when new, war-produced, supplies of slaves were no longer available. Serfs (i.e., tenant farmers who supplied labor services) had families and grew crops for both themselves and the household of the estate lord. They were self-reproducing and self-maintaining. Gradually, many estate lords converted their slaves into serfs. Although many peasants remained free owners of small areas of land, many others fell into debt to the noble families and became either serfs or coloni (i.e., tenant farmers who supplied the lord with rent) of the estates.

The decline in overseas commerce meant a declining

emphasis on money in the economy of the empire. The center of imperial activity was gradually shifting from the money economy of the coast to the natural economy of the inland areas. Much of the inland empire had little or no trade; and in most rural areas, and on many estates, payments in money were unnecessary for routine, daily activities. But the emperor still needed large reserves of money to pay the army and the bureaucracy. As time passed, however, fewer and fewer landowning families were able to provide anything other than payments in kind.

Moreover, most landowning families were no longer willing to supply men to the imperial army. In many rural areas, agricultural production was becoming close to the subsistence level. As a result, few serfs, coloni, or free peasants could be spared for full-time military duty. The only way for the emperors to maintain an army and still leave most farmers and artisans on the estates was to end the army barracks system.

The state-supported army had been composed of barracks-dwelling unmarried soldiers. With the end of the barracks system, the newly reorganized army was composed of married professional soldiers who were permitted to live with their families and to farm

land within the area where their military unit was permanently stationed. In some cases, plots of land were given to free peasants and their families in return for military services. Mostly, however, the land was supplied by the landowning families from their own estates, and their own coloni and their families were permitted to work this land in return for military services. The coloni served as both enlisted men and officers, and those who were officers received special privileges concomitant with their rank. In this way, the emperors avoided using scarce money to pay for military units on the borders of the empire and, at the same time, the noble families provided immediate protection for their estates. The land given to the soldier and his family was hereditary as long as the family could provide a qualified man for military duty.

The danger of military units permanently stationed in one area was that they might become more loyal to their local region and to their own estates than they were to the emperor. To defend against local revolts, the emperors maintained a separate force of well-paid elite troops in barracks which could easily put down a rebellion by the rural units. Although the empire could crush revolts with its small elite force, this force was not capable of dealing with the invasions of

barbarian tribes. Many local military units and communities welcomed the tribes as freeing them from the demands of imperial Rome.

(I) Medieval Europe[9]

The end of the western Roman Empire led to the disappearance of many inland cities, of the money economy, and of the imperial political structure. The landed noble families ruled the villages and the surrounding countryside from their large estates. The households of the landed nobles were, for Weber, an important link between the end of the Roman Empire in the West and the rise of European feudalism.

> Furthermore one must also emphasize that the oikos as defined by Rodbertus did in fact play a very important role in the economy of Antiquity. On the one hand it developed -- as I have described elsewhere -- in the last stage of Graeco-Roman antiquity (the Empire) as a link to the feudal economy and society of early medieval Europe. But the oikos also appears in the Near East and also to some extent in Greece at the earliest stage of Antiquity known to us, as the households of kings, princes and priests -- sometimes parallel to the modest economy of the masses, sometimes -- through corvées -- dominant over it. (SAC 46)

The new barbarian rulers left the estate political structure intact; sometimes they replaced all the noble families with their own warrior chiefs, but more often left at least some of the noble families in power if they swore allegiance to the new political leadership.

Without a money economy to support a state-controlled army, military organization reverted to the level of a self-supported militia.

The army had to be recruited from those freemen who had enough landed wealth to arm themselves. In the early medieval period, the soldiers of the estate lords were often coloni and free peasants (i.e., patrimonial feudalism). But most coloni and free peasants were needed for agricultural production and lacked the means to equip themselves. Furthermore, the lack of large, well-disciplined bodies of infantry made relatively small groups of cavalry the most effective type of army.

(I-1) The Noble Families and the Rise of Feudalism

At first, the estate lords gave freemen, often former soldiers or barbarian warriors, some of the income produced on the estate so that they could obtain arms and horses. Gradually, the position of horse soldier or knight was elevated over that of the common freeman. The elevated freemen vassals were sworn to supply military services to the estate lord in return for the rents from a small area of estate land. This was common during the reign of the Merovingians (ca. A.D. 500). Finally, the full feudal relationship was reached when the vassal was contractually granted land

and manpower in return for military services. This was already prevalent in many areas during the time of the Carolingians (ca. A.D. 750).

The feudal relationship apparently began as just one of many personal relationships within the household of the estate lord. It eventually became a personal contract between the lord and the vassal which was completely separated from the responsibilities in the lord's household. The vassal was, at least in principle, not a patrimonial dependent. Where feudalism was fully developed, the feudal relation, though technically patrimonial, was a free contract between nobles. Although they were ranked in a hierarchy, the vassals always stood above the common freeman, coloni, and serfs. The lowest ranking vassal was still a noble horseman, entitled to the courtesies and honors given to nobles by their peers.

The difference between the benefice (i.e., prebend) and the fief was frequently vague and fluid. But there was one type of difference which was decisive in separating the two: the fief holder was not a patrimonial subordinate. The benefice holder was an occupant of an office of the household and was provided with his income from the household. In true feudalism, the

vassal maintained a strictly contractual relationship with the lord.

Vassalage became hereditary if the male heir of the vassal was personally qualified for the position and was willing to enter into a personal contract with the lord. The contractual relationship of the lord and the vassal became stereotyped over the years so that each party to the contract was constrained from arbitrarily altering the terms of the agreement.

The economic resources of most early medieval monarchs were relatively small, so most of them had very small administrative staffs and small numbers of vassals and patrimonial infantry. For the most part, each estate lord who owed fealty to the monarch administered and guarded his own territory. The relationship between the king and the large estate lords within his realm was a feudal one, similar to that between the lords and their vassals. The king was usually stronger than a single lord or a small group of lords, but he was powerless against an alliance of most of his lords. Thus he needed the approval of the most powerful of his lords to be able to carry out any major decision. The same was true of the individual estate lord and his vassals: if the

vassals as a group were to challenge his decision, and he failed to gain outside support from the king or the other lords, the decision would never be carried out. A central struggle of much of the medieval and post-medieval period was the persistent attempt by many kings to undermine feudal administration in favor of pure patrimonialism.

(I-2) The Noble Families and the Rise of the Cities

By the time of the Carolingians, inland trade had revived throughout central Europe to the point where it was equal or greater than that of the Roman period. To rid themselves of agricultural surpluses and to take advantage of natural trade routes, kings and lords established market settlements. If a market settlement proved successful, it was enlarged into a fortress-town and large numbers of migrants were permitted to build homes and organize commercial enterprises. Most of the medieval cities which had a political militarism similar to that of the ancient polis were older coastal cities of the Mediterranean. But medieval inland cities were often founded by feudal noble families on their own estates, and were not the coming together of warrior sibs or tribes. The lords and their vassals remained in their rural

fortresses, leaving the cities without knightly cavalry, the most effective fighting force in the early medieval period. Although city residents had military duties in the civic associations, their main interests were economic.

The pattern of movement to the medieval city was one of small families, not sibs. Many of the migrants to the cities were artisans and merchants. Large numbers were serfs and coloni of the estate lords, who were sent, or permitted to go, to the cities. The estates were often overburdened with tenant farmers and artisans. When the excess went to the cities, they were able to earn a greater income for the lord and their own families. In addition to the rent money received from their servants in the cities, feudal landowners also received rents on all properties used by city residents. Further, they received tax revenues on all market activities and on the movement of trade through their territory.

Between A.D. 750 and 1300, the inland cities developed their own associations of citizens. In Asia, most of the activities devoted to creating associations of urban residents were thwarted by the existence of cultic barriers between sib strangers. Even when the work places of Asian cities were unfettered by cultic barriers, this was insufficient to

enable the establishment of urban associations among sib strangers.

The European cities, especially those of northern Europe, were created through the congregation of many types of workers and their families, and membership in the developing city associations did not depend on membership in sib and sib-based associations. Many city associations grew out of informal contacts between guilds. The guilds originally arose in the new cities as a replacement for the protection which people received from their sibs.

In the early medieval period, the guilds undertook many of the activities originally associated with the sibs, including communal meals and cultic meetings. The ties between guilds and emergent city associations were rarely direct; but the guilds were instrumental in giving city residents experience in united action.

> All this was quite different in the medieval "founded" cities, particularly in the North. Here, at least in a new foundation, the burgher* joined the citizenry as an individual, and as an individual he swore the oath of citizenship. His personal membership in the local association of the city guaranteed his legal status as a burgher, not his tribe or sib. (ES 1246)
>
> *burgher - (def.) citizen

Since Christianity had eradicated the remaining cultic significance of the sib, the religious association of the city was composed of individual believers and not

sib groupings.

The removal of sib cultic barriers eliminated one of the major obstacles to the formation of an association of city residents. But this was not sufficient, in and of itself, to clear the way for the creation of a city association. The other major obstacle, which was not present in medieval Europe, was the existence of a bureaucracy which enforced the interests of the ruler or of a more powerful political association. In other times and areas where a bureaucracy emerged, such as in Egypt and China, it controlled activities in the cities. In medieval Europe, in the place of a centralized patrimonial administration there was a convoluted complex of feudal relationships.

Much of the manorial economy was still not based on money, which left the estate lords with few sources of liquid assets. Their patrimonial and feudal staffs were, in addition, subject to traditional limitations on duties which had developed over the centuries and these limitations restricted the use of the staffs as regulators for the emerging cities.

Although the estate lords had founded the cities with the intention of obtaining financial returns, in most cases they lacked the economic and administrative means to effectively regulate the internal affairs of

the cities. The nobles still controlled the most powerful military force in Europe but this force was almost useless in urban administration other than in maintaining order. Moreover, the association of city residents soon usurped police duties and organized city defense associations. The association of city residents also became the main organization regulating and taxing the commerce of the city since the estate lord was unable to do so. Through their control of city commerce, the members of the association were then able to limit the economic responsibility of the city to the lord.

In ways similar to those of the ancient defense associations, the medieval city association was composed of the heads of households who could equip themselves for military duties. Those able to do so were, generally, urban landowners and therefore the association was composed primarily, sometimes exclusively, of landowners.

The relationship between the city associations and rural noble families varied throughout Europe. Some of the Mediterranean coastal cities had existed since the Roman era and sometimes their political structure resembled that of the ancient polis. In these cities, an urban landowning stratum of noble

families was present. In some other Mediterranean cities, the city associations became sufficiently powerful to order rural noble families, who owned city land and property, to move into the city. In many of the large inland cities, the city association never became strong enough to force the rural aristocracy into the city or force them to join the city association. However, in both the coastal and inland regions, the city associations were at least able to free the cities from the economic domination of nearby rural noble families.

Status differences between free and unfree men in the city disappeared when workers bought their freedom or were freed through the efforts of city association members to break the hold of the estate lords on the city. As status differences between free and unfree faded, new ones were created between the common urban citizen and the new urban nobility. The growing industrial and trade wealth of some urban families enabled them to monopolize control of the city association and to obtain the military equipment to become a separate city cavalry, similar to the rural knighthood. Although some of the new urban nobility were simply from the older rural nobility, most were urban families that had profitied from city commerce to a degree which permitted them to practice a knightly style

of life.

In most cities of the Mediterranean region, where rural noble families lived in town, the two noble strata eventually unified. In cities of northern Europe, whose associations could not bring the rural noble families into the city, the urban noble stratum was not recognized by the rural nobles.

(I-3) The Italian Cities and the Noble Families

In Italy (ca. A.D. 1000), the older and larger cities had already usurped political rights from the ruling feudal states through the actions of their own city associations. This occurred despite the greater power of the feudal realms because the complex interweaving of feudal and personal relationships had left many overlapping and conflicting jurisdictions among the nobles. The kings and the estate lords were further hindered by the lack of an effective non-feudal administrative organization.

The wealthy families of the city were usually the force behind the formation of the city association. Their goal was an independent city which could defend itself. They forced all urban landowners to join the association. The wealthy families hoped to create a regulatory monopoly over the commerce of the city which could make them even wealthier and more powerful

by restricting the control and taxation imposed by the estate lord. The wealthy families used the city association to define the legal status of the citizen and to limit participation in city commerce to citizens and their families. Many rural noble families, in the interest of increasing their income, established residences within the city. By entering the city, they ignored both the laws of feudal associations against members dwelling in cities and the laws of city associations that no urban citizen can possess a fief.

In most Italian cities, the upper stratum was multidimensional. There were landowning noble families that had come from the countryside and still owned feudal estates. There were wealthy urban landowning families and there were those whose wealth was primarily from commerce. There were also those with substantial industrial holdings. All these categories of wealthy families overlapped and some families were simultaneously involved in landowning, commerce, and industry. As a group, these families composed the ruling class of the city. However, the feuds between wealthy families often prevented the rational administration of many Italian cities.

One city which avoided the administrative chaos which was a product of the feuds of wealthy families

was Venice. Venice was already a major community in the time of the Roman Empire. In the late empire, the urban estate-owning families supplied officers to the local military garrison. The practice of supplying officers became hereditary and the families involved in this activity became the nobility of the city. The position of military commander, or "dux," which was always occupied by the head of a distinguished noble family, became the highest political position in the city. The military commander became the chief administrator of the city, the "doge." In the centuries following the decline of the Roman Empire, the noble families would not permit the post of doge to become hereditary out of fear that one family would usurp the political power in the city. With the support of the growing imperial regimes of Germany and Byzantium, one doge attempted to make his rule permanent and hereditary. For almost three centuries (ca. 750-1032), the family of the doge and the other noble families had an intermittent struggle for the rule of the city. During this period, the doge ruled patrimonially, that is, the city administration was conducted and financed out of his own household. The noble families finally united

against the doge after he imposed an arbitrary tax increase and deposed him. This successful revolution was unusual in that all participants were from the noble families. All political power was to remain in the hands of the urban nobility for many years and they acted as a unified body. It was in the interests of the noble families to maintain an orderly and united political administration, since all of the families profited greatly through their involvement in overseas commerce as well as from foreign political activities.

> The tremendous economic superiority of the patrician families participating in the overseas political and economic opportunities facilitated the monopolization of power in their hands. The constitutional and administrative techniques of Venice are famous because of the development of a patrimonial tyranny of an urban patriciate, extending over a large land and sea area, with the simultaneous preservation of very strict mutual control of the noble families over each other. ... That this was possible can in the first instance be explained by the solidarity, patently obvious to every individual, of the foreign and domestic interests of all members sharing in the huge monopoly profits of the association. This solidarity of interests compelled the integration of the individual nobleman into the collective which exercised the tyranny. (ES 1271)

The rule of the noble families stifled the growth of a separate bureaucratic political structure of professional administrators, but the concentration of power allowed for the development of a highly rational administration. Such an administration was a necessity in order to preserve and enlarge the assets of the

noble families.

The economic importance of overseas monopolies was not as great in other Italian cities and the need for unanimity in city administration was lacking. One result of this was the failure to exclude from the noble-dominated city associations non-noble landowners, artisans, and merchants. Another result was a certain degree of fluidity between noble and non-noble rank. But the most important result was the lack of a community of interests among the most powerful noble families that resulted in incessant feuding. The feuds precluded the development of a rational city administration.

The struggle for power between the city associations and the patrimonial rulers led the associations to create an administrative position, the "podesta," to manage the affairs of the cities (ca. 1100-1200). The podesta was a foreign city official who, because of his lack of contact and holdings in the city, was not involved in the intense feuds between the noble families. In order for the podesta to travel from city to city administering the law, the law had to be rationally codified. The existence of the podesta aided in the creation of a rational, impartial administration by a corps of non-noble professional officials. But the

position of the podesta was always filled by a member of a noble family.

An alliance of city guilds, the "popolo," was formed by wealthy merchants and artisans as a counter-weight to the political power of the noble families (ca. 1200-1400). Where the popolo succeeded, the merchants gained control of the city association. But the success was usually short-lived because the noble families almost always joined the popolo and then took control. Noble families qualified for membership in the popolo since they were often involved in commerce and industry, although as owners, not workers. The interests of the wealthiest merchants often were in conflict with those of other elements in the popolo, and the nobles were quick to take advantage of these differences to undermine the political position of the merchants.

The popolo was a product of the political vacuum created by constant feuding among the noble families. The popolo continued to survive as an effective entity only where feuds of the noble families were incessant. Wherever the feuds were frequent occurrences, the popolo enlisted the knights of one faction in its cause.

Out of the feuds emerged the prince, the "signoria," who became the supreme official of the city. The signoria came about through the victory of one noble

family over the others and, often, the route to this position was through occupying the highest post of the popolo. This was so wherever the family feuds of the nobles posed a political and economic threat to the entire community. If the threat was from outside the community, a noble military commander might become signoria. Regardless of the way the position was created and filled, the signoria became hereditary and almost absolute in power.

At first, the noble families and the members of the popolo did not oppose the signoria since such unified rule was usually favorable to the economic interests of the citizenry. In addition, the lower strata of the population saw the signoria as a court of last resort against the noble families. Even though some resistance did develop against the signoria, as time passed, the populace lost the power to oppose the signoria.

The populace was disarmed as the signoria began to depend on professional soldiers. Some signorias allied themselves with the large patrimonial empires which were developing throughout Europe. The knights of the noble families and the ill-equipped infantry of the popolo were no match for disciplined imperial soldiers. To an ever greater extent, the urban nobility

concerned itself with economic matters to the exclusion of other activities. In fact, the noble families centered their economic activities around the court of the signoria, thereby legitimizing the rule of the signoria. Except for the short period in which the popolo ruled, the noble families, collectively, or at least a single family, ruled in most Italian medieval cities.

(I-4) The Northern European Cities and the Noble Families

The city associations of northern European cities were for the most part outgrowths of protective and occupational associations. The protective associations were replacements for the sibs, which had disappeared somewhat later in northern Europe than they did in the south. Even though the protective associations had political and economic interests, their main concern was the safety and security of their members. The occupational associations, the "guilds," on the other hand, were concerned with economic matters but would involve themselves in other activities if their members felt threatened.

> These had by no means been primarily created for the purpose of influencing political conditions. Originally they were substitutes for something their members frequently very much missed in the early medieval city: the backing of a clan and its protective guarantees. They provided the services otherwise supplied by the clan: help in case of personal injury or threats, aid in

> economic distress, elimination of feuds between members by means of peaceful conciliation, and payment of the wergild* liabilities of members.... (ES 1256)
>
> * wergild - (def.) fine in expiation of a serious crime

Although protective and occupational associations were in existence at a relatively early date, it was the wealthy merchant families, and the families of the few nobles who lived in the city, who were the first to usurp political power. The rule of the upper strata usually began through an informal assembly of such families, all of whom were expendable from the daily economic life of the community. As time passed, the council of noble families became a closed body which ruled the city.

The position of the urban noble families was weakened by several factors; and this weakness was the beginning of the erosion of the great power of the rural nobility. First, wealth and education began to spread through the middle strata of the urban communities. Second, the character of work changed, permitting the middle class merchants and artisans more time for other activities. Finally, the rulers of large patrimonial states aided city residents in freeing themselves from the political control of both the rural lords and the council of urban noble families. The cities provided for them a political counterweight to the

rural lords once they were detached from the lords' estates. The overriding interest of the merchants and artisans in economic affairs gave the king a freer hand in the political sphere. Economically, the king could tax cities as separate districts, rather than depend on each feudal lord to tax the cities on his own estates.

The protective and occupational associations gave the city residents experience in coordinated action and in performing leadership duties. These skills were necessary when the residents moved to take power from the urban nobility. However, the relationship between the city association and the older protective and occupational associations remained indirect; in only a few cases did the older associations directly participate in the new city administration.

The independence of the medieval city association was not comparable to the independence of the sib council of the ancient polis. The northern European cities originated in an entirely different set of circumstances. Not only did the cities begin as parts of feudal estates and patrimonial realms, but even at their greatest power the cities still had to accommodate the interests of the patrimonial ruler or the feudal nobility. In addition, most cities were not the centers of great military power, although in certain

unsettled regions they maintained their political independence. Moreover, since the city associations were not able, politically or militarily, to dominate the countryside, they sought agreements with all political authorities to permit the safe conduct of merchants, artisans, and commercial products.

In England, the cities were dominated by urban noble families in the early medieval period. These cities controlled the countryside through their ability to field large forces of infantry. The Norman conquest brought the military power of the cities to an end. The Norman unification of the kingdom ended the strategic importance of the cities. The cities lost their military power with the division of the land among the feudal families, each of which had a knightly cavalry and a patrimonial infantry.

Many years later, the major cities of England received charters from the king who sought to deprive the feudal nobility of the tax revenues provided by the cities. The king also sought allies against the powerful feudal lords, and the cities were a source of both wealth and manpower. The cities did not begin to form truly active city associations until after the granting of royal charters.

Since the English city associations possessed no military power, they became corporate enterprises completely involved in obtaining economic rights and privileges for the wealthy urban citizens who controlled them. The rights of full citizenship belonged only to the wealthy, to their descendants, and to those who became wealthy enough to buy their family's way into the city association or into related associations.

> The rights of active citizenship ... remained hereditary rights of corporation members which it was possible to acquire through purchase of membership in certain associations. (ES 1279)

(J) Post-Medieval Europe[10]

(J-1) The Growth of Patrimonial Bureaucracies

The large states of the early medieval period were founded on a feudal form of patrimonial administration. There was no rational or purely patrimonial administration. Instead, each of the many separate landed feudal estates was administered as a household by a noble family. Beyond the territory of their own estates, nobles had rights and duties which overlapped with those of other nobles. To a great extent, the political structure of the entire state depended on the temporary, interweaving, and informal affiliations and coordinated actions of feudal families. The kings in these states were often no more than the most

powerful of the feudal lords.

The political structure was inflexible at a time in the Middle Ages when cities were growing, commerce was expanding, and the money economy was returning. The growth in the economic sector required greater regulation and tax administration. Special funds were also needed to pay for increased military activities and for a new administrative framework.

The patrimonial bureaucracy that eventually developed to manage the complex administrative problems of the state grew out of the royal household. At first, each of the new duties that extended beyond the activities of the royal household was given to a royal dependent whose household work appeared to coincide most closely with outside activities. But the staff of the royal household was too small to handle the growing administrative needs.

Wherever the estate lords were powerful, they compelled the ruler to select members of the knightly stratum for his expanded staff. These lower-ranking nobles already had certain hereditary feudal rights which limited the ruler's discretion over the use of his new staff members. To avoid increasing the power of the nobility, some rulers selected freemen as officials. The ruler usually required these commoners

to become his household dependents in return for a fief or a benefice. However, the feudal lords often circumvented the ruler's use of commoners by accepting many of these property-holding freemen into the nobility, and the ruler's relationship with them became bound by the conventions of feudalism. Other rulers sought to avoid this matter entirely by appointing aliens, who could not become hereditary nobles, or by appointing unfree household dependents to their staffs. This tactic was always strongly opposed by the noble families because it was a threat to their traditional power.

In jurisdictions near to the royal household, the ruler was usually able to enforce his control over official positions. But in other areas, local noble families usurped power in a district, since they had both the prestige and the immediate police power to support their actions. Even where the ruler was able to appoint his own officials, as time passed the officials wrested the right of hereditary possession of the office from the ruler in return for their support against the nobility. The appropriation of offices by officials often became the source for a new stratum of propertied noble families.

The distribution of power between the ruler, the local nobles, and the patrimonial officials was unstable

since it depended on the personal quality of all patrimonial and feudal relationships. Much depended on the ability of the ruler to persuade and coerce. The ever-changing internal and external alliances could shift the balance of power in favor or against the ruler. A shift in favor of the ruler could mean the end of hereditary offices and the extension of a centralized patrimonial bureaucracy at the expense of local noble families. A shift against him could mean further decentralization of administration in favor of the noble families and an enlargement of the feudal nobility by the addition of new hereditary officialdom. The long-term trend, in most areas, was in favor of the ruler.

According to Weber, a major problem of patrimonial rule was hereditary succession. Difficulties arose whenever there was more than one heir. Several heirs contending for the throne could lead to civil war or to the division of the realm. This threat lessened when the realm was formally declared indivisible, or informally made to be so through changes in the political structure of the state. In some states, the local noble families formalized their affiliations and coordinated actions in a permanent "Standestaat" (i.e., polity of Estates). Since the members of the

Standestaat considered their association to be a single entity, the state became formally indivisible. In other states, the growing patrimonial bureaucracy constituted an indivisible political structure of the state, regardless of the number of pretenders to the throne. The patrimonial bureaucracy continued to govern the state, even though the succession was in doubt.

(J-2) From Patrimonial to Legal-Rational Bureaucracy

The increasing need for consistent and continuous action by the political structure, especially in the economic sector, required a larger and more efficient patrimonial bureaucracy. Sometimes the requests for more and better administration came from the wealthy urban merchants, and at other times they came from the Standestaat. Regardless of the source, the new and increasingly complex operations of the bureaucracy created a demand by officials for clear jurisdictional boundaries. This was especially true in outlying cities and rural areas where officials of the state were continuously confronted by the power and prestige of local noble families.

The main interest of the ruler in each district was in taxing local communities and conscripting its

peasantry. The local nobles had been the feudal administrators of tax revenues and of military conscriptions for the ruler. They were not willing to give up these practices. This struggle was often settled by a compromise. In the late medieval period, when the ruler still lacked an effective patrimonial bureaucracy, it was usually settled in favor of the local noble families. Later, when an enlarged staff and a growing patrimonial army emerged, the ruler was more and more able to enforce his will.

As the patrimonial bureaucracy grew and diversified, it became impossible to staff it with either patrimonial dependents or members of the nobility. The administrative duties were beyond the training or capacity of the nobles, whose education had been oriented toward maintaining a knightly style of life. This was especially true in cities and manufacturing areas where new industries were being founded and where trade was expanding. In rural areas, however, where administrative requirements were minimal and where positions were not adequately recompensed, local noble families continued to control patrimonial positions.

Since the patrimonial army was becoming the most powerful military force in the state, the ruler was in a position to remove the noble families from power.

Usually the ruler permitted the noble families to hold rural political positions as long as they did not interfere with the taxation and conscription policies of the state. As a group, the noble stratum still constituted a source of power and prestige, and they could prove useful as a counterbalance to the patrimonial bureaucracy. Frequently, the ruler employed nobles as a loyal officer corps and as high-ranking patrimonial officials and advisors.

The army, which had been dominated by the noble cavalry, changed with the rise of the money economy. In the late medieval period, many rulers began to use their tax revenues to employ mercenaries in addition to feudal forces. This meant that the rulers were no longer completely dependent on the financial and military support of the noble families. The mercenaries were frequently led by military entrepreneurs and were rented out by any patrimonial ruler who had the money. Initially, the feudal army in many states was replaced by mercenaries as the main force of the state and, later, the mercenaries themselves were replaced by more trustworthy conscripted-citizen armies.

As the expenditures of the patrimonial ruler for his staff and army became too great to be controlled through his household, the ruler transferred the

management of finances to a separate, specialized staff established for this purpose. The rationalization of patrimonial finances provided the ruler with the time and the freedom to take direct control of the army and to eliminate the military entrepreneurs. This occurred in different countries at different times. But the loss of direct financing through the royal household meant that the army had ceased to be patrimonial in character. Since the mercenaries were more costly to maintain than conscripts, eventually the conscription of citizens was undertaken to provide the bulk of the army. This change, in conjunction with the change to state-financing, ended the patrimonial quality of the army. The state-financed army of conscripted citizens was no longer a personal army of the ruler's household, and was no longer freely available to subdue the ruler's political opponents or the citizenry.

The mercenaries had not only been more costly, but also less disciplined than armies of citizens. Some mercenaries claimed knightly privileges and would not perform menial tasks or assemble in disciplined formations. The same had been true of the feudal noble army. Moreover, undisciplined mercenary armies could easily disintegrate into bands of looters after a battle. Furthermore, mercenaries might even change

sides in the midst of a battle if they received a better financial offer from the opposing side. The conscripted army was easier to organize and train since status privilege based on kinship did not exist for enlisted personnel. The noble families willingly provided an officer corps so as to retain their political and economic privileges. By using the nobles, the ruler was able to rid the army of entrepreneurs whose loyalty was questionable.

The change to the modern army (ca. 1850-1920) occurred when the officer corps was fully bureaucratized, and when the army started to require a higher level of technical expertise from its officers. The noble families, who were mostly rural residents, finally lost their predominance in the officer corps to the scions of propertied urban families. Armies were becoming larger and the nobility could not supply enough officers to staff all the positions. There were, in addition, many new positions that required a highly specialized education, which the nobility were unwilling or unable to acquire.

The royal administrative staff, like the army, also moved from a patrimonial basis to a legal-rational one. The size and permanent operation of the staff

ended the possibility of financing these activities out of the royal household. At the same time, the administrative activities of the patrimonial officials were beginning to be questioned. The patrimonial bureaucracy, with its fluid legal apparatus and vague jurisdictions, was especially problematic to the industrial entrepreneurs and to the merchants. Furthermore, the lack of technical expertise among patrimonial officials, together with their economic traditionalism, seriously restricted the economic community. The pressures exerted by the economic community were partly responsible for the shift toward legal-rational bureaucracy.

After the conversion to state financing, the offices within the bureaucracy gradually changed from being vaguely determined personal grants of the ruler to permanent offices with fixed duties and boundaries. Especially in the cities, they became salaried posts, staffed by professional bureaucrats. These profesionals were loyal to their offices and to the duties required of them as skilled employees of the state, and not to the person of the ruler.

> It is decisive for the modern loyalty to an office that, in the pure type, it does not establish a relationship to a <u>person</u>, like the vassal's or disciple's faith under feudal or patrimonial authority, but rather is devoted to <u>impersonal</u> and <u>functional</u> purposes. (ES 959)

(J-3) Kinship, Citizenship, and the State

The legal system underlying the personal relationships of feudalism had been based on the privileges of status rank through kinship ties and heredity. All jurisdictional and administrative decisions and actions by estate nobles took into account the familial prestige of those involved. This was also the case for early medieval monarchs, who were not much more than estate nobles themselves. The development of patriarchal patrimonialism had meant the dominance of a political and legal system which was informal and based on the decision-making powers of a master over his household.

> As a matter of fact, the extreme consequences of a "patriarchal" administration of justice by the parens patriae is but a transposition of the intrafamilial mode of settling conflicts into the political body. (ES 844)

The patriarchal type of legal system was inadequate in the administration of complex political and economic structures. The lack of rationality of the law, in addition, weakened the officials who were in a struggle for power with the nobility. Both the officials and the businessmen supported a new formally rational legal system, although for different reasons. The rationalization of the legal system ended the informality and freedom of action of the ruler under the patriarchal system, while simultaneously eliminating the direct, explicit consideration of family position and prestige

which was central to the feudal legal system. The ruler supported the movement to reform the legal system only when it became clear that his position in relation to the nobility would be improved, and that his wealth would increase through improvements in the economic community.

> The growth to pre-eminence of rational-formalistic elements at the expense of the typical features of patrimonial law, as it occurred in the modern Western world, arose from the immanent needs of patrimonial monarchical administration, especially with respect to the elimination of the supremacy of estate privileges and the "estate" character of the legal and administrative system in general. (ES 846)

The shift away from the military, administrative, and legal authority of the noble families was the final step in the restriction of the legitimate use of force. With this change, the legitimate right to use force became the exclusive property of the state. At the same time, the increasing pacification of the European societies, fostered by economic interests, led to the political institutions taking over the role of the protector of the rights and welfare of the citizenry.

> In most cases ... the bureaucratic tendency has been promoted by needs arising from the creation of standing armies, determined by power politics, and from the related development of public finances. But in the modern state, the increasing demands for administration also rest on the increasing complexity of civilization. ...
>
> Among purely political factors, the increasing demand of a society accustomed to absolute pacification for order and protection ("police") in all fields exerts an especially persevering

> influence in the direction of bureaucratization. A direct road leads from mere modifications of the blood feud, sacerdotally* or by means of arbitration, to the present position of the policeman as the "representative of God on earth." The former means still placed the guarantees for the individual's rights and security squarely upon the members of his sib who were obligated to assist him with oath and vengeance. Other factors operating in the direction of bureaucratization are the manifold tasks of social welfare policies which are either saddled upon the modern state by interest groups or which the state usurps for reasons of power or for ideological motives. (ES 972-973)
>
> *sacerdotal- (def.) priestly; pertaining to religious functions.

Between the fifteenth and the eighteenth centuries, the cities lost political power. The national states gradually stripped away the independence of the city associations and of the city administration and judiciary. Each of the states was often engaged in political and economic struggles with its neighbors. The states needed extensive amounts of liquid assets, and all turned to taxes on the citizenry and on the economic community. In an effort to undermine competitors for tax revenues, the states suppressed all other independent political bodies. In order to increase their resources still further, the states actively supported the development of business and industry. The efforts at suppressing opposing political communities within the state generally led to an alteration in the character of citizenship from a local to a national basis.

Under the national state, the Standestaat changed. The Standestaat had served as a restraint on patrimonial power, since it had a separate legitimacy from that of the ruler which was as valid as his own. The traditional rights of the noble families, while severely limited by changes in the law, still existed. This not only curtailed the exercise of royal power but also provided a foundation for a legitimate separation of powers.

However, there were demands from non-noble groups that this assembly be opened to the membership of the "common" people. These demands did not originate with the broad middle classes or the poor; rather, they came from groups of wealthy businessmen. The businessmen were seeking to advance their economic interests by political action. The noble families were no longer strong enough to stop this forced democratization of the Standestaat.

The replacement of nobles by elected representatives in the assemblies did not mean the end of the political power of the noble families. They still had the wealth and land to dominate rural districts. Their members were thus elected to assembly positions that they had previously held by right of birth. But they had to share membership in the assemblies with wealthy

businessmen who used their wealth and business ownership to win elections in urban and industrial districts.

When the assemblies were democratized still further, the noble families recouped some of the political power they had lost to the businessmen. The new members of the assemblies were in many cases from middle class groups. These new members lacked financial independence. The nobles could sway the votes of middle class members who had limited means. So could the wealthy businessmen, but they rarely had the same degree of unity of interests as did the noble families. The nobles could thus thwart the proposals of the assembly and of the ruler as well.

The existence of the elective process led to the formation of political parties, which were associations dedicated to obtaining political power for their members. The extensive development of parties, and of the government bureaucracy, ultimately resulted in the continued but gradual decline of the direct political power of the noble families. Only noble families of very great wealth were able to influence the activities of the parties. This meant the eventual replacement of feudal prerogatives by plutocratic prerogatives. That is, any wealthy family, noble or common, could influence party activities.

European patrimonial rule was that of hereditary charisma in that the throne was the legitimate possession of the eldest qualified heir of the ruling lineage. During the rise of the rational bureaucracy and of the elected assemblies, the powers of the rulers could be expropriated in many ways. The sources of expropriation were numerous: the powers of a ruler might be expropriated by the assembly of elected representatives, by the officials of the legal-rational bureaucracy, by an informal body of advisors (e.g., the cabinet or privy council), by political parties, or by a combination of groups both in and out of government.

The result of such expropriations of power was either the reduction of royal power and privilege or the abolition of the patrimonial monarchy. The positions of the chief executive and of the highest administrators were usually assumed by members of the party in power in the assembly or through the direct election of candidates nominated by the parties. Where the monarchy was kept, the patrimonial ruler frequently served to legitimize political leaders through the ritual transfer of the charisma of the royal family to the elected or selected political leader. The abolition of the monarchy meant that the charismatic legitimization of the political leadership was achieved through election by "the people."

Even where the patrimonial monarchy was dispensed

with, the need to legitimize the political structure still existed. Under patrimonialism, rule was most often legitimized by family imagery: for example, the ruler was described as the father of his country. From the eighteenth century onward, as nations gradually became dominated by rational bureaucracies, the personal relationship to the ruler was replaced by an impersonal one to the institutions. Instead of the ruler as father or mother, the abstract state was labeled the motherland, the fatherland, or the homeland. Loyalty was no longer owed to the political leader as a person, but purely as a representative of the nation. Whereas the ideological justification of previous forms of domination was based on family or family-like relationships to a person, the institution now became the substitute for the person. The familial quality of the relationship had not changed, only the object. To expand on an earlier quotation, the faith is in the "impersonal and functional purposes" of the office --

> These purposes, of course, frequently gain an ideological halo from cultural values, such as state, church, community, party or enterprise, which appear as a surrogate for a this-worldly or other-worldly personal master and which are embodied by a given group. (ES 959)

According to Weber, an electoral system may or may not represent a true democratization of the process by which a person gains or keeps an office. In ancient times, an election could be no more than the acclamation

of the elder of a qualified (warrior) sib or family by his fellow sib elders or by the community of warriors. In more recent times, elections have been used by political or party leaders as ritualistic ratifications of their activities. Even in authentic elections, the several candidates are often selected by the political parties before they are submitted to the voters. The division of power under any electoral process is dependent on the historical background of the country and on the technical apparatus of its political structure. In the rare case where a personally charismatic individual, through mass appeal, achieves control of a political party or is elected to office, the party officials are usually able to force the individual to compromise with them, since they are often in control of the party apparatus or are influential in the legislative assembly.

Whether elected or appointed, the politicians in executive positions present a more formidable obstacle to the bureaucratic officials than had been presented by the patrimonial ruler or the constitutional monarch. Their training and expertise has emerged from within the bureaucracy itself, or from within the party. Their knowledge of politics comes from firsthand contact

with political and economic interest groups. These politicians have been effective in obtaining from the bureaucracy at least some of the ends sought by the interest groups that support them. Their superior expertise has not been the only reason for their effectiveness. Their legitimacy is separate from, and possibly much greater than, that of the bureaucracy. In addition, their parties can directly influence the actions within the bureaucracy. Further, each executive can use his or her own informal council of advisors, which is similar to a small patrimonial staff since each staff member serves at the personal discretion of the executive, in an effort to control and to dominate the bureaucratic officialdom.

The result of the rationalization of the political structure was the elimination of direct patrimonial and feudal privilege, but plutocratic prerogatives remain whether or not such prerogatives are direct or mediated by status. Although the structure technically can be said to be acting without regard to persons, the bureaucracy as a neutral instrumentality is open to control by anyone with the wealth, political power, prestige, or knowledge to use it. Families are no longer the legitimate basis for political power in most areas, as they were in feudalism, but families can be

powerful through their own economic, political, status, or knowledge attributes. Family background still provides a differential degree of access to these attributes, thereby increasing or decreasing, as the case may be, the probability that a particular person will gain some degree of influence or control over the political process. Furthermore, individual families with great distinction in one or more of these attributes, though not formally connected with the legitimacy of the state or the political leader, may have a substantial impact on the informal acceptance of their legitimate right to rule and thus on the decisions made in the political arena.

(K) Summary

In very ancient times, the family provided for most of its everyday social and economic necessities. But when it was overwhelmed by extraordinary circumstances, the family became dependent on larger groups to come to its aid. At first, family heads could only seek help among their kin and their neighbors. As threats to families in a community or to the whole community became more persistent, permanent defense organizations began to develop.

Yet any enduring defense association was in some way tied to the family life of the community. Frequently,

defense associations were either constructed out of sib or family structures, or modelled after them. Even where the defense association was separated from everyday ties to family and community, the result was often the deterioration of the association's prestige and authority due to uncontrolled activities of the warriors. Eventually separate defense associations were reintegrated into the sibs and families of the community.

The use of violence by a defense association formed from kinship groups was based on a particularly strong source of legitimacy, namely, the prehistoric right of blood vengeance for transgressions against one's kin. In addition to this kind of legitimacy was the recognition by the major interest groups of the community that the defense association was the ultimate protection of their rights. As the duties of the external defense of a territory were expanded to cover the maintenance of internal order, the defense association became a political organization.

An alternative, but not mutually exclusive, route for the formation of a defense association was by the extensive internal elaboration of a few households in the community, rather than the formation of groups of families or sibs. These elaborated households, or oikoi, began as simple extensions of ordinary households

in which the political position of the family head enabled him to expand his wealth and power.

Initially, the power of the head of an oikos depended on the willingness of his kin and the members of the community to obey him. This was purely patriarchal domination, which was based solely on the domestic authority of the family head. The increasing size, wealth, and power of the household required its head to use surrogates to control this large enterprise. The decentralization of domestic authority constituted a special form of patriarchal domination, namely, patriarchal patrimonial domination. The surrogates, who were at first kin and household dependents, became the foundation for an administrative staff and a personal military force. At this point, the family head had developed an organization capable of enforcing his will.

The administrative staff and the army were personally subordinate to the family head. This subordination was in the form of a family-like relationship to the head of the household. Commonly, the relationship was imbued with long-standing conventions that limited the freedom of action of the family head. A feudal form of patrimonialism was created wherever the conventions were formalized by a contractual agreement, and

the subordinates were, in principle, no longer dependent on the household stores and budget of the family head.

There were many possible routes by which the sibs, the neighborhood associations, the defense associations, or the oikoi could become the dominant political organization within a region. Without regard to the particular circumstances in a given territory, the process almost invariably entailed the usurpation of political power that was partly legitimized through family relationships and family symbols.

The majority of large political states and empires since Mesopotamia have possessed political structures with a significant patrimonial element. Only in the last few centuries has this changed to a great degree. Even when the direct familial influence was lost, the power of wealthy or prestigious families often has permeated political regimes. Throughout most of history, the common types of enduring political regimes were based on either purely patrimonial domination, feudal (estate-type) patrimonial domination, or domination by a council of elders of wealthy or prestigious families or sibs.

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The purely patrimonial state is based on the ability of the lord of a royal household to extend his control over territories and subjects beyond the realm

of his own estate. The subjects under pure patrimonial domination would be treated as household subordinates, who have no inherent political rights. The closest approach to pure patrimonialism in a large state was reached in Egypt, where the populace not only lacked all political rights but also lacked familial and civic associations which would seek such rights. The elimination of these associations was so thorough that the regulation of property ownership and inheritance through the control of sexual access or marriage agreements occurred only at the level of individual families.

In Egypt the patrimonial bureaucracy destroyed the sibs and the other local associations, but this was not the case elsewhere. For the most part, in the ancient era, pure patrimonial domination in large states was limited to some degree by sibs and by other local and cultic associations. Moreover, as many of these states developed, pure patrimonialism was limited by the growth of a patrimonial bureaucracy and army. Furthermore, in all patrimonial states which did not degenerate into sultanism, the wealthy and prestigious families indirectly influenced the affairs of state, as they sometimes do in modern states.

In addition to the limitations on patrimonial authority, there was the circumstance in which patrimonial rule was divided among and limited by noble

families, that is, feudal patrimonialism. Where there was no expression of loyalty, however fragile, to a patrimonial ruler, there was the rule by a council of prestigious sibs and families.

* * *

The patrimonial rulers of China and India were unable to eliminate the sibs. Generally, the sibs played a part in religious practices, and the legitimacy of the ruler often depended on his religious acceptability. In China, social relationships of the family and the sib were the keystones of ancestor worship and the Confucian ethic of filial piety. The legitmacy of the Chinese ruler and the effectiveness of his bureaucracy was at least in part dependent on filial piety. To be able to use the concept of filial piety, the emperors were forced to share their legitimacy with sib elders. In India, political and social positions were justified through an effective claim of real or imagined blood ties to a sib of a noble caste. Frequently, the legitimacy of political activities in India was bolstered by kinship claims.

In China and India, the rulers almost always depended on their sib members and on the members of allied noble sibs to conduct the highest level of political administration in their realms. Most other

officials of the patrimonial bureaucracy were from wealthy sibs: in China, indirectly through the costly examination system, and in India, directly through the appointment of sib members from ritually pure priestly or trade castes. Moreover, the wealthy noble sibs used politically convenient marriages, as well as their wealth and military power, in a persistent effort to retain and expand their political power by influencing or infiltrating the patrimonial administration.

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In Israel, between the rise of the permanent war confederacy and the Babylonian exile, the economic and military resources of the noble sibs made the sib elders the indirect masters of the state. Only politically popular rulers were, for short periods of time, able to wrest political supremacy from the wealthy noble sibs. Even after the decline of the noble sibs, family lineage and family wealth provided the dominant bases for prestige and power.

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In Greece, too, ultimate political and military power originally resided in the sib elders. The wealthy sibs were so powerful that patrimonial kingship either did not develop or developed only to the point where the king was little more than a figurehead.

The sibs of poor commoners lost political power

wherever expensive, sib-equipped cavalry became the primary military force. This was especially true in China, Israel, Greece, and Rome -- where the wealthy sibs were financially capable of fielding the bulk of the cavalry.

In order to protect the wealth and military power of the noble sibs, the sib councils of some Greek communities went so far as to adopt a concept of group inheritance which applied exclusively to the members of the warrior sibs. Group inheritance, though common in Greece, was relatively ineffective due to the successful efforts of many noble families to keep control of their own family assets.

A common custom throughout much of the world was the practice of avoiding all unnecessary contacts with sib strangers. But inter-sib contacts were compelled everywhere by the everyday practical demands of economic and social life. Even in China, where inter-sib activities were distrusted, and in India, where inter-sib activities could be ritually defiling, a truce existed for the work place and, sometimes, for the marketplace. In all lands, inter-sib contacts were temporarily fostered by war.

Although the Greek cities were not the first places where permanent inter-sib political organiza-

tions existed, they were the first whose inter-sib organizations became the foundation for political organizations which were sib-like, but not sib-based or sib-controlled. This only occurred after the sib cavalry had proved to be relatively ineffective and was replaced by highly disciplined, heavily armed infantry, the hoplites.

Since the army was no longer fielded under the auspices of the sibs, the sib elders were no longer crucial to military activities. Self-equipped and self-supporting hoplites demanded greater influence over political activities. Eventually the military forces and the urban political organizations were reorganized on the basis of territorial units rather than kinship. The territorial military and political organizations were legitimized by the conscious creation of family-like communal gatherings, rituals, and meals. Although the sibs lost direct political power, their constituent noble families held the bulk of the landed wealth, and they continued to control the hoplite officer corps since only they could spare men for extensive military training.

In Athens, the navy replaced the hoplite army as the predominant military force. As a result, the

noble families had little direct influence upon the military structure. But their landed wealth continued to increase as the peasantry was bankrupted by war. Through the ownership of land, they were were indirectly influential on the political process, especially in rural districts.

In Sparta, the hoplites were restricted to owning military estates and excluded from participating in commercial activities. Women possessed the legal right to buy or inherit land and business enterprises which their hoplite spouses could not legally own. Through hoplite forfeitures of military estates which were then purchased by women, the hoplite army was reduced in three centuries to a tenth of its original size. Battlefield victories forced a conversion to a money economy and the remaining hoplite families came to control most of the wealth and all of the political rights. Only the defeat of the hoplite army led to successful reforms by former hoplite families to restore the original army.

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Early Republican Rome had much in common with the early Greek cities: its political and military structure was based on sibs and the most important

determinant of an individual's political rights and social rank was membership in a sib. Rome was ruled by a Senate composed of the sib elders.

The Etruscan re-organization of the Roman army brought into it large numbers of plebeians as a counterbalance to the patrician sibs. After the expulsion of the Etruscans, the plebeians repeatedly attempted to establish their own council, the tribal assembly. The Etruscan kings were replaced by magistrates, who had both political and military functions; and, no matter how they were elected, the magistrates remained in the control of the sib elders. Whenever the plebeians gained political influence, the sib elders managed to undermine that influence through political manipulation or intermarriage. Intermarriages served to end the political threat of the wealthy plebeians by bringing them into the aristocracy.

The society which had been divided along status lines, that is, patrician sibs versus plebeians, redivided along lines of wealth and power: the wealthy and the office holders versus the free peasants, the artisans, and the middle-class merchants. The upper stratum had changed during the time of the Roman Republic from several hundred landed sibs to a mixture of twenty very large sibs and many wealthy merchant

families, between whom intermarriages were common. Moreover, by the late Republic, the sibs and wealthy merchant families were obtaining their wealth from roughly the same sources, landed estates and overseas commerce.

The great wealth of the sibs and their withdrawal from the command structure of the state-equipped army created a situation in which individual sib elders could use their vast fortunes to buy army loyalty. This established the foundation for the development of an imperial political structure. The emperors eventually restricted the remaining political and military power of the sibs. With little reason to stay together, the sibs gradually separated into individual wealthy families which were no different from the other wealthy landed and merchant non-sib families of the empire. Throughout the empire, sib ties were slowly dissolving due to wars, migrations, and the rise of Christianity with its concept of the brotherhood of believers.

The wealthy families abandoned the cities when the end of imperial expansion brought about declines in trade and increases in the levels of taxation. The

wealthy families had their estates declared separate administrative districts with the provision that they would furnish tax revenues and conscripts for the army. The emperors approved of this as a means of avoiding the use of financial reserves for rural administration.

As the money economy collapsed, economic activity shifted to the natural economy of the inland estates belonging to the wealthy families. The heads of these families were unwilling to spare men for conscription who were vital to agricultural production; but they were unable, due to a lack of trade, to supply the emperor with money to pay for a state-equipped army. The mercenary army was replaced with married professional soldiers who lived with their families and farmed plots of land which were hereditary as long as the military family could provide a man qualified for military service. The land was given by the wealthy estate families, and some of their own tenant farmers served as officers and enlisted men in return for special privileges. In this way, the emperors preserved their scarce supplies of money and the noble families protected their estates. An independent bureaucratic administration and army was, however, ultimately sacrificed to these economic and defense needs.

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The estates of the noble families were a critical link between the money economy and vast political structure of the Roman Empire and the natural, feudal economy and rural social structure of medieval Europe. After the major invasions and wars that signified the end of the empire, the administrative, military, and economic edifice of independent and semi-independent estates remained largely intact, although it was problematic whether the original noble families still held them.

In an agricultural system which could spare neither large numbers of men nor monied wealth, the army that developed was based on small numbers of well-armed and well-trained cavalry. The members of the cavalry were granted lands and manpower to farm the lands in return for military service to the noble family that controlled the estate. The feudal relationship between the members of the cavalry and the estate lord began as a personal tie within the lord's household. This relationship evolved into a hereditary personal contract between members of the nobility, in which the vassal was, technically at least, not a patrimonial dependent. Over the centuries, the contractual relationship became stereotyped and

hereditary so that neither side could alter it in an arbitrary manner. Entire regions of Europe were characterized by feudal relationships, with the estate lords being, in principle, the vassals of the king, and lower lords being vassals to these lords, and so on, down to the lowest level of knightly cavalry.

The inland cities were developed by estate lords to take advantage of natural trade routes and to profit from the growing surplus of people and agricultural products. The cities were formed through the congregation of many types of workers and their families who were sent or allowed to go there by the estate lords. In such cities, there were no sibs or sib-based associations and thus there were neither the protections provided by sib membership nor the cultic barriers preventing the formation of associations based on territory or occupation. Whether the urban political association developed directly or through occupational or protective associations, it is clear that membership was always based on the citizen as an individual, and that the kin of a citizen held legal rights solely through the individual's membership in the association.

In the early medieval period, the urban associations confronted estate lords whose households were

administratively and economically inadequate to effectively regulate the internal affairs of the cities. The staff of the noble household was relatively small and poorly trained for tasks of commercial regulation, and its duties were circumscribed by the traditions that had developed in the course of centuries. The urban associations became the major regulators of city commerce and thus were able to limit the tax responsibility owed by the city to the estate lord.

Cities in some regions, notably the southern European coast, were powerful enough to force the rural noble families to live in the city; northern and inland European cities were for the most part, however, politically and economically weak. Depending on the particular city, the upper stratum might consist of families of old wealth or of wealth newly earned, of landowners or merchants, or of a combination of these. These families were the ruling class, but feuds between them often prevented the rational administration of the cities of the southern coast.

The one major Italian city that avoided administrative chaos caused by noble family feuds was Venice. It was in the interest of the noble families of Venice to maintain an orderly and united political administration, since all the families profited abundantly

by their rational economic involvement in overseas trade and foreign political ventures. The economic importance of overseas monopolies was not as great in other Italian cities; and the lack of a community of mutual interests among the noble families led to incessant feuding. Because of the feuds, several techniques emerged to provide a stable administration in each of these cities, including the importation of foreign magistrates and the acceptance of the rule of a council of occupational associations. But such techniques only succeeded where the noble families continued feuding or permitted others to run the city. When the feuds or outside political forces threatened the entire community, the elder of a noble family was usually chosen by most of the noble families and merchants to become a supreme civic administrator, the signoria. Though the signoria brought economic stability, political and military manipulations left him in total control of the city. Other noble families then devoted themselves to economic concerns.

The urban association of northern European cities were indirect outgrowths of protective and occupational associations which, in turn, were replacements for the sibs which had disappeared somewhat later in northern

Europe than in the south. Initially, political power belonged to wealthy urban merchant families. But the middle-class citizenry, with their administrative experience in the protective and occupational associations, received the support of the rulers of large patrimonial states in their appropriation of the powers of the city governments. The rulers viewed the city associations as political counterweights to the economic power of the wealthy merchant families and the rural landowning noble families. The political power of the cities in medieval northern Europe stemmed primarily from the great flow of commerce through them. In some regions, especially England, the cities were truly corporate enterprises seeking economic advantages for wealthy citizens who had purchased from the urban association hereditary citizenship for themselves and their families.

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In the early medieval period in Europe, the large states were primarily composed of separate feudal estates, each administered by the household of a noble family. The increasing needs for military flexibility and for regulation of expanding commerce were beyond the capacity of such political structures. The patrimonial bureaucracy which eventually developed

to manage the complex administrative problems of the state grew from the relatively small royal household staff. The selection and social rank of the patrimonial staff was a fundamental point of contention between the ruler and the feudal nobles. The distribution of power was often volatile due to the personal qualities of patrimonial and feudal relationships, and to the struggle for political influence between the ruler, the noble families, and the patrimonial officialdom.

Although the distribution of power might be in doubt, the political structure of the state was often quite substantial. Where problems of succession might have divided the state in the early medieval period, these lessened toward the post-medieval period. In some states, the noble families had formally organized into a permanent Standestaat (polity of Estates); and since they considered their association to be a single unit, the state became indivisible. In other states, the growing patrimonial bureaucracy became an informal structure of the state, thereby forcing the state to remain united regardless of problems of royal succession.

Requests for more and better governmental administration led to the expansion of the patrimonial bureaucracy into new and increasingly complex activities,

requiring specialized knowledge and experience. In addition, the vague jurisdictions, the uncertain financing out of the royal household, and the fluid legal apparatus of the patrimonial bureaucracy came under increasing criticism and pressure by an economically rational business community.

After the conversion to more stable state financing, the structure of offices within the bureaucracy gradually changed from vague and arbitrarily determined personal royal grants, occupied by feudal nobles and patrimonial dependents, to permanent offices with salaried professional staffs and fixed duties and boundaries. Moreover, in this new legal-rational bureaucracy family lineage was no longer a necessary formal prerequisite for office-holding.

The return of the money economy in the medieval period and the increasing ability of rulers to take advantage of tax revenues meant that the rulers were no longer dependent on the financial and military support of the noble families. At first, rulers simply employed mercenaries led by military entrepreneurs. The patrimonial mercenaries replaced the small feudal armies as the mainforce of the state. However, mercenaries were expensive, undisciplined, and not always trustworthy, even though they were financed out of the royal household. After the change to state financing,

the rulers formed armies of conscripts who were cheaper and easier to organize and train, since the infantry claimed no hereditary status privileges. But such a state-supported army of conscripts was not available as a personally patrimonial arm of the prince; the ruler, using state, not household financing, had less authority to demand that the army carry out his orders. The ruler rid the army of military entrepreneurs by using members of the noble families to provide an officer corps in exchange for political and economic privileges. The change to the modern army occurred when the noble families could not provide enough officers with adequate technical training to staff the armies of the state.

The feudal legal system mirrored the feudal system itself in that all decisions took into account the social prestige of the families involved. Similarly, the patriarchal patrimonial legal system mirrored the informal and arbitrary decision-making of a master over his own household. Both legal systems, which were familial in nature, were inadequate for the administration of complex political and economic structures. State officials and businessmen needed a stable and uniform set of laws administered in a rational, impersonal manner. The rationalization of the legal

system ended the informality and freedom of action of the ruler under the patriarchal system while simultaneously eliminating direct consideration of family prestige, which was central to the feudal legal system. The ruler supported this rationalization of the law since it weakened the noble families and increased his wealth. The legal limitations on the feudal families and the patrimonial ruler were the final steps in the control of the legitimate use of force. Henceforth, as long as the societies did not markedly change, the state became the exclusive holder of the legitimate right to use force, and this exclusivity was justified by the claim that the state was the main source of protection for the rights and welfare of the citizenry.

The Standestaat of the noble families had served as a restraint on the power of the patrimonial ruler since it had an independent claim to legitimacy. The Standestaat was the historical source for the legitimacy of the principle of separation of powers.

The business community eventually forced the democratization of the Standestaat. As the Standestaat became an elected assembly, the noble families lost direct control of the legislative process. Although feudal prerogatives had ended, the prerogatives of prestige and wealth remained. The great prestige and

financial resources of a relatively small number of noble families made a close association with them a considerable political asset. Moreover, wherever candidates for office lacked the financial resources to enter a political contest, and organized political support (e.g., parties) was weak or non-existent, the wealthy families stood ready to support them in return for favorable treatment on issues important to them. Thus when family prestige was no longer the formal basis for political authority, family assets could become an informal basis of such authority. Furthermore, family assets could be used to informally influence bureaucratic structures which, in principle, had dispensed with formal family influence.

Gradually, the powers of hereditary patrimonial rulers of Europe were expropriated in favor of popularly elected, or assembly appointed, chief executives. Each ruler had been legitimized through the symbolism of a personal, family-like tie to the populace, namely, as the father of his country. The symbolism of the personal tie to the ruler was replaced by the symbolism of an impersonal one to an institution, the state, that is, the state became the motherland, the fatherland, or simply, the homeland. The family-like quality of the symbolic relationship had not changed, but the

object had. The state now stood as a substitute for the personal master or the symbolic head of a household. Loyalty to the chief executive of the nation was not owed to him or her as a person, but solely as a representative of the state. The use of family symbols thus attests to the power of family ties, even when the legal basis of family power in politics has been greatly weakened.

(L) Conclusion

Throughout the non-primitive, complex cultures of the ancient and medieval world, the institutions of the kinship order often provided the central framework for political activities. Weber's study of the kinship institutions in the political arena focuses on the theme of exploitation. Generally, wherever possible, family heads and sib elders used almost any means and exploited any advantage in order to obtain, preserve, and increase their power and to pass it on to their kin. Leaders of families and sibs who possessed a political advantage (through wealth, prestige, knowledge, or office-holding), sought to usurp the power and rights of others in the community. Of course, the range of their activities was usually limited by their particular worldview and concrete interests. However, when a kinship group becomes a political

entity, there is a potential for internal conflict between the group members' newly acquired political rights and obligations and their kinship values. This is least true of the family where kinship values are at their strongest, but in the sib or the oikos the result of the conflict might be problematic since more distant kin are involved.

The earliest associations for defense were built on family ties, sib ties, and propinquity. The use of force by their members was justified by the right to protect one's kin, that is, by the prehistoric right of blood vengeance. In addition, family ties stabilized the line of succession to rights in the political gathering and thereby stabilized the political structure of the community.

Most of the enduring political regimes which came after these associations were founded on some form of family-oriented structure: usually, either (pure) patrimonial domination, feudal (estate-type) patrimonial domination, or rule by a council of elders of notable sibs or families. Within these regimes, political rationalization was constrained by family structures and values. But where the means of force fell into the hands of non-kinship groups in the community, political rationalization eventually became

independent of the formal influence of family structures and values. Even without formal dominance, notable families have been capable of exerting a considerable degree of informal pressure on what otherwise appear to be politically rational governmental structures and processes.

By far, the most common and enduring regime in large states was some type of patrimonialism. In a relatively pure patrimonial state, the government structure was part of the ruler's household. The bureaucracy and the army were often composed of patrimonial dependents whose income came directly from the ruler's household. Where this type of state reached its most thorough development, e.g., in Egypt, it tended to undermine all civic and extended kinship associations.

Commonly, pure patrimonialism did not develop fully in large states. Estate-type patrimonialism often came into existence where the ruler did not have, or could not maintain, the power to consolidate the political structure and control it solely from his household. In some instances, pure patrimonial development was retarded by pre-existing, kinship-based political structures which were created by local estate families or by elders of warrior sibs. This

phenomena can be seen in the activities of the warrior sibs of China, India, and Israel, as well as in the activities of the castle-dwelling noble families of medieval Europe and elsewhere. In other instances, pure patrimonial development was halted by strong pressures toward prebendalism and feudalism. Patrimonial officials and military officers sought to usurp, as hereditary rights, the privileges given to them by the ruler in return for services. This practice occurred to some degree in all large patrimonial states. Pre-existing kinship-based political structures and the demands of patrimonial officialdom for inheritable privileges limited patrimonial power.

Wherever warrior sibs or families constituted the political association of a community and where there was no patrimonial centralization of political authority, the community was ruled by a council of elders of the most distinguished sibs and families. Many Greek city-states and Rome in the time of the Republic were ruled in this way. In these communities, the elders of the warrior sibs used their military and economic power to usurp most of the political rights of the other free elements in the populace. When the military burden shifted to a larger part of the free populace and wealth spread to non-noble elements in the community, the sib elders and wealthy family heads attempted to

preserve their advantages by political and economic manipulations and by intermarriages. To counterbalance the power of the noble sibs and families, non-noble political associations were formed and were justified in part by the creation of family-like activities for their members, that is, they were justified by giving them a family-like image.

Sibs no longer existed in medieval European cities. Instead of sib elders, the councils of the medieval cities were composed of the heads of wealthy families. The wealthy family heads, like the sib elders of Antiquity, used political and economic manipulations to preserve their advantages and control an increasingly restive populace. The political power of the wealthy families within the city remained strong except where the families quarrelled among themselves. But the cities were not politically independent entities. Instead, they were parts of larger feudal and patrimonial realms. Although the estate lords, who had founded the cities in their own economic interests, did not have the household staff to regulate city commerce, they still possessed the most powerful military force in the land.

The expanding commerce of the medieval period provided the impetus for a shift from estate-type patrimonialism toward a purer form of patrimonialism.

With their greatly enhanced resources, the patrimonial rulers of Europe undermined the military and administrative capabilities of the estate-based families. However, the vastly enlarged patrimonial bureaucracy and army could no longer be administered or financially supported by the ruler's household. In the end, the bureaucracy and the army ceased to be primarily patrimonial in character. The state lost its patrimonial character but it did not lose its family imagery -- the symbols of the state, by which the state's existence and power were justified, remained primarily familial in nature.

The bureaucracy and the army were no longer the formal personal instruments of the will of the ruler or the nobles. But bureaucratic structures could be the informal tools of those who possessed the wealth, prestige, knowledge, or political power to use them. Although these attributes could be personally acquired or acquired through an organization, the family often played a crucial part in their acquisition. In some cases, the family provided these attributes through formal and informal inheritance. In other cases, the family provided a milieu which facilitated their attainment.

The Political Order and the Kinship Order

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2- Sources for section (B) Ancient Mesopotamia:
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3- Sources for section (C) Pharaonic Egypt:
ES 687-691, 1013-1018, 1044-1047, 1222, 1227
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4- Sources for section (D) Imperial China:
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5- Sources for section (E) India:
I 3, 10, 30-32, 48-54, 63-112, 123-141
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SAC 40-77, 98, 260-366, 389-411
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10- Sources for section (J) Post-Medieval Europe:
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CHAPTER IV

THE RELIGIOUS ORDER AND THE KINSHIP ORDER

The religious order, as defined by Weber, is composed of institutions that are concerned with monopolizing access to a claimed transcendent realm, and the benefits derived from such access. Religious conduct has an almost endless variety of forms and goes back to prehistoric times.

> The external courses of religious behavior are so diverse that an understanding of this behavior can only be achieved from the viewpoint of the subjective experiences, ideas, and purposes of the individuals concerned -- in short, from the viewpoint of the religious behavior's "meaning" (Sinn).
>
> The most elementary forms of behavior motivated by religious or magical factors are oriented to this world. (ES 399)

The relationship of religious conduct to kinship in complex, non-primitive societies was profoundly influenced by the overall tendency of religious practice to move from ecstatic to ethical religiosity, and by the place of the household in early religious behavior.

(A) Ecstatic and Ethical Religiosity[1]

Originally, most religious conduct was purposely intended to improve the individual's economic and social position by an appeal to some source of power which the individual believed lay beyond natural phenomena. Many early religions apparently began with

the belief that there were spirits of many kinds and the related belief that these spirits could "possess" persons or objects.

According to Weber, a very common form of ancient religiosity was the ecstatic religious association, of which some elements still survive in modern religions in a sublimated manner. It was believed in these ancient religions that certain people could call upon the spirits or that members of a group of worshippers could each achieve a subjective "mystical union" with the spirits. Weber referred to the extraordinary ability to call forth spirits or magical powers as "charisma." This is charisma in its original and most fundamental form -- in this form

> ... charisma is a gift that inheres in an object or person simply by virtue of natural endowment. (ES 400)

Weber called the subjective state that represents charisma, and which is sought by believers, the state of ecstasy. When this state occurred in a group of believers, he called this social form of ecstasy the orgy.

The orgy was the rudimentary form of the religious association. Although a state of ecstasy can be induced through many different forms of intoxication, one of the most important is sexuality, which is also a prime

underlying aspect of the family relationship. Even though the purpose of religious conduct was to influence spirits, the ecstatic experience itself was first, irrational; second, transitory; and third, left little that was meaningful to the pattern of routine, everyday life. Those who belonged to the ecstatic religions led a double life -- one being the pattern of routine existence and the other being the brief sporadic moments of ecstasy. Neither part of life could be meaningful from the standpoint of the other.

The orgy of the ecstatic religions was not completely without a meaningful interpretation, but the orgy was rarely integrated into the pattern of everyday life in a meaningful way. The lack of a meaningful integration of the ecstatic religions with everyday life was the key to their eventual downfall. Their lack of meaning signified a universe or "cosmos" which was totally beyond the understanding of the believers. This "meaningless" image of the universe was increasingly contrary to the slow but continuing process of rationalization in other areas of life. The increasing regulation and ordering of other areas of life provoked greater demands for ethically oriented religions that would portray a more understandable universe. The process of rationalization toward ethical religiosity proceeded along many different paths, depending upon

what facet of the universe was being questioned. But in the major ethical religions, a concerted attempt was made by religious leaders to devalue the importance of extreme ecstasy, especially the sexual ecstasy that existed in earlier ecstatic religions.

The formation of an ethical religion entailed the creation of an image of an ordered, understandable universe, in which each person could expect just compensation for his or her religiously correct conduct. In order to be able to legitimize their authority, the religious leaders who formulated the ethical religious doctrines usually claimed the existence of a (frequently omnipotent) transcendental entity. The existence of such an entity, and of the principle that this entity in some way compensates correct conduct, led to the question of the relationship of the entity to the "... imperfections of the world..." governed by the entity. To the individual, the important questions of such compensation were whether one could obtain success for oneself and for one's family and descendants, and whether there would be compenation after death.

> Concern about one's children was everywhere a definite fact of organic social life, pointing beyond the personal interest of an individual and in the direction of another world, at least a world beyond one's own death. For those who were alive, the exemplary and strict fulfillment of the

> positive divine commandments remained obligatory, in order to obtain for the individual himself the optimum opportunity for success in life by virtue of god's favor, and in order to obtain for his descendants a share in the realm of salvation. Sin is a breach of fidelity toward god and an impious rejection of god's promises. (ES 519-520)

In the rationalization of the ethical religions, most religious leaders developed a concept of salvation (however, one major religion, Confucianism, did not have an ethic related to salvation). Although the salvation concept had been present in earlier religions, it was never as systematized or as central to religiosity as it was among those ethical religions which explicitly used the concept. In the ethical religions that had the concept of salvation, it was incumbent upon the believer to seek salvation or, if salvation was "unknowable," to seek "proof" of his or her salvation (if for no other reason than his or her own psychological benefit or status in the community of believers).

In ethical religions, there are two routes in the quest for salvation or proof of salvation: the first is the active pursuit of salvation (or proof) through ethical conduct within the world, and the second is the maintenance of a subjective state of union with the transcendental entity which is separated from the pattern of everyday life. The former, which Weber called

"asceticism," requires the believer to pursue ethical conduct, thus acting as the instrument of the entity, within the routine activities if the world. The latter, which Weber referred to as "mysticism," requires the believer to put aside everyday activities and interests in an effort to achieve a mystical union with the deity. Both asceticism and mysticism exist in each of the major ethical religions, but the importance and the position of the two forms of religious conduct vary greatly from one religion to another.

The intense ecstasy produced in the ecstatic religions was antithetical to the ethical religions in that it could not be placed within the ordered and regulated context of ethical religiosity. The leaders of the ethical religions sought ecstatic experiences which were sufficiently moderate to be controlled -- they sought, especially, to find substitutes for ecstatic sexuality.

> Yet there can be no doubt that a considerable portion of the specifically anti-erotic religiosity, both mystical and ascetic, represents substitute satisfactions of sexually conditioned physiological needs. (ES 603)

Usually there were magical reasons in early religions both for the indulgence in religiously-related sexual ecstasy and for the abstention from such ecstasy. As the ethical religions became more rational, i.e., more systematic, the rejection of sexual ecstasy

became fundamental to the pursuit of salvation.

> At the level of ethical religion, two other significant attitudes of antipathy to sexuality developed in place of the various types of magical motivation. One was the conception of mystical flight from the world; this conception interpreted sexual abstinence as the central and indispensable instrument of the mystical quest for salvation through contemplative withdrawal from the world, in which sexuality, the drive that most firmly binds man to the animal level, constitutes the most powerful temptation. The other basic position was that of asceticism. Rational ascetic alertness, self-control, and methodical planning of life are threatened the most by the peculiar irrationality of the sexual act, which is ultimately and uniquely unsusceptible to rational organization. These two motivations have frequently operated together to produce hostility toward sexuality in particular religions. All genuine religious prophecies and all non-prophetic priestly systematizations of religion without exception concern themselves with sexuality from such motives as we have just discussed, generally terminating in hostility toward sexuality. (ES 603-604)

Each of the major ethical religions differs as to the extent and direction of the rationalization of its religious ethic. All ethical religions have traditional rites and sanctions; all have an ethic which in some way requires an inner religious life; and all have an ethic that in some way absorbs "... the general virtues of life within the world..." or at least takes these virtues into account in religious life. These general virtues (e.g., filial piety, neighborliness, honesty, etc.) were represented in each ethical religion, but each religion has both a different degree of systematiza-

tion and a different focus of concentration in these areas of life.

(B) Early Religiosity and the Household[2]

Religion was a fundamental and pervasive element in ancient societies: any purposeful and important conduct of an individual or any continuing association of individuals required the "presence" of its own particular spirit for success. The family and the sib, like all other associations, had their own spirits. The spirits possessed by kinship groups could be related to the land, the house, or the fireplace of the family or sib (e.g., "... gods of the hearth and the hearth fire.") But the earliest and most prevalent types of spirits adopted by kinship groups were those in which the beings represented were, really or fictitiously, related to the group through kinship itself, that is, the spirits of the family or sib ancestors.

Where the family and the sib remained strong and substantially patriarchal, the worship of the ancestors was usually highly developed. The worship of the ancestors, in turn, increased the cohesion of the family and sib against external social groups. Since the contact of the kinship group with its ancestors was of paramount importance, the central question became that

of who could legitimately represent the members of the kinship group to the ancestors. In a traditional patriarchal household, the position of family priest was, of course, held by the male head of the household. The domestic ancestor cult always required that the person chosen to be family priest must be a legitimate heir to the right of sacrifice. To have the wrong member of the kinship group, or worse, an outsider, act as priest might anger the ancestral spirits and endanger the kinship group. An outsider to the kinship group was thus not just an alien in blood descent, but also an alien in religion.

The ecstatic religions were always limited in their penetration of the family. Although an orgiastic experience could occur with many members of the same family participating, the orgiastic experience could not be based on sexual activities with close family members. It appears that the prohibition against sexual relations among closely related kin was older and far stronger than the rites of the ecstatic religions. The support for this view comes from the fact that sexual prohibitions were universally known in the earliest historical records, regardless of the types of religiosity present in any particular society. This point is not refuted by the subsequent historical occurrence of marriages between closely related kin in upper strata

families: this phenomenon was rare, often restricted to ruling families, and was fostered in an attempt to preserve family wealth and power. The occurrence of kin marriages among upper strata families shows that even though sexual prohibitions were quite strong, they could still be influenced by other factors. However, the usual direction of influence by economic, political, and religious factors was toward increasing the restrictions on sexual relationships between close kin.

(C) The Religions of Ancient Mesopotamia and Pharaonic Egypt[3]

Weber said little about the religions of the ancient Mesopotamian societies. But he indicated in his short exposition on the subject that even in these early historical societies a limited ethical rationalization of religiosity had taken place.

In attempting to create an understandable universe, the priests in these societies faced the same problem with which many later religions were to contend: the problem of theodicy, that is, the problem of reconciling the conception of an omnipotent and omniscient deity (or deities) with the imperfect world. Many religious leaders in Mesopotamia developed answers to this problem along the lines of what Weber referred to as "dualism,"

that is, the notion of the existence of good deities and evil demons who are in a struggle for dominance. From this concept of dualism, the priests developed and systematized sacred rituals and rules by which individuals could protect themselves from evil. The priestly systematization of religious practices was enforced first through the support of the royal oikos, and second, through the legitimacy of the priests' positions as members of the gods' "households" (i.e., the temples) and thus as intermediaries between the gods and the people. The royal oikos, and the patrimonial bureaucracy that developed out of it, controlled a large agricultural system. Rational religious practices, formulated by the priests, offered a means by which the patrimonial ruler could further control the populace. This systematization undermined the importance of ecstatic religious practices, but it never completely eliminated the ecstatic elements from the developing ethical religiosity.

The priesthood in most Mesopotamian societies was hereditary. Priestly families not only passed along priestly positions from one generation to the next but they also passed along temple-controlled estates that were equivalent in size to the manorial households of the secular noble families. The priestly families

obtained their wealth from managing the estates, treasuries, and storehouses which officially belonged to the temples. The power of the priestly families came in part from their wealth and in part from their political position. The priests were seen by the lower and middle strata as protectors and intermediaries in both religious and political matters. Any struggle of the priests against the patrimonial ruler and the noble families, on behalf of the non-noble strata (commonly, small merchants and artisans), often earned them the support of these strata in developing an autonomous source of political power.

> In spite of all ... differences, it is quite clear that there is an elective affinity between priesthood and urban petty-bourgeois strata. Above all, the opponents are typically the same in Antiquity and the Middle Ages -- the great feudal families; in their hands was both the political power and the usurious loan business. For this reason bourgeois strata have often tended to support every move of an hierocracy in the direction of autonomy and rationalization. (ES 1180)

The power of the priests eventually became great enough to limit the deification of the patrimonial ruler. After this, the ruler could only be represented as having been granted a fief by the deity and not as a deity himself.

The religion of Pharaonic Egypt, like the religions of Mesopotamia, was complex and polytheistic. One aspect

of this religion that was of particular interest to Weber was the cult of the dead -- a cult which served as a power base for the priestly families. The cult of the dead was not the same as the domestic cult of worshipping family or sib ancestral spirits. Ancestor worship was one particularistic form of the cult of the dead: it was tied solely to family or sib relationships. The worship of ancestors supported, and was supported by, the sibs. Without the sibs, the ancestor cult had to be linked to individual families and such ties, of course, lacked the formidable strength of sib-based support. When the Egyptian patrimonial bureaucracy succeeded in destroying the sibs, the support for ancestor worship was practically eliminated. But the end of exclusively domestic ancestor worship did not lessen the concern for the afterlife and for those who had died. The priesthood appropriated the rituals and sacred objects pertaining to the afterlife in a more universalistic cult of the dead.

The priesthood began simply as one profession among many but grew in wealth and power to rival the might of the pharaoh. The priesthood became self-perpetuating, with sons inheriting the right to administer temple estates and to use the temple storehouses and treasuries. Moreover, the priestly families were responsible for the education of the secular ad-

ministrators and scribes, thereby undermining the power of the pharaoh within his own household. The pharaoh could not turn to secular noble families for support against the hereditary priesthood, since his patrimonial bureaucratic apparatus had abolished most of the noble families other than those who were part of the royal oikos or part of the highest military stratum. Eventually the power of the priesthood became so great that the pharaoh lost his status as a living god and had to consider himself as merely the lord of the patrimonial state who had received the state as a fief from the gods.

The priesthood did not face strong opposition from the ecstatic religions, for the early development of a patrimonial bureaucratic structure and the concomitant development of systematized bureaucratic regulation tended to suppress the irrational ecstatic religions. The Egyptian priests, like other ethical religious leaders, faced the problem of theodicy. Their solution to it gave religious practice an ascetic tendency.

As in all ethical religions, there was a formal acceptance by the priesthood of what Weber called "the general virtues of life within the world." These included respect for the family, aid to one's neighbors, returning good-for-good and evil-for-evil, aid

to the poor, and protection of those who could not protect themselves. Such general virtues existed long before the formation of ethical religiosity and were absorbed into the doctrines of the ethical religions.

Although the Egyptian religious ethic tended toward asceticism, it never achieved the rational systematization or the degree of application of later ethical religions. The belief in magic (i.e., the belief in the ability to coerce the gods through religious rituals) and the use of magical techniques circumvented the ethical rationalization of the religion by giving the religious transgressor an escape route from the ultimate "payment" for his sins. By using the correct magical phrases (which were, of course, dispensed by the priestly families), one could avoid bad consequences.

> Egyptian priestly teaching ... might raise ethical or charity commandments of whatever content. What re-enforcement could it provide, if simple magical means were at hand allowing the dead to hide his sins in the decisive moment before the judge of the dead? This, indeed, was the case. (AJ 262)

With their control of magical objects, the priestly families added to their growing wealth by "selling" salvation to all those who had the economic resources to pay for magical phrases and tokens.

The ethical elements of Egyptian religiosity were mostly the concern of the priesthood, the middle class, and the upper class. The large agrarian lower classes

tended to be traditionalistic. While the latter believed in the religion, their practices emphasized merely the general virtues of life. Since the peasantry had not been instructed in religious knowledge by the priesthood, their conception of it was completely materialistic; namely, one "paid" for good luck and salvation.

In attempting to monopolize all religious practices and thereby gain full hierocratic domination of the peasantry, the priests went so far as to take control and systematize the popular worship of animal deities. As in Mesopotamia, the priestly families not only dominated most forms of religiosity but also became intermediaries between the patrimonial ruler and the middle and lower strata of the populace.

(D) The Major Religions of China[4]

The deities of ancient China (ca. 1000 B.C.) were of two basic types: those of the neighborhood group, which were a fusion of the spirits of the soil and the harvest, and those of the ancestral spirits of each sib. Later, as patrimonial rulers came to dominate the land, the dual spirit of harvest and soil became the spirit of the land ruled by a patrimonial monarch. With the creation of the imperial patrimonial state

and of a hierarchy of feudal noble families, there developed a concept of a god of the Heavens. Even with this proliferation of deities, the worship of ancestral spirits was not weakened or diminished.

Although the patrimonial rulers sacrificed to these deities, they also continued to sacrifice to the ancestral spirits of their own sibs. Since each sib had its own ancestral spirits, it was not possible for the patrimonial rulers or the feudal nobles to usurp control of the domestic ancestor cult. The sib elders, by maintaining tight control of ancestor worship, were able to exert a considerable amount of political power within their local areas.

The Chinese held the belief that it was an absolute necessity to satisfy the ancestral spirits of their own sib; and this belief increased the power of sib elders and of the head of each household through their roles as family priests. The authority of the sib elders was dependent on the willingness of other sib members to obey. Both the elders and the other sib members feared that any change in their everyday activities might anger the ancestral spirits. As a result, traditional economic techniques and social relationships were retained regardless of the circumstances. Any elder or member of a sib who violated the traditional family moral code faced severe sanctions. Not only were the

elders traditionally-oriented, but the members of the sib might simply refuse to go along with any change which they considered a threat to traditional practices. The religious authority of the sib did not cease when a sib member travelled to other areas because the individual member, wherever he or she was, was still bound by religion to the sib since only sib elders were permitted to sacrifice to the ancestors.

The two fundamental aspects of ancient Chinese religious philosophy were the principles of the "Tao" and of the dualism of "Yang" and "Yin." These principles were accepted by both major religions of China, Confucianism and Taoism, but each religion had its own interpretation of them. Both religions were founded by intellectuals in about the sixth century B.C.

The concept of Tao refers to the eternal order and harmony of the universe. It is based on the dualism of good spirits (shen) and evil spirits (kwei).

> The doctrine held in common by all schools of philosophy summarized the "good" spirits as the (heavenly and masculine) Yang principle, the "evil" ones as the (earthly and feminine) Yin principle, explaining the origin of the world from their fusion. (C 29)

This formulation provided the answer to the problem of theodicy. The Heavenly-maintained order and harmony of the universe could continue as long as the good spirits were supported by the people and their rulers.

If the people or the rulers failed to support the good spirits, the evil spirits would be released by Heaven to do harm. In Confucianism, Tao was achieved by an individual by acceptance of the natural order of the world. The individual who had "attuned" himself to the order and harmony of the universe, who acted in a socially dignified and correct manner, and who controlled his emotions, was acting in accordance with the major Confucian principle of "propriety." By acting in this manner, the individual was not attempting to achieve salvation, for there was no such concept in orthodox Confucian doctrine. The goal was success and peace within this world, not salvation in another world. Taoist intellectuals rejected the Confucian principle of propriety. The Taoists developed a concept of salvation in Tao by means of a contemplative withdrawal from the everyday activities of the world.

Like all other ethical religions, Confucianism usurped the general virtues of life in the world. But the emphasis in Confucianism was placed on respect for, and responsibility in, family relationships. The greatest principle was propriety, and the most important duty was filial piety. Confucian intellectuals apparently adopted filial piety as the central religious duty because of the great belief of the populace in the power of ancestral spirits. Confucian doctrines pointed

to family relationships and filial piety as the ideal pattern for all other relationships and associations. In fact, almost all associations, economic and political, were tied together by family relationships or became similar to family relationships through the requirements of piety toward elders. Confucian principles always stressed personal relationships over impersonal ones:

> Within the five natural social relations the duties to master, father, husband, older brother (including teacher), and friend comprised the sum total of the ethically binding. (C 209)

Four of the five relationships concern the family or household directly; and all five emphasize personal relationships with specific people and do not demand a universal ethic of brotherhood with all men, or even, with all believers in Confucianism. A lesser principle of Confucianism was "reciprocity." This was also drawn from the general virtues of life but had no devotional aspect, unlike filial piety. Reciprocity was an ethic of the community or neighborhood association. This latter obligation never carried the importance or moral force of filial piety. Filial piety was the only obligation which, if violated, would be viewed in Confucianism as a "sin."

Filial piety and ancestor worship were the main elements which gave the sib its cohesion and strength. Since the social ethic of filial piety permeated all

economic and political associations, bureaucratic structures were only strong where they incorporated into themselves family, or family-like, relationships. Often this meant that a person was tied to his or her sib not only by means of religion but also through occupational relationships as well.

Although the personal ties of filial piety were central to Confucian practice, the individual was required, in personal relationships, as in all other things, to act with propriety. The principle of propriety accentuated self-control and moderation in all activities. Confucian intellectuals stressed "rational sobriety" in all actions in pursuit of the Confucian concept of Tao. All forms of ecstatic and orgiastic conduct and all sources of such conduct -- sexual activity, alcohol, drugs, music, dance -- were either condemned or ignored by Confucian intellectuals.

Confucian intellectuals had enunciated the principle of propriety, and it was the educated staff of the patrimonial bureaucracy who developed the practice of propriety in everyday life. The Confucian ethic, with its emphasis on order, harmony, and filial piety, gave great support to the patrimonial ruler and his staff. In return, Confucianism was favored with official recognition by the government. Confucianism was not borne by a professional priesthood, instead, a stratum

of educated political officials of the patrimonial bureaucracy were responsible for the intellectual rationalization of religious practices. These political officials, or literati, were classically trained scriptural scholars. Their dual role as political officials and religious figures decisively influenced the character of Confucianism:

> Every body of political officials ... has been suspicious of all sorts of individual pursuits of salvation ... at bottom they have despised the very quest for these impractical values lying beyond utilitarian and worldly ends. For all political bureaucracies, religious duties have ultimately been simply official or social obligations of the citizenry and of status groups. Ritual has corresponded to rules and regulations, and, therefore, wherever a bureaucracy has determined its nature, religion has assumed a ritualist character. (F 283)

The Confucian ethic did not take into account the great personal needs of the peasantry in their daily lives. As a result, the peasants turned, in large numbers, to magicians in an effort to improve their daily existence. The patrimonial officials tolerated these magic cults to avoid unrest since they were unable to eradicate magical beliefs. Eventually these cults were absorbed into Taoism.

Taoism, as a world-rejecting alternative to Confucianism, emphasized "apathetic ecstasy." Apathetic ecstasy was not the same as the irrational ecstasies induced through orgiastic intoxication. The earliest Taoists rejected active pursuit of ecstasy as disgrace-

ful. The purpose of apathetic ecstasy was to separate oneself from the world by suspending all actions, and to use contemplation to achieve mystical union with the universe (Tao). Even though there were great differences between the route to Tao in Confucianism and that in Taoism, Confucianism and early Taoism had many philosophical features which could have been interpreted as being compatible. However, the magical, mystical, and anti-literate tendencies in Taoism left the religion open to the influence of the popular magical cults. Taoist priests permitted the absorption of magical practices into Taoism because the popularity of the cults increased the power of the Taoist priesthood in their struggles with the dominant Confucian literati. Even though irrational magical and orgiastic features survived in popular cults and in some forms of Taoism, the influence of Confucian rationality was great enough to suppress or sublimate most of these features.

Confucianism drew its position on women from the much older Yang-Yin dualism. The heavenly, masculine spirits (Yang) were good, consistent, and orderly; and the earthly, feminine spirits (Yin) were evil, inconsistent, and irrational. Confucian scholars believed that the soul of each person was composed of Yang and Yin, and that the Yang substance could become dominant through education in the classics. But this only held

for men since, the scholars believed, women were too greatly dominated by Yin to profit from a cultural education.

The combination of the belief that women were dominated by Yin and the notion of the unseemliness of ecstatic religiosity, especially religiosity with sex as an intoxicant, led to the Confucian position that women were low, irrational creatures who not only deserved little prestige or social rank but whose inherent sexual nature might lead men astray. A woman could not hold a position as an elder of a sib or head of a household, nor could she inherit property. It was not surprising to find women composing a large minority in some heterodox cults, since such groups granted greater prestige to women than that given by Confucianism.

Sexuality was a problem for Confucian intellectuals. Confucian scholars required a believer to attain harmony with the universe through his calm and methodical actions in his daily life. Yet, sexuality -- as in all Weber's thought on the subject -- was anything but regular, consistent, and orderly, even though it appeared to be natural. Sex was important in Confucian thought because of the absolute necessity of having male descendants who could honor one's name after death. This was the Confucian ideal. So although the ecstatic expression of

sexuality was strongly condemned, sex was considered a necessary evil. Concubinage was allowed to exist alongside legitimate marriage when necessary to meet the need for male descendants.

(E) The Major Religions of India[5]

Without doubt, Hinduism is the most complex, variable, and diverse of the major ethical religions discussed in Weber's work. Before examining its relationship to the family and the sib it will be necessary to describe the early history of Hinduism.

The origin of Hinduism (2000-1000 B.C.), Weber argued, is not fully understood. The earliest sacred works -- the Vedas -- were reduced to a written form from a much older oral tradition around the eighth century B.C. The two major deities, Indra and Varuna, which were important in the Vedas, have practically disappeared in their original form from Hinduism. The great triad of deities of modern Hinduism, Brahma, Vishnu, and Shiva, were infrequently cited in the Vedas. The Vedas were said to have been of divine origin and later sacred texts were said to be divinely-inspired human creations. Other than the Vedas, the major sacred writings that are important to this discussion are the Brahmanas; the Upanishads, which overlap with the Brahmanas; the Mahabharata (containing the Bhagavad Gita); and the Puranas.

The caste system, which had been developing during the time of the Vedas, reached its final form insofar as it applied to the main caste groupings in the time of the Brahmanas and early Upanishads (ca. 500 B.C.) The main caste groupings were the Brahmins or priestly castes, the Kshatriyas or noble (warrior) castes, the Vaishyas or freemen castes (mostly peasants and traders), and the Shudras or those castes of mostly artisans and servants whose members were not entitled to own land. Even though the main caste groupings had been established, development and differentiation of castes and subcastes continued.

The caste system was built upon the hereditary charisma of the sib. The members of sibs did not have charismatic qualities as individuals, but only as sib members. All forms of authority were determined by hereditary charisma and were transmitted as a part of the property inheritance along family lines.

Hereditary charisma, a routinized form of charisma, was an extension of what originally must have been purely personal charisma. Since charisma, at its inception, was profoundly personal, it could not simply be passed from one person to another. In other words, there was a problem of succession to the rights and privileges held by the charismatic individual. One

of the major solutions to this problem was to tie succession to the kinship relation, that is, make it hereditary.

Generally, hereditary charisma was a form of protection for the sib, although unusual circumstances could cause the sib to lose charisma. The nature of the protection provided by hereditary charisma was that, regardless of whether or not an individual member of the sib proved to have charismatic qualities, the sib as a whole still retained its charisma. Any member of a sib could be called upon to prove his charisma; and this frequently happened among competing successors to high office. If a candidate should fail to prove his possession of charisma, he would be replaced with another sib member and the sib would not lose its charisma. If the sib member were to prove himself to be not only the holder of herditary charisma but also of high personal charisma, his sib would receive the benefit of increasing its hereditary charisma and would pass this along to subsequent generations.

The Vedas originally contained ecstatic and orgiastic passages referring to intoxications of many kinds, especially sexual intoxication. Sexually descriptive passages, along with those referring to drugs, music, and dance, were purged from the Vedas by the hereditary

Brahmin priesthood. Ecstatic and orgiastic practices played an important part in magic cults, but the Brahmins found such practices to be both immoral and a threat to their own ritually-based magic and prayers. The Brahmins also undermined the representation of female deities in the Vedas. Female deities were pictured by the Brahmins as demons who were involved in orgiastic fertility rites. This treatment of female deities differed from their treatment in popular Asiatic cults. In these cults, female deities were at least as important as male deities and sometimes more important. The Brahmins completely rejected the popular magicians and cult priests for their lack of knowledge of the sacred writings and for their support of orgiastic practices.

The Brahmins developed two major doctrines for Hinduism in the Upanishads (700-300 B.C.) These were the transmigration of souls (samsara) and compensation (karma). Simply put, the doctrine of samsara is that when a person dies, the soul of the person is reborn into another existence which will of course eventually end in death, leading to another reincarnation and so on, forever. The doctrine of karma is that the ethical content of one's actions and thoughts in the present

existence will have an influence on the nature and prestige of one's future existences. Karma made the world understandable by solving the problem of theodicy: one's position, one's successes, one's failures could all be explained by referring to one's past lives.

In a person correctly performs the ritualistic duty (dharma), that is required of him by his membership in a specific caste, he would gain a better incarnation in his next life. This was one of the holy paths (marga) recognized in the Brahmanas and Upanishads -- the way of ritual works would lead one to a better future existence. However, performing one's ritual duties was not sufficient to provide an escape from the endless succession of reincarnations into new existences in the karma chain. The karma chain was often called the "wheel" because of its never-ending nature. To the ignorant peasant, the path of ritual works was the only way to a better life. In the path of ritual works, the family was central: household rituals and ancestor worship were crucial to this path, and offspring were necessary to continue the family and the ritual duties.

The Hindu religion in its earliest conceptualizations had no philosophy of a final judgment or an end to karma. But in the ethical rationalization of the religious doctrine, the Brahmin intellectuals developed

a system by which one could achieve salvation and thus be freed from the karma chain. This path called for going beyond dharma, that is, beyond normal caste duties, in order to achieve a final mystical union with the absolute supreme deity. To the peasantry, Hinduism was polytheistic; to the intellectuals, there was only one ultimate reality, Brahman-atman, who was represented in many forms, especially Brahma, Vishnu, and Shiva. The path of escape from the karma chain was through sacred knowledge, contemplation, and a self-denying separation from worldly activities. Passion, sexual ecstasy, anger, and all other emotional aspects of life were rejected in this intellectual path to salvation. But even this path took into account the necessity of having a family. First, a man had to have a family and legitimate children, and had to raise the children to carry on religiously-correct ritual works. During this time, he must constantly study the sacred texts. Second, he must have at least one male heir to carry on the family line and to maintain ancestor worship. When his family duties were completed, the orthodox Hindu intellectual could then become a hermit, and, eventually, a holy man (sramana). If he finds salvation through union with the supreme deity, he escapes dharma, samsara, and karma. In becoming a holy man, his family

ties are broken, including those of ancestor worship. Ultimately, in this path to salvation, family duties are only a means to non-familial ends.

> The monk strives for other-worldly personal holiness, while the ritually correct lay persons, remaining in the world, seeks this-worldly holiness now and rebirth for his forebears and descendants.
>
> It is one of the most important and extraordinary of phenomena that the holy seeking of the sramana thus succeeded in breaking through the magical sib bonds of ancestor worship. This is to be explained only by one circumstance -- that no one doubted the magical powers which the ascetic possessed. In India, and this is the most important contrast to China, the prestige of the sramanistic magical charisma outweighs the duties of piety to the family.
>
> Today no one can say when this development occurred and against what obstacles. Probably things were in flux generally since the colonizing advance into Northern India went on during the entire Brahmana period, necessarily loosening family ties. (I 174)

Since family requirements were part of any process of achieving salvation, Hindu intellectuals held similar views on sex to those held by Confucian scholars, namely, that it was a necessary evil. Even on this point, there were intense religious disputes as to the relative importance of the prescriptions requiring legitimate male heirs and those requiring self-denial for salvation. The position of orthodox Hindu scholars was that one must have a family before following any ascetic doctrine. Only a few Hindu sects rejected this in favor of life-long monasticism.

The rejection of sexual ecstasy and orgiasticism

was tied by Hindu intellectuals to the position of women in society. Female deities were important in the ancient practices of orgiasticism that were antithetical to Hinduism. Women were thus seen as a threat to both ritual correctness and the pursuit of knowledge. Yet women were to be respected because the family was important in Hinduism, but they were not to be trusted or given positions of responsibility. Hindu philosophy, like ancient Chinese religious philosophy, had a dualistic principle similar to Yang-Yin. In the Upanishads, the masculine spiritual aspect (purusha), eternal and good, was opposed by the feminine material aspect (prakriti) which was irrational. When purusha comes to dominate the life of a man, that is, when he attains wisdom, the prakriti leaves his being forever. Since purusha could never dominate the life of a woman, she must always, in her present incarnation, remain untrustworthy.

The low regard in which women were held by orthodox Hinduism had notable consequences for marriages, especially in the higher caste groupings. Women were given in marriage by their fathers without being asked and often before puberty. They could be married to men they had never seen, and on many occasions, the men married them for the dowries provided by their fathers.

A strictly orthodox Hindu caste did not permit

intercaste marriages, but among the lower castes there was usually a limited degree of flexibility in this regard. In the ancient period, there were more intercaste marriages because caste social barriers had not yet solidified. In the periods when intercaste marriages were more common, higher caste men could marry lower caste women but the reverse was not allowed. Moreover, it was possible for a higher caste man to have several spouses while the same right was denied to a higher caste woman. When a higher caste man with several mates married a lower caste woman, her right and the right of her children to inherit was inferior to the right of the man's higher caste wife and her children. It was a grave offense to the honor of a high caste woman's family if she should marry a lower caste man. In times of social upheaval, the elders of the sib-based castes frequently attempted to use their control over intermarriage to improve the social position of their castes. By using controls over intermarriage in conjunction with economic or political successes, a few non-noble castes were able to join the nobility.

A female child born to a high caste family was often considered a sorrow for her family, due to the low probability of finding a husband of equal or higher caste rank. Among high caste families, female infanticide

was not uncommon.

In later times, caste barriers were more strictly enforced. Intermarriages became relatively infrequent. They tended to occur only between sub-castes of the same caste, castes of similar social rank, or among the highest ranking noble and priestly castes. Many intermarriages were for social reasons as caste elders sought to trade status rank for economic or political advantages.

With the exception of popular orgiastic cults, orthodox Hinduism came close to monopolizing religiosity in India. But two intellectual heterodoxies began to grow in importance during the feudal period in India: Jainism and Buddhism. These heterodox brotherhoods attacked the core of ancient Hinduism. Scholars of Hinduism described these heterodoxies as "theophratries" to denote their nature as religious brotherhoods:

> In contrast to the orthodox sects, the heresy of the theophratries consists in the fact that they tear the individual away from his ritualistic duties, hence from the duties of the caste of his birth, and thus ignore or destroy his dharma. When this occurs the Hindu loses caste. And since only through caste can one belong to the Hindu community, he is lost to it. Dharma, that is, ritualistic duty, is the central criterion of Hinduism. (I 24)

Both Jainism and Buddhism completely rejected sexual ecstasy and orgiasticism. Jainism was profoundly self-denying, calling for the total renunciation of all

attachments with the world, including the castes, rites, duties, and sacred writings of Hinduism. Jainist intellectuals based their religion on the Hindu concept of the karma chain, but they believed that neither ethical performance of duties, use of sacred texts, nor appeals to deities could break the chain. Salvation was, for them, self-attained by complete dissociation from all worldly interests and concerns. The Jainists rejected all forms of love as signs of karma-producing attachments, whether it be love of kin, of neighbors, or love of a deity. Their social ethic allowed them to care for and help others but never to develop deep social attachments of any kind. Strict Jainists never permitted women to participate because they believed that women were the ultimate temptation and could never achieve salvation in their present incarnation. More liberal Jainists admitted women and assumed that they could achieve salvation. A clearly defined ritual never developed in Jainism due to the lack, in religious doctrine, of an omnipotent deity and of a social ethic tied to that deity. Moreover, ritual practices would lead a Jainist into a karma-producing attachment to his temple, so the Jainist monks had to employ Brahmins to carry out rituals. The lack of a clear and consistent ritual and the need for Brahmins to conduct practices left much of Jainism open to reabsorption into Hinduism.

Buddhism had some external similarities to Jainism: it also rejected the ritualistic duties, the sacred writings, and the concept of an omnipotent deity of Hinduism. But Buddhism did not practice the profound self-denial that in Jainism could lead to suicide. Buddhist intellectuals also accepted the Hindu concept of the karma chain, but sought different means to break the chain and thereby achieve eternal, peaceful death. Attachment to worldly things meant suffering when the attachment eventually had to be broken. Since all worldly attachments must be broken by passing time, the individual must suffer the pain of parting again and again. The only escape from pain and from the karma chain was through inner contemplation until one achieved a complete dissociation from all worldly concerns. This was a truly individual form of salvation: one could only save oneself without the help of others or of any deity. Due to the charismatic nature of early Buddhism, women were accepted as equals in the time of Gautama. However, the growth of monasticism after the routinization of Gautama's charisma led to the rejection of women, who were deemed by the monks to be incapable of salvation.

Buddhism was torn by a conflict between the religious prescription of contemplation and its social ethic of giving aid to others. The inconsistency between

contemplation and action split Buddhism into two basic forms: Hinayana Buddhism, which was strictly orthodox and monastic; and Mahayana Buddhism, which was oriented toward the laity. In its original form, Buddhism only offered a path to salvation for the monk. Since the lay person could not achieve salvation, he was not taken into consideration in religious practices. Buddhism, in this early form, still lacked the means to obtain a mass following or to control such a following.

Weber indicated that whereas an intellectually-based religion tended toward a highly rational salvation ethic (or social ethic, as in Confucianism), a religion of the masses had to take into account their emotional need for a deity as a protective parent or their need for a means to compel a deity to aid them. The salvation doctrine (soteriology) of mass religions had to have a clear and simple way to gratify the emotional needs of the masses:

> For emotional mass religiosity there have been and are but two possible types of soteriology: magic or a savior. Or both may occur together, the living savior as magician and helper in physical and psychic need, the dead, deified savior as helper in need, as intercessor and super-earthly object of ardent devotion and emotional ecstatic reawakening in the experience of having the holy or being possessed by it. Almost all Indian soteriology took the course which showed adjustment to these specific plebeian religious needs. (I 237)

The highly intellectualized concept of salvation in early Buddhism was totally dissatisfying to the laity. The laity could not pursue the rigors of salvation through contemplation. In Mahayana Buddhism, the masses were accommodated through a philosophic shift from the concept of self-salvation to the concept of salvation through the aid of a savior. A complex theological argument was developed to explain the deification of Buddha and the existence of monks who had achieved sainthood but chose not to go on to nirvana in order to help the masses.

The Jainists and the Buddhists were overwhelmed in the Indian region by the sweeping restoration of Hinduism (A.D. 400-1000). Even during the dominance of Jainism and Buddhism, the caste system was never discontinued; and the Brahmins often usurped positions as ritualistic priests in Jainist and Buddhist temples. The restoration of Hinduism was not founded on the intellectually-oriented, royally-supported concepts of religiosity that had dominated the religion before the decline. Central to the restoration were the Hindu sects that worshipped Vishnu and Shiva.

The Hindu sects of Vishnu and Shiva were in reality new forms of very old religious practices which now contained many elements of ancient popular magical and

orgiastic cults. Vishnuism and Shivaism were supported by the later Hindu literature of the Mahabharata, the Puranas, and the magically-oriented Tantra writings. The original high deity, Brahma, remained impersonal and thus of little use to the masses who were seeking a deity who was more personal and a savior. Vishnuism and Shivaism, in their many forms, have dominated much of Indian religiosity since the restoration.

Vishnuism focused on a new way to salvation: bhakti, or the path of devotion. Bhakti had a sexual-orgiastic connotation in the popular cults, and the Brahmins brought it into Hinduism in a sublimated form by making it the passionate devotion to one of the incarnations of Vishnu, the preserver, who was the ancient sun god. The path of devotion was to contemplate and love Vishnu until one becomes purified and cleansed of all emotions and desires. The result was the achievement of a permanent holy union with Vishnu. This view of bhakti was held by the intellectual strata and, with more erotic elements, by the higher non-priestly strata. Among the masses, the worship of Vishnu contained obvious sexual elements, even to the point of overt sexual orgies. Some sects of Vishnu went so far as to use sexual orgiasticism as the major route to salvation.

Shivaism, on the other hand, was not a religion of

devotion. Shiva was a newer incarnation of the ancient god of destruction, Rudra, but more recent Hindu doctrine held that Shiva destroyed in order to make room for new creation. The sects of Shivaism, like those of Vishnuism, existed at different conceptual levels for different strata. Shivaist intellectuals worshipped Shiva, the destroyer, as a way of destroying their bodily attachment to the world so that they might achieve spiritual cleansing and salvation. For them, religiosity consisted of intense self-denial and contemplation. The masses concentrated on the creative and fertile aspects of Shiva, with a great accentuation on its sexual and orgiastic elements. For the secular noble and middle strata, where there was some knowledge of the sacred texts, its crude sexual elements were muted, sublimated into erotic and "crypto-erotic" practices, as they were for the middle strata of Vishnuism.

By bringing sexual and magical elements into Hinduism, the Brahmins were able to absorb the practically indestructible folk cults. At the same time, they provided strong opposition to Mahayana Buddhists by adopting a salvation ethic for the masses. Buddhism was not as open to popular orgiasticism in India as it was in Tibet. In Lamaism, Buddhism was combined with Hindu practices and folk cults to make an orgiastic

and magically-based religion. Hindu intellectuals did not stop at absorbing some of the practices of Buddhism into Hinduism. They also took over the Buddha as well, by making him into one of the incarnations of Vishnu. Furthermore, the female fertility gods, which had been purged from Hinduism as demons centuries earlier, were brought back as the wives of the gods. Some Shivaist sects even accepted the concept of equality between the sexes, first for the gods and then for human beings.

Even after the so-called restoration of Hinduism, the masses were never interested in, nor did they understand, the intellectualized paths to salvation of orthodox Hinduism. They sought only for some magical improvements in their this-worldly condition and for the possibility of achieving a better incarnation in their next rebirth on the karma chain. In intellectualist Hinduism, there were so many representative forms of Vishnu and Shiva, who were themselves representatives of one supreme deity and who were worshipped in so many ways, that many lower caste Hindus did not know the sect god they worshipped was merely an incarnation of Vishnu or Shiva. The masses saw salvation only as a means of improving their position on the karma chain through the oldest of the holy ways: the path of ritual works. For the masses, the other holy ways only sup-

plemented, never replaced, the performance of ritual duties. Thus the individual's own performance of familial, occupational, and religious duties was responsible for his status. The Brahmin intellectualist theology was meaningless in the everyday practices of the masses. Everyday needs were answered by the worship of the ancestral spirits; the family deity, generally an inanimate object in the household that was vaguely connected with Hinduism; and the village or neighborhood deity.

(F) Ancient Judaism[6]

(F-1) Pre-Exilic Religious Practices (ca. 1000-600 B.C.)

In ancient Israel, as in other early civilizations, respect for parents and elders was a major ethical obligation. The respect for living parents was so highly valued that any violation could be met with extreme sanctions. But this respect was not permitted to be extended to the worship of ancestors. Clearly ancestor worship would have supplemented the power of the Israelite sibs as it had among the Chinese sibs. But the fostering of ancestor worship, or even a cult of the dead, was halted at a very early time by the religious leaders. The worship of ancestral spirits, or any other deities, was contrary to the worship of one god,

Yahwe -- alternatively called Yahweh, Jehovah, Elohim, or Adonai. The Yahwe priests knew of the existence of the cult of the dead in Egypt and they also knew about ancestor worship, yet they intentionally rejected both.

From the time of Moses, the conception of Yahwe was that of a war god, although earlier, in the time of the patriarchs, Yahwe was frequently represented as a god of peace. He was portrayed as the god of the social confederacy of the Israelite tribes. The relationship of Yahwe to the Israelites was through a contract (berith) in which religiously correct conduct and the worship of Yahwe would be compensated by this-worldly protection and future ascendancy of the Israelites. This constituted a rational intellectual solution to the problem of theodicy. The evil which befell the Israelites was Yahwe's wrath for their transgressions in violation of the contract.

Since the earliest conceptions of Yahwe were of a god who resided in high places, it had few features of a god of the earth or the underworld. All matters pertaining to the earth, such as death and the fate of the ancestral spirits, were foreign to the ethical rationalization of the Yahwe religion. Moreover, the Yahwe priests saw death and ancestor cults as possible competitors and they therefore sought to undermine their influence. They went so far as to prohibit

speculation on what existed after death. Although ancestor cults were not permitted, a remnant survived in that the inheritability of punishment for sinful conduct was recognized insofar as the descendants were liable, in the sight of Yahwe, for the transgressions of their sib ancestors.

The priests eliminated the cultic activities associated with the sib and thereby inhibited ancestor worship. Even sacrificial feasts, which were important to sib solidarity, lost their sacred quality. The priests were not consciously trying to destroy the sibs, but rather they were trying to create a religious monopoly by eradicating all other types of religiosity.

As in all other ancient civilizations, one of the primary duties of the sib in Israel was blood revenge for transgressions against its members. But the priests of the Yahwe religion reserved vengeance (that is, compensation for one's deeds) to Yahwe alone. By this action, the priests nullified the ethical foundation for assembling the sib members to punish wrongdoers. The prohibition against revenge was coupled with the prescription to love one's neighbor, in reality, one's fellow believer. This was a universalization of the sib brotherhood to all believers in Yahwe.

The success of the Yahwe religion was neither immediate nor unchallenged. This was so even though

the belief in Yahwe had stabilized the political and military institutions by providing a religious organization and by increasing the cohesion between the sibs that made up the various tribes. The greatest competition to the Yahwe religion came from the cults of the Baal deities. It was not that the worship of the Baal deities entailed practices and beliefs which conflicted with the early conception of Yahwe; instead, the problem was that these deities were quite compatible with Yahwe.

Yahwe was a god of the confederacy, hence a god of the community of Israelite tribes. References to Yahwe stated or implied a god of high places, of heaven, of war, and of the heavenly elements -- rain, lightning, thunder, fire. The Baal deities, on the other hand, were gods of the earth and often represented particular neighborhood or village associations. Moreover, they generally represented fertility and the products of the earth. During times of war or threat of war, the Yahwe religion grew in strength. But during times of peace, especially in the northern part of the country, the Yahwe religion and the Baal cults coexisted. In fact, in times of peace, the importance of the neighborhood association and of agricultural production became predominant. Therefore, in relatively quiet

times, the Yahwe religion declined in popularity with the concomitant growth in the worship of the Baal deities. This process went so far that important Israelite families, including the family of King Saul, began to give their children the names of the Baal deities.

Marriage was the only proper arrangement in Judaism for having children. It was an ethical, contractual arrangement which allowed for the economic security of the wife and children and also regulated the passing of property from one generation to the next. Although Judaism recognized sexual activity as a necessity, it strictly prohibited sexual relations outside marriage. Orgiasticism entered Judaism primarily through the worship of the Baal deities and other agricultural cults. The worship of the Baals, like many other cults of the soil and the harvest, tended toward orgiastic sexual promiscuity during religious rites.

The priests, the political leaders, and the prophets of ethical religiosity fought against the encroaching agricultural cults. The priests saw the cults as a threat to their religious monopoly over Judaism. The political leaders saw a threat of division in the old confederacy of the twelve tribes, with the north being

attracted to the Baal cults and the south to Judaism. The ethical prophets saw Baal orgiasticism as a threat to religiously defined ethical conduct.

Forceful ethical provisions came out of the conflict between Judaism and the cults. It became a cardinal sin to covet another man's wife, to desire to observe another physically uncovered, to commit any act considered to be sexual perversion, and to indulge in orgiastic sexual rites. The violation of a man's marriage rights originally applied only to violating another man's marriage, not one's own. Men still had a great degree of sexual freedom long after women had lost what little they had. Much later, in post-exilic times, extramarital relations were condemned for both sexes. Despite these restrictions, the naturalistic attitude taken toward the management of sexual relationships in Judaism, unlike the attitude in Christianity, retarded the erotic sublimation of sexuality. According to Judaism, sex was a natural and legitimate part of daily married life, but it was not to be glorified, for this would lead the believer astray.

(F-2) The Ethical-Ecstatic Prophets

The ethical prophets played an important role in the establishment and survival of Judaism. Weber

defined a prophet as:

> ... a purely individual bearer of charisma, who by virtue of his mission proclaims a religious doctrine or divine commandment.
> ... the personal call is the decisive element distinguishing the prophet from the priest. The latter lays claim to authority by virtue of his service in a sacred tradition, while the prophet's claim is based on personal revelation and charisma. It is no accident that almost no prophets have emerged from the priestly class. ... Unlike the magician, however, the prophet claims definite revelations, and the core of his mission is doctrine or commandment, not magic. (ES 439-440)

The prophets were highly influential in Judaism owing to its unusual conception of the relationship between the people and the deity. The covenant between the people and Yahwe required obligations on both sides. This arrangement made the Israelite people collectively responsible for the sins of each individual. In addition, the political confederacy of the tribes strengthened the belief in collective responsibility, even though such a belief was improbable in a bureaucratic state. With this belief in collective responsibility, prophets who threatened punishment for ethical transgressions could not be totally ignored, especially in troubled times.

The magical, ecstatic prophet (Nabi) had been common in ancient Israel, along with the ecstatic warrior (Nazarite) of the peasant army. However, both types of ecstatic figures declined with the conversion from a peasant army to a professional army of knightly

noble families and mercenaries. The new type of prophet who gained power and prestige in place of the irrational-ecstatic prophet was an ethical-ecstatic prophet who used no magical means to learn or to express the will of Yahwe.

The ethical-ecstatic prophets brought prophecies of doom for ethical transgressions against the covenant. Of course, prophets who spoke of doom were often shunned and hated by the people and by the political authorities, but their prophecies still had a profound effect on ethical conduct. The work of the ethical prophets could not eliminate the Baal cults, but never again would these cult rival Judaism. The Baal deities continued to be worshipped for some time as local gods, and Yahwe became the one and only supreme deity.

At the time of the appearance of the ethical-ecstatic prophets, the priesthood was already based on hereditary charisma and composed of sibs that had a distinctive life style. The prestige of the hereditary priests was founded on their knowledge and interpretation of the ethical commandments and rituals. The knowledge possessed by the priests was neither magical nor mystical, such as that of the Brahmanical knowledge in India, nor was it discovered in the inducement of an ecstatic state. The rituals of Yahwe worship were

relatively simple and its ethical commandments were as yet unadorned by subtle intellectual debate. The priesthood was instrumental in ending the irrational-ecstatic prophecy through their fostering of rational and ethical practices in religious conduct. But the ethical-ecstatic prophets were not so easily eliminated.

The ethical prophets were charismatic in the original sense of the term: they did not practice prophecy as a hereditary or bureaucratic right. Ecstatic episodes in the life of ethical prophets were apparently little different from the practices of the ecstatic religionists of other lands and times. However, unlike the apathetic ecstatics in many areas, the prophets reluctantly experienced ecstatic episodes and interpreted their meaning in the light of the ethical requirements of Judaism. So the break between the ecstatic state and everyday reality, which existed in all purely ecstatic religions, was bridged through an ethical interpretation that was in accordance with the commandments of Yahwe. The ethical prophets never used intoxicants and never attempted to induce mass ecstasy. Their ecstatic experience came to them alone, with little or no preparation, and not to a community of fellow believers. The ecstatic episode was not, by itself, important, since there still remained some irrational-ecstatic

prophets who experienced similar episodes and who served those who sought ecstatic experience as an ultimate end of their religious activity. The only thing which legitimized the ethical prophet in his own eyes was that he felt he had heard the voice of Yahwe telling him to condemn the sins of the Israelites. What legitimized him to the people was his constant ethical exhortation and condemnation of the rich and the powerful.

Ethical prophecy was not suppressed by the hereditary priesthood, as it would have been in Egypt. Before the Babylonian exile (ca. 586 B.C.), there was no central authority among the priestly sibs who could undertake such a repression. Secondly, the prophets received support from non-priestly sibs. Although the prophets could not be suppressed, they were frequently challenged and rejected by the priests. To the priests, who were hereditary office holders, ritual and sacrificial practices were the core of religious life. The prophets, on the other hand, did not depend on ritual practices and viewed ethically righteous conduct as far more important. The prophets even rejected the right of priests to perform religious activities if the priests had hereditary but not personal qualifications.

> Thus, in characteristic fashion, the bearer of personal charisma refused to recognize office

> charisma as a qualification to teach if the priestly teacher is personally unworthy. For, the prophet who did not participate in the cult naturally considered the teaching of God's word (debar) as he received it as religiously all important, hence also in priestcraft the teaching (torah) not the cult.... Likewise the prophet naturally considered as important for the people only obedience to the debarim and the torah and not the sacrifice nor ritualistic prescriptions.... (AJ 284)

Although the prophets were few in number and their tradition barely survived the Babylonian exile, their prophecies and exhortations continued the process of the ethical rationalization of daily conduct.

(F-3) The Babylonian Exile

The main priestly sib of Jerusalem was the Zadokite sib. This sib was the major force in the movement to centralize religious practice in Jerusalem. Landed noble sibs and the peasantry opposed this attempt at centralization in order to protect their own interests in rural places of worship and sacrifice. Resistance also came from rural priestly sibs that viewed the centralization movement as an attempt to deprive them of their hereditary right to conduct religious ceremonies. This dispute was still undecided when the country was defeated by Babylon (first in 597 B.C., then decisively in 586 B.C.), leading to an exile of most of the upper strata to Babylon for about fifty years. The dispute continued after the return, but now the Zadokite sib was in a far stronger position since the rural

noble and priestly sibs had been weakened by the exile.

The limitation of sacrificial rites and feasts to the Zadokite sib in Jerusalem resulted in the destruction of the last vestiges of the sacredness of the secular sibs. By eliminating the right of sib members to celebrate a cultic meal, the priests also lessened whatever support remained for the Baal cults. By this time, many of the Baal cults had abandoned intoxication orgies in favor of sacrificial feasts carried on by secular sibs. Their further loss of the cult meal and the failure to develop an ancestor cult were important elements in the gradual decline of all but the wealthiest aristocratic sibs.

During the Babylonian exile, central meeting places began to be used as the location for worship and sacrifice. Since the people had to be taught the religious tradition, these meeting places also served as schools. These schools were the predecessors of the synagogues. In the schools, members of the priestly sibs and scribes, who copied the texts, became teachers of the religious tradition. Without a centralized cult, the teachers gained prestige that was different from that of hereditary priestly office.

After the victory of the Persians in Babylon, the Jews were permitted to return home. The Persians did not allow the Jews to rule themselves, they did however

permit the priestly sibs to practice their religion, for they saw priestly dominance as a means of restraining the political aspirations of the people. The Zadokite sib retained control of Jerusalem and other priestly sibs had reduced authority and autonomy.

In compliance with the political requirements imposed upon them by the Persians, the priestly sibs registered all members of the community according to their rank and sib. Thereafter, major priestly sibs used these registers to further increase their power by disqualifying lesser priestly sibs from the right to perform rituals.

During the exile, the hereditary priests and the teachers revised the religious laws and rituals. This was done in order to protect the religious community and enhance their position within it. By these revisions, the priests and the teachers attempted to avoid the fate suffered by the northern Israelites who were assimilated into other religions because they had not developed ritualistic barriers against contacts with other societies. Ritualism and adherence to religious law were accentuated through strict prohibitions against mixed marriages and through obligatory rituals that separated believers from non-believers.

(F-4) Post-Exilic Religious Practices

Although the priestly sibs were predominant at the end of the exile, there were recurring attempts in the following centuries to re-establish the tradition of personal charisma. The support for these attempts did not come from the secular sibs, since they had by then practically ceased to exist. At the highest level of the community, only the priestly sibs and the individual noble families remained. The first endeavor to break the hereditary dominance of the priestly sibs of Jerusalem was by the few remaining ethical prophets. Later, a priestly sib tried and failed, but finally, the pious laity succeeded.

The greatest threat to the priestly sibs and the noble families came from highly religious urban dwellers who were for the most part neither noble, wealthy, nor the owners of large estates. The urban merchants and artisans rejected the philosophy and way of life brought to the area by the Greeks, who replaced the Persian political authorities (ca. 332 B.C.) But many of the noble families and some of the priestly sibs (especially many of the Jerusalem priests) were deeply influenced by Hellenistic traditions. The pious urbanites sought to end Hellenism and participated in the Maccabean revolt (ca. 165 B.C.) in which a minor priestly sib led religious Jews in recapturing the land

from the Hellenistic authorities.

The fervour expressed by the pious urbanites became the basis for a religious brotherhood movement, the "Pharisees," that was both a political and religious organization. For the landless urbanite, this movement offered a replacement for the protection originally given by the sib and the neighborhood association. It provided political and economic protection against the wealthy priestly sibs, the noble families, and the political authorities. The members of the movement rejected the hereditary charisma of the priesthood:

> Since they lived in the same purity as the priests, its members claimed holiness equal to those who lived correctly and superior to that of incorrect priests. The charisma of the priest was depreciated in favor of personal religious qualification as proven through conduct. Naturally, this was brought about only gradually. (AJ 386)

The opposition to this brotherhood movement came from the "Sadducees" (probably derived from Zadokite), an association composed of priestly sibs and noble families. The members of this association favored combining ancient religious traditions with a Hellenistic way of life. When the Maccabean descendants turned away from the political interests and religious practices of the Pharisees to the support of wealthy and Hellenistic Sadducees, the resulting struggle led to conquest by Rome (in 63 B.C.)

As late as the second century B.C., most of the teachers had been members of priestly sibs. The declining religiosity of the priestly sibs, together with the rejection of Hellenism by pious urbanites, changed this situation. The Pharisaic brotherhood created the synagogue, as an outgrow of the school-meeting place. In addition, the Pharisees re-interpreted the religious texts so as to allow the synagogue to be the location of religious ceremonies. This was a direct challenge to the centralization of priestly religious activities. Since the priestly sibs had no hereditary rights under the Pharisaic re-interpretation of the law, those who were selected to lead the religious services in the synagogues and to expound on religious writings were those individuals who, regardless of hereditary rights, had the greatest understanding of the religious texts. These learned individuals came to be called "rabbis" (i.e., master or teacher), and they were primarily artisans and teachers, since it became a sin to teach or interpret the religious law for compensation. Only in later times did the rabbis concentrate on religious tasks to the exclusion of other activities.

In the case of the rabbis, the personal charisma of the religiously knowledgeable members of the community replaced the hereditary charisma of the members of the priestly sibs. An aristocracy built on inheritance of

rights was gradually replaced by a new aristocracy built upon scholarship in religious law. Thus, a universal quality of status transcended the particularism of ascription by family ties. Rabbinic Judaism, based on synagogue worship and knowledge of the religious texts, survived the eventual collapse of the Pharisaic movement under Roman domination, and is the foundation of modern Judaism.

Members of the Pharisaic movement continued the ancient traditions in which men were dominant over women. At the same time, the naturalistic attitude toward sexuality of early Judaism was maintained. Sex was regarded as a natural process which could not be avoided. Early marriage was thus supported and the unmarried, after a certain age, were morally suspect. The religious duty to produce many children was modified somewhat by the emphasis placed on the duty to work and to support the survival of the religious community. But the Pharisaic movement and the rabbinic Judaism that grew out of it were in no way founded on ascetic principles. There were a few specifically self-denying rituals (primarily fasts), but the path to salvation was through repentence for sins and not through asceticism.

A small but important Judaic movement that viewed sexuality in a different way was the Essene group. The Essenes segregated themselves from the much larger

Pharisaic movement. They lived simply and strictly under a rigorous interpretation of the religious law and separated themselves from all those whom they considered ritually impure. They limited occupations to those needed for survival and maintained common storehouses and treasuries. Sexual relationships were limited to one day a week within a religiously sanctioned marriage, and all secular pleasures, especially the passions of any sort, were seen to be absolutely evil. Furthermore, chastity was a requirement for the religious virtuosi, a demand that was completely antithetical to the Pharisaic tradition. The devaluation of sex eventually led to a devaluation of marriage and marriage became undesireable among the devout.

In contrast, Weber indicated that the strength of rabbinic Judaism came from embedding religious education and practice in the ongoing daily routines and processes in the family and the community.

> There are the promises of the prophets, the horror and disdain for Christian polytheism, above all, however, the exceedingly stable tradition created by an incomparably intensive education of youth for a ritualistically quite firmly structured way of life.
>
> And there is the strength of the firmly structured social communities, the family, and the congregation, which the apostate lost without the prospect of finding equally valuable and certain affiliation with the Christian congregations. (AJ 424)

(G) Early Christianity[7]

(G-1) Charismatic Christianity

The Essene movement had many things in common with early Christianity. Both intensified the Pharisaic tradition, but in different directions. On the one hand, the Essenes accentuated the ritualistic aspects of the Pharisaic movement to an extreme degree. The Christians, on the other hand, emphasized the intense internalization of the ethical standards of the Pharisaic movement.

> The organization, religious conduct, and ethic of the Essenes have often been related to original Christian practice, especially by Jews. The Essenes, like the Christians, had baptism, the love feast (agape), the communism of acosmic love, the support of the poor, the apostolate (in the Jewish sense of the term), the aversion toward marriage (for sanctified members), gifts of grace, above all prophecy desired as a holy state. ... Essenian ethic like the Early Christian in many points represents Pharisaic ethic intensified. The nature of this intensification, however, differs between the cases. (AJ 410)

According to Weber, conscious variations from traditional customs and beliefs in ancient societies were almost always due to prophetic activities, or activities that were seen as prophetic. However, to obtain followers, a charismatic prophet often had to make them believe he was traditionally legitimate. In the case of Jesus, as with other major prophets, part of his legitimacy was drawn by his followers from

fictional kinship ties: he was said to be a descendant of the David sib, a sib that had vanished earlier, as had almost all secular Israelite sibs.

Although Christian doctrine supported the so-called "general virtues of life within the world," the emphasis during the time of Jesus was in favor of the religious community over family relationships. One was obligated to assist a fellow believer ahead of one's kin. In the words of Jesus:

> If anyone comes to me and does not hate his father and mother and wife and children and brothers and sisters, and even his own soul, he cannot be my disciple.
> (Luke 14:26, New World Translation of the Holy Scriptures, Watchtower Bible and Tract Society of New York, 1961)

Christianity, in the time of Jesus and his followers, was described by Weber as an association based primarily on pure charisma. The obedience of others to Jesus was based solely on their belief in his extraordinary qualities. All everyday activities and relationships were of lesser importance (or of no importance at all) in comparison to the personal relationship to Jesus and to activities carried out in Jesus' name or according to his teachings. The family, like all other institutions, was devalued for the sake of membership in the religious community.

Such charisma has no formal structure: it rests on

the purely personal relationships of the disciples to the charismatic leader. This does not mean there is no structure at all; it means that, in a purely charismatic movement, the followers derive their social position in the movement from their personal relation to the leader. As long as the individual's position was not related to existing positions in other institutions, all who entered a charismatic movement could enter as equals. At this early stage in Christianity, women had equality in both the principle and the practice of many activities.

In its pure form, charisma constitutes one of the two most important sources of the communism of consumption. The other is the family relationship. The communism of the early Christian community was expressed through the communal meal, the "agape" or love feast. In later Christianity, a remnant of the original communal meal became ritualized as the eucharist.

The communism of early Christianity was also expressed in the type of brotherly love expected of believers. The type of love prescribed was "acosmic," that is, a love expressed for others, not according to who or what they are in the world, but solely because the deity is the only important reality and he requires that one love one's fellow believer (later, one's fellow human being). Brotherly love, removed from a family

context, meant extending the assistance given to kin and neighbors to all fellow believers. In reality, Weber argued, brotherly love was rarely extended beyond fellow believers; it was universalized only in principle. This limitation of brotherly love to believers advanced the permanence and stability of the active religious community. A purely charismatic movement, as a community, is an alternative and thus a competitor to the community of the household. In fact, this competition is often exhibited in the very nomenclature of the movement which is often merely the appropriation of family titles (e.g., father, brother, sister, etc.) The family, on the other hand, is the only institution that naturally provides a communism of consumption on an everyday basis and retains its stability over long periods of time.

Charismatic authority in its original form is highly unstable because it rests solely on a personal relationship with the charismatic leader. Moreover, genuine charisma is opposed to the family. It can survive only as long as kinship ties and economic requirements can be restrained. With the loss of the leader, the followers usually want to continue the charismatic movement. But the loss of the relationship to the leader means that if the movement is to survive, a foundation other than personal charisma must be built.

Before legal-rational organizations and legal authority came to dominate most societies, the foundation of legitimacy was the sanctity of tradition and, often, patrimonial organizations. Christianity was an example of an organization that successfully converted from a charismatic to a rational form of authority albeit with traditional features.

In the conversion from charismatic authority to a routinized form of charisma, the original charismatic relationship becomes a device for legitimizing position, prestige, or the possession of wealth. Rights that were originally obtained through the personal relationship to the leader, are usurped outright through the claim of legitimacy stemming from the sacred tradition of the relation to the leader. Thus the rejection of traditional institutions and values becomes transformed into a new tradition.

The routinization of charisma is primarily a process of adapting the charismatic movement to the everyday contingencies of the world. Christianity, like any other structure that originates in charismatic leadership, had to take the world into account in order to survive. Adapting to the everyday world in a traditionally-structured society meant accommodating to a world permeated by the family and institutions that developed

out of the family.

> In contrast to the revolutionary role of charisma, the traditional everyday needs in politics and religion are met by the patriarchal structure, which is based upon habituation, respect for tradition, piety toward parents and ancestors, and the servant's personal faithfulness. The same is true in the economic field. (ES 1118)

The implication of this return to the everyday world was that individual membership in the charismatic community was eventually replaced by family membership in the permanent religious community.

Only by making the family a "sacred" institution within the community could the religious leaders control family formation through the religiously sanctioned marriage. The control of the family was the key to establishing a permanent religious community and to spreading it throughout the secular world. In this way, the religious leaders assured their own position.

The return to the everyday world in Christianity was reflected in the changing status of women. Women maintained equality with men in relation to the deity, but they lost day-to-day equality in practical religious activities. Women were returned to their former roles in community life and were forced to adopt a lesser role in religion.

The motives behind the routinization of a charismatic movement are the interests of the members of the

movement in perpetuating and stabilizing their community, and in integrating that community into everyday political, economic, and kinship institutions. Fiscal organization begins when staff members are differentiated from other followers in that the staff becomes entitled to receive a portion of the financial contributions of the community.

(G-2) The Rise of the Priesthood

In charismatic Christianity, the notion that the teacher and prophet should not be paid for his religious work was carried over from the Jewish requirement that rabbis not teach for compensation. Both Jewish rabbis and early Christian prophets were required to work in secular occupations. Preaching, done by travelling prophets, the disciples of Jesus, was the central religious technique in the decades following Jesus' death. Each local congregation had a religious leader, or "priest," who undertook routine daily religious activities in the absense of the travelling prophet. Routine religious activities gradually replaced the infrequent visits of the prophets as the main facet of the religious life of the laity and the salaried priest assumed a pivotal role in the church.

The shift from the charismatic leader to the travelling prophet, and then to the local priest, was part of a process of routinizing and depersonalizing charisma.

The change from personalized charisma to a depersonalized, routinized charisma of office came about through the appropriation of religious positions by a staff of office holders. Appropriation of religious positions could either take place on the basis of traditional rules of possession and inheritance, which means through the family (i.e., hereditary charisma), or on the basis of individually creating new positions and economic advantages, and filling them through some ritual, magical, or elective procedure not based on kinship ties (i.e., office charisma).

In Christianity, the priests, originally lesser than the prophets in charisma, eventually became equal to the prophets in their right to dispense salvation. But the charisma of the priest came from the office that he held and not from hereditary or personal charisma. While the prophet had dispensed salvation through his personal charisma, the priest now dispensed it only through the authority conferred on him by his office.

The shift from prophet to priest denoted a change in religious expression and in world view from the extraordinary to the routine:

> Prophets systematized religion with a view to unifying the relationship of man to the world, by reference to an ultimate and integrated value position. On the other hand, priests systematized the content of prophecy or of the sacred tradi-

> tions by supplying them with a casuistical, rationalistic framework of analysis, and by adapting them to the customs of life and thought of their own stratum and of the laity whom they controlled. (ES 460)

Although Judaism had proselytizing elements within it, the Jewish community was never as systematic and rational in seeking new believers as was the Christian community. During the periods of priestly domination in Judaism, the tightly knit family relationships of the principal carriers of the religion, the hereditary priests, and the emphasis on the purity of blood (i.e., family ties) among the laity, eliminated the possibility of systematic proselytizing. The Pharisees were in favor of adopting procedures to admit new believers if the converts were willing to learn and practice all the laws and rituals of the faith. However, these duties were a heavy burden to any potential convert and were not quickly assumed. Moreover, because circumcision was required for membership, most converts were women. Rabbinic Judaism, like all ethical salvation religions carried by an intellectual stratum, maintained the qualities valued by that stratum: the religion had an unemotional, non-magical, and highly rational character which was for the most part unacceptable to the masses.

The salvation ethics of the masses, as distinct from intellectually-based salvation ethics, require a

redeemer, a set of magical practices, or both. Christianity, a proselytizing religion, systematically took into account the emotional needs of the masses. This took the form of an ardent love of the redeemer that differed little in emotional content from the emotional expressions of the ecstatic religions. Even though the gross orgiasticism of the ecstatic religions had been sublimated into ritualistic practices and there was a highly ethical interpretation to the religious rites, the underlying emotions were virtually the same.

Christianity found its home, to a considerable degree, in the cities of the northern and eastern Mediterranean region, where ritualistic barriers imposed by the sibs had been either previously weakened or destroyed. Much of the deterioration of the sibs was due to political and military activities, and to the specifically unfavorable urban environment. Artisans and merchants, who could not look to their kin for protection, found it in religious and occupational associations. They tended to favor the type of religious association that would provide the greatest protection: a permanently organized religious community in which all members actively participated in religious activities. Weber called this a "congregational religion." The congregational form was the main form of Christianity immediate-

ly after it had evolved beyond its original charismatic form.

(G-3) Monasticism

Some members of the religious community practiced the religion in a much more methodical way and refused to compromise with everyday life. In early Christianity, those who possessed this deep commitment to the original teachings of Jesus began to segregate themselves from the routine, day-to-day religious community. They later organized themselves into their own world-denying religious communities, the monastic orders.

Although Christian doctrine had its roots in Jewish, Roman, and Greek sources, it was the quite distinct rational and methodical traditions of both Judaism and Rome that strongly influenced the salvation doctrine of Christianity. The irrational and ecstatic elements of Hellenism were especially rejected by the pivotal Christian community of Rome. This rejection represented a manifestation of the consistent distaste of Romans for Greek ecstatic traditions. The starkly rational and methodical doctrine of the Roman Christian community provided the model for the developing monastic communities; but the monks eventually surpassed the Roman community in the stringent performance of religious duties. The monks, or as Weber called

them, the "virtuosi," claimed a special religious prestige due to their strict adherence to the teachings of Jesus. They continued to devalue the world as Jesus had done, rejecting all institutions that were not directly involved in the survival of the monastic community, including the family.

The existence of monks, who closely followed many of the original teachings, posed a threat to the control exercised by the priesthood. The monks were a body of personally charismatic individuals within the larger community of priests, who held charisma of office, and of the laity. The aggregation of monks in exclusive associations constituted a threat to the principle of brotherly love since they limited brotherhood to other virtuosi. Further, their denial of the value of the family and the secular life was a threat to the belief that salvation could be achieved within the lay community. Moreover, the strict celibacy of the monks implied their superiority to the priests at a time when the rules of sexual relationships and marriage were in flux throughout the church hierarchy.

Since the monastic way of life represented the strictest adherence to the fundamental principles of Christianity, it was not possible for the priesthood to reject the monks. Instead, the priests sought to regulate monasticism by recognizing it as a special

vocation within Christianity and controlling monastic membership and activities. In this way, the personal charisma of the monks was transformed into a set of formal ascetic practices within an organized and economically separate monastic community. The church hierarchy recognized the importance of the monastic view of sexual conduct and adopted this for the entire priesthood. The standard of sexual abstinence was not only used to symbolize the religious equality of the priest and the monk. It also served to prevent hereditary charisma or inheritance among the priesthood:

> ... especially in Occidental Christianity, a major reason for priestly celibacy was the necessity that the ethical achievement of the priestly incumbents of ecclesiastical office not lag behind that of the ascetic virtuosi, the monks. Another major reason for the emphasis upon the celibacy of the clergy was the church's interest in preventing the inheritance of its benefices by the heirs of priests. (ES 603)

(H) Later Christianity[8]

(H-1) Roman Catholicism and Eastern Orthodoxy

After lengthy doctrinal disputes and divisive political developments, the Christian church split (ca. A.D. 1054) into two completely separate organizations, the Catholic church and the Eastern Orthodox church. The structures of the two churches were completely different.

The Orthodox religion did not have a single leader,

even though the bishop of Constantinople claimed supremacy. In addition, the structure of the Orthodox church was not as stable as that of the Roman Catholic church. The monks, who were firmly integrated into the western Christian church, were never able to establish a separate vocation within the eastern Christian church. Personal charisma and irrational paths to salvation continued to be more highly valued in the Orthodox church. After the split, monks gradually took over the priestly positions in the Orthodox church.

The lack of a single undisputed leader and the fragmentation of the hierocratic structure might have left the Orthodox church open to "Caesaropapism," that is, the domination of priestly authority by secular political power. But there were a number of conditions which stood in the way of full Caesaropapism. The Orthodox church possessed sufficient organization to resist complete political domination even if it was weak. It also possessed a doctrinal system that limited political interference. Most importantly, it had a hierarchy composed of sexually abstinent monks. The lack of families among the monks prevented the conversion of priestly offices into inherited benefices, while in religions where priestly positions were inherited, the secular royal and noble families could place younger

family members among the priesthood and thereby take over wealthy church communities and estates.

Catholicism possessed a unified structure with a single, often undisputed, leader and a hierarchy composed of priests and bishops who had a highly accepted charisma of office. The monks maintained a separate organization within the church community. The insistence on sexual abstinence and lack of family ties among the hierarchy also hindered Caesaropapist attempts at domination by royal and noble families. Even though the Catholic church was repeatedly challenged by secular authorities, much of its doctrine, structure, and wealth remained unaffected.

The relationship between the Catholic church and the secular noble families was frequently strained by political and economic factors. The noble families were threatened by increases in church land holdings that meant a decrease in the land available for their descendants. Noble families often attempted to limit church acquisition of land even though patrimonial rulers welcomed church possession of land as a protection. The patrimonial rulers in medieval Europe realized the safety in the administration of estates by a clergy that could not pass on the land as a family inheritance. While some noble families feared

land acquisition by the church, others used such acquisitions to protect their own land holdings. This was done through the concept of foundation or endowment (probably imported from regions dominated by the Eastern Orthodox church or by Islam). In this method a large area of land was given to a monastic order, or to some other religious group, by a member of a noble family. In return, the noble family administered the non-religious activities of the monastery and received most of its surplus revenues. The land, as sacred church holdings, was protected from secular confiscation and the noble families controlling it made substantial profits. Subsequently throughout much of Europe, a great many monastic reforms and royal edicts were aimed at eliminating these arrangements.

The authority of the Catholic church in northern Europe was never as extensive as it was in southern Europe. This authority grew increasingly tenuous after a lengthy struggle between the church hierarchy and northern and western European patrimonial rulers, especially the French rulers (ca. A.D. 1300-1400). Although rules against sexual activities and marriage were supposedly absolute for members of the clergy, they were often violated by northern European priests and bishops who rose politically above and beyond the

religious sanctions of Rome. Moreover, political and economic changes gradually separated hierocratic and secular administration. For centuries, clergymen were used by patrimonial rulers as administrators; but the rulers sought to rid themselves of religious interference by a secular rationalization of their administrative staffs and practices. As changes in economic life led to the development of a money economy, the rulers became financially capable of ridding themselves of religious administrators. The church leaders then increasingly found themselves in opposition to the new economic conditions.

Rational economic associations, such as the market, accentuated the depersonalization of economic conduct. Personal relationships, especially those within the household and manorial estate, could be ethically regulated since concrete rights and duties could be specified between the parties to the relationship. Since market relationships are impersonal, there are no concrete rights or duties beyond those required for the economic transaction. The church was thus driven to support those institutions that, like the family, were open to ethical influence and could not easily be depersonalized.

(H-2) Protestantism

The series of religious revolts against Catholicism in northern Europe, collectively called the Reformation

(ca, 1500), was the product of reformers who initially sought greater ethical conduct from believers than the Catholic leaders were willing to prescribe. In addition, they attempted to curtail what they considered widespread abuses of religious authority among the clergy. Moreover, they challenged the authority of the clergy to grant salvation to the believer. When the changes demanded were not forthcoming, the reformers broke away from the church to form their own separate religions. The new religions often developed different interpretation of the relationship between the individual and the deity than that found in Catholicism.

In his writings on the connections between religious ideas and economic activity, Weber concentrated on Lutheranism and on the four major forms of ascetic Protestantism: Calvinism, Pietism, Methodism, and the Baptist movements. Occasionally, Weber also discussed the Puritans, who were the adherents of the manifold forms of ascetic Protestant religiosity in England and Holland.

The varying conceptions in the different Christian faiths of the relationship between the individual and the deity provided, among other things, the basis for a wide degree of variation in attitudes toward sexual activity and in the sublimation of sexuality into eroticism. The attitudes characteristic of early

Christianity and Catholicism were in sharp contrast to those that developed in the Protestant faiths.

In early Christianity, worldly activities were always held to be of less importance than religious activities, but with the prescription that one must have some form of occupation in order not to be a burden to the religious community. It was expected that if one could not follow the path of the religious virtuoso, one had to accept traditional responsibilities: these included raising and maintaining a family, accepting a conventional occupation, and properly participating in religious duties.

According to Weber, all rational ethical religions of salvation tend to be hostile to sexuality and to uncontrolled sexual activities. In this respect, Christianity did not differ from other ethical religions of salvation. Sexuality is irrational and constitutes a threat to any ethically rational religiosity. However, sexuality was often characterized in many religious philosophies as firmly tied to a human being's innate constitution. In the generations following Jesus, early Christian leaders understood that few of the laity would be able to follow the truly charismatic path of total abstinence. In fact, the very existence of the church depended on a lack of abstinence among the laity. Procreation was the primary means to increase church member-

ship after the initial successes with proselytizing. Moreover, the preservation of the family relationship within the church stabilized the religious community. Contractual marriage, sanctioned by the church, was the acceptable lay alternative to abstinence. sexual activity was permitted but only within the marriage relation and solely for the purpose of procreation.

However, the boundaries prescribed for overt sexual conduct did not eradicate the problem of sexuality in Christianity any more than they did in other ethically rational religions. The general process of the rationalization of everyday life had as profound an impact on sexuality as it had on the ecstatic religions. The extensive rationalization in the conduct of everyday economic and social activities led to the sublimation of overt sexual expression into purely intellectual eroticism. Although eroticism could be separated from the sex act, it retained the irrational qualities of the act itself, even raising that irrationality to higher levels since that irrationality was dignified and intensified by intellectual preoccupation and imagination.

> The total being of man has now been alienated from the organic cycle of peasant life; life has been increasingly enriched in cultural content, whether this content is evaluated as intellectually or otherwise supra-individual. All this has worked, through the estrangement of life-value from that which is merely naturally given, toward a further enhancement of the special position of eroticism. Eroticism was raised into the

> sphere of conscious enjoyment (in the most sublime sense of the term). Nevertheless, indeed because of this elevation, eroticism appeared to be like a gate into the most irrational and thereby real kernel of life, as compared with the mechanisms of rationalization. (F 344-345)

Eroticism of the most visible sort was seen by Christian leaders as "concupiscence," vehement lust or desire, and thus, was a degrading sin of the flesh. Further, they viewed eroticism as a threat to any concept of religious brotherhood since the partners to such a relationship tended to place one another in a separate perspective from that of their other religious brethren. The erotic aspect of life became, for Weber, a totally separate sphere of conduct, hence a self- legitimizing element of life. It was therefore beyond the need for legitimation by any other institutional order. This meant that eroticism, by its very nature, could become a threat to any institutional order.

Although Catholic leaders strongly opposed eroticism, the reliance on the practice of institutional grace through absolution offered by the church, hindered the ethical influence of the church on the everyday conduct of individual believers. Since each person could seek absolution for sinful conduct, there was no reason to radically alter behavior in order to comply with the ethical teachings of the church. Within a system of

institutional grace, individual acts of repentence could be worth more than an ethical pattern of life. Even though the system of institutional grace of the Catholic church lacked ethical consistency, the overall impact of the church was substantial due to its long period of unchallenged domination of religious expression in large areas of Europe.

(H-3) Lutheranism

In groups which held that the individual was a "vessel" that would be "filled" with the spirit of the deity, neither the granting of institutional grace nor the performing of worldly activities were particularly important beyond the necessity of following religious prescriptions. To this conception of the relationship of the individual to the deity, Luther added the principle of the "calling" (Beruf), a life-long task required by the deity of every person.

The calling was more than an individual's occupation. It was his moral duty to consistently dispose of all obligations that were imposed upon him by a worldly life. In Lutheranism, great value was placed on the performance of familial, occupational, and community obligations. Monasticism, which was a denial of the value of this world, was specifically rejected as violating the cardinal, universalistic principle of

Jesus' teachings on brotherly love. But the systematic rationalization of ethical conduct in everyday life was limited in Lutheranism, because the support for rationally ethical conduct as a proof of salvation was diverted to the accentuation of inner emotional experience as a sign of salvation. Therefore, Lutheranism never attained the degree of systematic religious rationalization of life patterns which was present in the most ascetic of the Protestant groups, Calvinism.

There was some similarity between the attitudes of Catholicism and Lutheranism in regard to sexual expression. Catholic leaders believed that sexual expression was inevitable for most people, and only those who were able to deny sexuality could become religious virtuosi. Similar beliefs existed among Lutherans and among many ascetic Protestant groups, even though the Lutherans and the ascetic Protestants no longer accepted the concept of the religious virtuosi and of the separation from life within the world. All major Christian groups limited sexual expression to a church-ordained contractual marriage. But Lutheranism was more lenient than the major ascetic Protestant groups in the attitude taken toward sexual activities. Luther believed that sex for procreation was a religious obligation, but with it came at least some degree of

sinful lust, which was permitted by the deity in order to avoid greater sinfulness.

(H-4) Calvinism

In religious groups which held that the individual was a "tool" of the will of the deity, worldly practices often had a value separate and distinct from exclusively religious practices. Such was the case in Calvinism where rational and methodical ethical conduct extended to all areas of everyday secular life. Weber described part of the difference between Lutheranism and Calvinism as follows:

> Deep-lying differences of the most important conditions of salvation which apply to the classification of all practical religious activity appear here. The religious believer can make himself sure of his state of grace either in that he feels himself to be the vessel of the Holy Spirit or the tool of the divine will. In the former case his religious life tends to mysticism and emotionalism, in the latter to ascetic action; Luther stood close to the former type, Calvinism belonged definitely to the latter. The Calvinist also wanted to be saved sola fide. But since Calvin viewed all pure feelings and emotions, no matter how exalted they might seem to be, with suspicion, faith had to be proved by its objective results in order to provide a firm foundation for the certitudo salutis. It must be a fides efficax, the call to salvation an effectual calling.... (PE 113-114)

The contrast between Lutheranism and Calvinism is an example of the difference between the mystical and ascetic paths to salvation. The distinction, however, is muted by the fact that many Protestant groups, including Lutheranism and Calvinism, rejected any obvious

form of world denial through inactivity and contemplation.

For both the ascetic and the mystic, the meaning of the world is beyond the empirical reality. The ascetic places the meaning of the world beyond individual understanding by attributing meaning exclusively to an omniscient, omnipotent, and totally inexplicable deity. The most consistent type of ascetic religiosity is Calvinism. The mystic, on the other hand, places the meaning of the world beyond empirical reality by situating its understanding in individual subjective emotional experiences of union with or possession by the deity. Asiatic religions pursued this mystical path most consistently. But regardless of the mystical and emotional elements in Lutheranism, it was always closer to the active asceticism of the ascetic Protestant groups than it was to the contemplative mysticism of Asian religions.

The influence of emotional elements in Lutheranism spilled over into worldly activities. The believer's political, economic, and religious activities were expected to be permeated with personal relationships that resembled family ties. So unethical conduct in business or religious practices was the moral equivalent of such conduct in family relationships. In this way, Lutheranism was similar to Confucianism. Business relationships were like personal family relationships, and therefore

unethical conduct in relation to one's partners in business was a violation of the principle of filial piety. The difference between Lutheranism and Confucianism on this point was that Confucianism was far more consistently rationalized in applying standards of filial piety to non-familial areas of life.

The central principle of early Calvinism was the doctrine of predestination. In providing an answer to the problem of theodicy, reconciling a perfect deity with an imperfect world, Calvin claimed that there was no solution to the problem within the limits of human comprehension. The deity was omniscient and omnipotent. The determination of one's fate was, thus, both unknowable and unchangeable. In its pure form, this doctrine simply meant that each person's fate had been "predestined" by the deity, and no action by the individual or anyone else could discover or change the eternal will of the deity.

Where most hierocratic leaders claimed to control access to an implied transcendental realm, Calvinist leaders only claimed knowledge of the unchangeable nature of salvation. Originally, the church itself had no charismatic element, for only the people within it possessed such an element. Moreover, there could be no type of conduct that was specifically religious, for one type of conduct is as valid as any other as long as

it did not violate the religious law. The one duty was to serve the deity in a worldly calling.

Although Calvin himself claimed that the individual could never know whether he or she was predestined to be of the elect, this attitude, Weber argued, was unacceptable to the Calvinist pastors and believers. Since mysticism and ascetic withdrawal from worldly activities were not permitted routes to proof of salvation, the believer was left with the path of ascetic ethical conduct within the secular world. Calvin's original conception of the unknowability of predestination provided a basis for the believers to seek knowledge of their own salvation in the religiously correct performance of a calling and in their degree of success.

As in Lutheranism, the conception of the calling in Calvinism was more than simply an occupation. It was a life-task, the moral duty to perform all the obligations of one's position in life. Good works did not have the same meaning in Calvinism as they had in other religions. Success in daily conduct could not save the Calvinist believer but it could represent to the believer and to the religious community an assurance of the believer's election. The rational, methodical, and self-denying conduct of the religious virtuosi in Catholicism was thus brought into the everyday secular world of the laity by Calvinism.

Such a way of life involved a concerted effort to contain and discipline the emotional and sexual aspects of daily existence.

> Methodical conduct, the rational form of asceticism, is thus carried from the monastery into the world. The ascetic means are in principle identical: Rejected are all vain glorification of the self and of all other things of the flesh, feudal pride, the spontaneous enjoyment of art and life, "levity," all waste of money and time, eroticism, or any other activity that detracts from the rational work in one's private vocation and within the God-willed social order. ... Life is focused not on persons but on impersonal rational goals. (ES 1200)

(H-5) Pietism and Methodism

Pietism and Methodism were profoundly influenced by the doctrines of Calvinism and, of the forms of ascetic Protestantism under discussion, only Baptist religiosity represented a truly independent source of ascetic Protestantism. The Pietists developed their concept of predestination directly from orthodox Calvinism. They, however, went further in developing the concept of the unknowability of predestination, even rejecting the importance of theological education as stressed in other sects.

Although both Calvinists and Pietists recognized the calling as a requirement for proof of salvation, the rational, methodical, and self-denying conduct in a calling was an end in itself to the Calvinists. The Pietists followed a path similar to that taken by the

Lutherans: an emotional union with the deity that was similar in many ways to the mystical union of Lutheranism. Even within the context of strict asceticism, Pietists were capable of reaching an emotionally intense religious ecstasy that was totally foreign to Calvinism. Because of its muting of the profound asceticism of Calvinism, Pietism became the medium through which Calvinist doctrine penetrated other religious groups. Pietist concentration on proving salvation through achieving a state of emotional ecstasy weakened the notion of the purely ascetic practice of a calling as a basis for proof of salvation.

Methodism, like Pietism, was based on the model of Calvinist asceticism. Methodism also had a strong current of emotion underlying the ascetic character of its religious practice. Religiously observant conduct was insufficient as proof of salvation. One had to "feel" the presence of the deity within oneself. One's conduct may have been insufficient as proof of salvation, but it was nonetheless an important requirement in early Methodism. Later, the emotional assurance of salvation became more important than all other means of grace. The goal was not merely a union with the deity, as it was in some forms of Pietism, instead it was the rational and methodical achievement of

perfection by each individual. Although the emotional assurance of salvation was of central importance in Methodism, there always remained the insistence on the rationality of conduct.

(H-6) The Baptist Movement

The source of asceticism in the Baptist movement was to a large degree independent of the Calvinist tradition. The central doctrine of the Baptist groups was not the concept of a calling, but one of personal charisma, the revelation that comes to the individual through being possessed by the deity. The Baptists followed the Lutheran and Calvinist traditions in devaluing religious sacraments as a means to achieve salvation. Again, as in Calvinism, salvation could not be gained by good works within the secular world, although good works indicated that one was among the saved. But the Baptists rejected predestination and expected the deity to come into the person who had been "reborn" -- one who could experience the inner emotional certainty of salvation. Without this certainty, or "inner light," one would continue to be guided by earthly interests and emotions. The individual had to attain a state of calm, of moderation, and of consciously rational conduct, in order to be able to hear the word of the deity. The belief of the

Baptists that a state of inner calm and rationality was a necessity for religious experiences to occur influenced their everyday conduct within the world. It is in this sense that the concept of the calling was important to Baptists. Correct religious conduct in a calling was necessary to achieve a calm and methodical existence, and hence it was a necessary step in achieving a state of inner peace and certainty of salvation.

(H-7) Ascetic Protestantism and Sexuality

The rationalization of religiously ethical conduct occurred in each of the major ascetic Protestant and Puritan groups. The intensity of the systematic rationalization of conduct depended to some extent on the intellectual and practical limitations of the doctrine on which it was based. The doctrine of Calvinism was not moderated by emotional or contemplative expressions. The result was a foundation for religious expression that was absolutely antithetical to any emotional gratification, especially sexual gratification.

In Calvinism, sex was needed, within the bounds of a religiously-ordained contractual marriage, in order to comply with the will of the deity: "Be fruitful and multiply." But sexual activity beyond procreation as

well as the conscious enjoyment of sex in any form were sins of the flesh and proof of one's utter damnation in the sight of the deity. The prohibition against any emotion was so formidable that even emotional expression in personal relationships with family members was suspect.

Sexual asceticism was part of a comprehensive religious perspective against all sins of the flesh. In describing one of the Puritan groups derived from Calvinism, Weber indicated the extent to which religiously sanctioned activities were used to avoid sins of the flesh:

> Labour is ... an approved ascetic technique, as it always has been in the Western Church, in sharp contrast not only to the Orient but to almost all monastic rules the world over. It is in particular the specific defence against all those temptations which Puritanism united under the name of the unclean life, whose role for it was by no means small. The sexual asceticism of Puritanism differs only in degree, not in fundamental principle, from that of monasticism; its practical influence is more far-reaching than that of the latter. For sexual intercourse is permitted, even within marriage, only as the means willed by God for the increase of His glory according to the commandment, "Be fruitful and multiply." Along with a moderate vegetable diet and cold baths, the same prescription is given for all sexual temptations as is used against religious doubts and a sense of moral unworthiness: "Work hard in your calling." But the most important thing was that even beyond that labour came to be considered in itself the end of life, ordained as such by God. (PE 158-159)

Among those Pietist groups that closely followed Calvinist teachings, the methodical and rational prac-

tice of a calling was often adhered to as strictly as it was among Calvinists. Where this was the case, the overall religious perspective was quite similar to Calvinism in most respects.

But among some Pietist groups, especially in Germany, the ties to Calvinist doctrine were weaker: German Pietism developed out of a Lutheran context that left the movement with a vague concept of the link between asceticism and proof of salvation. German Pietism emphasized a distinctly Lutheran conception of salvation as being tied to an inner emotional state. Furthermore, Lutheranism and German Pietism possessed doctrinal characteristics reflecting a crypto-erotic love of the deity. This love was similar to, but never as manifest as, the bhakti piety of Vishnuism. The result of these characteristics was an anti-rational accentuation in everyday conduct in the direction of a more emotional religiosity and life conduct. However, Lutheranism and German Pietism still retained the requirements of a calling and this provided a hindrance to the extensive practice of such anti-rational activity. Although it was the least Calvinist form of Pietism, German Pietism did not abandon many ascetic practices foreign to Lutheranism. Pietists distrusted the Lutheran use of the

confession and the practice of forgiveness for sins. At no time did the Pietist groups agree with the Lutheran position on the presence and acceptance of sinful lust within marriage. To them, all forms of pleasure derived from sexual activity were unacceptable at all times, in or out of marriage.

Even though Methodism had some of the emotional expressiveness of German Pietism, the Calvinist influence remained strong. Methodists continued to concentrate on ethically rational behavior in a calling. Emotion was used more as a support for the rational pursuit of individual perfection, than as a means to achieve an inner experience of a union with the deity. Regardless of emotional tendencies, the predominance of ethically rational religiosity led the Methodists to condemn emotionalism and eroticism.

The Baptist movement paralleled Calvinism in opposing all sins of the flesh. All irrational impulses, including eroticism, were considered sins that prevented the individual from knowing the will of the deity. The route to the certainty of salvation was through calm and methodical ethically rational conduct. Baptist leaders, like the Calvinists, continually stressed labor as the proper ascetic practice

for avoiding sins of the flesh. Eroticism was not to be tolerated, and sex was exclusively for procreation within a legitimate marriage.

The belief in each person's right to his or her own individual freedom and the belief in the same ethical standard for all, led the Baptists to adopt a much less patriarchal position with respect to the marital relationship than that adopted by other ascetic Protestant groups. In Baptist groups, women had the right to make their own decisions in religious matters. This weakened patriarchal control of the household.

> Baptist influences have played a part in the emancipation of women; the protection of her freedom of conscience, and the extension of the idea of the universal priesthood to her were here also the first breaches in patriarchal ideas. (PE 264)

The aggregate consequence of the ascetic Protestant emphasis on ethically rational religiosity, and of its attack on eroticism, was the rationalization of the formal definitions of the social relationships within the household. Ethical conduct towards one's spouse and children was expected in place of the formal dominance of purely patriarchal privilege. To a great degree, conduct within the household had contained informally ethical elements since prehistoric times. This had been a result of the internal dynamics of the family and of the existence of community conven-

tions, all of which can be seen in the very existence and universality of the so-called general virtues of life within the world. Ascetic Protestantism formalized certain aspects of the informal ethical arrangements of the household. In addition, it accentuated the concept of individual responsibility before the deity, and this concept carried over into family and community life. Again, at least in the family, Protestantism formalized the concept of individual responsibility, a concept that had been informally applied in family relationships since time immemorial. While individuality was emphasized in regard to a person's moral obligations, it was overwhelmingly condemned in sexuality. Eroticism represented the worst kind of exaltation of subjective experience: it was consciously committed idolatry, the worship of the sins of the flesh.

(I) Islam[9]

Of the major ethical religions, Weber wrote the least about Islam. Islam was to have been included in his studies of religion along with the religions of China and India, ancient Judaism, modern Judaism, and Christianity. However, at the time of his death, only the essays on China, India, and ancient Judaism had been completed. Although Christianity was covered

to some extent in Economy and Society and in The Protestant Ethic and the Spirit of Capitalism, Islam was only considered in a rudimentary way. But there is perhaps enough material to articulate part of Weber's concept of Islamic religiosity and its relationship to family structure and sexuality. Again, we will be referring solely to Weber's own work and not to such secondary sources as Turner's Weber and Islam.

Islam began in the seventh century A.D. in the context of sib-controlled Arabian cities. In these cities, organized action tended to center around sib and occupational associations. The largest political associations on the Arabian peninsula were loose and continually changing confederations of tribes and of the sibs composing the tribes.

Muhammad, a member of one of the major tribes, founded a new religion, Islam, based on belief in a single deity, Allah. Islam was drawn in part from Jewish and early Christian traditions. The notion of the deity in Islam was similar to the monotheistic conceptions in Judaism and Christianity: Allah is omniscient and omnipotent. The problem of theodicy, of reconciling a perfect deity with an imperfect world, was answered by the belief that Allah is so

absolutely powerful that human standards of justice and ethics cannot be applied to his conduct.

Out of this answer to the theodicy problem came the idea of "predetermination." Predetermination referred to one's position and fate in this world, rather than referring, as the Calvinist idea of predestination did, to one's fate in the next. This had the effect of enhancing the believer's trust in fate or destiny while undermining the possibility of rationalization of everyday life in a manner similar to ascetic Protestantism. The need to prove one's election among the saved was not present. In fact, Islam was never a religion of salvation in the Christian sense.

This notion of fate was compatible with the ideas and interests of the stratum of warriors who were to carry Islam across Africa and Asia. To the warriors, there was no rationality governing which individual died on a particular battlefield at a particular time. The Islamic warrior drew the meaning of death from his religion: he was dying for his faith. The reason for death coming at one time rather than another was purely destiny: "It is the will of Allah."

In the early period of Islam, there were some ascetic groups of Muslim warriors, but their asceticism was generally that of a military stratum, not of a

group of religious virtuosi. This type of asceticism was sporadic and usually ineffectual. The official doctrine of early Islam offered an ethical and methodical way of life through sexual proscriptions and religious rites, but the religion was never primarily carried by an educated stratum.

The Islamic faith, as carried by a military stratum, was oriented to purely worldly interests. It rejected most mystical and contemplative practices. The faith carried by artisans and merchants favored mysticism and often some form of non-sexual orgiasticism. Among artisans and merchants, the common form of Islam that far surpassed the official orthodox practice was a simple combination of everyday traditional conduct with irrational ecstatic devotional activities. The mystical and apathetically ecstatic practices of this form of Islam, usually referred to as the dervish orders or groups, inhibited the ethical rationalization of everyday conduct beyond the accepted traditional ways.

Islamic doctrine was not fundamentally ascetic, although some respect was given to deeply religious mendicants and penitents. Muhammad rejected monastic practices in themselves as unethical, and he viewed sexual impulses as irresistable. Sexual impulses, in his view, had to be regulated through marriage or some

other legitimate channel.

Islamic doctrine was deeply political. It supported tribal and sib-based political and social structures. Patriarchal authority was maintained, and the purpose of proscribing illegitimate sexual activities was more to decrease disputes among the sibs than for any moral end. Similarly, all legitimate sexual conduct was regulated strictly according to patriarchal privilege. Women were completely subordinate to the head of the household. Only women of wealthy or powerful families or sibs had some protection from the arbitrary exercise of patriarchal privilege. Even though women were subordinate to men in all mundane practical affairs of daily life and in hierocratic offices, in religious doctrine, women had equality with men before Allah.

Regardless of the reasons for the proscriptions on extramarital sex and on prostitution, these religious rules appeared to operate more effectively under Islam than they did under any other ethical religion. Islamic religious laws permitting multiple wives, easy divorce, and the sexual use of females as concubines appeared to give a great degree of sexual privilege to every male family head. Yet only the wealthy family men and the leaders of powerful sibs were able to afford to use these privileges, and even the sexual

proclivities of the wealthy and powerful men were sometimes limited when they were married to women of powerful families and sibs.

Within the framework of religiously legitimate polygamy, the status of a woman and her children was highly important. As in other areas, contractual agreements were used to establish the position and right of a woman in a household and the right of her children to inherit property. These agreements were generally used by the wealthy and powerful sibs and families. For high-born women, the existence of easy divorce and of protection of property rights produced a situation approaching that of freedom of sexual contract. This type of sexual freedom has been a rare occurrence and, until recently, it has been -- as Weber repeatedly noted -- the exclusive privilege of the upper stratum.

Islamic religiosity did not undermine the strong kinship ties among the Arabs. Tribal and sib structures remained intact throughout much of its history. Political structures were built upon the existing kinship ones. The result was a political administration founded on kinship and patrimonial relationships, on favoritism, and on arbitrary decision-making. The arbitrary quality of political decisions created a situation in which purely legal protections for wealthy sibs and families

were not substantial. Any wealthy kinship group, especial- those kinship groups out of political favor, could lose wealth through seizures by the patrimonial ruler.

The leaders of wealthy sibs and families, in order to protect their wealth and power, established religious foundations. Apparently, such foundations had been used sporadically for this purpose since ancient Egypt. In Islamic countries they came to be large and numerous, influencing the economy of the patrimonial state. Later, the European feudal nobility were to use foundations in the same manner.

The technique of the religious foundation was simple. The wealthy family head or sib elder would give land to the church as an endowment for a foundation. The foundation supported a certain number of clerics through its agricultural production, through rents, and through the production of raw materials for manufacturing. In addition, the income of the foundation was used to help maintain religious institutions. The family or sib conducted the secular administration of the foundation, and any income in excess of that prescribed for religious activities and operating expenses reverted to the donor family or sib. The patrimonial state could not seize either land or revenues protected by religious law. At the same time, family members were able to

influence religious affairs through their control over properties that were formally designated as church holdings.

In Islam, the most powerful families were involved in foundations and the patrimonial rulers rarely had the power to invalidate this technique of protecting family wealth. In Europe, many noble families were not involved in foundations; and these nobles saw that the increasing amount of inalienable land was becoming an obstacle to providing their descendants with landed wealth. In many areas of Europe, laws were written expressly in order to seize church lands and to turn them over to the royal and noble families.

(J) Summary

According to Weber, the history of religious belief and practice is a chronicle of a fundamental shift from ecstatic religious forms, which were irrational, transitory, and of little meaning in the pattern of everyday life, to ethical religious forms, whose proponents sought to portray a more rationally understandable and ethically meaningful universe. The increasing regulation and order in other areas of life provoked greater demands for ethically-oriented religiosity. But the processes of rationalization proceeded along

different paths in different religions. The process of rationalization that was followed in a particular religion depended on which facets of life and the universe were open to question and manipulation and which were accepted as given. It was also shaped by the social circumstances of the religious community and its leaders.

Although the ecstatic religions used all types of intoxicants, including sexual practices, to induce ecstatic states, sexual practices were not permitted to penetrate deeply into family life. Sexual expression was forbidden as a religious intoxicant among close family members. The incest taboo was older and far stronger than the rites of the ecstatic religions. Even though the incest taboo was extremely strong, it was far from absolute, for, on relatively rare occasions, the prohibitions against incest could be overwhelmed by other social and economic circumstances.

Religious leaders in all major ethical religions devalued the intense forms of ecstatic behavior. The most prominent object for their attack was the ultimate irrationality -- sexual ecstasy.

The understandable universe formulated by ethical religious leaders provided a framework in which the believer could expect just compensation for his religiously correct conduct. In the few religious forms

where just compensation was not used as a concept, religiously correct conduct was used as proof of salvation, thus producing the same result. To the believer, the concept of just compensation, regardless of its form, was of crucial practical importance, for he saw it as a means of improving his and his descendants' life chances and his salvation after death.

In the ethical religions, two basic paths to salvation or proof of salvation were logically possible: asceticism, which was the active pursuit of ethical conduct within everyday life in the mundane world; and mysticism, which required the withdrawal from everyday concerns in order to seek a union with the deity. To the ascetic, sexuality was violently antithetical to a life pattern emphasizing self-control, methodical planning, and vigilance in the conduct of daily activities. To the mystic, sexuality was a return to the bestial side of the human character and an ever-present temptation to the mystic's contemplative search for a union with the deity. Yet according to Weber, sexuality was a fundamental aspect of human life that all religions eventually had to deal with in some way.

Long before the existence of the ethical religions, there were general virtues of everyday life prescribed

in every community. Among the general virtues were respect for the family, aid to one's kin and neighbors, returning good-for-good and evil-for-evil, aid to the poor, and protection of those unable to protect themselves. Each of the virtues was stressed to varying degrees in different societies. Each of the major ethical religions adopted and accentuated a different configuration of these virtues.

Before ethical religions became predominant, the family and the sib, like all other associations, required the presence of their own protective spirits. Most frequently, the important spirits for the family or sib members were those of their own ancestors. Ancestor worship made the family a self-contained religious group with its own rituals, and an outsider to the family was both an alien in blood descent and an alien in religion.

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In the Mesopotamian societies and pharaonic Egypt, the religions underwent a rudimentary process of ethical rationalization. The priestly systematization of belief and practice was supported by the patrimonial regimes as an additional tool for manipulating the populace. The ethical elements of the religion

in both Mesopotamia and Egypt were largely the concern of the upper and middle strata of the populace. Among the lower strata, there was religious belief, though greatly simplified, but religious practice merely concentrated on the general virtues of everyday life.

In both regions, the priesthood began as one of many minor occupations, but as the centuries passed, the priesthood became immensely powerful. First, the priesthood was hereditary, with sons inheriting the positions of their fathers and the concomitant rights to administer the ever-increasing temple estates, storehouses, and treasuries. Second, in the early period, the priesthood merely ratified the patrimonial ruler as a living god. But as their power grew, the priests degraded the status of the ruler to that of lord of the patrimonial state which he had received, through the priests, as a fief from the gods. Third, the priests' unusual position as members of the gods' households (i.e., the temples) and the political intermediaries between the lower and middle strata and the ruler gave them an independent source of legitimacy.

The hereditary priesthood of Egypt had two other sources of income and power; the exercise of magic and the cult of the dead. The ethical rationalization of the religion had been circumvented by the belief in magic, that is, the belief in the ability to coerce the gods.

By use of magic, the religious transgressor could escape retribution for his religious and ritual transgressions. The exercise of magic was a valuable product to the Egyptian priesthood, giving them a rich source of income from all elements in the population that had the money to pay for magical services. Another source of income and power was the cult of the dead. In other cultures, the domestic cult of ancestor worship supported, and was supported by, the sibs and was exercised by lay elders of the sib. When the patrimonial bureaucracy destroyed the sibs in Egypt, the domestic ancestor cult was practically devastated. But the end of the domestic ancestor cult did not lessen concern for those who had died and for the afterlife, so the priests appropriated the ritual and sacred objects in a profitable cult of the dead.

* * *

In China, two forms of religion existed side by side: domestic ancestor worship and the community religions, that later became the source for Confucianism and Taoism. Since the sib and its constituent families were a religious group, economic activities and social relationships were highly traditionalized out of fear of angering the ancestral spirits. The belief in the necessity of appeasing the ancestors added to the

already formidable power of sib elders and family heads through their roles as family priests.

Confucianism required the believer to attune himself to the order and harmony of the universe. To conform to the Confucian principle of propriety, the believer acted in a socially dignified and correct manner, and controlled his emotions. To conform to the Confucian duty of filial piety, the believer had to respect, and act responsibly to uphold, all family and family-like relationships. The duty of filial piety so permeated all other associations that few political or economic structures were strong or long-enduring that did not embody or extend principles and feelings originally expressed in family relationships.

Sex was of course a necessity to continue the family line and to be honored after death by one's male descendants. But the sex act was not methodical, orderly, or open to rationalization, and therefore a violation of the principle of propriety. Confucian intellectuals compromised by recognizing sex as a necessary evil, but strongly condemned the ecstatic expression of sexuality. Not only was ecstasy condemned, but so also was the female partner. Women were represented in Chinese philosophy as forever dominated by female spirits that were evil and irrational.

With its accentuation of propriety and its bureaucratic nature, Confucianism did not respond to the personal needs of the lower strata, but patrimonial bureaucrats tolerated the magical and orgiastic practices of the popular cults, and of later Taoism, in order to avoid unrest. Yet they eventually succeeded in suppressing the overt expressions of these practices.

* * *

The break in understanding of Confucian religious ideas among the various Chinese social strata, though significant, was small compared to the chasm in understanding between the strata in Hinduism. Although Hinduism originally possessed many features of popular Asian cults, the Brahmin intellectuals purged the religion of ecstatic and orgiastic elements, and of female deities.

Since the family was central to the performance of the individual's ritual duty in Hinduism, women were to be respected and honored as homemakers and mothers, but they were not to be trusted: the spirits that dominated them were irrational. The ethical rationalization of Hinduism had led to a philosophical male-female dualism in which anything ascribed to have female characteristics was considered irrational.

The intellectualist path to ultimate salvation was open only to men; for men alone could free themselves from irrational female characteristics and thoughts. The orthodox intellectual conception required having a family, especially a male heir, raising the children in a ritually correct way, practicing a ritually correct occupation, and, when family duties were completed, following the contemplative path to salvation. Passion, sexual ecstasy, anger, and all other emotional expressions were condemned as obstructions to contemplation and self-denial. Sexuality was a necessary evil and not to be glorified. It played a crucial part in family life but it was to be seen as nothing but a distasteful ritualistic requirement.

Jainism and Buddhism were intellectualist religions, like orthodox Hinduism, and both rejected sexual ecstasy and orgiasticism, but the sweeping expansion of Hinduism was neither a restoration of orthodox Hinduism nor a rejection of Jainism and Buddhism. It was, in reality, the absorption by Hinduism of the magical and sexual elements of the popular cults. The popular cults were destroyed by the newly created Hindu sects, Vishnuism and Shivaism, but these new sects were not uniformly practiced by all strata. Among the higher

strata, the magical and sexual aspects were muted and salvation was achieved through intense contemplation and introspection.

Conversely, the theology of salvation of the new sects was just as meaningless to the lower strata as it had been to these strata in ancient orthodox Hinduism. In ancient times, the lower strata knew only one path to salvation, namely, performing the ritual duties of raising a family and practicing a ritually correct occupation. Moreover, they knew only one kind of salvation: obtaining a higher incarnation in the next life. In addition to the performance of the dharma, the new sects added fertility rites and the path of devotion to the deity. Worship by the lower strata in the new sects contained obvious sexual connotations and, in a few groups, openly sexual activities. The practices of the lower strata differed little from their conduct in the popular cults except that their activities were now within the broad framework of Hinduism. Hinduism had thus absorbed almost all passions and approaches to life.

The position of women improved slightly under the new sects as female deities were brought back to religious prominence. But women were still in a completely subservient role. Among the Hindu castes, women were

given in marriage without regard to their wishes. At a time when inter-caste marriages were permitted, a man marrying a woman of a lesser, but pure, caste was able to do so without the marriage endangering the hereditary charisma of his sib or himself. For a woman to marry beneath her caste, however, was a ritual offense of the gravest sort. In other words, a woman's lesser stature in all religious matters meant that her caste ties had less influence on the man's caste position than his ties had on her position. The only exception was when she was from a ritually impure background.

The hereditary charisma of a person's sib was crucial to his position in society. The caste system of Hinduism was built upon the hereditary charisma of the sib. The social structure, political power, and economic power of each caste depended in part on the cohesiveness, cooperation, and charismatic rank of its component sibs.

* * *

Ancient Judaism strongly accentuated the general virtues relating to respect for parents and sib elders, but ancestor worship was not accepted, as it was in China, or even tolerated, as it was in India. The hereditary priesthood viewed ancestor worship as a threat to its monopolization of the Yahwe religion.

In establishing a brotherhood of believers, the priests circumscribed the sib right of blood vengeance and infringed upon the cultic activities of sib members.

The greatest competition for Judaism came from the local Baal religions. The deity of Judaism was a god of heavenly places, of war, and of the tribal confederacy. The Baals, on the other hand, were much more personal deities of the local associations and of agriculture. Like other agricultural cults, the Baal religions stressed fertility and tended toward promiscuous sexual activities in religious rites.

The priests saw the Baal religions as a threat to their monopoly, while the ethical prophets saw them as a threat to ethical conduct. Although the leaders of Judaism recognized quite early that sexual activity was a natural and necessary part of life and that it was to be neither glorified nor abstained from, they strictly prohibited sexual relations outside of marriage. The conflict between Judaism and the cults served to strengthen the ethical provisions surrounding sexuality to include prohibitions on covetousness and erotic activities.

Within Judaism, the earliest challenge to the monopoly of the sibs of the hereditary charismatic priests came from the irrational-ecstatic prophets. The rationalization of ethical conduct and of religious

rituals was instrumental in ending this threat. However, the ethical-ecstatic prophets were not as easily dealt with. These prophets had ecstatic episodes, like earlier prophets, but they interpreted these so as to endorse and uphold the ethical requirements of Judaism.

To the priests, whose wealth derived from their hereditary religious offices, ritual was the center of religious life. The ethical-ecstatic prophets had no economic dependence on ritual practices and saw only ethically righteous conduct as important. The priestly sibs could not use economic or political pressure against the prophets, for they were supported and protected by the sibs of the pious laity.

The Babylonian exile weakened the tradition of personal charisma sustaining the prophets while centralizing priestly power in the Jerusalem Zadokite sib and its allied priestly sibs. As a counterbalance to the economic power and diminishing religiosity of the priestly sibs and secular noble families, pious urban dwellers created a religious brotherhood movement, the Pharisees. For the landless urbanite, the Pharisaic movement served as a replacement for the protection originally provided by the sib. This movement also became the basis for re-establishing the tradition of

personal charisma, but not of prophecy. Instead, the greatest importance was given to a profound understanding of the religious texts. Rabbis, who were knowledgeable of the religious texts and their interpretations, eventually took the place of the hereditary charismatic priests as the religious leaders of Judaism.

The movement of the Pharisees and, later, rabbinic Judaism continued the ancient tradition of viewing sexual activity within marriage as natural and necessary. One extreme Judaic sect, the Essenes, did not take this view, because their rigorous ritualistic interpretation of religious law characterized all secular pleasures, including sexual ones, as basically evil. Early Christianity held many things in common with the Essenes, but the Christians drew from their interpretation of Jewish religious law a strict code of ethical standards rather than an emphasis on ritualism.

* * *

In the beginning, Christianity was a truly charismatic movement with all secular relationships and activities, including those of the family, depreciated for the sake of participation in the religious community. Although Christianity supported the general virtues of life, in its charismatic period the religious leaders stressed the religious community over family relation-

ships. The type of love prescribed by Jesus' teachings was acosmic, that is, a love of others, not according to who or what they are in the secular world, but solely because Jesus was the only important reality and he required a love of others. The practical consequence of this acosmic love was to extend assistance normally given to kin and neighbors to fellow believers, and through this assistance, to establish a cohesive religious community.

Charisma, in pure form, is personal and thus highly unstable. Like any other charismatic structure, Christianity had to adapt to the everyday contingencies of the secular world in order to survive. Adapting to the everyday world in a society based upon tradition meant accommodating to a world permeated by the family and by institutions that had developed out of the family. Individual membership in the movement was eventually replaced by family membership in the permanent religious community.

Under the principle of acosmic love, women had almost absolute equality with men in all aspects of life within the charismatic community. But the return to an emphasis on the everyday mundane world meant that women only retained equality in relation to the deity. In everyday religious practice, as in all secular aspects

of life in the region where Christianity developed, women were returned to subservient roles.

Judaism never developed a systematic process of proselytizing. The focus on knowledge, ritual practices, and marrying within the community prevented large-scale conversions. As a salvation ethic carried by intellectuals, rabbinic Judaism was primarily unemotional and non-magical, and the concept of the redeemer, though important, was not the central aspect of faith.

Christianity, on the other hand, had a systematic process of proselytizing that took into account the emotional needs of the masses through the concept of an ardent love for the redeemer. Moreover, in European cities where the sibs had decayed, the Christian congregations became one of the replacements for the protection provided by the sibs.

The routinization of charisma in Christianity was not completely accepted by all segments of the religious community. Those in the community who held a deep commitment to the original Christian teachings voluntarily rejected mundane institutions, including the family. To prevent a divisive struggle between the personally charismatic, celibate monks and other believers, the priesthood recognized monasticism as a special vocation within the church. Furthermore, sexual ab-

stinence was adopted by the priesthood to symbolize the religious equality of the priest and the monk. Sexual abstinence also served to prevent hereditary charisma and property accumulation by the priesthood. In addition, an unmarried, sexually abstaining clergy was not directly open to intermarriage with, and hence control by, noble families who were seeking influence over vast church holdings.

Many noble families in medieval Europe felt threatened by the increasing size of church lands. They feared a decrease in the land available for their descendants. But patrimonial rulers saw church lands as a protection: these properties were not owned by noble families that had feudal claims on the ruler and could not be inherited through a hereditary line of priests. Some noble families, on the other hand, used the church as an economic haven for their estates from royal taxation. These families would endow a church group with land, which placed the land beyond the legal reach of the patrimonial bureaucracy, and then they would administer the land for the church and keep most of the surplus revenues for the family.

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Early Christianity and Catholicism took the position that if one could not follow the path of the monk and the priest, one should accept the traditional

responsibilities of marriage, maintaining a family, and holding an acceptable occupation. Sexual activities were restricted to a church-approved marriage, and solely for the purpose of procreation.

The major Protestant faiths viewed the religious path of monasticism as a violation of early Christian teachings on brotherly love. They also rejected the practice of institutional grace because, according to their beliefs, the church could not grant salvation. In general, the major Protestant faiths believed the individual to be either a vessel to be filled with the spirit of the deity or a tool of the will of the deity. The former was the position taken by Lutheranism and the latter was the position taken by Calvinism.

All major Protestant groups rejected any overt form of world denial through inactivity and contemplation. All supported the concept of the calling as an ethical life task, insofar as each person was morally responsible for methodically and calmly disposing of his or her own familial, occupational, and community obligations, which were imposed by an active life within the world. In faiths where the individual was considered a vessel and salvation was sought through an emotional union with the deity, the calling was merely a preparation for seeking the inner emotional certainty

of salvation. In faiths where the individual was considered a tool, good work and success in one's calling represented proof of salvation, and any attitude or feeling of one's certainty of salvation was viewed with suspicion.

Though many major Protestant faiths followed the Lutheran position of seeking the inner emotional certainty of salvation, few were as lenient as Lutheranism in accepting the necessity for a certain degree of sinful lust in marriage as a means of preventing greater sinfulness. In addition, the Lutheran accentuation of emotional expression was such that almost all secular activities were permeated with a personalism resembling family ties. Thus, unethical conduct in any area of secular life was the moral equivalent of such conduct in one's own family.

Most faiths approached, but did not reach, the extreme position of Calvinism on the issues of eroticism and emotional expression. In Calvinism, sexual activity beyond procreation and any form of eroticism were sins of the flesh. The prohibition against all expression of emotions in Calvinism was so strong that such expression in any area of life, including the family, was morally suspect.

Taking responsibility for one's kin has always been a fundamental aspect of the family. The ascetic

Protestant faiths accentuated individual responsibility by making each person morally responsible before the deity for his or her actions in the family and the community. The emphasis on individual moral responsibility weakened patriarchal privilege within the home. Among the Baptists, especially, individual freedom and moral responsibility was so greatly enhanced that women were considered as having the moral right to make their own decisions in religious matters, thereby limiting their husbands' authority over them and creating, in principle, the moral equality of the sexes.

While individuality was accentuated in regard to moral obligations, individuality was regarded as vile in sexuality. Eroticism represented, in all Christian faiths, the worst kind of exaltation of individual subjective experience and the antithesis of brotherly love.

Prohibitions on overt sexual activities were no more successful in eradicating the problems posed by sexuality for Christianity than they had been in other ethical religions. The extensive rationalization in the everyday conduct of economic and social activities had led to the sublimation of openly sexual expressions into the conscious and consciously-sought fulfillment of eroticism. Eroticism could be separated from the

physical sex act and still retain the essential irrational qualities of the act itself.

* * *

Judaism and Christianity broke the fetters of the sib. But Islam, like Confucianism and Hinduism, developed in a society where sib ties were too powerful to be ignored or eliminated. In the Arabian areas where Islam developed, the political and economic structure of society was based on sibs and tribes.

Islam was effective in limiting sexual activities outside the household, but its success was in part due to the threat of disputes between sibs created by the presence of illegitimate children. It was also due to its doctrine on marriage: Islamic law permitted multiple wives, easy divorce, and the practice of concubinage. However, lower strata men did not have the means to have more than one wife or to purchase concubines. Though higher strata men had the wealth, the women they married were often high born and under the protection of their own sibs. Since multiple wives were possible among the wealthy, the legal status of each wife and her children depended on the specifications of the marriage agreement between her sib and her husband's sib. Among the upper strata that had legal and economic security, the ease of divorce created the equivalent of freedom of sexual contract, at least for the men -- but, even so,

the rejection of a high born wife might have led to her sib members' taking revenge on the husband or his sib.

In the loose and shifting confederations of politically powerful sibs, some wealthy families could be left unprotected from politically arbitrary rulings of the patrimonial rulers. To protect their property, wealthy families would endow religious foundations. The property given to the church would then be managed by the wealthy family, with most of the profits going to the family. These foundations were also used by European noble families, but most European nobles were not involved in such practices and feared the reduction of available land. This practice was eventually outlawed in most of Europe.

(K) Conclusion

The ecstatic religions were irrational and generally held little meaning within the pattern of everyday life. Although these religions used intoxicants to create ecstatic states, the use of sexual intoxicants among close kin was expressly forbidden. Sexual conventions, including the incest taboo, were older and far stronger than these religions.

As rationalization swept over many areas of life, demands arose for greater meaning in religious beliefs and practices. The resulting forms of ethical relig-

iosity varied widely according to the path of rationalization taken by religious leaders and its penetration into religious life. Commonly, religious leaders sought an understandable cosmos in which the believer could expect some form of just compensation (salvation or proof of salvation) in this world or in the next.

Long before the existence of any ethical religion, the social conventions of the family and the community permeated daily conduct. Weber called these universal social conventions "the general virtues of life within the world." These conventions concerned the common moral obligations and expectations between kin and between neighbors which existed in all stable communities. Some of these conventions were usurped by the ethical religions, but according to the path of rationalization taken by a particular religion, each religious usurped and accentuated a different configuration of these conventions.

* * *

According to Weber, sexuality was a central problem confronting ethical religiosity, at least for religious intellectuals, for whom the prime concern was for a completely consistent and meaningful conception of the cosmos. Moreover, all ethical religions underwent a process of institutional rationalization in which any form of extreme irrationality, whether the product of

the ecstatic religions or of intensified eroticism, interfered with the routinization of religious conduct under stable institutional, especially bureaucratic, processes.

The two logically possible paths of conduct in ethical religiosity are invariably mysticism and ascetic-ism; and the intellectuals of each ethical religion developed their own particular view of and design for these paths. Through contemplation, the mystic seeks a union with the deity, and sexuality represents a return to the bestial side of human nature and a source of constant temptation. Through self-denial, methodical planning, and vigilant self-control, the ascetic seeks salvation or proof of salvation (or, in Confucianism, harmony with the cosmos), and sexuality represents a personal failure in maintaining control.

Although all ethical religions had prescriptions and prohibitions in regard to sexual practices, there was a wide range of variation among them. Among the common believers, sexual practices usually reflected family and local community conventions. Among the secular upper strata, sexual practices were sometimes more restrained, reflecting the influences of greater status pretensions. Among the vituosi, sexual practices were frequently shaped by the importance of sexuality in their concept of a meaningful cosmos and by the

degree to which their religious conduct approached an extreme ascetic or mystical position. The position taken among the virtuosi of particular religions on the question of sexual practices could range from the view of the Jewish priests and rabbis that sex was a natural part of the life process; to the Calvinist view that sex was solely for procreation and not to be enjoyed in any way; to the monastic view held among the Buddhist and Jainist virtuosi and among some of the virtuosi of Catholicism that the elimination of sex from one's conduct was a sign of charisma.

Since most ethical religions formally limited sexual activity to religiously sanctioned marriages, wherever the virtuosi were permitted to indulge in sexual activity they also possessed a family life and personal property. Wherever the virtuosi had a family life and wherever the father's religious position and holdings were inherited by his son, the families of religious figures could become immensely wealthy and powerful. Such was the case in the Mesopotamian and Egyptian societies.

Sexuality, like the forms of religiosity, had been swept up in the extensive rationalization of social life that took place in all complex, non-primitive societies. The result was the sublimation of sexual

expression into the conscious, and consciously sought, fulfillment of eroticism. Though eroticism is an intellectualized emotional product and thus could be separated from the physical act of sex, it still retains the essential irrational qualities of sex itself.

All ethical religions placed formal restraints on sexual conduct, but the type and degree of such restraints varied considerably from one religion to another. In addition, the restraints often differed between the social and economic strata within a single religion. The religious repression of sexual expression among the middle and upper strata generally results in an intense intellectualization of sexuality. This process of intellectualization may yield a form of eroticism so emotionally powerful that it offers an alternative kind of this-worldly salvation to the kinds of salvation provided by ethical religiosity. Extreme eroticism produces a competition between sexuality and religion, as it does between sexuality and all other routinized systems of beliefs and practices. From the point of view of ethical religiosity, eroticism represents the worst kind of exaltation of individual subjective experience and the antithesis of any form of brotherly love. Even where religious leaders took the view that sexuality was a natural and necessary part of life which was to be neither denigrated nor glorified

(e.g., the view among most Jewish leaders), they were only successful in slowing the process of intellectualization, not stopping it.

However, some religious leaders recognized the potency of using mild eroticism in proselytizing. Among the masses, intellectualist doctrines were useless. But, two concepts were easily understood: magic, by which the deities could be manipulated, and the love of a redeemer, who could save the common people from oppression of any sort. The concept of love for a redeemer was especially effective; it was a highly sublimated expression of eroticism. It gave the common believer a form of emotional solace that often could not be obtained merely by the faithful practice of religious rites.

Regardless of the formal positions taken by ethical religious leaders on the subject of sexuality, each religion eventually had to confront the everyday activities and relationships of the communities where the religion was practiced. This process of facing the contingencies of the mundane world inevitably led to questions about sexual practices. The religious leaders sought, unsuccessfully in most cases, to restrain sexual activity by formally confining it to the marriage partners in the family. Even though the confinement

did not work, the family through the religiously-sanctioned marriage became the chief beneficiary of the religious leaders' organized attempts to restrain sexual practices.

* * *

The family was a formidable influence that had to be taken into account in the rationalization of ethical religiosity. Often the family was the carrier of far more ancient religious beliefs and practices. One of the most common beliefs was that the family, or the sib, possessed (usually ancestral) spirits that gave the kin group its special charisma and that made it a self-contained religious group. Such beliefs unified kin groups in the face of great external forces. The sibs of China and India were so strong that the religious beliefs of the great orthodoxies of both countries were in large part shaped by family relationships and values. Many other religions avoided the influence of sib and family values because the sibs were already experiencing a decline in their economic or political power at the time that the religion was beginning to develop; and under such circumstances, the religious leaders were often able to undermine the spiritual beliefs and practices of the sibs. Religious leaders were able to undermine the ties between sib members by

creating a religious brotherhood that provided similar benefits to those provided by the sibs and by eliminating the rights and privileges adhering to sib membership. Where political and economic forces had weakened or destroyed the sibs, religious leaders simply moved in to restore the protection provided by the sib through the creation of a religious brotherhood. In addition, the religions often adopted the symbols and imagery of family relationships.

In adopting the notion of a brotherhood of believers, religious leaders sought to bring about a practical system of mutual aid and protection among the believers. But if strong emotionalism became a part of the brotherhood relationship, the ties between believers might assume a family-like quality. An example of this phenomenon was Lutheranism, where the concept of emotional expression was so pervasive that all secular activities were permeated with a personalism resembling family ties so that unethical conduct in any secular area was the moral equivalent of such conduct in the family.

In traditional societies, the family was the prime route of succession to wealth, power, and prestige. The family could also become the route of succession to religious offices and to control of religious wealth. When families became the means of succession to relig-

ious offices and depended on religious rites for their wealth and power, the ethical rationalization of religious conduct could be hindered, since priestly families would favor practices that increased their wealth and the wealth of their descendants. In addition, if religious offices were carried through and inherited within family lines, the religion would be open to the possibility of secular influence through intermarriages with politically and economically powerful secular families.

* * *

The stature of women in the ethical religions has been quite varied. In some cases, their stature was influenced by the proximity of the religion to its charismatic origins. Both Buddhism and Christianity, in their charismatic period, emphasized the religious and social equality of men and women. This was due to the distinctive quality of pure charisma in negating previous ties to traditional institutions. As the religions returned to the mundane world, the sexual inequities of traditional societies re-asserted themselves. In other cases, the religious stature of women was impaired by the religious philosophy itself, such as in the dualisms of China and India. To a great extent, these dualisms only mirrored the social reality

of those societies.

In many societies, women of the upper strata had some degree of de facto independence, at least in the economic sector. But rarely did they have complete moral independence from their husbands or families. Although all major ascetic Protestant faiths accentuated the concept of individual moral responsibility, only the Baptist movement did so in such a consistent way that women were gradually seen as having complete moral independence from their husbands.

The Religious Order and the Kinship Order

1- Sources for section (A) Ecstatic and Ethical Religiosity:
ES 399-403, 430-432, 437-438, 518-551, 576-581, 602-604
F 267-270, 278-282, 286-288

2- Sources for section (B) Early Religiosity and the Household:
ES 363-365, 411-412, 422-424, 432-435, 535-538
F 343-350

3- Sources for section (C) The Religions of Ancient Mesopotamia and Pharaonic Egypt:
ES 417, 449, 468-469, 500, 508, 518-524, 535-538, 541-551, 576-583, 1177-1185
AJ 8, 96, 143-146, 179-180, 200, 219, 222, 231, 239, 248-263
SAC 78-79, 84-96, 100, 104, 118-120, 157, 188
GH 51-52
C 88

4- Sources for section (D) The Major Religions of China:
C 21-31, 86-100, 107-115, 131-133, 142-144, 152-163, 177-204, 208-213, 224-225, 230-237
ES 231, 489, 579, 600, 604-606
F 283

5- Sources for section (E) The Major Religions of India:
I 6-29, 39-44, 49-54, 117-123, 137-147, 150-152, 163-180, 192-235, 241-254, 282-328
ES 215-216, 604-606, 1111-1127

6- Sources for section (F) Ancient Judaism:
AJ 17-23, 28-32, 49-57, 79-81, 96-117, 123-138, 143-146, 154-162, 174, 181-193, 200, 205-218, 259-260, 278-296, 312-315, 346-370, 380-424, 439-440
ES 508-510, 606, 611, 620
C 86-96
GH 41

7- Sources for section (G) Early Christianity:
ES 36-37, 215-216, 246-254, 439-442, 452-472, 481-490, 538-541, 553-555, 579-583, 591-593, 603, 958-959, 1111-1148, 1163-1173, 1243-1244
AJ 28-32, 385-395, 405-424
I 236-237
F 267-290

8- Sources for section (H) Later Christianity:
ES 429-439, 522-523, 534-538, 543-556, 559-563, 569-576, 586-588, 600-607, 1050, 1158-1176, 1181-1200
PE 79-87, 95-162, 217, 250-266
F 343-350
I 306-309

9- Sources for section (I) Islam:
ES 474, 489, 512, 522-523, 555-556, 573-575, 600-607, 623-627, 690-691, 1088-1097, 1181-1184, 1244
F 269, 277-284, 288, 292, 325, 333-336, 450
PE 226-233
SAC 113-114, 131-132

CHAPTER V

THE STATUS ORDER AND THE KINSHIP ORDER

(A) Status, Status Groups, Inheritance, and Succession[1]

(A-1) Status and Style of Life

The status order is composed of institutions that are oriented to the monopolization of the distribution of social honor, or "prestige," within a society. Weber defined status as a successful claim to prestige in the form of an appropriation or usurpation of privileges.

> "Status" (standische Lage) shall mean an effective claim to social esteem in terms of positive or negative privileges; it is typically founded on (A) style of life, hence (B) formal education, which may be (a) empirical training or (b) rational instruction, and the corresponding forms of behavior, (C) hereditary or occupational prestige.
>
> In practice, status expresses itself through (a) connubium*, (b) commensality**, possibly (c) monopolistic appropriation of privileged modes of acquisition or the abhorrence of certain kinds of acquisition, (d) status conventions (traditions) of other kinds. (ES 305-306)

* connubium - (def.) marriage practices
** commensality - (def.) dining together

Status is a claim that can be based on many different phenomena. These include wealth, political or religious position, service as a warrior, personal charisma, or a kinship relation to one who allegedly possesses some distinctive quality.

The distinguishing characteristic between status groups and political, economic, and religious groups is

that the members of the latter groups can be members without claiming or assuming the same style of life. Moreover, a status group may draw its style of life from more than one value framework. Status values would refer consistently to the relationship between a person's particular style of life and his or her possession of a particular type and degree of social honor.

A short-lived claim to prestige may have little to do with kinship. But a claim that continues for decades, or even centuries, creates a critical problem of succession to high status rank. The only way that a claim to high status may endure is through the establishment of a principle of succession; and kinship provides a mode of succession that is both stable and "natural."

High status is not merely a claim by individuals, it is also made by groups. Weber defined a status group as follows:

> A "status group" means a plurality of persons who, within a larger group, successfully claim (a) a special social esteem, and possibly also (b) status monopolies.
>
> Status groups may come into being: (a) in the first instance, by virtue of their own style of life, particularly the type of vocation: "self-styled" or occupational status groups, (b) in the second instance, through hereditary charisma, by virtue of successful claims to higher-ranking descent: hereditary status groups, or (c) through monopolistic appropriation of political or hierocratic powers: political or hierocratic* status groups. (ES 306)

* hierocratic - (def.) religious

Almost all differentiation according to prestige begins as the purely conventional appropriation of privileges. At its inception, it is rarely protected by legal sanctions. Even when legal sanctions develop around the position of a privileged status group, these sanctions are usually of secondary importance to the conventions that compose the style of life of the group members. In a group oriented purely to status, style of life plays a paramount role in the cohesiveness and prestige of the group. In such a group, it is primarily the style of life that separates those qualified for group membership from the others in the community.

Although prestige may lead to the acquisition of wealth, power, and knowledge, and vice versa, this convergence is not inevitable; but there is a definite tendency for this consolidation to occur. Typically, high status groups are able to create and appropriate rights and advantages in many areas of community life.

The unique style of life adopted by a status group may offer an opportunity for the development of a distinct world view. This is the reason status groups play an important part in religious development. While meaningful conduct is directly determined by both material and ideal interests, it is often indirectly determined by the world view. Although interests provide

the direct impetus to action, the world view may provide the specific direction to action. In arguing against economic determinism, Weber pointed out that the fundamental elements of all major religious ethics have been of religious origin. Purely religious elements are rarely introduced by other than the process of autonomous religious rationalization; but they are commonly reinterpreted by those strata that eventually become the primary carriers of the religion. The relation between a religious ethic and its primary carrier is often reciprocal: the religious ethic is partly reinterpreted according to the interests of the members of the carrying status group, while at the same time the ethic, as a set of ideas, becomes the catalyst for the alteration of the world view and style of life of the status group.

In a pure status group, style of life is always decisive. This is the basis of the difference between a purely economic class and a status group. Economic interests are ultimately oriented toward the formulation of the most rational course of action in a given market situation. Status interests are oriented to maintaining the group through a unique style of life. Economic relationships are thus concerned with the set of actions that are essential in the attainment of some mutually agreed upon immediate result. Status relationships must

go beyond the limited framework of economoic relationships, since conduct is based on the status group's members' orientation to one another (e.g., connubium and commensality) rather than to such external conditions as the market situation.

Under economically stable conditions, economic stratification tends to become status stratification as the wealthy begin to practice a style of life that excludes all other strata. Once established, the privileged status group comes to depend much more on the style of life maintained by its members than on their wealth. Major economic or technological changes may disrupt the position and cohesion of a privileged status group that depends for its unity on style of life. These changes can undermine the conventionally approved sources of wealth of status group members while simultaneously enhancing the financial prospects of others in the community.

> When the bases of the acquisition and distribution of goods are relatively stable, stratification by status is favored. Every technological repercussion and economic transformation threatens stratification by status and pushes the class situation into the foreground. (ES 938)

(A-2) Status and Kinship

Inheritance of property and privileges are intimately related to the nature of succession in status groups.

Inheritance of property along family lines has been universal since prehistoric times. The inheritance has been of at least two kinds: personal and familial. Although there has always been purely personal property, for the most part, the property of the household was passed along from generation to generation, and any member who left the family, or was expelled, lost his or her right to own or use household property. In addition to property, the household was also the natural route for the inheritance of all privileges derived from property. Status groups based solely on privileges deriving from property ownership tended to develop out of aggregations of kinship groups of similar economic circumstances.

Before the full development of other groups that could usurp control of opportunities in the community, the ancient household could admit outsiders to membership and decide the legitimacy and rights of children born or adopted into it. As other groups came into existence, limits were placed on the admission of outsiders, on the definition of the legitimacy of children, and more importantly, on the nature of those in the community who would be permitted to create a household and the conditions under which they could do so.

> Domestic authority over a child derives from matrilineal or patrilineal descent, and this in turn defines the other households in which the child has a property share, in particular access

> to economic opportunities which these households appropriated within economic, status, or political groups. Hence those other groups are interested in the manner in which household membership is established; in any given case the prevailing order is a resultant of the economic and also the political interests of all groups involved. It should be clearly understood from the beginning that as soon as a household becomes part of other groups that control economic and other opportunities, it cannot freely attribute membership, the less so the more limited these opportunities become. (ES 367)

Marriage, in the form of a legal contract, was the prime means by which non-family groups regulated the formation and composition of the household. Under such regulation, control of marriage was equivalent to the control of the distribution of property and property-derived privileges in the community. With the development of the contractual marriage, only the children of such a marriage were entitled to full legitimacy, and thereby entitled to membership in those groups to which the family legitimately belonged. As a legal agreement, the marriage was what Weber called a "status contract," that is, it had the effect of changing an individual's entire legal and social position in the community.

Succession to high status through property and property-derived privileges was usually determined by kinship; but succession founded on privileges other than those connected to property was highly problematic. Many such privileges grew out of the exceptional characteristics of individuals, including the personal

charismatic qualities of the warrior, the political leader, the prophet, or the skilled artisan. They also grew out of fundamentally non-economic political or religious associations.

Pure charisma is personal and antithetical to mundane structures, and thus it is unstable over any extended period of time. Routinization must occur for charisma to be stabilized. This means that some kind of avenue of succession has to be established. Historically, the simplest and most common avenue was kinship. However, it was not the individual who usually inherited charisma but the family, since charisma was considered the property of the household.

> The most frequent case of a depersonalization of charisma is the belief in its transferability through blood ties. Thus the desires of the disciples or followers and of the charismatic subjects for the perpetuation of charisma are fulfilled in a most simple fashion. However, the notion of a truly individual inheritance was as alien here as it was originally to the household. Instead of individual inheritance we find the immortal household as property-holder vis-a-vis the succeeding generations. In the beginning, charisma too is hereditary only in the sense that household and lineage group are considered magically blessed, so that they alone can provide the bearers of charisma. This notion lies so close at hand that its genesis scarcely needs an explanation. Because of its supernatural endowment a house is elevated above all others; in fact, the belief in such a qualification, which is unattainable by natural means and hence charismatic, has everywhere been the basis for the development of royal and aristocratic power. For just as the charisma of the

> ruler attaches itself to his house, so does that of his disciples and followers to their houses. (ES 1136)

All routes of charismatic succession involve problems of the selection and the ritual transference of the charismatic position to the person or persons selected. But such problems are not as severe in familial succession as they are in non-kinship avenues of succession. First, regardless of the selection in familial succession, the charismatic position and the privileges that go with it remain in the family. Second, since hereditary charisma remains the property of the family as a whole, there is a permanent, stable, and legitimate process for succession or for the replacement of the current position holder even in unusual circumstances. In all other routes to charismatic succession there was always a need to establish a permanent process of succession that could withstand the questioning of the legitimacy of the process itself and of the person designated by it.

In addition to stabilizing the process of succession, kinship often provided crucial support for the legitimacy of the high rank usurped by a status group. Since stratification according to prestige was almost always a product of appropriation or usurpation, it was necessary to legitimize the newly formed, highly esteemed status group. The means of legitimizing the favored

position of the status group was to create an ideological justification of the group's exceptional position. Where the distribution of power in a society was unstable and subject to rapid change, many means could be attempted to justify a group's position. As long as the distribution of power in a society was stable, the appropriated prestige of the high status group eventually became a right acquired through succession. The most common justification was usually that the status group members had a hereditary right to their rank. Of course, this was only possible where prestige was an inherited property of the household.

> Strata in solid possession of social honor and power usually tend to fashion their status-legend in such a way as to claim a special and intrinsic quality of their own, usually a quality of blood; their sense of dignity feeds on their actual or alleged being. (F 276)

(B) Ancient China[2]

At the time of the feudal states and early patrimonial realms, before the rise to power of the patrimonial bureaucracy, China was dominated by a stratum of hereditary charismatic warrior sibs. The warrior sibs constituted a separate status group in that political and economic privileges were limited, in principle, to the members of these sibs. The extent of the privileges depended on the hereditary rank of the

individual sib.

The creation of a unified patrimonial state meant the rise of a court nobility separate from the original feudal nobility. The unified governmental bureaucracy needed large amounts of money and only the sibs and families that had monied wealth were given high ranking positions in the central administration.

The replacement of the hereditary charismatic sibs by those that were wealthy did not end feudal rights in China. It only meant that a new feudal nobility founded primarily on wealth replaced one based on the hereditary charisma of the warrior. The extent of the appropriation of feudal and political rights by wealthy sibs changed along with the fluctuating political situation in China. The only serious challenge to the appropriation of rights by these sibs and families came from the literati.

The literati never constituted a unified political association. The power of these scriptural scholars came from two sources. First, they totally dominated all but the highest levels of the governmental administration. However, their domination of the patrimonial administration did not unify them politically since they had to compete against one another for the scarce positions. Moreover, these positions were, by law,

temporary, far from their home districts, and often precarious.

Second, the literati, while not a unified political association, were a unified status group. They had a unique style of life based on the possession of a formal education and the sole right to seek most government positions. They considered themselves as members of a select group. Every member of the literati was expected to uphold the proper conventions in their conduct at all times. In principle, the rank of each member of the literati was not determined by the rank or wealth of his ancestors, but by the number of examinations that he had passed. Education had replaced kinship as the prescribed means of obtaining political positions.

However, kinship remained a determining factor in gaining access to political offices, though its influence was in most cases indirect. Kinship was a direct determinant only in the case of the wealthiest and most powerful sibs and families (including the imperial sib). These sibs and families used their great power to circumvent the examination system.

> In early times the main adversaries of the literati were the "great families" of the feudal period who did not want to be pushed out of their office monopolies. Having to accommodate themselves to the needs of patrimonialism and to the superiority of the knowledge of script, they found ways and means of paving the way for their sons by imperial favor. (C 138)

Even at lower governmental levels, sib support was crucial for obtaining a position. Most offices were filled by those who had passed a sufficient number of examinations. Examinations were open to the public, but preparation for them was costly. Very few individuals had the personal wealth that would have freed them from everyday economic concerns so as to enable them to devote all their time to preparing for the examinations and to seeking the scarce government positions after passing the examinations. Almost all who prepared for the examinations were supported by their sibs.

> The burden of the education and of the periods of nominal pay actually fell upon the sib, as we have seen. The sib hoped to recover their expenses by seeing their member finally enter the harbor of an office. (C 129)

Not only were the preparations for the examinations expensive, but most candidates for the examinations failed. The sibs often attempted to support several candidates for the examinations at the same time, and frequently they would have to support repeated attempts to pass the examinations. Even if a candidate passed, there was no guarantee that he would ever find an administrative position. Many positions had to be bought or obtained through political favors. Again, it was the money and the power of the sibs that procured these positions.

In return for having one of its members join the office-holding literati, a sib received money, economic advantages, and political influence through the new office-holder.

> Since these members had the opportunity of entering remunerative offices, they, in turn, were usually expected to enrich the co-heirs and provide sib members with public offices. (C 85)

Even if the sib member did not obtain a position, the very fact of his having passed the examinations increased the power and prestige of his sib in his local area.

(C) Ancient India[3]

Earlier we discussed the fact that in many cases status differentiation is only conventional. It is built upon a taken-for-granted appropriation of privileges and a particular style of life.

India was an example of status differentiation protected by much more than simple conventions:

> Where the consequences have been realized to their full extent, the status group evolves into a closed caste. Status distinctions are then guaranteed not merely by conventions and laws, but also by religious sanctions. This occurs in such a way that every physical contact with a member of any caste that is considered to be lower by the members of a higher caste is considered as making for a ritualistic impurity and a stigma which must be expiated by a religious act. (ES 933)

Weber goes on to say that the formation of a caste structure occurs most often in communities where status differentiation is strongly linked to blood ties. Status groups become caste groups when real or imagined

differences, claimed to be hereditary, become the basis for intense prohibitions of connubium, commensality, and most other forms of social interaction.

The Indian caste system was based on the hereditary charisma of the sib and, in principle, the barriers were absolute between endogamous castes. In practice, the strength of the barriers varied according to the changing social conditions surrounding the caste and the rank of the caste. In ancient times, caste barriers were lowered when it served the interests of higher caste groups. But inter-caste marriage, as we have previously noted, was only possible between higher caste men and lower caste women. The children of any mixed-caste marriage, if the marriage were not approved by the sib-based caste organization, had no legal standing, and the children of even an approved mixed-caste marriage did not have the same rights of inheritance as did children of a marriage of same or similar caste individuals. By the turn of the twentieth century, caste restrictions, especially among the higher castes, had become so strong that intermarriage was restricted at least to the sub-castes of a single caste, if not prohibited altogether.

Caste barriers have varied along with the social rank of the castes. While upper strata castes were

generally more restrictive of intermarriage and recruitment, some of the lower castes had little or no restrictions at all. When intermarriage and recruitment were permitted, wealth was often a major consideration in the lowering of caste barriers by the upper castes. As long as the wealthy members of middle-ranking castes did not perform ritually unclean work, they could be admitted to the higher castes. Among some of the lower castes, there was little if any barrier to intermarriage with higher caste members or to the recruitment of higher caste people who had been expelled from their own castes.

The social rank of a caste was determined by the social relationships and style of life of its members. The standards for judging the rank of a caste were: first, castes that agreed to have social intercourse with one another; second, the castes whose members found each other acceptable associates; and third, the purity of the dharma of the caste members and the ritual correctness with which they carried it out (especially occupational and kinship obligations). The rank of the lower castes was thus determined by the actions taken toward them by the upper castes.

Ultimately, it was the hereditary charisma of the component sibs of a caste that determined its social

intercourse and style of life. The hereditary charisma of the sib was used as the justification for most of the appropriation of property and privileges. Only in times of instability were individuals able to use personal charisma and wealth to raise themselves and their sibs to a new social stratum.

> ... Among the upper castes the criterion would be the correctness of life practices with regard to sib organization, endogamy, child marriage, widow celibacy, cremation of the dead, ancestral sacrifice, food and drinks, and social intercourse with unclean castes. Among the lower caste one would have to differentiate according to the rank of the Brahmans who are still ready to serve them or who will no longer do so, and according to whether or not castes other than Brahmans accept water from them. ... The kinds of occupation and income, which entail the most far-reaching consequences for connubium, commensalism, and ritual rank, are decisive in the case of all castes. (I 45)

There was no absolute social ethic or universal set of duties expected of all members of the community. Each person was only responsible for the ethical requirements and everyday conduct prescribed by his dharma. The individual not only gained his dharma from his sib and family, but also the knowledge and social relationships necessary to carry it out. Moreover, his right to perform a certain dharma was purely hereditary and, in principle, could not be earned through his individual efforts.

(D) Ancient Jewry[4]

In India, status differentiation was a prime con-

dition of life among the sib-based castes of the society. Status differentiation was also important in the Jewish community, but it was not so much within the community as it was between the community as a whole and the outside social world. Again, as in India, a caste group was created when real or imagined differences, usually claimed to be hereditary, became principles for separating the community from outsiders. It was these differences that were decisive among ancient Jewry.

> In general, however, the status structure reaches such extreme consequences only where there are underlying differences which are held to be "ethnic." The caste is, indeed, the normal form in which ethnic communities that believe in blood relationship and exclude exogamous marriage and social intercourse usually associate with one another. As mentioned before, such a caste situation is part of the phenomenon of pariah peoples and is found all over the world. (ES 933)

> Sociologically speaking the Jews were a pariah people, which means, as we know from India, that they were a guest people who were ritually separated, formally or de facto, from their social surroundings. All the essential traits of Jewry's attitude toward the environment can be deduced from this pariah existence -- especially its voluntary ghetto, long anteceding compulsory internment, and the dualistic nature of its in-group and out-group morality. (AJ 3)

The religious context for maintaining a caste separation, in the case of Judaism, was far different than that in Hinduism. This was due to a differing world view. The maintenance of ritually correct conduct in Hinduism was a way for the individual to obtain

at least a better life in the next existence and eventually to escape the eternal chain of karma. The maintenance of ritually correct conduct in Judaism was part of a world view emphasizing the eventual improvement in the social position of the Jewish community and their special status honor as a "chosen people." The Jew labored in behalf of his descendants, whereas the Hindu labored in behalf of himself in a future existence.

Many of the ritualistic protections against the assimilation of the Jewish community began during the Babylonian exile. The hereditary priesthood and the teachers of the religious law recognized the dangers of close contacts with non-Jewish communities. They formulated a strict code of religious conduct to separate permanently the style of life of the Jew from that of the Gentile.

Although there was a prohibition against intermarriage before the exile, it was not strongly enforced. The prohibition against intermarriage formulated during the exile was absolute and strictly enforced. It appears that this prohibition was symbolically supported by other prohibitions against the common preparation and use of foods, crops, and craft products. Commensality was also prohibited. Some dietary laws go back to pre-exilic times, but at that time they were

not as systematic, as elaborate, or as well enforced. The observance of religious services and the strict limitations of conduct on the Sabbath further served to separate the Jewish community from outsiders.

Within Judaism in post-exilic times, the only major status differentiation recognized by the religious law was between the common believers and the hereditary charismatic priesthood. The members of the priestly sibs were not only forbidden from marrying religious strangers, but even from marrying Jews whose families had converted several generations earlier. Except for this provision, Jews of converted families were in no way more restricted than other Jews.

Due to the influence of Hellenistic thought in the centuries following the exile, the hereditary charismatic priesthood failed to uphold ritually correct conduct. Faced with the declining religiosity of the priesthood, pious urbanites selected religiously learned individuals to lead them in the place of the members of the priestly sibs. The learned teachers, the rabbis, did not come from any one stratum in the community. The rabbi drew his prestige from his possession of religious knowledge. But the rabbinical community did not form a hereditary status group. Membership in the rabbinical community came from one's

personal possession of great knowledge, that is, from one's personal charisma. Charisma based solely on the understanding of a highly complex religious doctrine was practically impossible to pass along hereditary lines. Thus there was no reason for a prohibition on the marriage of a rabbi with a religiously observant commoner. Although the prestige of the rabbi enhanced that of his family, it was never fully transferable via inheritance. The prestige of the rabbi was always to some degree separate from that of his immediate family or elders. A somewhat closed religious status group of hereditary priests was in this instance replaced with a body of personally charismatic scholars of the religious law.

(E) Ancient Greece and Rome[5]

Many aspects of political, economic, and kinship-based status groups in the Greek city-states and in Rome were described in the chapters on the economic order (chapter II) and the political order (chapter III). That material will not be discussed here. The main thrust of this section will be Weber's discussion of the rights and obligations of the families comprising the noble status groups in Greece and Rome.

In the early period of urban development, the hereditary privilege of land acquisition was tied to military obligations. Even before the complete forma-

tion of the sibs, there was a status differentiation between the families of the wealthy, well-armed cavalry and those of the lightly-armed infantry. Intermarriage between the noble families and the common people was already viewed by the nobility as unacceptable under normal circumstances.

In both Greece and Rome, the growing wealth and knightly style of life of the noble families contributed to the development of the sibs. Discussing the similarity of the origins of the sibs (clans) in Greece and Rome, Weber says the following about the sibs in Rome:

> The clan (gens) here too was found only among the aristocracy (a long-debated point), and here too there was nothing 'primitive' about it. Rather it arose out of social differentiation, the process in which aristocrats came to possess cattle, precious metals, land, and slaves, and on the basis of this wealth developed a life-style characterized by knightly manners and military training. There can be no doubt that here too clans were formed by accumulating property, stressing kinship, and the associated phenomena, and here too they developed first among the families of the ancient tribal chiefs, which had become castle lords as in Greece. (SAC 272)

The wealth and military power of the knightly families allowed them to usurp status privileges. The passage of time allowed them to turn these privileges into inherited rights. In this early period, no single stratum of the populace could stand in opposition to the knightly status group.

The noble sibs separated themselves from commoners by more than differences in style of life. Each sib

had its own religious cult, its own cultic meals, and its own rituals. The members of other sibs and the common people were not only sib strangers but religious strangers as well. The gathering of the sibs for political or military functions was accomplished by giving the extra-sib groups a sib-like structure and a religious cult.

In Greece, the rise of the hoplite army in many city-states meant a decline in the power of the wealthy noble sibs. However, it did not mean the loss of status superiority by the constituent families of the sibs. The members of the relatively few noble families often made up the officer corps of the army and continued to hold most of the high political posts. Even where the noble families were forced out of political offices, in succeeding generations their wealth enabled them to buy some political influence and, possibly, indirect control of the state. Intermarriages between the noble families and commoners were only permitted when the commoners had something of value such as personal charisma or wealth.

A similar situation occurred in Rome. The patrician sibs repeatedly defeated attempts by the plebeians to take power. The sibs permitted intermarriage with plebeians only when it would protect the patrician stratum or enhance their position within that stratum.

Migrations, wars, and the state usurpation of sib functions hastened the end of the sibs. The effective entity among the noble status group became the individual family. The restrictions on intermarriage, now enforced by individual noble families, were as strict as before.

(F) Medieval Europe[6]

The noble families, those of both lords and vassals, were mostly landowners. But landowning could not guarantee admittance to the noble stratum. Often wealthy merchant families that purchased land were denied immediate access to the nobility.

Proper ancestry was also a prerequisite to joining the nobility. But the strict enforcement of this requirement was dependent on particular historical and social circumstances. Wherever it was enforced, it was never sufficient for obtaining noble rank if style of life had become the central determinant of nobility.

In many areas of Europe, style of life became the most important factor, requiring both education and wealth of all who aspired to noble rank. The knightly education of a noble was primarily a product of his upbringing in a knightly household and of his special training for his knightly duties. His wealth not only

paid for his special education but also provided the economic basis for his being able to refrain from participation in any occupation that would violate knightly conventions.

Although there might be many sources of wealth available to the nobility, the European noble strata most frequently limited themselves to that obtained from ownership of land. Throughout inland Europe, landowning was the main source of wealth after the collapse of Rome and it became the only economic activity completely acceptable to those maintaining the conventions of a knightly style of life. In this, the nobles of medieval Europe were similar to those of ancient Europe. There were a few areas where the noble strata were founded almost exclusively on trade, but for the most part the noble families were either estate or urban dwellers whose wealth was based on rural land ownership.

> Economically, the urban patrician families of Antiquity and the Middle Ages were above all characterized by the fact that they were rentiers.* In both periods noble status was determined by a knightly style of life, and not by ancestry alone. (ES 1292)
>
> *rentier - (def.) one who derives income from investments.

Almost always there were a few commoners who earned sufficient wealth from trade to buy an estate, but they were not accepted into the nobility until several generations had passed and the former commoners

had assumed the style of life of a noble family.

To say the least, it was the common tendency of noble families to attempt to retain their privileges and to pass them on to their children. One of the strongest ways to justify such inheritance was by hereditary charisma through the lineage -- namely, the claim that charisma was passed through blood ties to one's direct descendants. In order to avoid dissipating the family wealth through too many heirs, a second principle was often created which established a single heir to the bulk of the family wealth.

Inheritance in European noble families was usually strictly regulated since the succession to privileges also entailed the succession to knightly duties. The principle of succession was clearly delineated, such as in the rule of primogeniture, so that it not only indicated the rightful heir to the bulk of the estate but also stated the criteria under which he might gain his inheritance.

The limitation of legitimate marriage to a monogamous form in Europe stabilized the noble strata because it clarified the principle of succession. The sole legitimacy of monogamous marriage was a major reason for the stability of monarchical regimes in

Europe. In Oriental lands, where polygamy was tolerated, succession posed a serious problem whenever it occurred. The large number of rival heirs to the throne could threaten the existence of the state.

The feudal relation was the carrier of a distinct style of life. It was a relation that was not based on the older concept of master and servant, for the inferior in the feudal relationship was not inferior in every sense of the term. The inferior in this relationship was also the "peer" or equal of his feudal superior in that both were members of the same stratum and subject to the same set of conventions. In fact, the formal freedom and equality of the vassal was the core of the feudal relationship.

Feudal relationships, originally oath-bound and non-hereditary, were decisively changed by increasing references to family ties. They had begun as contract land grants in return for military services. But the "natural" tendency on the part of parents to want to provide for their children, and the tendency for most property to be transferred through inheritance, favored the creation of a completely hereditary feudal system.

> Not only in the Merovingian kingdom, but all over the world officials time and again extracted from a lord who urgently needed their support the promise that he will keep them in office for life and their children after them. (ES 1040)

The number of positions in such a system were limited, however, and the increasing number of qualified descendants led to both an accentuation and a restriction on the use of kinship ties for knightly positions. The accentuation of kinship came through the requirement of knightly descent for a noble position; and the restriction was that knightly descent be defined more strictly as requiring ever greater numbers of knightly ancestors (sometimes as many as eight knightly ancestors on each side).

> ... The essence of feudalism is status consciousness, and it increasingly perfects this very characteristic. Everywhere the vassal (in the specific meaning of the word) had to be a free man, not subordinate to the patrimonial power of a lord. ... However, in its fullest elaboration the feudatory relationship can only be an attribute of a ruling stratum, since it rests on emphatic notions of status honor as the basis of fealty and also of military fitness. Therefore, the requirement of seigneurial ("knightly") conduct is added everywhere, especially the injunction against any kind of remunerative labor which would detract from military training and be degrading.
>
> When the opportunities for the support of the descendants begin to decrease, the monopolization of fiefs and offices -- and later particularly of the prebends (Stiftspfrunden) for the maintenance of relatives without proper means -- sets in with full force. The increasing influence of status conventionalism comes on top of it, and the claim is advanced that the aspirant for a fief or a prebend must not only live like a knight, but also be of knightly descent. (ES 1081)

The style of life of the noble strata usually did not prohibit occasional economic activities in order to obtain a quick profit, but status conventions were

directed against any rational, systematic, and continuous economic operation to make money. When rational economic activity was the main source of support of a noble family, its members were often ostracized by their status peers. In late medieval Europe, family ties were the basis for claiming knightly rank, but the claim could not be sustained without the correct style of life.

(G) The Western World in the Nineteenth Century[7]

The creation first of a patrimonial bureacracy, and later of a legal-rational one, had the effect of de-emphasizing feudal status differences. But simultaneously, the great power held by officials helped to provide a foundation for new forms of status differentiation. The importance of this was not that the officials gained status honor, for this was problematic at best. Its importance came from the fact that the bureaucratic structure, in nullifying feudal status claims, combined with the growing market economy to open the way for stratification based on all forms of wealth; and stratification based on wealth became the foundation for new status groups.

But in both Europe and the United States, the new status groups were never solely based on wealth. While in Europe the major route to aristocratic prestige still

involved the purchase of a landed estate, in the United States, an old landed nobility did not exist and the route to high social honor involved becoming a member of a distinguished association.

Even though the route to prestige in Europe appeared to be the same as in earlier centuries, it had changed because the landed families had changed. The estates in the post-medieval period were relatively inefficient compared to the growing industrial and commercial enterprises. In order to hold their own against external economic changes, the noble families either had to involve themselves in non-estate industries or improve the competitive performance of their estates, or both.

Moreover, since estate ownership was the path into the European aristocracy, the land value and taxes on an estate became very large, exceeding the actual value of what the estate could produce. Only the wealthiest noble families could survive solely on land ownership. This condition necessitated a change in the noble style of life of many aristocratic families as they were forced to seek earned income in addition to that provided by land rents. Thus, by the nineteenth century, many noble landowners were also entrepreneurs.

Newly enriched entrepreneurial families still could not join the aristocracy simply by the purchase

of land. Their acceptance into the noble status group required that they change their style of life, although the alteration was not as drastic as in previous centuries. Since many of the earlier knightly conventions were simply too costly for the noble families to afford, they could not require the adherence of others to these conventions. Acceptance into an aristocratic status group, when style of life was no longer a major impediment and when eduction had become more general, could sometimes be accomplished in a single generation.

In the early United States, the ascetic Protestant sects valued above all the individual, the self-made man, and the family was not considered to be very important in establishing status rank. During the nineteenth century, however, the influence of the sects waned and the formation of aristocratic status groups began to counterbalance the importance of the concept of the self-made man.

The members of these status groups emphasized their heritage as the descendants of important historical figures, or as belonging to families whose existence went back to the beginning of the European colonial settlements or at least to the beginning of the country. Their purpose was similar to that of every other group which makes claims to high status, namely, the appropriation of political, economic, and social privileges. The

accumulation of privileges gave them an advantage in seeking marriage partners among other alleged aristocratic groups or among newly enriched families who were themselves seeking higher status.

> This reversal of genuine charisma into its exact opposite occurred everywhere according to the same pattern. The genuinely American (Puritan) mentality glorified the self-made man as the bearer of charisma and counted the heir for nothing, but this attitude is being reversed before our own eyes; now only descent -- from the Pilgrim Fathers, Pocahontas, and the Knickerbockers -- or membership in the accepted families of "old" wealth is valued. The closing of the rolls of nobility, the tests of ancestry, the admission of the newly rich only as gentes minores, and similar phenomena are all equally an expression of the attempt to increase status by making it scarce. Economic motives are not only behind the monopolization of remunerative offices or of other connections with the state, but also behind the monopolization of the connubium; noble rank provides an advantage in the quest for the hands of rich heiresses and also increases the demand for one's own daughters. (ES 1139)

The patrician associations were among a large number of secular clubs that originated in or were patterned after the sects. Most of the clubs were composed of the entrepreneurial middle classes and served to certify the moral quality (and, later, the economic probity) of their members. The clubs whose members aspired to higher status imposed strict rules as to the members' ancestry, occupation, and style of life.

(H) Summary and Conclusion

High status is achieved when an individual or a group makes a successful claim to prestige; and this

can be based on many different criteria. The only way that a claim to high status may endure over a long period of time, however, is through the establishment of a principle of succession: kinship provides the most stable route for succession.

Differentiation according to prestige generally begins with the purely conventional appropriation or usurpation of privileges. Although legal sanctions may develop to protect this appropriation, it is the style of life of the members of the high prestige group that is the central element in the exclusiveness and cohesiveness of the group.

Except for a small amount of purely personal property, the household has been the natural route for the inheritance of property and privileges deriving from property. As long as the family could determine the legitimacy and rights of its own members, the family exercised a direct influence on the distribution of property and property-related privileges in the community.

Marriage, as a legal contract, was used by other groups in the community to regulate individual latitude in the establishment and composition of a household. Commonly, the degree of restriction increased with the amount of property and other advantages which would be acquired by forming or joining a particular household.

High prestige based on criteria other than property, e.g., charisma, is relatively unstable in regard to succession. There is a need to provide a permanent process of succession that can withstand questions of the legitimacy of the process and of the person designated by it. Familial succession to charisma alleviates many of the problems because it is the family, not the individual, that inherits the charisma. Regardless of the selection in familial succession, the position and privileges remain within the family. Moreover, the process of succession is legitimate and stable, since the family holds the hereditary charisma and can furnish an immediate replacement for the incumbent should the occasion arise.

High prestige is almost always the product of usurpation or apprpriation. This makes its legitimacy a serious question. The members of the highly esteemed group eventually must develop some type of justification for their social position. In the stable societies of the past, the appropriated or usurped prestige was usually passed along family lines, and after several generations the justification of group members for their social position was that they held a hereditary right to their rank. In many cases, it was claimed that the privileges accrued to them naturally because

of their race, or blood, or the personal charisma carried in the family line. However, the closure of the upper stratum on the foundation of family-based prestige was always limited where rapid changes occurred in technology and in the economic sector. Such changes often redistributed wealth and eventually prestige, possibly leading to the creation of new status groups.

Wealthy families throughout the world have used their economic, political, and sometimes military power to usurp status privileges that they or their descendants eventually turned into hereditary rights. The enhanced status privileges served in turn as a justification for the families to further increase their economic and political power.

The struggle for prestige was never over when a group successfully pressed its claim. At this point, the task became that of holding on to what had been won and using the prestige to further enhance the group's position and rights. The outcome of this task was always problematic to some degree.

* * *

Before the formation of a unified patrimonial state in China, much of the political power was vested in the elders of the hereditary charismatic warrior sibs. But the unification of the government required vast sums of money, and warrior sibs and families that

had such liquid wealth moved quickly to provide the government with funds in return for high ranking political positions. The great prestige of the hereditary charismatic warrior sibs was insufficient to sustain them in the face of a situation in which wealthy families could buy government support.

In principle, the status group of literati took over almost all governmental positions and eliminated feudal privilege in favor of scholarship. In reality, however, the noble sibs used their wealth and power to directly determine that their members would become high officials. Even sibs of moderate wealth were crucial to their members' opportunities to prepare for the costly examinations. Almost all who prepared for the examinations were supported by their sibs. Often a sib would support several candidates for the examinations, and even repeated attempts to pass the examinations. But success in the examinations was no guarantee of a political position, and again the sib would step in to buy political positions through money or favors. In return, the sib elders expected successful office holders to repay the sib through advantages and political influence.

* * *

In India, status differentiation founded on

supposed hereditary differences was intensified to become a complete prohibition on most forms of intimate social interaction between castes. The caste system was based on the hereditary charisma of the sib, and it was enforced by the sib elders, who for the most part were also the elders of the caste.

The restrictiveness of caste barriers varied, in part, along with the interests of the caste elders. While the sibs of the upper castes were more restrictive on intermarriage and recruitment than those of the lower castes, the elders of most castes permitted the admission of caste outsiders when it would improve the wealth, power, or prestige of their own sibs.

It was the hereditary charisma of the sibs of a caste that ultimately determined its social relationships and style of life. A successful claim to greater hereditary charisma was made by sib elders through a redefinition of the ethical requirements prescribed by the dharma of the sib members. This successful claim was often made on the basis of wealth or power already appropriated by sib members and was used by sib members to justify further appropriations of power, wealth, and economic and social advantages.

* * *

In the ancient Jewish community, the greatest status difference was not among the Jewish families but

between the Jewish people and the non-Jewish community surrounding them. The separation between Jew and non-Jew, like that between the castes of India, was claimed to be, at least in part, hereditary. The ritualistic conventions that supported the separation of communities included strict observance of religious practices and prohibitions against intermarriage and commensality.

Within Judaism, the only major status differentiation in early times was between the hereditary charismatic priesthood and the common people. Later, the somewhat closed religious status group of hereditary priests was replaced by a body of personally charismatic religious scholars. These scholars were not formally prohibited from marrying among pious common people since their charisma was based on an understanding of a complex doctrine and was therefore impossible to inherit.

* * *

In Greece and Rome, the wealth and knightly style of life of the noble families in the very ancient period became the foundation for the development of sibs. The noble families used their wealth and military power to usurp status privileges which, in turn, became hereditary rights. The family heads used the developing sibs as a source of political and military action, and as a means to separate the aristocracy from the general

populace by turning each sib into a separate cultic community.

Repeatedly, sib elders used the political and economic power of the sibs to influence or control the political structure and the whole community. Intermarriage between sib members and commoners was only permitted by the elders when the commoners had something of value such as wealth, position, or personal charisma.

* * *

Style of life became the main determinant of noble rank in many areas of medieval Europe. Landownership, great wealth, and noble ancestry were necessary but not sufficient for joining the nobility. Although the formal requirement was a knightly style of life, this almost invariably meant a proper upbringing in a knightly household and special training for knightly duties. When wealthy commoner families purchased estates, they would still have to wait several generations, until they had completely assumed the style of life of the noble families, before they could be admitted to the nobility. This requirement was based on the fact that the proper performance of a knightly style of life usually required being brought up in a household where that style of life was practiced. Only in such a household would one learn the informal social

conventions of daily life in the upper stratum.

The family heads of the noble stratum justified their wealth and privileges by claiming hereditary charisma through their noble lineage. They did not fear loss of wealth through the actions of the common people as much as they feared the dissipation of family wealth through division by too many heirs. To prevent this, legitimate marriage was limited to a monogamous form and inheritance was strictly regulated. The establishment of clearly delineated principles of succession preserved family fortunes and often stabilized the transfer of royal power in European patrimonial states.

Feudal relationships, which had begun as personal contracts between nobles, became increasingly permeated by family ties as parents attempted to provide for their children. Eventually, children not only inherited their parents' personal property but also their parents' right to participate in the feudal contract and inherit the feudal property.

* * *

The rise of governmental bureaucracies in post-medieval Europe nullified the political advantage of feudal status claims by the noble families. For a while, in the rapidly changing society, stratification in terms of wealth alone became the basis for the formation of

new status groups.

After losing the competitive economic edge originally given by landownership and the political privileges given by feudal rank, the noble families protected their wealth by seeking an earned income in addition to land rents. By the nineteenth century, many noble landowners had become entrepreneurs which constituted a substantial moderation in the formerly lavish knightly style of life. Though much of the political advantage of feudal rank was gone, the nobility still possessed great prestige and many newly enriched entrepreneurial families sought to join it. Since the knightly style of life had become more modest and education was more common among the middle strata, newly wealthy families were able to buy their way into at least the lesser nobility within a single generation or less.

The United States did not have an old landed nobility, but wealthy and middle class families sought to establish their unique prestige by tracing their real or imagined ancestry to the historical figures or important families of early America. This heritage provided the justification for seeking to appropriate political, economic, or social privileges. The claim to a distinguished heritage improved their chances of marrying their offspring into other patrician families, or into newly rich families that were seeking to improve

their own prestige by procuring a kinship tie to a historically important heritage.

The Status Order and the Kinship Order

1- Sources for section (A) Status, Status Groups, Inheritance, and Succession:
ES 226-254, 302-307, 365-369, 385-398, 635-640, 669-677, 688-691, 926-939, 1111-1154
F 180-195, 267-301
I 33-44

2- Sources for section (B) Ancient China:
C 33-50, 58-60, 83-90, 98-100, 107-138, 146-147, 156-165, 206-209

3- Sources for section (C) Ancient India:
I 5-21, 30-77, 102-112, 125-133, 143-146, 172-173, 291-298, 320-322, 330-343
ES 932-938

4- Sources for section (D) Ancient Jewry:
AJ 3-5, 15-23, 28-30, 170-174, 181-187, 278-286, 346-370, 380-395, 412-424
ES 492-499, 932-938

5- Sources for section (E) Greece and Rome:
ES 1104-1106, 1149-1154, 1230-1233, 1240-1248, 1282-1296, 1308-1317, 1322-1333, 1339-1370
SAC 147-219, 260-366

6- Sources for section (F) Medieval Europe:
ES 371-375, 932-938, 952-954, 1010-1012, 1030-1032, 1040-1043, 1053-1057, 1068-1081, 1101-1107, 1137-1139, 1292-1296

7- Sources for section (G) The Western World in the Nineteenth Century:
ES 636-639, 932-938, 1030-1032, 1070-1109, 1139-1141, 1204-1208
F 180-195, 300-322, 363-395

CHAPTER VI

THE AESTHETIC ORDER AND THE KINSHIP ORDER

The aesthetic order is composed of institutions that are concerned with the creation, definition, and judgment of the "tasteful" or "beautiful" aspects of society. There are two very different components to this institutional order: creative art and style.

(A) The Creative Arts and Eroticism[1]

Some of the principle elements of the creative arts are music, dance, painting, sculpture, literature, and architecture. Style, on the other hand, is a pervasive constituent of social life -- it is present in all societies as convention, fashion, and ritual.

Much of Weber's analysis of the creative arts and style is contained within his discussion of religion. This was so not only because of his intense interest in all aspects of religiosity but it was also due to the fact that aesthetic elements of life have been deeply intertwined with religious practice for most of recorded history.

> Since its beginnings, religion has been an inexhaustible fountain of opportunities for artistic creation, on the one hand, and of stylizing through traditionalization, on the other. (F 341)

Until the last several centuries, the creative arts did not serve purely aesthetic ends except in the most

ephemeral ways. For the most part, the creative arts had served the ends of institutions in other orders.

In early religions, the creative arts were used for magical ends. This use of the arts required that they be stylized to avoid sacrilege.

> Sociologically primitive music appears to a considerable extent to have been removed at an early evolutionary stage from the sphere of pure aesthetic enjoyment and subjected to practical requirements. It was addressed to magical ends, particularly apotropaic (cult) and exorcistic (medicinal) needs. Therewith it was subjected to the stereotyping to which any magically important action or object is inevitably exposed. This holds for works of fine art, mimes or recitations, instrumental or vocal devices (or, often, all of them together) when used for influencing the gods or demons. (Mu 40)

Only when one of the creative arts became a completely distinct professional activity did rationalization along aesthetic lines begin to appear. This was so because the professional artists or performers reached a level of proficiency which was more than sufficient for the practical ends of religious worship. Aesthetic rationalization started as they began to go beyond the religiously practical ends and sought to formulate their art in an aesthetically pleasing way.

An increasing amount of professional training and education in the arts started to provide each of the creative arts with its own unique set of aesthetic values. This was the root of the struggle between the

artists, who stressed artistic form, and the proponents of other institutions who, in using the arts to their own ends, emphasized artistic content as a means to non-artistic ends.

Religious leaders emphasized the coherent content of the religious works of art in order to support their efforts at forming a religious community. The artists were required to stress the religious content of their work and to limit the development of the form. As artists developed their own set of values, they concentrated on the form of their work and the coherent religious elements of the content dissolved.

> Every unreflectively receptive approach to art starts from the significance of the content, and that may induce formation of a community. But the conscious discovery of uniquely esthetic values is reserved for an intellectualist civilization. This development causes the disappearance of those elements in art which are conducive to community formation and conducive to the compatibility of art with the religious will to salvation. ... The climax of this conflict between art and religion is reached in authentic asceticism, which views any surrender to esthetic values as a serious breach in the rational systematization of the conduct of life. (ES 608)

The content was thus freed to become intensely and irrationally expressive of the artist's own ideas and inner feelings. In this way, the work of art became a separate "path to salvation" through aesthetic, not religious, values.

> Art takes over the function of a this-worldly salvation, no matter how this may be interpreted. It provides a salvation from the routines of everyday life, and especially from the increasing pressures of theoretical and practical rationalism. (F 342)

The salvation provided by art, due to the intense power of the individual experience, is necessarily individualistic. As long as aesthetic values directed artistic work, there could be no truly communal experience of it, only idiosyncratic experiences. In such a framework, ethical norms, including religious ones, have no place. Yet the ethical norms are the original, historical source for aesthetic values. Thus there is a fundamental break, and a continuous state of tension, between profoundly individualizing aesthetic values, as represented in the content of the creative arts, and the social principles of the ethical religions.

> Clearly there is a sharp contrast between the esthetic attitude and religio-ethical norms, since even when the individual rejects ethical norms he nevertheless experiences them humanly in his knowledge of his own creatureliness. He assumes some such norm to be basic for his own conduct as well as another's conduct in the particular case which he is judging. Moreover, it is assumed in principle that the justification and consequences of a religio-ethical norm remain subject to discussion. At all events, the esthetic attitude offers no support to a consistent ethic of fraternalism, which in its turn has a clearly anti-esthetic orientation. (ES 608)

The rationalization of art applied only to its form, never to its content. This type of rationalization is purely technical in that it is the conscious

development of the procedures which provide the means to create a work of art. Yet any attempt to rationalize the content of art always ends with a product lacking the emotionally expressive core of art itself. It is not possible to rationalize the intense expressiveness contained in all great works of art; an expressiveness that really cannot be described, let alone objectively delineated. The content of a work of art, like the ultimate values it represents, is forever beyond intellectual analysis and beyond improvement.

> ... There is naturally no "progress" in art with respect to the aesthetic evaluation of works of art as meaningful realizations. (MSS 29)

> If we attempt to force and to 'invent' a monumental style in art, such miserable monstrosities are produced.... (F 155)

Since only the form of art is subject to rationalization, there is a dynamic tension between the form and the content of art. The rationalization of the forms of art may constrain the expressiveness of its content or enhance it. Conversely, the demand for expressiveness in content may lead to either further rationalization of the form or its increasing irrationality.

In music, the creative art most thoroughly discussed by Weber, the conflict between form and content is perpetual. The growing expressive needs on many occasions destroyed the rational musical structures and

led to the creation of a wider range of musical forms. Sometimes the expressive requirements became the basis for new musical structures. Through changes in instrumentation and the development of notation and temperament (i.e., tuning systems), the continuing rationalization of musical forms placed limits on certain elements of expressiveness. But this rationalization allowed professional musicians to create more complex musical expressions that otherwise would have been impossible.

The rationalization of the forms of the various arts did not occur throughout the world, nor did it occur uniformly in those areas in which the process had begun. It took place only where professional groups had transcended simple practical rationality in the performance of their arts. Practical rationality, or the rationality of everyday life, was not sufficient to significantly alter the form of art, except by chance. The rationalization of art forms required a conscious and systematic effort directed toward this autonomous end, that is, a self-conscious technical process. Throughout the Occidental arts, the self-conscious processes were a product both of technical rationality and of the continuous refinement of technical skills. The idea of the "experiment" was not a product of Occidental science, but rather, of art; and experimenta-

tion by artists radically changed the forms of art and opened the way to new elaborations of the expressive content of art.

The erotic sphere of life, at first glance, merely parallels the artistic sphere. The rationalization of the creative arts came about through the technical rationalization of form, while their content remained intensely and irrationally expressive. In a similar and parallel way, the rationalization of sexuality came about through the intellectual rationalization of sexual expression into eroticism, even though the underlying content of sexuality, its emotional impetus, remained beyond direct rational interpretation. Due to the access they provide to the most intensive and irrational ways of experiencing existence, the rationalized forms of both creative art and sexuality provide an escape from an increasingly rational world. To Weber, art and eroticism were alternative, but not necessarily antithetical, pathways to experience existence in its most profound form.

The single most intense and irrational power of individual social life, sexuality, did not escape the pervasive processes of practical and technical rationalization of the conditions of everyday life. When relatively unfettered sexual expression was ever more

thoroughly surrounded by kinship, economic, and religious conventions and regulations, it began to be sublimated. As Weber defined the term, the process of sublimation is a process by which the physical and emotional expression of sexuality is overlayed by an intellectual element. The result of sublimation is eroticism, which is a consciously sought and consciously enjoyed sphere of life; it is truly idiosyncratic as a form of sexual expression. Since eroticism is uniquely individualized, it generates its own separate values. In addition to its uniqueness, eroticism, as the intellectualized form of sexual expression, can be separated from the physical element of sex.

The emotional content of sexuality, like that of the creative arts, must forever remain an intensely irrational individual experience. The unique values of sexuality, experienced only by the individual, permit no truly communal experience but only a profoundly idiosyncratic knowledge of oneself. As in the creative arts, ethical norms have no place in the deepest core of sexuality. According to Weber, the greatest source of potential conflict for the fundamentally individualistic expressions of sexuality and art was with communal forms of ethical religiosity.

> Just as ethical religion, especially if it preaches brotherly love, enters into the deepest inner tensions with the strongest irrational power of personal life, namely sexuality, so does ethical religion enter into a strong polarity with the sphere of art. (ES 607)

The break between normative ethical principles and the autonomous values of sexuality is ever greater than that between such principles and the creative arts. The affective nature of sexuality is thus the strongest irrational aspect of individual existence in the social world and, as such, the content of sexuality is forever irreconcilable with any communal ethic.

This irreconcilability exists regardless of the fact that sexuality was a basis for the orgy, the most primitive form of communal religiosity. The act of sexual ecstasy is profoundly individualistic, but it has been interpreted as a unifying element when group members perceived themselves to have had a common experience. This occurred only insofar as the orgy as a communal experience remained irrational. As an irrational activity, the orgy was not a part of a rational conception of an ethical and orderly universe. As long as the orgy was seen as something separate and distinct from everyday life and from an ethical framework of values, the particular components of orgiastic conduct and belief were compatible with any irrational aspect of life, including sexuality.

Although the artistic and sexual routes to individual "salvation" were devalued with the increasing level of ethical rationalization of religiosity, even in the more intellectually-oriented religious forms these paths to emotional expressiveness were always available whenever circumstances provided an opportunity. Religious leaders repeatedly struggled against both routes, since artistic expression easily led to sexual expression and vice versa.

> The religious devaluation of art, which usually parallels the religious devaluation of magical, orgiastic, ecstatic, and ritualistic elements in favor of ascetic, spiritualistic, and mystical virtues, is intensified by the rational and literary character of both priestly and lay education in scriptural religions. ...
>
> Subjectively too, there is an easy way back to art from every orgiastic or ritualistic religion of emotionalism, as well as from every mystic religion of love that culminates in a transcendence of individuality -- despite the heterogeneity of the ultimate meanings involved. Orgiastic religion leads most readily to song and music; ritualistic religion inclines toward the pictorial arts; religions enjoining love favor the development of poetry and music. (ES 608-609)

All routinized institutions outside the kinship order generally bar the direct, natural expression of sexuality; and even in kinship institutions, it has usually been forbidden from all but the marriage relationship. In Weber's view, the ultimate biological nature of human beings will be expressed, but not necessarily in the form of a physical sex act. With the ever greater intellectualization of human experience,

even the availability of physical sexuality might not be sufficient in and of itself. If the attempt by the ethical religions to confine sexuality to the family had been successful, and if the physical sex act had been sufficient, there would have been no need for eroticism. Eroticism, as the purely intellectual form of sexual expression, provides a primary pathway to sexual "salvation" of the individual, the ability to experience one's subjective self. It is a pathway that can be both an alternative and a competitor with the physical aspect of sexuality. Art, too, may be such a pathway, but to a lesser degree.

Since it is an intellectual form of sexual expression, eroticism is open to alteration by the changing conventions of a society. This process will be thoroughly discussed in the next section (on style and sexuality). As a primarily intellectual experience, eroticism can be an even greater threat to organized institutions in some ways than physical sexuality. It is highly mutable and easily concealed, according to circumstances. Moreover, it is a completely conscious pathway to fulfillment, and thus has the satisfaction of the physical expression with the added enhancement of intellectual enjoyment. The more the connection between eroticism and the physical aspect of sexuality is hidden by the changing styles of everyday life, the

more eroticism takes on an aura of a unique route of escape from the mundane world.

Although the doctrines of the ethical religions either tolerated or rejected the creative arts and eroticism, religious leaders were often forced to compromise on both in order to increase religious membership among the common people. The tie between the emancipation provided by eroticism and that provided by art is so close that the religious rejection of one was often coupled with the religious rejection of the other. But the rejection of eroticism could not eliminate such a powerful personal and emotional release from the constraints of everyday life. The power of religion to create an ethically rational framework for social life buried the connection between sexuality and eroticism and, unavoidably, gave more and more compelling force to the erotic relationship. The greater the pervasiveness of the ethical conventions of the brotherly religions of salvation, the greater the value of the irrational escape provided by eroticism.

Art, as an alternative route to this-worldly salvation, is subject to its own autonomous technical rationalization. This rationalization of form could become a barrier between art and the emotional aspect of life, including sexuality. However, the very foundation of art as an autonomous process lies in the emotional content of artistic work. These emotions

erupt against the continuing rationalization of the arts. This results in the breakthrough of the emotional content regardless of -- perhaps, because of -- the existing formal rationalization of the art itself. In this way, art is subject to "individualistic" emotional revolutions which become "socialized" as the foundation, of new forms of art. Thus the arts can be routinized only to a limited degree, and must remain in conflict with all completely routinized institutions as long as the arts retain their autonomy. The arts provide an alternative escape route for sexuality and, in turn, sexuality, along with other emotional aspects of life, provides the wellspring for continuing artistic creativity.

(B) Style and Sexuality[2]

The similar nature of art and eroticism is not the only contact between the aesthetic order and sexuality. Style is an underlying factor in the very existence of eroticism. Before characterizing the relationship of style and eroticism, it is first necessary to describe what Weber meant by style.

A usage occurs wherever there is a tendency toward uniformity in social action. When a usage has been common practice for a long time, but there is no psychological or physical coercion connected with this typical form of social action, Weber called it a custom.

The only problem that might be encountered by changing customary actions is the possibility of inconvenience to the actor when others are still following older patterns. The rational actor, not bound by custom, would still have to acknowledge custom, because he recognizes that to communicate and cooperate with others he has to take into account their being bound by custom. An example would be that it is customary in certain countries to have the main meal of the day at noon and, in other countries, to have it in the evening, but there is no compulsory requirement to follow either pattern.

When a particular custom is recognized as an obligation and is protected by some type of significant response of social disapproval, Weber called it a convention. In the special case where the response is in the form of coercion enforced by a staff, Weber called it a law.

> Convention ... shall be said to exist wherever a certain conduct is sought to be induced without, however, any coercion, physical or psychological, and, at least under normal circumstances, without any direct reaction other than the expression of approval or disapproval on the part of those persons who constitute the environment of the actor. (ES 319)

Convention is one of the two main aspects of style. The second is fashion, which is a form of custom somewhat similar to convention. The major difference between fashion and convention is that fashion has a "novelty" to it. Conformity to convention and to fashion

usually comes from at least a preference, and possibly a need, for social honor.

To repeat, the central focus of conduct of any status group is its style of life. The foundation for a particular style of life is a combination of the conventions and fashions in use at a particular time.

> For the decisive role of a style of life in status honor means that status groups are the specific bearers of all conventions. In whatever way it may be manifest, all stylization of life either originates in status groups or is at least conserved by them. (ES 935-936)

Weber described the process of conventionalization, namely, the process by which an "empirical uniformity" of conduct becomes a "consensually oriented action," as the way in which all traditions are created. One of the most important types of traditional conduct is ritual, in which actions are guaranteed by religious sanctions.

The influence of style on eroticism is twofold. First, style is one of the major factors that hinders natural sexuality. It is thereby partly responsible for the intellectual rationalization of sexuality into eroticism.

> The impediments to sexual intercourse that are increasingly produced by the economic interests of clans and by status conventions are the most important factors favoring this sublimation of sexuality into eroticism. To be sure, sexual relations were never free of religious or economic regulations at any known point in the evolutionary sequence, but originally they were

> far less surrounded by bonds of convention, which gradually attach themselves to the original economic restrictions until they subsequently become major restrictions on sexuality. (ES 607)

Style, secondly, influences the particular form that eroticism takes and its prominence in a society at a particular time. To a large degree, the conventions and fashions shaping the form of eroticism have not been a product of specifically aesthetic institutions. Institutions in other orders have had a great influence on the specific forms of eroticism present in a society. This occurred when the conventions and fashions of other institutions were used to delineate and control the expression of eroticism. The existing mixture of religious and status values in medieval Europe was one of the clearest examples of the symbolic appropriation of eroticism.

> The possibility of problems and of tragedy of a principled character came about in the erotical sphere, at first, through certain demands for responsibility, which, in the Occident, stem from Christianity. However, the value-accentuation of the erotic sensation as such evolved primarily and before all else under the cultural conditioning of feudal notions of honor. This happened by a carrying over of the symbols of knightly vassalship into the erotically sublimated sexual relation. (F 345)

In many societies dominated by undisciplined knightly status groups, erotic relationships were often considered of great significance. But an erotic relationship, to repeat, does not necessarily mean a physical one. Where magical or ethically religious

standards existed, the relationship might become highly intellectualized. Nonetheless, the significance of erotic relationships seemed to increase in any age of heroic individual knightly exploits.

If the knightly status groups were totally replaced by a disciplined army of citizens as the dominant stratum of a society, the result might be to de-emphasize the highly stylized erotic relationship along with all other individualized, heroic exploits. However, where the knightly strata were somewhat demilitarized but remained at least partly in control, the erotic relationship was usually accentuated but was surrounded with a different array of conventions. These conventions tended to stress the use of individual verbal or written skills and expression through the creative arts.

Salon culture, that is, the framework for erotic expression through conversation and the arts, could only occur where the knightly strata had developed to the point where education among the nobility was common. In the salon culture of demilitarized knights, patricians, and the higher bourgeoisie, the position of women was often higher than it was among the general public. The reason was that in the erotic conventions of the salon culture, the woman was both the object and the judge of each man's conversational or artistic

performance. There were even cases of formally established arbiters and "courts" on matters of taste, manners, and the proper etiquette in erotic relationships.

Where a pacified knightly stratum was replaced with an intellectual one, the array of conventions surrounding sexuality could change again. In a society culturally dominated by intellectuals, the intellectuals' need to see the world as a meaningful and ethically organized reality had the result of transforming the image of the world into a causal mechanism without magical qualities.

The intense irrationality of sexuality, and the emotions encompassing it, was contrary to the image of a purely rational, meaningful world created by the intellectual community. In such an increasingly rationalized world view, sexuality in its sublimated forms became the most powerful route of escape from purely intellectual rationality. Since overt sexuality is an open rejection of the intellectualist framework, erotic relationships were often hidden, frequently in a hypocritical manner; and because they were hidden, they became more intense. To the purely intellectualist perspective, erotic relationships appeared to be coercive since the partners perceived themselves to be "fated" for one another. Curiously, at the same time, the accentuation of rational, empirical knowledge tended to provoke a conscious understanding, at least among some

intellectuals, of the "naturalness" of, what was in reality, a sophisticated erotic relationship.

> In contrast to chivalrous love, this mature love of intellectualism reaffirms the natural quality of the sexual sphere, but it does so consciously, as an embodied creative power. (F 347)

(C) Style and Kinship[3]

Style, in the form of conventions, permeates the social environment of the family, especially where any type of status privilege is an important element in the stratification of society. Membership in the upper stratum, in status-oriented societies, required a thorough understanding of the conventions and fashions of everyday social intercourse in that stratum.

In an upper stratum that has existed for a long time, an array of courtly conventions emerges and develops. In addition to the courtly conventions, there are other conventions that reflect the social interests and obligations of the upper stratum.

Where the upper stratum was the main military force defending the state, the right to inherit family wealth and position depended on the heir being able to show a certain minimal level of military skills. In such a society, it was possible, though quite difficult, for a commoner to enter the nobility through his achievements on the battlefield. Such was the case in preclassical Greece and in early medieval Europe.

Where the upper stratum was demilitarized or without military experience, a much greater emphasis was placed on courtly conventions and on literary and artistic achievements. Although formal education was needed in the arts, in literary skills, and in some aspects of courtly etiquette, the most important training in the courtly conventions was accomplished in the household. Without the everyday exposure to proper etiquette, it was practically impossible for a commoner to enter the nobility; and this experience could only be gained within an aristocratic family. Even a proper formal education could not compensate, in itself, for a lack of knowledge of the conventions. This was true in late medieval and post-medieval Europe. In China, one could succeed by formal examination, however, any candidate failing to show correct deportment could be eliminated from competition. In India, the barrier to entry into the upper stratum was not a problem of etiquette, but of blood, for membership in a sib-based caste established one's dharma for life. With few exceptions, formal education combined with informal training in the household closed the upper stratum to commoners by making the processes of daily life in the noble family a barrier to upward mobility.

> The barriers of education and of esthetic cultivation are the most intimate and the most insuperable of all status differences. (F 354)

In many areas of the world and in many different eras, there were similarities in upper stratum conventions. Almost always, those families whose members had to perform menial tasks as a means of supporting themselves were disqualified from upper stratum membership. Such families could not maintain the style of life of the upper stratum; and unless their children were able to learn the courtly manners of the nobility, they too would be kept out of the upper stratum. Usually, at least one generation of maintaining a noble style of life had to pass before a family was permitted to enter the upper stratum. In fact, it often took several generations. Even where political and economic power became dominant, such as in the modern industrial societies, admission to the families of "old" wealth or aristocratic heritage might still be limited by improper etiquette and an inadequate family ancestry.

The individual who had obtained the proper education and training to join the nobility was called by Weber a "cultivated man." The particular conventions that made one man cultivated, and another not, differed from one society to the next according to which values were accentuated and to which specific conventions were seen as embodying these values. Weber used the term cultivated man in order to contrast the kind of formal

education required of a member of the aristocracy with that required of the technical expert. Beginning in the eighteenth century, schooling was increasingly used to produce experts rather than cultivated men.

> The term 'cultivated man' is used here in a completely value-neutral sense; it is understood to mean solely that the goal of education consists in the quality of a man's bearing in life which was considered 'cultivated,' rather than in a specialized training for expertness. The 'cultivated' personality formed the educational ideal, which was stamped by the structure of domination and by the social condition for membership in the ruling stratum. Such education aimed at a chivalrous or an ascetic type; or, at a literary type, as in China; a gymnastic-humanist type, as in Hellas; or it aimed at a conventional type, as in the case of the Anglo-Saxon gentleman. The qualification of the ruling stratum as such rested upon the possession of 'more' cultural quality (in the absolutely changeable, value-neutral sense in which we use the term here), rather than upon 'more' expert knowledge. (F 243)

Since social conventions were the core of status honor, the family was crucial in providing the foundation of its members' informal training in conventions. It was thus crucial to entering the associations of the upper stratum. Once the members entered these status institutions (e.g., the salon, the club, the fraternity, the dueling society), family training became the base upon which the social conventions of of the particular status institution were built.

(D) Summary and Conclusion

The pervasive processes of rationalization have entered all areas of everyday life. Throughout each

area of daily existence, questions have been raised as to the ends sought and the means used to reach those ends. Most of the time, the process was one of practical rationalization, that is, the questions were vague and inconsistent, and exhibited no explicit course other than the concrete needs of a particular moment. Sometimes, the process was one of technical rationalization, that is, a course of conscious questioning systematically directed to understanding or altering activities in an area of life.

The artistic and sexual areas of life underwent substantially similar processes of rationalization. In each, the forms of activity sustained extensive alterations, while the content remained intensely and irrationally expressive. The most intense way of experiencing existence, sexuality, was profoundly changed in form by rationalization.

Sexual expression was originally a physical act with a minor intellectual component. Through a process of rationalization, sexual expression was sublimated into a combination of a physical event with an intellectual one. The intellectualized component of sexuality, eroticism, is a consciously sought and consciously enjoyed sphere of life that can be separated from the

physical aspect of sexuality.

The creative arts and eroticism each provide a kind of salvation within their own unique set of values. But the form of salvation is necessarily individualistic, since it stems from the intense power and idiosyncratic nature of the individual experience. The unique individualistic values in sexuality permit no truly communal experience and, because it is the strongest irrational aspect of life, sexuality is ultimately irrenconcilable with any ethic of brotherhood.

As an intellectualized form of sexual expression, eroticism is open to direction by the changing conventions of society. But in whatever way its form changes, eroticism remains a path to the intense fulfillment of the sexual experience.

Every attempt by the ethical religions to confine sexuality only succeeded in accentuating the value of eroticism as an escape route to the irrational enjoyment of sexual fulfillment. Artistic expression is an alternative route to the intense fulfillment of the individual as an individual. It is also a pathway so symbolically similar to eroticism that the ethical religions which condemn one pathway also condemn the other. However, while art is an alternative escape route, it is not a duplicate of eroticism. Aesthetic values are not necessarily erotic. The rationalization

of a particular form of artistic expression may serve to constrain erotic expression, which may, in turn, lead to erotic elements appearing in other arts or to a breakthrough in artistic form.

* * *

Obstructions to openly sexual practices obviously began in prehistoric times. These obstructions were increased by the efforts of sibs to preserve the wealth they had amassed by decreasing the number of possible heirs. They were increased still further by ancient status conventions, which made overt sexual activities appear to be unseemly among the upper strata and those who aspired to join the upper strata. All these prohibitions on direct sexual expression nourished the growth of eroticism.

The ancient restraints on overt sexuality in upper strata conventions were part of a much larger pattern of influence by style on society. Through the conventions and fashions occurring throughout a society at a particular time, style of life influences the particular forms of eroticism and their prominence among all strata. However, the elements of style are only infrequently shaped by aesthetic institutions and values. Instead, style is often an outgrowth of the symbols and values of non-aesthetic institutions that permeate the conventions and fashions of the society. In this way,

other institutions have an indirect and apparently obscure influence on the prominence and specific forms of eroticism present in a particular society at a particular time.

The manifest significance of eroticism appears to be enhanced wherever the values of the major institutions favor individualism. Where individual exploits and achievements are important in other institutions, this sentiment tends to carry over into attitudes toward sexual expression. But the greater the degree of conventional restraint on openly sexual expression, the greater the accentuation of the specifically erotic aspect of sexuality. Especially in societies where technical rationalization has become a dominant world view, the sublimated forms of sexuality become the most powerful means of escape from what appears to be the increasing rationality of other institutions.

* * *

In any society where social honor is an important element in social stratification, being reared in an upper strata family often gave a child a definite advantage. The child of an upper strata family grew up surrounded by the conventions and fashions that permeated the upper strata. Although the wealthy people of other than the socially prominent strata could obtain the

formal education required of members of that strata, it was almost impossible for them to acquire the informal training in courtly conventions which was accomplished in the daily life of the upper strata household. This was often the main reason one could not simply buy one's way into the upper strata.

Even though economic and political institutions are dominant in modern industrial societies, admission to the upper strata families of old wealth or historical importance might still be limited by ignorance of proper conduct. But where economic or political power is great enough, admission or marriage into the circle of the aristocratic families may be favored by family heads as advantageous to their prestige.

The Aesthetic Order and the Kinship Order

1- Sources for section (A) The Creative Arts and Eroticism:
Mu 16-17, 25-27, 38-42, 65, 83, 89-94, 97-103
ES 553-556, 606-610
MSS 29-32
F 154-155, 339-350
AJ 94, 97, 101-104, 156-162, 189-196
C 147-152
GH 231
PE 168-171

2- Sources for section (B) Style and Sexuality:
ES 29, 34, 305-307, 319, 323-327, 337-338, 364-366, 389-390, 606-610, 901-910, 932-938, 945-946, 955, 1148-1154
F 339-350
GH 46-49
I 146-154
C 226-236
AJ 90-102, 187-193

3- Sources for section (C) Style and Kinship:
ES 932-938, 1078-1081, 1090, 1104-1106
C 40, 108, 116-121, 129-133, 146-147, 156-163, 173, 246
F 180-195, 240-243, 268-269, 339-357
I 18-19, 24, 33, 42-44, 54, 58-59, 99
AJ 189-199, 366-372

CHAPTER VII

THE INTELLECTUAL ORDER AND THE KINSHIP ORDER

The intellectual order is composed of institutions that are primarily concerned with the creation, definition, and distribution of knowledge. Institutions dominated by fundamentally intellectual concerns are a relatively recent occurrence. For the most part, intellectuals throughout history have served in the intellectual arena of basically non-intellectual institutions, especially religious ones. The universities have represented the major exception to this set of circumstances.

(A) Intellectualism, Religion, and Sexuality[1]

The dominion of the intellectual lies in the creation, manipulation, and interpretation of ideas. The power of intellectuals usually does not ultimately lie in their ability to control directly the actions of others. Rather, if possessed at all, it lies in their ability to influence the actions of others by creating and manipulating the ideas on which those actions are based.

In any discussion of intellectualism, Weber argued, one thing must be understood at the outset, namely, there is a

> ... natural rationalistic need of intellectualism to conceive the world as a meaningful cosmos. (ES 505)

The intellectual attempts to understand the world from

the standpoint of whatever values he has accepted as given. This again rests on a fundamental Weberian assumption: namely, that all rationality takes place within a context of values that ultimately must be taken as given.

The process of intellectual rationalization (i.e., the attempt to conceive of the world as a meaningful cosmos), depending on what is accepted as given, may lead in many directions and to many different ends. The contrasts between the processes of intellectual rationalization within the frameworks of different institutional orders are not differences of degree but of kind. Such differences exist within institutional orders as well as between them.

In writing about the concept of the "nation," Weber included a definition of the intellectual, but unfortunately Weber never completed this discussion and his description breaks off in the middle of his treatment of the intellectual. But the definition clearly indicates Weber's idea of the role of the intellectual as the producer and user of ideas.

> The significance of the "nation" is usually anchored in the superiority, or at least the irreplaceability, of the culture values that are to be preserved and developed only through the cultivation of the peculiarity of the group. It therefore goes without saying that, just as

> those who wield power in the polity invoke the idea of the state, the intellectuals, as we shall tentatively call those who usurp leadership in a Kulturgemeinschaft (that is, within a group of people who by virtue of their peculiarity have access to certain products that are considered "culture goods"), are specifically predestined to propagate the "national" idea. This happens when those culture agents.... (ES 925-926)
> (Note: the text of Weber's section on the nation ends here.)

Intellectualism tends to be inaccessible to most of those who come from non-privileged strata. But this has changed somewhat as education, especially literary education, has become more common. Yet, regardless of origins, all intellectuals share the desire to understand the world in which they live. In every ethical religion, the development, interpretation, and explanation of philosophical doctrines and sacred scriptures by religious intellectuals were always in an effort to produce a unified and coherent image of the meaning of existence.

> At all times and in all places, the need for salvation -- consciously cultivated as the substance of religiosity -- has resulted from the endeavor of a systematic and practical rationalization of life's realities. To be sure, this connection has been maintained with varying degrees of transparency: on this level, all religions have demanded as a specific presupposition that the course of the world be somehow meaningful, at least in so far as it touches upon the interests of men. (F 353)

The nature of life and its environment is always a problem of meaning for the intellectual. In fact, the problem of meaning is not only the point of conjunction

between religiosity and intellectualism, but also the point of highest tension as the intellectual's ultimate need to find meaning clashes with absolute, therefore ultimately irrational and indisputable, religious values.

> The intellectual seeks in various ways, the casuistry of which extends into infinity, to endow his life with a pervasive meaning, and thus to find unity with himself, with his fellow men, and with the cosmos. It is the intellectual who conceives of the "world" as a problem in meaning. (ES 506)

The definition of "intellectual" does not apply to all those who receive a formal education, although such an education is almost always a necessary prerequisite. According to Weber, the term refers to those who are engaged in the activity of systematically creating and manipulating ideas in order to understand the world from the perspective of a particular set of values. The rationalism of the intellectual is directed toward a meaningful conception of the world. This is not the same as the practical rationalism of everyday life. Practical rationalism is based on the common need to adapt to the changing requirements of one's day-to-day life and does not focus upon the consideration of one's place in a supposedly meaningful world.

As ethical religiosity began to develop, the need to understand the world in ethical terms forced intellectuals to confront the problem of theodicy, namely,

how to reconcile an all-knowing, all-powerful deity with the imperfection of the world. Regardless of the particular answer to this problem, Weber argued that most intellectuals have always created and developed a concomitant set of religious practices that either rejected sexuality or, if sexuality was to be tolerated, rejected eroticism as having any part in the path to salvation. The rejection of sexuality, or at least of eroticism, parallels the rejection of all religiously irrational paths to salvation.

Where an ethical religion was the creation of a high ranking intellectual stratum, the religious doctrine and practice tended to concentrate on the completely contemplative problem of understanding the world. This was particularly true of the major Asiatic religions:

> We must at this point establish as a fact of fundamental importance that all the great religious doctrines of Asia are creations of intellectuals. (ES 502)

Where an ethical religion was restricted to the election of members or where a core of religious virtuosi existed, doctrine and practice within this group could remain solely concerned with their own understanding of the world. They were not necessarily concerned with providing meaning for others.

Among the religious virtuosi of the Asiatic religions of salvation, the purely cognitive route of con-

templation became the sole path to salvation. Although religious intellectuals played an important part in the development of Western religions, the influence of other strata was often of greater importance in determining the character of religiosity.

(B) Indian Religiosity and Sexuality[2]

The Hindu Brahmins were a high ranking and highly educated priestly stratum. The religious doctrines that they developed were typical of those created by an intellectual stratum, that is, the doctrines concerned understanding the world and the individual's place within it. All practices that could not be intellectually rationalized to conform to their conception of religiosity were rejected. Contemplation was the paramount technique of orthodox Hindu religiosity.

However, as previously noted, the Brahmins were unable to eliminate the ecstatic-orgiastic folk cults. In fact, the intellectual orthodoxy had no major doctrinal reason for destroying the cults or for suppressing eroticism in the lower strata. The main impetus for an attack on the irrational practices of the common people came from the aesthetic feelings of many members of the high ranking Brahmin stratum.

> The fact that the Brahmanical priestly stratum was a distinguished and cultivated nobility, later a class of genteel literati, determined its relig-

> iosity. As in comparable cases, e.g., the Confucians, orgiastic and emotional ecstatic elements of ancient magical rites were not taken over, and for long periods were either completely suppressed or were permitted only as unofficial folk magic. (I 137)

Although the doctrine emphasized a singular conception of the world, it specifically excluded a universalistic social ethic. The social ethic in Hinduism was thoroughly compartmentalized in that each caste had its own dharma and its own religious prescriptions for carrying out the dharma.

> There was no universally valid ethic, but only a strict status comparmentalization of private and social ethic, disregarding the few absolute and general ritualistic prohibitions (particularly the killing of cows). (I 144)

This division of ethical standards into caste-based imperatives not only allowed for the toleration of orgiastic and erotic paths to this-worldly salvation, but also allowed for the creation of a body of literature examining the nature of the techniques of eroticism. These writings served those whose intellectualization of the sexual was not complete. Among the latter, sexual repression resulted in highly stylized manifestations of overt eroticism.

> The resulting "organic" societal doctrine of Hinduism, in default of other standards, could elaborate the dharma of each profession solely out of the peculiarities of its technique. It thus produced only terminologies for special callings and spheres of life, from construction technique to logic as the technology of proof and disproof to the technology of eroticism. (I 147)

There came a time when the Brahmins, to preserve their power, found it necessary to re-interpret the sacred scriptures so as to permit the entrance of highly sublimated forms of the ecstatic-orgiastic folk religions into orthodox Hinduism. This created a many-tiered religion in which erotic forms were present on all but the highest levels, and where the forms of eroticism became increasingly permissible and obvious toward the lower end of the social scale.

Buddhism was originally a world-denying religion of educated monks. The path to salvation was by a purely individualized quest for salvation through contemplation. The barrier to popularizing Buddhist religiosity in India was that it remained an exclusively intellection doctrine with little accommodation of the masses. The ritual and ethical standards were developed by and for the virtuosi, who did not permit the creation of a moderate path for the salvation of the masses.

Only later did the Buddhist leaders give in to the popular need for the concepts of the redeemer and of a magical path to salvation; as for themselves, the virtuosi found such popular notions abhorrent. The path for the "arhat," or holy man, was always one of non-erotic, desireless contemplation.

> The arhat who has reached the goal of the methodical-contemplative ecstasy is karma-free and feels himself replete with a strong and delicate (objectless

> and desireless) experience of love, free from earthly pride and Philistine self-righteousness, but possessed by an unshakable self-confidence which guarantees a lasting state of grace, free from fear, sin, and deception, free from yearning for the world and -- above all -- for a life in the hereafter. (I 212)

Some forms of Buddhism, in catering to the masses, went so far as to replace the holy man's objectless and desireless love with the world-devaluing love of the redeemer by the laity. However, Buddhist intellectuals never allowed the changes in religious doctrine to reach beyond this notion to an erotic love of the redeemer found in some forms of Hinduism.

(C) Chinese Religiosity and Sexuality[3]

The Chinese literati were a secular bureaucratic intellectual stratum, in contrast to the Brahmins, who were educated priests. A bureaucratic stratum, Weber asserted, is generally contemptuous or indifferent to religious doctrines of salvation in any form. Bureaucratic practices are rational and disciplined, and any activity that appears to be irrational from the point of view of bureaucracy, is summarily rejected by the most enlightened officials. But when irrational activity proved useful in controlling the populace, the literati tolerated it as a means to their own rational ends. Moreover, if belief in the irrational was widespread, the literati might even feign ritualistic respect for its practice.

The literati were to a large degree a high-born, culturally unified status group. Like many other high status groups, their conventions were shaped in part by a distinctly aesthetic sense. Their conception of the world reflected both their intellectual habits of mind and their conventional aesthetic judgment. But their world image always took into consideration sib and bureaucratic obligations.

The Confucian ethic was profoundly world-accepting. The ultimate forces behind human activity were seen as either sexual or economic, but the responsibility of the cultivated man was to control his urges and behave with propriety. Propriety was primarily the aesthetically pleasing manifestation of composure, refinement, and dignity regardless of external or internal provocation. To the literati, the expression of irrational, personal desire was second only to the violation of filial piety as a major ethical transgression.

> The distinctive attitude of a bureaucracy to religious matters has been classically formulated in Confucianism. Its hallmark is an absolute lack of feeling of a need for salvation or for any transcendental anchorage for ethics. In its place resides what is substantively an opportunistic and utilitarian (though aesthetically refined) doctrine of conventions appropriate to a bureaucratic status group. Other factors in the bureaucratic attitude toward religion include the elimination of all those emotional and irrational manifestations of personal religion which go beyond the traditional belief in spirits, and the maintenance of the

ancestral cult and of filial piety as the universal basis for social subordination. (ES 476)

> The official Chinese state cult everywhere served only the interests of the community; the ancestor cult served those of the sibs. With both of them individual interests per se remained out of the picture. The great spirits of nature were increasingly depersonalized. Their cult was reduced to official ritual, the ritual was gradually emptied of all emotional elements and finally became equated with mere social convention. This was the work of the cultured stratum of intellectuals who left entirely aside the typical religious needs of the masses. (C 173)

Taoism, also a creation of intellectuals, was essentially contemplative in its early period. It adopted a salvation doctrine and became linked to magical folk cults as the Taoist scholars attempted to increase membership by catering to some of the crypto-erotic and magical needs of the masses.

Opposed to both Confucianism and Taoism were the folk cults involved in clearly sexual practices. While the intellectual stratum was unable to stop the folk cults, the literati found ways to undermine ecstatic-orgiastic practices as being in some way improper or evil. Overt sexual practices were inherently individualistic and served no bureaucratic end. Further, such practices constituted a form of this-worldly salvation and was thus antithetical to the Confucian conception of the world. All highly visible forms of sexual

practices and all clearly erotic expressions were ruthlessly suppressed by the literati. This gave great intensity to the development of more sublimated forms of erotic expression.

The literati found both sexuality and magic abhorrent to their aesthetic sense, and contrary to their conception of the world and the individual's place within it. Magic, however, was also a means for controlling the common people. Magical practices could not truly be rationalized, but they could be strictly limited and used to serve the community and the bureaucracy.

(D) Ancient Judaism[4]

In ancient Judaism, intellectual influence upon religious doctrine came, first, from the priesthood and the prophets, and later, from the rabbinate and the lay intellectuals learned in the law.

Many Middle Eastern deities, in ancient times, possessed a dual nature. The "astral" aspects of these deities tended to be abstract and had little to do with everyday activities. The "vegetative" aspects of these deities were connected with the soil and fertility, and appeared to be much more concrete in the eyes of the common people than the abstract astral aspects.

When popular cults developed, they reflected the

aspects of the deity that were most immediate and most easily understood by the masses. Among the intellectual strata, however, the astral aspects were more acceptable because they were not concerned with the creaturely image of humanity: they were more amenable to the intellectuals' conception of a religiously ethical world. The astral and vegetative elements of the worship of a single deity could become distinct from one another to such a degree as to result in their conceptual separation into two deities, each with its own religious practices.

The deity of the Israelites, to repeat, was an astral deity. Yahwe, the god of high places, of heaven, of fire, and of war -- specifically, of the war confederacy of the Israelite tribes -- had no features of an earthly or local deity. This void was filled by local worship of the separate and distinct religion of the Baal deities as the gods of the earth and of fertility.

The religious intellectuals, especially the prophets, never accepted the Baals into Yahwe religious doctrine. The Baals did not fit into their conception of a single all-knowing, all-powerful ethical deity whose ultimate nature was beyond human comprehension.

Apparently the imageless nature of the deity was the original form conceived of in the creation of the tribal confederation. Later, the intellectuals especial-

ly favored the idea of an imageless deity as complementing their particular concept of the deity. The priests and prophets stressed the need to perpetuate the old notion of an imageless deity, lest the common people violate the tradition and bring the deity's wrath upon them.

The progressive ethical rationalization of the Yahwe religion continuously increased the contrast between its tenets and those of the Baal deities. The orgiastic sexual practices of the Baal cults were completely rejected by the Yahwe religion. The reaction of the intellectuals of the Yahwe religion to Baal orgiasticism was extreme not only because of the ethical differences but also because the Yahwe religion had been almost overwhelmed by popular acceptance of Baal religiosity.

While the intellectual strata rejected the glorification of sexual practices, they also viewed sexuality as natural and necessary in everyday life. The doctrinal position taken on sexual practices was that they were necessary to fulfill religious obligations, but they were not to be praised as a special sphere of activities which was to be held separate from other aspects of social life. This intellectual attempt to confine sexuality within the limits of

everyday life significantly impeded the development of a strongly erotic form of sexuality.

> Like most ancient agricultural cults, those of Baal were and remained orgiastic, specifically, of a sexual and alcoholic character. ...
> The advocates of pure Yahwism passionately fought the alcoholic, especially the sexual orgiasticism of the Baal cults and their religious influence. ... The attitude of Yahwistic ritual and ethic to sexual life, above all, testify to this profound contrast. To serve the Baals, means, once and for all, "to go a whoring after them." The struggle left a lasting imprint on the regulation of the sexual sphere in Jewry. (AJ 189)

The motives underlying the obedience of the common people stemmed from several sources. Of course, there was fear of religious retribution for morally reprehensible acts, but this was not only, or always even the predominant, motive. There was also a strong faith in compensation for ethical conduct, although the type of compensation expected was often somewhat vague. In addition, there was a love of the deity, but this love was not, mainly, an erotic sublimation; it was much closer to the love of one's parents than one's spouse. These underlying motives were similar to those in the Christian religions. But the Christian faiths generally accepted a properly sublimated erotic expression of love for the deity, even though they varied widely as to the substance and degree of expression.

The rabbinic intellectuals of later Judaism increasingly stressed the ethical element of religiosity. They also stressed that religious doctrine and its

interpretation, though difficult at times, should be understandable as a consistent set of ideas. The intellectuals provided a foundation for doctrinal understanding for both scholars and the common people. For those who had the ability, there was the thorough and diligent study of the Torah and its complex interpretations. For the common people, there were the simple Torah stories and proverbs.

> Two features were characteristic of this god of the intellectuals who despite his passionate wrath in the last analysis acted rationally and according to plan. First, as indicated, he was a god of plebeians. This has to be properly understood. In this form, Yahwe was not the god of "popular religion," nor did he accommodate the needs of "the masses." In the final triumphant conception he was always a god whom a stratum of prophets (war prophets, later Torah prophets) and Torah teachers sought to impose upon the people. Frequently they met with resistance, for the masses in need are always out for emergency aid through magic or saviors, and that was also the case in Israel. ...
> The literati believed in their ability to develop and actually did develop, puritanically sincere, anti-orgiastic, anti-idolatrous, and anti-magical devoutness among circles which were largely plebeian in nature.
>
> These strata were plebeian at least in the sense that they had no share in political power nor were they exponents of the military and corvée state or the social power position of the patriciate. (AJ 223-224)

All rabbinic interpretations encompassed the same fundamental family-derived conception of the deity as a father and of the Jewish people as his children. This notion had evolved from the earlier conception of the existence of a "berith" (i.e., a covenant) between the

deity and the tribal confederacy. God as a father and the head of the household of the Jewish community was an easily understood idea and the practices of obedience, ethical conduct, and prayer followed almost naturally from it. In addition, this idea did not lend itself to orgiastic practices. Irrational or unethical conduct by the individual or the community indicated a turning away from the deity, and the resultant punishment was understood as retribution for the rejection of the "patriarch" of the Jewish community. Rejection of the deity was equated with rejection of one's parents and constituted a grave transgression.

> The paradigm of the one super-worldly god constructs him in part as a father, in part as a now gracious, now ungracious king controlling the vicissitudes of the world. To be sure, he loves his people, yet when it disobeys he punishes it sternly, but can be won again through prayer, humility, and moral conduct. Among all cosmogonic and anthropological mythologies this construction makes all of the events of the world and of life rationally understandable in agreement with the naive, philosophically unsophisticated mind of the masses and children. This rational understandability was characteristic of the religious pragmatism of the myths, hymns, and prophets as known to the community through teaching, preaching, and reading. It forced rabbinical thought in its course. (AJ 398)

(E) Christianity[5]

Although early Christianity manifestly rejected the Jewish literary intellectualism, Weber argued that prophetic and priestly intellectualism became an important influence on the doctrine and practice of Christian-

ity. Before Christianity developed a priestly stratum, the charismatic prophets among Jesus' followers were already creating a salvation doctrine not unlike those that were usually formulated by an intellectual stratum. The need of the intellectual to have a coherent image of the universe and the disdain for all overt forms of eroticism were already present in parts of the earliest Christian doctrines.

However, the early Christian prophets were not a product of high status groups. They were like most of the Jewish lay intellectuals, a stratum of middle and lower class merchants, traders, and artisans. Weber indicated that, like most non-privileged strata intellectuals, their intellectual armory did not include the aesthetic conventions of high status intellectuals. They also lacked the emotional stylization of high status intellectuals that devalued all intense emotional expression as somehow indecent.

To the Christian prophets, intense emotion, specifically the love of the redeemer, was not just permitted, it was condoned as necessary to religiosity. Proselytizing among the masses was most successful where there was a relatively simple salvation ethic that took into account the emotional needs of the masses. For the prophets and later the priests, the love of the redeemer was acosmic; a world-devaluing love of the deity

that was the only important reality in life.

While the acosmic love created by a non-privileged intellectual stratum was intensely emotional, anything that was manifestly indicative of eroticism was consciously expunged. The fervent love of the redeemer was consistently confined within a rationally ethical religious framework. Even non-sexual paths to ecstatic states were usually rejected. But wherever there was a doctrine of love of the redeemer it was impossible to eliminate crypto-erotic elements from the practices of all but the highest strata.

The continuous effort of intellectuals to understand the universe and their place within it, that is, the systematic pursuit of intellectualism for its own sake, is most prevalent in the earliest period of religious development when religious ideas are just being conceptualized. But after that period, intellectualism in pursuit of its own ends can destroy religious doctrine.

After Christianity had become institutionalized and established, the priesthood took control of religious beliefs and doctrines and sought to prevent what they now saw as dangerous intellectual speculation. First, they canonized the sacred writings and thereby halted direct speculation about the content of the most holy revelations. Then they established a systematic and

exhaustive set of dogmas, or authoritative interpretation of the sacred works. In this way, the priesthood defended their doctrine against the educated stratum that had not yet joined the church, against the uncontrolled speculation of religious philosophers within Christianity, and against the adoption of any overt erotic practices from popular cults.

The difficulty with creating such an extensive religious doctrine was that it could only be understood by religious intellectuals. At the same time, it demanded the sacrifice of intellectualism for its own sake. All that could be expected of the laity was that they have faith in the deity and in their religious leaders. The only way in which the untrained, non-intellectual laity could take part in religious activities was through a rationalized system of religious practices in which the individual knows and discharges his religious duties in his everyday life. For without a clear and consistent pattern of conduct established through religious doctrine, the masses tended to drift back to traditional ways of performing their daily activities. Official church doctrine stressed the systematic ethical nature of religiosity but not its theological foundations. It stressed that each person was required to strive for "godlike" ethical qualities

and to reject any activity that was openly irrational from the standpoint of Christianity.

> When methodical techniques for attaining sanctification stressed ethical conduct based on religious sentiment, one practical result was the transcendence of particular desires and emotions of raw human nature which had not hitherto been controlled by religion. We must determine for each particular religion whether it regarded cowardice, brutality, selfishness, sensuality, or some other natural drive as the one most prone to divert the individual from his charismatic character. (ES 540)

Every major Christian faith rejected obvious forms of eroticism, though each emphasized this rejection to a different degree. In Catholicism, the priesthood discarded the early focus on exceptional striving for ethical perfection and relegated this to the relatively few virtuosi. Instead, the priests imposed a temperate, but consciously organized and thorough, ethical standard on all church members. Formerly ecstâtic and orgiastic practices were systematically altered to become moderately emotional communal experiences that possessed a religiously ethical meaning in life. The most ascetic Protestant groups were to go far beyond this in rejecting any deeply felt emotionality as suspect. Even though many Protestant groups later adopted a doctrine of salvation based on one's emotional certainty of being among the saved, this emotional proof of salvation was interpreted to indicate the believer's profound separation from worldly corruption.

> But for our purposes the decisive point was, to recapitulate, the conception of the state of religious grace, common to all denominations, as a status which marks off its possessor from the degradation of the flesh, from the world. (PE 153)

Unsublimated sexuality remained well within the domain of control of the various Christian faiths. Overt forms of eroticism were also controllable. But the process of intellectual rationalization produced forms of eroticism that were sublimated to such a degree that they shared, in the view of the participants, the qualities of the personal charisma of the warrior or religious virtuoso. It is at this point that the conflict between erotic values and ethical religious values is at its strongest. For the heroic and profoundly individualistic qualities of the most sublimated forms of eroticism parallel, and compete with, those of acosmic love of the redeemer, the latter itself a sublimated form of religious ecstasy. They are, in a sense, alternative pathways to salvation, the former promoting uniqueness and individuality and the latter promoting an almost depersonalized religious brotherhood. Their clash is, to Weber, both profound and insoluble. This was not just the case for Christianity, but to some degree for all ethically rationalized brotherly religions of salvation.

> The tension of religion and sex has been augmented by evolutionary factors on both sides. On the side of sexuality the tension has led through sublimation into 'eroticism,' and therewith

> into a consciously cultivated, and hence, a non-routinized sphere. ...
>
> The extraordinary quality of eroticism has consisted precisely in a gradual turning away from the naive naturalism of sex. The reason and significance of this evolution, however, involve the universal rationalization and intellectualization of culture. (F 344)

> The highest eroticism stands psychologically and physiologically in a mutually substitutive relation with certain sublimated forms of heroic piety. (F 348)

> In the eyes of this (salvation) ethic, the most sublimated eroticism is the counter-pole of all religiously oriented brotherliness, in these aspects: it must necessarily be exclusive in its inner core; it must be subjective in the highest imaginable sense, and it must be absolutely incommunicable. (F 349)
> (Note: the word in parenthesis was added.)

(F) Intellectual Rationalization and the Family[6]

Earlier, the domain of the intellectual was described as the realm of ideas and their interpretation. According to Weber, intellectuals are those who, given certain assumptions, systematically attempt to create a coherent meaning for existence. The assumptions underlying the efforts of intellectuals are ultimate values within a particular institutional order. The origin, direction, and termination of a process of intellectual rationalization in one institutional order may be totally different than that in another. Moreover, two processes of intellectual rationalization in the

same institutional order, or even within the same institution, may be different due to the use of a different set of ultimate values within that institutional order. All processes of intellectual rationalization are procedures of asking and answering questions; and these procedures depend on what is accepted as given, what is open to examination, and what is the ultimate end of the questioning process.

It is meaningless in this context to discuss irrationality without placing it within the framework of a specific set of values. For example, what is rational in the framework of a religiously-oriented social ethic, such as Buddhism, may constitute the height of irrationality in an economic framework, such as that of capitalism. Similarly, the rational development of a particular artistic form may be seen in a religious framework as an act of ultimate irrationality and irresponsibility and, possibly, as an act of idolatrous blasphemy. Such was the view taken of certain artistic forms by ascetic Protestantism and orthodox Judaism.

Since every process of intellectual rationalization begins with assumptions, that is, irrational presuppositions, no rationalization process can ever produce a final, totally consistent eternal structuring of any institutional order. In addition, the process

of intellectual rationalization does not go on in a vacuum. Major changes in one institutional order often influence, and are influenced by, major changes in other institutional orders. Moreover, what constitutes an increase in rationality in one order may create a decrease in rationality in another. Weber summarized this interplay of social and intellectual factors in his discussion of ethical religiosity, but it is equally applicable to the other institutional orders.

> The various great ways of leading a rational and methodical life have been characterized by irrational presuppositions, which have been accepted simply as 'given' and which have been incorporated into such ways of life. What these presuppositions have been is historically and socially determined, at least to a very large extent, through the peculiarity of those strata that have been the carriers of the ways of life during its formative and decisive period. The interest situation of these strata, as determined socially and psychologically, has made for their peculiarity, as we here understand it. (F 281)

Weber argued that all ideas, regardless of the particular value context within which they are formed, have basically the same psychological source.

> In spite of vast differences, "ideas" have essentially the same psychological roots whether they are religious, artistic, ethical, scientific or whatever else; this also applies to ideas about political and social organization. It is a time-bound, subjective value-judgment which would like to attribute some of these ideas to "reason" and others to "intuition" (or whatever other distinctions may be used). (ES 1116)

Few of the almost limitless number of ideas thus created have any social consequences. An idea may provide a satisfying subjective feeling to the person who experiences it; but this does not mean that the idea will lead to any lasting, socially meaningful result. The crucial distinction between an idea that has a social consequence and one that does not is that the former in some way leads those who experience it to respond to it by altering their conduct.

Weber said that interests, not ideas, directly dominate conduct. The relationship between interests and ideas, however, is reciprocal. Interests may enhance or hinder the acceptance of a particular set of ideas. On the other hand, ideas are the foundation of how individuals perceive the world and, in turn, what they believe are their interests. An idea that significantly alters their perception may lead them to believe that it is in their own interests to change their social conduct.

The ability to generate and to comprehend completely a set of ideas is generally confined to the intellectuals of a community. A set of ideas may be articulated in the form of an alternative series of techniques for carrying out some part of one's daily activity. Whether the starting point for a transformation in community

life is the alteration of beliefs or techniques, the process of intellectual rationalization tends toward a search for consistency in whatever activity is being rationalized.

Where the common people accept some aspects of a complex set of beliefs, their perspective on social reality and the attitudes they derive from this perspective are changed. This change, in turn, shapes their everyday conduct. The prime example of this is charismatic religiosity. On the other hand, where alterations occur in the technical means for performing daily activities, or where daily routines are disrupted by social or environmental conditions, the populace may adopted the technical aspects of new ideas in order to preserve its established interests, and it may do so without ever considering or accepting the underlying substance of the new ideas. Hence, acceptance of the technical result of new ideas could occur without substantially altering the perspective on social reality held by those accepting these changes.

In a particular social and historical situation, depending on its assumptions and its direction, a process of intellectual rationalization may support or conflict with familial processes. At the same time, the family may or may not hinder the direction and the thoroughness

of the rationalization process.

For the most part, we have noted, the process of intellectual rationalization takes place in each of the major institutional orders. In regard to the relationship between intellectual rationalization within each institutional order and the institutions of the kinship order, the important questions are: how far has the tendency toward intellectual consistency advanced in a given institutional order;and how great is the distance between the values in the kinship order and those in the other institutional orders.

Weber took the fundamental position, previously described, that it is impossible to prove that one particular set of ultimate values is superior to any other. The belief in one set of values rather than another is a question of faith, not of logic or science. Intellectual rationalization in one institution may be so effective, or its proponents so persuasive, that it may undermine conduct or belief in the institutions of other orders. The result may be the growth of irrationality in those other institutions in regard to their own particular sets of values. Thus, where this intellectual encroachment occurs, one institution may grow and expand its influence at the expense of other institutions. Even where this does not occur, the increasingly effective intellectual rationalization

within an institution tends to limit the influence of other institutions upon the processes occurring within the rationalized institution.

Although the specific circumstances differ from case to case and in different historical contexts, there is an overall pattern to the influence of intellectual rationalization on the relationship between kinship institutions and the institutions of other orders. The continuing processes of intellectual rationalization in a non-kinship order will tend to eliminate or replace the kinship bond, at least in the social relationships within the particular institution involved.

In the economic order, conduct approaches the highest level of purely economic rationality where it is carried out "without regard to persons" and as completely as possible in relation to calculable ends. In the political order, conduct again approaches the highest level of rationality where it is done "without regard to persons."

> As economic and rational political actions follow laws of their own, so every other rational action within the world remains inescapably bound to worldly conditions. These conditions are remote from brotherliness and must serve as means or as ends of rational action. Hence all rational action somehow comes to stand in tension with the ethic of brotherliness, and carries within itself a profound tension. (F 339)

In the religious order, the ethical religions often included a moral code requiring some kind of

support for co-religionists that was inconsistent with the moral requirements of an ethic based on kinship. Status institutions may have an ethic of brotherliness that is antithetical to most immediate kinship bonds wherever the style of life has become the sole criterion for group membership.

The aesthetic and intellectual orders know only the impersonal brotherhood of achievement in their own areas. In the aesthetic order, the intense need to express the individual experience, and to judge the forms of that experience by their uniquely artistic standards, is completely contrary to all forms of personal relationships. The intellectual order, in its most rationalized forms (e.g., the sciences), only recognizes an impersonal brotherhood of the learned.

> The intellect, like all culture values, has created an aristocracy based on the possession of rational culture and independent of all personal ethical qualities of man. The aristocracy of intellect is hence an unbrotherly aristocracy. (F 355)

However, the result of intellectual rationalization of other institutions has often been the strengthening of the family. Although functions of the larger kinship institutions have been usurped to a large extent by non-kinship institutions, the small family has held its own and continues to hold its against all of the

rationalization processes and the encroachments of other institutions.

The larger kinship structures were alternative arrangements for the direct control of extensive amounts of wealth, power, and prestige, and thus constituted a grave threat to non-kinship institutions. As previously noted, the threat posed by the small family in regard to the redistribution of large amounts of wealth, power, and prestige was significantly dissipated through the regulation of the marriage contract.

Often, the family as an institution was rejected at the height of charismatic ferver by the members of a non-kinship institution. In some cases, this was followed by a period in which the other institution sought to dominate familial activity. Eventually, permanent institutions had to recognize the difficulties inherent in any attempt to eliminate the family and had to come to terms with it. This meant some form of compromise, however tenuous and shifting, between the conduct required of members of a particular institution in accordance with their perception of the goals and ultimate values of their institution and the conduct required of those same people as family members in accordance with family values.

The emotional elements of family life can only be rationalized in form, never in content. Frequently, the

rationalization of the forms of these elements takes place over extended periods of time during which the conventions of society change. On some occasions, this process of rationalization has occurred due to pressure from non-kinship institutions. In this case, the intellectuals of the non-kinship institutions found the emotional elements of family life disruptive to the rationalization of routine activities in their own institutions. In other cases, the intellectuals of many institutions sought to capitalize on emotions by establishing their leaders, their values, or their institutions as objects "worthy" of familial emotions. The symbols of the family were used to legitimize the leaders and the activities of an institution. In this latter process, the mantle of the family was placed on the institution as a justification for its existence and activities.

In earlier chapters, it was shown how the intellectuals of almost every institution explicitly or implicitly excluded openly emotional expression, especially sexuality, from the course of everyday activities within their institutions. The most obvious attempt to confine sexual expression came from the ethical religions, which not only sought to drive sexuality from religious practices but sought to drive it from all aspects of life,

other than the marital relationship in the family. The result was that, even with the erotic and aesthetic alternatives and with non-marital and extra-marital sexual activities, family life became the sole repository for the continuous expression of the utterly irrational sexual aspects of life. But the family is more than just a repository for sexuality; it is the focus of emotional life. The core of family life lies in an array of emotions, of which sexuality forms only a small part.

The complex emotional pattern of family life involves affection and emotional responsibility. The mutual emotional responsibility of family members is particularly important because responsibility, along with the other emotional elements of affection and sexuality, is crucial in defining the unique focus of the family as an institution. Although emotional responsibility involves a conscious selection of an obligation to another person, it is not rationally motivated. To a great degree, responsibility is basically an unreflective emotional commitment -- it is primarily a case of what Weber called <u>affective conduct</u>.

<u>Emotional responsibility</u> within the family is as universal as the family itself; it is a fundamental pillar of the family as a social group. Respect and

responsibility in family relationships have been a part of the ethical prescriptions of daily life that exist to varying degrees in all societies. These prescriptions are part of what Weber called the "... general virtues of life within the world..." and they predate all ethical religiosity.

Familial responsibility, in its purest emotional form, is rare. It is an emotional commitment that is made without the demand for compensation. Although it can be a mutual relationship, such as that between spouses, it can also be almost one-sided, as between parent and child. Weber described familial responsibility in its pure form as it exists between spouses:

> From a purely inner-worldly point of view, only the linkage of marriage with the thought of ethical responsibility for one another -- hence a category heterogeneous to the purely erotic sphere -- can carry the sentiment that something unique and supreme might be embodied in marriage; that it might be the transformation of the feeling of a love which is conscious of responsibility throughout all the nuances of the organic life process, 'up to the pianissimo of old age,' and a mutual granting of oneself to another and the becoming indebted to each other (in Goethe's sense). Rarely does life grant such value in pure form. He to whom it is given may speak of fate's fortune and grace -- not of his own 'merit.' (F 350)

(G) Summary and Conclusion

The aim of the intellectual is to understand the world from the viewpoint of a given set of values. The sphere of the intellectual is in the creation and

manipulation of ideas. The power of the intellectual is in the influence of his or her ideas in shaping the worldview of others and, in turn, their subsequent activities.

In all major ethical religions, the fundamental conception of the universe was a product of religious intellectuals who were seeking to create a unified and coherent meaning of existence. In such a meaningful portrait of life, god, and the universe, the ultimate irrationality, sexuality, was at least a somewhat antithetical element. If the intellectuals did not reject sexuality, they did reject any obvious expression of eroticism. Similarly, they also rejected all other religiously irrational paths of salvation. Where an ethical religion was a product of upper strata intellectuals, or dominated by them, the result was a form of religiosity that was restricted solely to the cognitive problem of understanding the universe and the individual's place within it. Such intellectual dominance was common in the major ethical religions of Asia.

* * *

In India, Hinduism and Buddhism were developed by upper strata intellectuals who saw contemplation as the path to salvation. Among the intellectuals of both religions, eroticism played no part in their

religiosity. But such an intellectual religiosity did not fulfill the needs of the masses.

Though eroticism was not part of the intellectual orthodox doctrine of Hinduism, there was also no doctrinal reason for its suppression except the aesthetic tastes of the high-born Brahmins. Since Hinduism possessed no universal social ethic, each caste had its own ritual obligations and ethical prescriptions. This not only allowed for toleration of eroticism, but for its study.

The Brahmins brought the masses into the religion by re-interpreting doctrine to permit highly sublimated erotic practices. The result was that later Hinduism was a multi-tiered religion where the forms of eroticism, which were practiced by all but the highest strata, became more obvious toward the lower end of the social scale.

To the Buddhist intellectuals, emotion and eroticism were abhorrent and salvation was achieved through individual contemplation. In order to popularize their religion, some religious leaders permitted the simple love of the redeemer among the masses. However, they never allowed the erotic love of the redeemer common to popular worship in Hinduism. Nonetheless, crypto-erotic elements eventually developed in Buddhism, as

they almost always did where there was a religion based on love of a redeemer.

* * *

The religious intellectuals of China were a secular bureaucratic stratum, to whom any practice that did not serve rational bureaucratic ends, or agree with their aesthetic conventions, was to be summarily rejected. Any expression of desire was a violation of propriety. Since eroticism not only violated propriety but served individual, rather than bureaucratic, ends, all highly visible forms of eroticism were strongly attacked by the literati. However, highly sublimated forms of eroticism continued to permeate most strata.

* * *

The religious intellectuals of Judaism exhibited a lack of concern with the creaturely, irrational aspects of humanity and concentrated on a meaningful portrayal of existence, which held at its core the concept of an ethical deity. The intellectualist view of sexuality was that it was important to fulfill religious obligations but it was not to be taken out of the perspective of daily life. This attempt by intellectuals to place sexuality within the natural context of everyday practices of married life retarded

the development of strongly erotic forms of sexuality.

A love of the deity was present in Judaism, but not in a disguised erotic form. The intellectuals provided a doctrine that was open to thorough study by scholars but also simple enough in its important ideas to be understood by the common people. In this doctrine, the deity was symbolized as a loving father of the Jewish community. A rejection of the deity was equivalent to rejecting one's own parents, and would be punished by the deity just as a father would punish his disobedient or disrespectful children. Erotic practices were considered a denial of god and an abomination.

* * *

Although Judaism and early Christianity were products of intellectuals, most of these intellectuals were not of the upper strata and did not share the aesthetic conventions that prohibited emotional expression. In Judaism, emotions could be expressed as part of everyday life and as part of religious practice, but under no circumstances could emotional expressions lead into erotic practices. In Christianity, intense emotion, especially the world-devaluing love of the redeemer, was considered necessary to religiosity. Any practices that appeared manifestly erotic were consciously eliminated. However, the Christian doctrine

of love of the redeemer almost always provided justification for some crypto-erotic practices in contradiction to religious doctrine.

Every major Christian faith permitted sexual activity but condemned openly erotic practices. Many of the ascetic Protestant faiths went beyond this position to reject all deep emotional expression. But many of these same Protestant faiths developed a doctrine of emotional certainty of salvation. The emotional certainty of salvation was consistently interpreted to mean that the believer had separated from worldly corruption and was in a state of religious grace. No openly erotic expression was permitted by any of the faiths that practiced the doctrine of emotional certainty of salvation.

Christianity was no more able to deal with the highly sublimated forms of eroticism than any other ethical religion. To the participants, the erotic act seemed to glorify the individual experience. A participant perceived him or herself as endowed by the act with a personal charisma, a sense of personal ennoblement similar to the charisma of the warrior or religious virtuoso. Of course, to the Christian intellectuals this erotic experience was an elevation of sins of the flesh, an abomination that was absolutely antithetical to any expression of brotherliness. The

confrontation between Christianity and eroticism is fundamentally insoluble, since each represents an alternative set of ultimate values. This confrontation also occurred to some degree in each of the major ethical religions, with the religions offering a depersonalized sense of community and eroticism representing the qualities of uniqueness and individuality. Even when the religion gave a fundamentally individualized path to salvation, it was to a form of salvation totally different than that provided by the erotic experience.

* * *

All processes of intellectual rationalization begin with a given set of values of a particular institutional order. The rationalization of ideas and activities in an institution influences, and is influenced by, the ideas and activities of other institutions. The degree and the direction of influence are dependent upon the character of the institutions involved and the context in which they exist. If the degree of influence of an institution of one order is very great on an institution of another order, the ideas and activities in the latter are likely to be de-rationalized in terms of the established values of the order to which it belongs.

The overall trend of intellectual rationalization

in almost all non-kinship institutional orders has tended toward the weakening of direct kinship ties within the specific institutions in which rationalization was occurring. The weakening of direct kinship ties required the elimination of activities and relationships that were based on kinship or kinship-like bonds. The kinship ties were replaced with relationships that were based on the principles of objective ends, standardized conduct, or of non-kinship brotherhood. However, the intellectuals of all institutions sought to use family symbols to justify the leadership and activities of the institutions to which they were attached, and thus capitalize on family emotions.

The weakening of direct kinship ties under the onslaught of intellectual rationalization did not necessarily mean the loss of indirect influence by families on the other institutions. Moreover, the social environment provided by the family continues to have a strong influence on the individual's life chances in all other areas.

The rationalization of other institutions made the family the main repository for most of the utterly irrational aspects of life. Though to some degree, sexual and erotic activity has always taken place outside of the family, the family has been and continues to be the

unique focus for sexuality, emotional expression, and ethical responsibility for one's kin. No enduring institution in any other order has brought together this exceptional configuration of essential human qualities.

The Intellectual Order and the Kinship Order

1- Sources for section (A) Intellectualism, Religion, and Sexuality:
ES 29-30, 457-517, 921-926
F 267-301, 323-357
PE 13-31

2- Sources for section (B) Indian Religiosity and Sexuality:
I 137-162, 171-180, 185-186, 192-193, 206-212, 217-218, 233-256
ES 571-572, 627-629

3- Sources for section (C) Chinese Religiosity and Sexuality:
C 107-112, 142-187, 196-213, 230-233
ES 468-477, 500-506
I 329-343

4- Sources for section (D) Ancient Judaism:
AJ 94-101, 107-109, 153-161, 189-197, 213-224, 244-248, 278-279, 293-296, 391-404
ES 468-474, 486-488, 492-501, 507-510, 617-620

5- Sources for section (E) Christianity:
ES 457-467, 500-514, 534-544, 552-556, 563-568, 602-607, 1149, 1172-1173
PE 114-120, 130-132, 139-143, 158-159, 262-264
F 278, 330-333, 343-357
AJ 405-424

6- Sources for section (F) Intellectual Rationalization and the Family:
ES 30, 85, 339-341, 357-360, 372-383, 468-517, 579-582, 592-593, 604-610, 635-640, 925-926, 932-938, 973-975, 1081, 1116-1117
F 77-128, 138-145, 153-156, 278-281, 292-294, 328-357
PE 26-27, 76-78, 232-233

CHAPTER VIII

WEBER'S PERSPECTIVE ON THE FAMILY

The kinship order, in Weber's theoretical scheme, is composed of institutions that are primarily oriented to the monopolization of succession to rights and privileges through familial relationships and to the monopolization of legitimate sexual access.

(A) The Nature of the Family[1]

The family is the fundamental and universal institution of the kinship order. Because of his primary concentration on economic, political, and religious institutions, Weber emphasized the family as an economic group, namely, the household. But he considered the social aspect of the family crucial to understanding it as a unique institution. He recognized that the essential dynamic element of the family was in the complex of interweaving emotional relationships among the members and in their interaction with the social world of other institutions.

To Weber, sociology was concerned with the interpretive understanding of meaningful social conduct. The emotional phenomena, including sexuality, underlying the social relationships of the family are at the very limit of his definition of sociology. But Weber

transcended the narrowness of his definition and recognized as significant these phenomena that constitute "favoring or hindering circumstances" of social conduct. The emotional and personal imperatives of family life went far beyond his definition of "the social." He recognized that these imperatives underlie the social and that they both limit the internal rationalization of the family and the impact of other institutions upon it. They significantly limit the response of the family to the rationalization of other institutions and to the general processes of the rationalization of life conduct in world history.

Emotional phenomena, in the form of feelings and desires, are the basis for what Weber called affectual conduct. Affectual conduct is that form of social action which is "... determined by the actor's specific affects and feeling states." (ES 25) The family is founded upon social relations that are primarily composed of affectual conduct. Affectual conduct cannot usually be carried out by an actor simply according to his or her own feelings and desires at a particular moment. Such conduct is usually regulated by social conventions that are themselves established, often informally, by family members and by the larger community. Under these conventions, some activities and purposes are considered acceptable and

others are subject to sanctions by the family or community members. Conventions serve the interests of family members in supporting the stability and solidarity of family relationships.

According to Weber, the rationalization of the means of emotional expression in the family must have begun long before the earliest historical records. Since some forms of emotionally-based conduct were considered unacceptable to the family and the community, the expression of feelings and desires were fulfilled through consciously sought alternative means. These alternative pathways to emotional satisfaction always had to take into account the existing framework of the family, in that they had to complement the feeling of belonging within the family and the sense of personal emotional responsibility of each member toward the others. Mutual respect and responsibility within the group of immediate kin are ethical prescriptions nearly as universal as the family itself.

Emotional expression and mutual responsibility provide the essential focus of social action within the family. But these elements of family social relationships are insufficient by themselves to become a basis for continuous long-term social action. Continuity is only established where the social relationships also furnish a foundation for economic organiza-

tion.

The analytical framework (Chapter I) pointed out that Weber argued that all institutions are constantly confronted with the everyday problems of arranging actions and obtaining resources to continue to exist and to carry out their specific goals. The family, like all other institutions, must have some type of economic organization in order to maintain the continuity and stability of the relationships among family members and to permit the members to join together to confront their external social environment. The existence of an economic organization within the family, especially before the development of other major institutions, presupposed the minimal levels of technological skills and organization necessary to support the family. Thus both an internal economic sphere and a technological sphere, as described in the analytical framework, are necessary for the continuous social relationship that is the family.

Yet family relationships retain a large degree of independence from purely economic and technological factors. Such factors may facilitate ongoing family relationships, may restrict the time given such relationships, or may prevent these relationships; but, in the long run, they have a limited influence on the content of purely family relationships.

The family is the original site for many activities that transcended mere expressions of habit or rational expediency. The actions of family members embody principles encompassing moral requirements of their conduct to each other. But even if the members recognize their moral responsibility for one another and even when the family has achieved a level of economic organization necessary for continuous and effective social action, it is still not an organization in the administrative sense. That is, it does not have at least one individual who has legal authority to regulate the orientation of the family to specific, rationally calculated, goals.

The authority of the head or elders of the household, or domestic authority, apparently derives from the differing strength and knowledge of family members and constitutes the pre-rational administrative sphere of the family. Domestic authority is almost a universal phenomenon. There are, however, some historical cases of loose-knit, often quite primitive, kinship groups lacking all but the barest rudiments of domestic authority. The head of the household, under domestic authority, directs the organized activities and enforces the conventions of the group. The authority of the family head became the historical source for authority in other institutions and the model for all

other forms of authority.

> The size and inclusiveness of the household varies. But it is the most widespread economic group and involves continuous and intensive social action. It is the fundamental basis of loyalty and authority, which in turn is the basis of many other groups. (ES 358-359)

Although domestic authority was rooted in the natural differences between family members (e.g., sex, age, strength, knowledge), this was not always sufficient to legitimize it. Since domestic authority involves differential amounts of power and prestige, the need arises among those more favored in this situation, as in any similar situation, to justify their privileged position. What justified allegiance to the family head also justified the responsibilities and obligations among the family members. The first element in the justification of domestic authority was the real or claimed existence of a biological relationship. This involved the assertion of the importance of lineage to memorable ancestors, the worship of ancestors, the creation of family deities and family priests, and the belief in the sacredness of the blood tie. Second, a sacred quality was attributed to traditional practices: domestic authority was viewed as a "natural" relationship that had always existed. This was traditional authority as applied to the family. As a result, virtually all claims to traditional

legitimacy by other institutions were based on family ties or exalted family-like relationships. Third, domestic authority was justified by the almost universal prescriptions of respect for family elders, if not elders in general. Fourth, the very process of growing up in a family tended to favor the highly complex emotional ties that emerged among family members in that process. These elements taken together constituted to a large degree the sphere of value, or justification, of both domestic authority and ethical responsibility among family members.

Domestic authority weakens with the growth of other institutions in society, but the emotional responsibility among family members does not weaken in proportion to the decline of domestic authority. There is an inherent difference between domestic authority and mutual emotional responsibility. Domestic authority is obedience to the will of the family head. It is a form of control and restraint, and it is clearly associated with a few individuals who give direction and punishment. Mutual emotional responsibility, on the other hand, is a commitment to be supportive of one's own kin. It is subtle, without a single obvious focus of direction. It rests on primary emotions, cultural conventions, informal sanctions, and on sub-

jective reactions to the family member who rejects responsibility or exceeds the conventional limits of family responsibility.

Other institutions, once they emerged, limited domestic authority by regulations imposed on the family and by creating extra-familial life chances for individual family members. The head of the household lost some of his authority over his kin as other institutions encroached on his freedom of action. However, the general responsibility of family members to support their immediate kin was not substantially altered by external regulations or increasing life chances. Only the possibility of an alternative source of moral obligation (e.g., religious brotherhood, warrior communism, etc.) provided a serious challenge to claims of familial loyalty; but family claims have generally proved to be far stronger and more enduring than any of the alternatives. It is important to note that, of these alternatives, the most effective claims to loyalty tap the same complex of emotions as does the family. A non-institutional alternative that offers a strong challenge to family loyalty is friendship, but since it lacks an institutional form, its effect is sporadic and idiosyncratic on the families of a community. Those institutional leaders that used the concept of sur-

rogate brotherhood sought both to justify their actions and beliefs and to share, and even to control, the highly intense complex of emotions that most individuals direct toward their immediate kin.

The family is so universal an element of social life that the meaning of its relationships is almost beyond misunderstanding. Weber did not even discuss the symbolic aspects of family life. His discussion implicitly assumed that the meaning of family symbols are clear to all. But he recognized that the power of these symbols is so great that they invariably become a source of justification for actions in other institutions. The nation is frequently symbolized as a family or as family property (e.g., the "fatherland," the "motherland," the homeland"; the citizens become the "Volk," the ruler becomes the nation's "father," etc.) Similar representations are often made of corporations or voluntary associations. This phenomena pervades religious organizations, that is, the deity is described as the mother or father; the church and priesthood are described as the family or parents of the individual believer; and one's co-religionists become brothers and sisters.

(B) The External Relations of the Family[2]

Before the family felt the impact of other groups, it was largely autonomous in its membership and regulation. The emergence of other institutions stripped the family of its direct access to the control of extra-familial areas of the community. A major tool used by other groups to regulate the family was the marriage agreement.

Inheritance is a method of transferring privileges and property through the existence, or claimed existence, of a family relationship. Historically, the family has been the "natural" route for succession to rights and advantages. So long as the family can regulate itself in regard to the control of succession, non-family institutions in the community will be limited in the pursuit of their own ends. Therefore, other groups, in their quest for separate goals, values, and institutional integrity, must seek to limit the influence of the family in their respective areas by reducing its overall autonomy.

Marriage represents the single most important regulatory instrument used against the family. The imposition of marriage agreements by outside agencies constituted a weakening in the regulative aspect of domestic authority, because externally imposed limits on such contracts reduce the right of the family to

admit new members at the discretion of the family head. Furthermore, externally-controlled marriage resulted in a change in the internal economic arrangement of the family. In complying with the restrictions imposed through the marriage contract, the families and the individual parties to the contract accepted both the jurisdiction of the regulating agency (e.g., the state or the church) and the terms specified by the contract.

Marriage comes in many forms, but the most important form is the legitimate marriage agreement, that is, marriage in the form of a "status contract." A status contract is an agreement by which the entire social status of one or more parties to the agreement is changed. A legitimate marriage is one that establishes the privileges and property rights of both parties in the marriage and those of their descendants. The right of membership in many non-family groups has often been directly related to the individual's membership in a family formed through legitimate marriage.

The family was the original and primary means for the distribution of wealth, power, and prestige in the community. Thus political, economic, and status groups were inextricably tied to the attempt to regulate the family through marriage. Within the kinship order, the sib was also involved in regulating individual families. Aside from offering protection and assistance to family

members, the sib, as a supta-family institution, was in a position to gain or lose directly from the situation within its families. The sib was composed of prospective heirs to at least part of the wealth of its constituent families, and therefore its members had an interest in the legal position of their blood kindred in each household. More than just a device for ensuring the rights of sib members, marriage served as a buffer against the dissipation of the wealth and prestige of the sib itself. As we discussed in Chapter One, Weber spoke of marriage only in the context of groups external to the family.

Except for purely personal possessions, the wealth and property of the household was originally available for disposition according to the discretion of the head of the household. Of course, the actions of the head of the household were always subject to some restrictions by community conventions. But to a large degree, the head of the household could do as he saw fit. The marriage contract specifically limited his right to dispose of household property. In addition, it established the rights of each legitimate family member and of his or her descendants.

Marriage was more than a status contract involving the rights of individuals, of the family as a group, and of the sib. It also became the only legitimate sexual

contract. There are many forms of sexual contract. They vary as to the nature of the return given for the "rendering of sexual services" and as to the status of the participants. At one end of the sexual continuum is prostitution.

> We understand by prostitution submission to sexual relations for a price, in order to secure a money income, and as a regular profession. (GH 40)

Prostitution is usually neither a continuous sexual relation between participants nor one that changes the status of participants. It has existed, in one form or another, in all societies; and in almost all it has been considered less than honorable, with the possible exception of religious or sacred prostitution. The legitimate marriage agreement, as a form of sexual contract, is the rendering of sexual services for continuous tangible support and is also a status contract that changes the status of the participants and assures the legitimacy of their descendants. Between prostitution and the legitimate marriage contract, there are many possible configurations of relations for rendering sexual services.

Although the household has practiced communism of consumption since ancient times, this was never the case in regard to sexual activities. Sexual activities were always restricted to certain relationships within

the household. Any forbidden form of sexual expression (e.g., incest) was not just disruptive in the intense emotional arena of family life, it was also a violation of the ethical responsibility of each family member toward the others. An overt expression of forbidden sexual desire could create turmoil and weaken family solidarity. Beyond this, the ethical standards of the larger community often exacted a heavy penalty for such practices. Other groups in the community only added to the restrictions that already existed in the family; in no way did they contradict the restrictions already in force.

> Nowhere do we find unregulated, amorphous sexual promiscuity within the house, even if sexual relations between siblings are a recognized institution; at least nowhere on a normative basis. On the contrary, any kind of communist sexual freedom is most thoroughly banished from a house in which there is communist property ownership. ...
>
> Apart from the very early closure of sexual relations within the household, the sexual sphere was further narrowed, especially at otherwise low levels of cultural differentiation, by structures that overlapped with domestic authority. In fact, one can say that these imposed the first decisive limitations on domestic authority. (ES 364-365)

The religious legitimacy of the marriage contract often represented a further limitation of domestic authority. Where sexual activities outside of contractual marriage were viewed as religiously unethical, all forms of overt sexual activities outside of marriage

were deprived of any independent source of legitimacy. This, of course, did not mean that non-marital forms of sexual contract ceased to exist or even declined in popularity; it only meant that, in principle, they were not legally justified, i.e., fully legitimate.

Full freedom of sexual contract, where the individual is free to make any type of agreement for the rendering of sexual services, has been a very rare occurrence. Throughout history it was confined to the wealthiest stratum of a society, if it was present at all.

> Through Wessely's laborious researches we now have available directories for entire sections of Egyptian cities, and from these we see that in fact people of illegitimate birth were often quite prosperous. This was in the nature of things, since it was generally the woman of means who could indulge in free love, just as today it is only such who can take advantage of this freedom. (SAC 250-251)

To Weber, full freedom of sexual contract is equivalent to a free market. It is not acceptable to any ethical religious group and would be rejected by all those in a community who have a significant physical, economic, political, or status disadvantage, since such full sexual freedom usually serves the interests of privileged individuals and groups. This type of freedom can only occur to its fullest extent in a stratum of the populace whose members are completely secure in an economic and

legal sense.

Even where the rights of participants were secure, it was possible to achieve freedom of sexual contract within a community that favored legitimate marriage agreements. However, the rights of the participants, especially economic rights, were usually protected in fact as well as in law lest this freedom be repudiated. In addition, the rights of the descendants were usually protected, which was difficult for a small family with a restricted economic base in a society where large institutions prevailed. Even when formally unlimited freedom of sexual contract may be created by law, the emotional ties and sense of responsibility of family members toward each other will limit the involvement of much of the populace in such practices.

> Yet, while such absolute freedom seems impossible, a similar state of affairs may be produced within the framework of legitimate marriage by a system of easy or completely free divorce combined with a system whereby the position of the wife remains both free and secure with respect to property rights. (ES 690)

It is thus technically possible for individual participants in a marriage to relieve themselves of their legal responsibilities, but it is problematic whether they would find it as simple to relieve themselves entirely of their moral and emotional commitments to their children, to their own family, and to their spouses' family.

The powerful forces arrayed against freedom of sexual contract include, in addition, the leaders of the ethical religions, politically conservative or traditional elements, and most commonly, the males of formally patriarchal households. Even where domestic authority has been reduced merely to a purely formal arrangement, it will still be defended.

> But the decisive reason for the repudiation of freedom of divorce by bourgeois public opinion is the real or imagined danger to the children's educational chances; besides, authoritarian instincts on the part of the men have also played their part, especially where women have become economically emancipated to such a degree that the men are concerned about their position in the family and their male vanity is thus aroused. (ES 691)

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There are families in every complex, non-primitive society and at every time that are able to gather great wealth, power, or prestige, or a combination of all three, but they are relatively few. In such families, the members frequently act in such a way to keep the family position and holdings intact. These families give their members a large degree of personal freedom within the confines of family relationships because physical and economic conditions permit each family member great latitude of action. However, almost all families are small and of limited means. These families cannot supply the opportunity for great freedom of action

to each member. Moreover, the small family lacks the resources to supply all the long-term needs of its members. The small family has an intrinsic tendency to divide as its younger members gain their own means of livelihood and seek to form their own families. This tendency is only negated by unusual economic, technological, or political circumstances.

> With the multiplication of life chances and opportunities, the individual becomes less and less content with being bound to rigid and undifferentiated forms of life prescribed by the group. Increasingly he desires to shape his life as an individual and to enjoy the fruits of his own abilities and labor as he himself wishes. (ES 375)

Though most families are small and of limited means, they may still provide a basis for social action and for the support of their members' activities in the larger community. The individual may no longer be willing to submit to the strictures of domestic authority, but may be quite willing to join in cooperative efforts with his or her kin. The trust and collaboration of family members can be a powerful method of acquiring rights, property, and position in the larger community that they could not acquire acting alone. Even if the family does not remain together for cooperative activities, just the process of growing up in it and experiencing its cultural traditions contributes significantly to a particular individual's life chances.

The family, large or small, noble or common, is not just a haven for emotional expression or an arena for trust and responsibility; it is also a foundation for the concentration, use, and transfer of all types of economic, political, social, and educational advantages. This does not refer solely to great advantages in life but, in large measure, to the small daily advantages that can be gained by being raised in one household rather than in another.

* * *

Weber's image of social existence was one in which human beings meaningfully interact, individually and collectively, in a social arena which is, knowingly or unknowingly, the product of their own historical creation. From their basic process of social interaction, human beings create patterns of conduct and patterns of ideas and beliefs. Conflict is an essential element of everyday life and consensus is usually little more than the fortuitous, and often short-lived, creation of a constellation of interests.

> Conflict cannot be excluded from social life. One can change its means, its object, even its fundamental direction and its bearers, but it cannot be eliminated. There can be, instead of an external struggle of antagonistic persons for external objects, an inner struggle of mutually loving persons for subjective values and therewith, instead of external compulsion, an inner control (in the form of erotic or charitable devotion). Or it can take the form of a subjective conflict

> in the individual's own mind. It is always present and its influence is often greatest when it is least noticed, i.e., the more its course takes the form of indifferent or complacent passivity or self-deception, or when it operates as "selection." "Peace" is nothing more than a change in the form of the conflict or in the antagonists or in the objects of the conflict, or finally in the chances of selection. ... Only one thing is indisputable: every type of social order, without exception, must, if one wishes to <u>evaluate</u> it, be examined with reference to the opportunities which it affords to <u>certain types of persons</u> to rise to positions of superiority through the operation of the various objective and subjective selective factors. (MSS 26-27)

Conflict is a pervasive element in social life. In subtle and muted ways, it penetrates even the most emotionally satisfying relationships, including those of the family.

In a process of struggle, any advantage, no matter how slight, may mean the difference between one person's life chances and those of another. In the struggle for rights and privileges, the family, in one way or another, was and is a substantial source of advantage or disadvantage.

The strength of the family lies in the affection, respect, and mutual responsibility existing among its members. The inherently personal nature of these sources of strength is the family's most significant weakness in its external relations. The ties between close kin may be stronger than any other ties that these people

possess outside the family. However, unlike relatively impersonal ties which, though weak, may extend through a relatively large group, the strength of kinship ties may decline (sometimes precipitously) with the increasing remoteness of the relationship. In addition, kinship ties are more inflexible.

The continuing processes of technical rationalization in non-kinship institutions has had the result in many societies of reducing the direct involvement of the family in many areas of social life. The family did not simply "lose" functions; the lost functions were literally torn from it. In the intrinsic conflict of the social arena, activities originally performed within the context of the family or of larger kinship structures were appropriated, in one way or another, by other institutions in the community.

The development and rationalization of institutions in each non-kinship order thus diminished family discretion and authority in the community. Throughout ancient and medieval times, kinship institutions had often served as the central framework for non-kinship activities. The family or sib was the source of the legitimacy of these activities and the context in which they were actually performed. The autonomous spheres of value within the emerging institutions of each order

provided equivalent alternatives to the values offered within the family. Simultaneously, emerging institutions enhanced the individual's independence from the authority of the household. Even though domestic authority had declined, deep personal ties among close kin remained. Regardless of the compelling nature of the force behind a set of non-kinship values, the issue is always in doubt as to whether such values can supplant the personal ties of close kin.

The institutions of non-kinship orders were most successful in their struggle with kinship institutions other than the family. The remoteness of the kinship ties in the sib and the oikos contributed to their permeability to other values. Throughout world history, the process of institutional rationalization largely began in the kinship structures. Many non-kinship institutions began to emerge because of the persistent attempts of family heads to appropriate wealth, power, and prestige -- sometimes, from their own distant kin. Once begun, the processes of institutional rationalization eventually led to the creation of formally independent institutions that progressively undermined larger kinship institutions. Yet in this process, the individual family endured. Those who succeeded in

appropriating the rights of earlier kinship institutions often attempted to retain these rights for their descendants by converting them to lineage rights. Even institutions whose rationalization appeared to be formally complete could not escape the informal influence of the wealthy, powerful, or prestigious families of the community. Moreover, family ideologies have always been used as the means to justify succession to rights and privileges.

Familial access to wealth, education, and "connections" has converted and continues to convert formal (non-familial) equality into a de facto advantage for family members. Thoroughly rationalized institutions that emphasize non-familial universalism have, at times, been able to limit the formal monopolization of privileges by favored families, and at times have permitted equitable competition for rights and positions. But, again, even relatively minor differences between households have served as a marginal basis for achieving success and -- although it is certainly not true in all cases -- it is not uncommon that the greater the initial advantage of a family, the higher the probability for a resultant advantage in the next generation. In short, the family, through both formal and informal acquisition of and succession to rights, privileges, and

advantages, is the basic source of inequality in all societies.

* * *

The family has had its functions usurped by other institutions and it has increasingly lost its dominance over its members. Moreover, the leaders of other institutions have sought to divert family loyalties and symbols for their own purposes. Despite all these assaults, the family has survived as an important, independent, and unique social institution. Affection, the sense of respect between individuals, and their emotional attachment and responsibility to each other are deeply ingrained within each family member and the family provides the central, possibly the only, institutional arena for their full expression.

Although most established, rational social institutions are, at best, formally indifferent to the family and opposed to intense emotional expression, they ultimately support the family as the most feasible alternative for the permanent confinement of potentially disruptive emotional expression, especially in the form of sexuality. All processes of institutional rationalization have a marked tendency toward the devaluation of intense emotional, especially sexual, expression. Any intensely irrational expression constitutes a threat

to the thorough routinization of life within a stable institutional context. Moreover, ethical religiosity often added moral sanctions to the devaluation of any intense emotional expression. An obvious target of this devaluation was physical sexuality. However, sexuality has an intellectual component that was greatly accentuated by this devaluation. Eroticism, the intellectualized expression of sexuality, is a consciously sought and consciously enjoyed sphere of life. The difficulty with attempts to curb eroticism is that its forms change along with the conventions of society. Each assault upon a given form of eroticism may result merely in the transformation of its style of expression, leaving its basic content untouched. In addition, as technical rationalization proceeds within a society's major institutions and routinized activities move ever further from "the organically prescribed cycle of natural life," attempts to repress all intense emotional expression increase and eroticism grows in power through the very nature of its increasing separation from the mundane world. Eroticism poses a particular threat to ethical religiosity since it provides an alternative kind of this-worldly salvation.

The continuing process of routinization of the institutions of other orders enhanced the family's

position as the ultimate repository for the most intense emotional elements of life. Even though the confinement of sexuality to the family has not entirely succeeded, the family via religiously-sanctioned marriage received further support for continuing the same role it had held since time immemorial, namely, as the unique institutional focus of sexuality, emotional expression, and ethical responsibility for one's kin.

More than this, the processes of rationalization, when carried to their extreme, result in the "disenchantment" of the world. The world is depleted of direct meaning in these particular rationalized views of the world; and so is the life experience of any person who perceives the world as a product of these rationalized views. The family, with its foundation in the direct and concrete expressions of family values, remains a unique antidote to the rationally-derived senselessness and opacity of the world. The family is thus the one enduring institution in which human beings have not been "emancipated" from their physical being and, therefore, from their emotional expression and from responsibility to their kin. The very existence of the family gives a direct and virtually unrationalized meaning to its members' lives.

Although many family functions have been appropriated and the larger kinship institutions have ceased to exist in most areas, the family retains the potential to regain many of its functions when other institutions fail. This may occur through some societal catastrophe or, more likely, where other institutions chronically fail to provide for the needs of their constituents.

* * *

A dominant theme that runs throughout most theoretical approaches to the family is one in which society is seen as an integrated whole and the family is seen as a merely reactive part. Weber rejected the idea that there is a completely integrated, systemic pattern to the activities and the ideas in a society. He also rejected the derivative idea that all institutions in a society passively reflect a particular structural arrangement, institution, or set of ideas or beliefs. The family, like all other major institutions, responds selectively and in many different ways to external ideas and influences.

The metaphor of society as a system is not necessarily wrong. As Weber pointed out, this approach is useful to get an initial overview of a society. But problems arise when this approach is used throughout an analysis and to the neglect of concrete historical situations which are continually in the process of

change. First, in a systemic perspective, a particular social or cultural phenomenon is often chosen on an 'a priori' basis to be the prime mover or "independent variable" and all other social and cultural phenomena are considered secondary or supportive, and second, the very notion of a systemic perspective implicitly assumes a high degree of integration between the institutions and values in a society. Weber rejected the systemic perspective beyond its use to initiate an inquiry. He assumed that some minimal level of cultural integration through social interaction must occur for there to be any meaningful and predictable social conduct and social relationships. But he rejected the notion that any single social or cultural phenomenon could be on 'a priori' grounds the prime mover for all other activities in a society, and that these other activities would be mere reactions to the prime mover. Moreover, his deep understanding of the complex, vague, disjointed, and volatile nature of activities and ideas within and between social institutions would not allow him to accept the concept of society as a fully integrated framework of institutions. In Weber's perspective, integration between institutions, especially value integration, is rare and short-lived. Confict and competition on both social and psychological levels are to

be expected. The family, like all other institutions, possesses its own deep, inner values and therefore, to some extent, its own direction.

In fact, those perspectives that assume that there is a state of value integration rarely, if ever, recognize the family group as a contributor to society's values. Weber not only indicated that the family had its own set of values, but he also indicated that the symbolic representation of family values was one of the most powerful forms of justification used by non-kinship institutions. Family values justify and give meaning to institutions in many areas of social life.

In addition, the family plays an important role in the creation of circumstances in which meaningful social interaction can occur. Although some minimal level of cultural integration must take place, what is transmitted beyond this minimal level is subject to selection. Families are not passive conduits for cultural transmission, they select from a myriad of possible configurations of information, and their selection influences the life chances of family members.

Most historical approaches to the family in the field of sociology tend to exaggerate the passive role of the family. In many historical approaches, the family was confused with the larger kinship structures. This led to the mistaken conclusion that the family

itself had been significantly weakened by the decline of larger kinship institutions. What had really happened was the replacement of the large kinship structures by non-kinship structures, with the result that institutional rationalization proceeded in most non-kinship structures toward ends that formally excluded kinship activities and values. The historical approaches also exaggerated the family's malleability by confusing the continually changing forms of emotional expression, which are open to social conventions, with their underlying emotional bases which are not so easily altered.

Weber saw the family as an active element in the lives of its members and in the community, rather than merely being a reactive element reflecting changes occurring elsewhere. The family draws its strength and endurance from the inherently personal ties of affection, respect, and emotional responsibility among its members. The nature of the family's response to external conditions is often directed by family values that are, in turn, based to a large extent on the ties among family members. The family relationships themselves may give a meaning to social conduct that is independent of the values of other institutions.

The family can be used as a foundation for creating and using many types of non-family advantages. The

(positive or negative) contributions provided by the family to the life chances of its members may be as subtle as the access each family member has to the unique cultural processes occurring in a particular household or as obvious as the cooperation, or lack of it, among family members. The unique cultural processes occurring in a household refers to both the formal and informal transmission of cultural and social patterns. These processes are informally reflected in supposedly rational larger institutions due, of course, to the presence of family members who cannot escape carrying some elements of family values with them.

Often, in the theoretical approaches that assume a systemic perspective, institutions are presented as if they had firm, clearly defined boundaries. Usually, this is the case where only formal structures are considered. Weber realized that the informal aspects of social institutions are critically important in understanding the processes occurring within and between institutions. The family has lost much of its formal influence in many institutions, but it continues to have substantial informal influence. Due to its unique social and cultural contributions to its members' life chances, the family remains the most fundamental institutional source of social inequality. As always, there exist in every society a relatively few powerful

families that have the ability to influence, or even manipulate, large, supposedly rational structures in their own interests. But the greatest influence of the family as an institution does not necessarily come from these few powerful families, instead it comes from the subtle ways in which the family-nurtured values and relationships permeate the daily lives and life chances of their members. Moreover, the directness, concreteness, and importance of the irrational values engendered and supported by the family constitute a block to forms of rationalization and abstraction, impersonality and opacity created and promulgated by more thoroughly rationalized institutions.

(C) Summary and Conclusions

The focus of family life is in the social axis between the emotional attachments among its members and their personal respect and responsibility for each other. The combination of emotion and responsibility constitutes the prime mover, the binding force, and the source of the communal conventions of the family.

This combination provides the core of family life, but continuity is only established when the family social relationships furnish the basis for economic activities. The economic factors may favor or hinder the existence of social relationships but they

only have a limited affect on the content of the relationships.

In addition to a minimum level of economic organization, the family must have some level of "administrative" organization. The administrative authority regulates family activities. This authority of the head (or heads) of the household, usually the elders or parents, supplies the everyday direction of the family.

Both domestic authority and ethical responsibility among family members were justified in ancient times by the claim of a biological relationship, by the sanctity of tradition, by prescriptions of family piety, and by the emotional ties among family members. But domestic authority, as a clearly defined conscious activity of control, was limited by the regulations imposed upon the family by other emerging institutions and by the increasing opportunities for extra-familial activities offered by those institutions. Mutual responsibility was not an obvious effort at control. Instead, it was a subtle moral commitment to support one's kin and was not substantially influenced by other institutions, except to the extent that the form and degree of support changed along with other conventions. Institutional alternatives to mutual responsibility within the family, such as religious brotherhood, are rarely as strong or

as stable over the passage of time. The strongest non-institutional alternative, friendship, may rival family ties, but since friendship is not an institutional form it may exist in endless varieties and its influence is completely unpredictable.

The symbols of the family relationship are universal and pervasive. The family serves as the model for authority and loyalty in all other institutions. Even though there are now highly rationalized institutions, institutions where legal-rational authority has replaced traditional authority, the family still provides the individual's initial experience of authority and loyalty. Moreover, the family also furnishes many of the symbols that become the justification for the legitimacy of other institutions.

* * *

Historically, the family has been the natural route for the inheritance of rights and property in a community. This made the issues of family creation and membership the direct concern of all other groups in the community. The legitimate marriage agreement served as a mechanism by which other groups could limit the autonomy of the family.

The marriage agreement not only ensured the rights of sib members marrying out of the sib, but also protected the wealth and privileges of the sib, since

the sib was a body of heirs who stood to gain by securing their legitimate portion of the assets of the sib's constituent families. The critical position of the family in the distribution of wealth, power, and prestige made it the target for the regulation of marriage by economic, political, and status groups. Marriage agreements were viewed as preventing the totally arbitrary distribution of family assets, especially by the head of the household.

The marriage agreement was both a status contract and a sexual contract. As a status contract, it could permanently change the position of the participants in the community and assure the legitimacy of their descendants. As a sexual contract, the marriage agreement obviously established the exchange of sexual services for continuous tangible support. The marriage agreement formally affirmed the common conventional practices in sexual matters. Sexual activities were an expected part of the marriage relationship but were never practiced communally within the immediate family. The conventionally forbidden forms of sexual expression were not only emotionally disruptive but a gross violation of the respect and responsibility each family member had toward the others. The non-kinship institutions of the community added numerous sexual restrictions to the family's internal ones.

Full freedom of sexual contract, where there is complete freedom to make any kind of agreement on the rendering of sexual services, has been a very rare occurrence and has only existed among the wealthy. However, an arrangement equivalent to freedom of sexual contract can be created where there is a framework of legitimate marriage by permitting easy divorce while securing the assets and the rights of the participants and their descendants. Such an arrangement is only a possibility among economically and legally secure groups. Moreover, the emotional and personally moral ties among close family members restricts the extent of popular participation.

Regardless of its size and power, the family is more than an emotional haven, it is a natural foundation for creating and using all types of advantages. By cooperating with each other, family members can obtain objects and privileges that would be denied to them if they acted alone. Even the common household, if its members should draw together for action, can provide some small advantages over its neighbors. The very existence of a member's ongoing relationship with his or her kin imbues the member with the cultural traditions of the family, thereby further enhancing or hindering his or her life chances. Even when the

family ceases to act together, the experience of growing up within it contributes to its members' life chances, positively or negatively. It is often just these nuances of the complex life processes within a family that provide the differences among the life chances of individuals who appear to be similar in many other ways. In short, the family was and is a substantial source of advantage or disadvantage to an individual's life chances in economic, political, and social arenas.

The strength of the family lies in inherently deep personal ties of affection, respect, and mutual responsibility among its members. But the personal nature of the ties makes them strongest between close kin; and larger kinship structures have been vulnerable to external forces. Historically, many processes of institutional rationalization began with the attempts of family heads to obtain wealth, power, and prestige at the expense of other community members, including their own more distant kin.

Although the family has been formally separated from non-kinship institutions, many institutions continue to maintain succession to rights and advantages through family lineages. Even where formal succession through kinship has been eliminated, differential family access to wealth, education, and "connections" has continued to create de facto advantages. Finally, the complete

rationalization of non-kinship institutions is usually insufficient to impede the influence of an individual's informal succession to the advantages provided by his being raised in one family rather than another.

The unique position of the family as the only institutional forum for the expression of affection, respect, and mutual responsibility has been enhanced as other institutions have withdrawn from the routinized expression of the intense emotional elements of life. The family is the one enduring institution where the members find a direct, concrete, and almost unrationalized, meaning for their lives, a meaning that is fundamentally linked to their deepest and strongest emotions. Friendship, which is ultimately based upon sublimated, surrogate family values, does not have the means for preserving its values across generations. The latter must forever be renewed on an individual 'ad hoc' basis, while the family has a biological basis and an institutional form for maintaining and perpetuating its values.

The family is an active element in the lives of its members and in the community, rather than a merely reactive element reflecting changes occurring elsewhere. It responds selectively and in many different ways to external ideas and influences. The family is not a passive conduit for cultural transmission; every family

selects from a myriad of possible configurations of information, and its selection influences the life chances of its members. The family relationships themselves may give a meaning to social conduct that is independent of the values of other institutions. The greatest influence of the family as an institution does not necessarily come from the few socially and economically powerful families, instead it comes from the subtle ways in which family values and relationships permeate the daily lives and life chances of family members.

Even though the family in modern society has had many of its functions usurped, the potential exists for the family to re-appropriate some of its lost functions wherever other institutions chronically fail to perform them. Moreover, the family can provide a basis for recovering the sense of personal meaning that its members may lose through their involvement in a particular process of intellectual rationalization that renders the world senseless.

Weber's Perspective on the Family

1- Sources for section (A) The Nature of the Family:
ES 4, 7, 22, 31-36, 40-52, 226-227, 231, 324, 356-359, 363-365, 377, 669-672, 688-691, 953-954, 1006-1007
F 343-350
SAC 94-95, 148-149
GH 37-53

-and the earlier chapters of this work.

2- Sources for section (B) The External Relations of the Family:
ES 25, 34, 40-42, 324, 328, 356-359, 363-380, 601, 605-607, 636-637, 669-677, 687-692, 707, 726-727
SAC 94-95, 114-115, 131-132, 143-144, 148-149, 164-166, 250-251, 274-275, 397-398
F 343-350
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C 81-82, 87-89
I 39-40
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