M. Rainer Lepsius

Max Weber and Institutional Theory

Edited by
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Preface

This book on institutional theory is based on the ideas of Max Weber. It is written by one of the most influential German sociologists, M. Rainer Lepsius. The Weber expert was editor of the Max Weber Gesamtausgabe until his death in 2014. He used his vast knowledge of Weber's work to develop a sociological institutional theory that has much in common with the perspectives of other institutionalists today but introduces new concepts to the debate, such as the "institutionalization of guiding ideas" and the development of "rationality criteria." Lepsius was the descendant of a cosmopolitan family, his great-grandfather being the famous Egyptologist Karl Richard Lepsius. He was born in Rio de Janeiro and moved with his family to Madrid and later to Munich. As a postdoctoral student, he studied at Columbia University in New York, where he was influenced by Robert K. Merton and Paul L. Lazarsfeld and fostered strong international relationships throughout his academic life. Despite this international orientation, Lepsius' work is not well known outside of Germany, and only a few of his articles have ever been published in English. However, when studying current international concepts of institutional theory, it is possible to come to the conclusion that part of this work has been directly or indirectly influenced by Lepsius' perspective on Max Weber. Since many German social scientists are informed by Lepsius' macro-sociological writings or have participated in one of his famous lectures (Lepsius was an impressive speaker), some of his ideas may have passed through to the international scientific community. Like other postwar sociologists of the first generation, such as Ralf Dahrendorf, the sociological perspective of Rainer Lepsius was dominated by the paradigm that in Germany, National Socialism or any other form of extreme nationalism should never come to power again. As a consequence, Lepsius focused on National Socialism, on democratization processes in Germany, on German unification, and on the institutionalization of the European Union. His macro-sociological perspective and his contribution to institutional theory, however, go far beyond the German and European context. In addition to a better understanding of the sociocultural context preceding the emergence of the Nazi Regime as well as the development and modern stability of German democracy, Lepsius' work may help to explain the importance of value conflicts and differentiation processes for

the development of open democratic societies more generally, for instance, in the Arab world. Lepsius provides arguments as to why conflicts are a necessary precondition for modern societies in which different values and beliefs are allowed and have their place and provide orientation for social action. These conflicts, however, must be institutionalized and bound to procedures and therefore require a functioning public administration. Without reliable procedures, citizens cannot develop trust in institutions. In order to make his work accessible to an international audience, Rainer Lepsius and I agreed in early 2014 on producing this first English edition of articles that he selected. The article "From Fragmented Party Democracy to Government by Emergency Decree and National Socialist Takeover: Germany" was already available in English and has been reedited with the support of Ryan DeLaney. Two articles, Chap. 2 ("Interests and Ideas. Max Weber's Allocation Problem") and Chap. 3 ("Institutionalization and Deinstitutionalization of Rationality Criteria"), have been translated by DeLaney and edited by Claus Wendt. All other articles have been translated by the editor, followed by proofreading by DeLaney. All of Max Weber's direct quotations have been directly translated from the text and not taken from available English translations of Weber's work. We therefore refer to the German text originally quoted by Lepsius. In the list of references, English translations of the German titles are added, or, if available, existing translations of Weber's work are listed. Neither Weber's nor Lepsius' language is always easy to understand. Both authors invented new terms or used these terms with different meanings in mind than those intended in common language or in academic writing. Weber experts have already offered precise interpretations of these terms, and we have tried to make use of these suggestions. We are aware, however, that not all terms and arguments represent the best possible translation, and we are therefore very grateful for any feedback in this and other respects. The overall objective of this book and of Lepsius' research program, however, is not to produce the most precise recreation of Max Weber's work but rather to aid in the further development and establishment of analytical concepts in order to capture institutionalization and deinstitutionalization processes in today's societies.

Siegen, Germany Claus Wendt

Contents

Chapter 1
Introduction to Lepsius' Concept of Institutional Theory

Claus Wendt

1.1 Max Weber's Legacy

Institutional theory contributes to a better understanding of modern societies. This collection of macro-sociological essays by Rainer Lepsius is based on the work of Max Weber and focuses on National Socialism, democratization processes in Germany, the process of German unification, and the institutionalization of the European Union. This book will help to better understand how charismatic leadership not bound to and controlled by procedures threatens democratic structures and how "quick and efficient solutions" promised by a leader who is not restricted by party battle narrow individual freedom in the end. The book additionally contributes to a better understanding of why politicians (and maybe German politicians, in particular) often insist on compliance with procedures. Only if general procedures that cannot be changed arbitrarily are introduced can people develop trust in political and social structures and finally support them.

Many of today's institutional theorists acknowledge intellectual debts to Max Weber (see, among many others, Scott 1975; DiMaggio and Powell 1991a; Jepperson 1991; Meyer and Rowan 1991; Steinmo and Thelen 1998; Townley 2002; Jennings and Greenwood 2003), and some refer directly to contributions by Rainer Lepsius (see, for instance, March and Olsen 1996; Ebbinghaus 2005; Thornton et al. 2012). Weber is considered one of the early proponents of institutional theory. Some of his arguments were developed in his historical studies on science-based values, rational decision-making, and rational means of organizing. His work on bureaucracy is often mentioned in this context (Jennings and Greenwood 2003: 196f). Furthermore, scholars refer to the importance of values and the construction of meaning in institutionalization processes (Meyer and Rowan 1977; Jennings and Greenwood 2003: 199). Since it is important to identify ideas with relevance for institutionalization processes in a particular historical context, the basis of institutional analysis has often been laid down in historical studies that are particularly well-suited to answering institutional questions (Immergut 1998) and

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detecting differentiation processes. According to Weber, differentiation processes such as the historical development of bureaucracy are the consequence of the emergence of a market economy and centralized state (see Scott 1975; Meyer and Rowan 1991).

Four aspects are of particular importance when reading Lepsius' interpretation and further development of Max Weber's work: First, in his perspective of institutional theory, institutions are not static. The focus is on institutionalization processes and not on frozen institutions. Second, Lepsius does not offer a "grand theory," and we do not learn much about institutional effects in any time, context, and actor constellation. Lepsius' institutional theory should be read as a conceptual framework for disaggregating the real world in order to better understand social constellations and developments in a particular cultural, political, and economic situation. Third, culture, institutions, and social action are considered to be interrelated. Certain ideas lie at the beginning of institutionalization processes, and Lepsius defines these as "guiding ideas." Fourth, these "guiding ideas" or values do not directly guide social action. Only when criteria for rational behavior (which Lepsius terms "rationality criteria") as well as the context in which these criteria are valid are defined do ideas provide guidance to social action.

This introduction cannot acknowledge and cover all current contributions to institutional theory. Its main aim is to provide examples of similar or parallel developments in international institutional theory and compare some of them with Lepsius' contributions. This introduction does not discuss differences toward or among these contributions or try to position Lepsius' work in the wider context of institutional theory. However, the introduction may indicate possibilities to compare Lepsius' work with other theoretical concepts.

After dealing with the question "what are institutions?" and discussing the link between "institutions and culture," three debates in institutional theory are covered. First, the focus is on institutional change. Second, contributions are included that refer to three types of institutional theory: historical institutionalism, rational choice institutionalism, and sociological institutionalism (Hall and Taylor 1996; Immergut 1998). Third, we refer to the institutional logics debate, and it is in this field that we may find Lepsius' most direct contribution to institutional theoretical thinking.

1.1.1 What Are Institutions?

Referring to Max Weber, institutions have been described as Herrschaftsverbände and regimes (Jepperson 1991: 150; Streeck and Thelen 2005: 143). They are defined as organized, established procedures and as the property of an order (Jepperson 1991: 143, 145, 147). Definitions of institutions are particularly close to Lepsius' perspective if they are considered "social regulations" that symbolize principles and claim validity of a social order. This is described most clearly by Jepperson (1991), who views an institution as a social pattern that is regulated by rewards and sanctions. There are important parallels to Lepsius' work if the focus is

not only on how institutions are built up but also on their relationship to social behavior. Meyer and Rowan (1991), for instance, consider institutions to be scripts that are almost unconsciously enacted by individuals. From this perspective, institutions and the behavior based on them seem to be almost the same. Similarly, by referring to Meyer and Rowan's earlier work, March and Olsen point out that "actions of individuals and collectivities occur within these shared meanings and practices, which can be called institutions and identities" (March and Olsen 1996: 249).

Lepsius points to a higher degree toward processes of orientation and the idea that it is also possible to act out of line with the institution. Immergut (1998: 26) also emphasizes that institutions do not determine social action but provide a context in which action takes place. According to Hall and Taylor (1996: 939), it is therefore important to understand "how" institutions affect the behavior of individuals, in particular. An interesting formulation is used by DiMaggio and Powell (1991a: 11), who write that institutions establish the criteria with which individuals "discover" their preferences. In line with such reconsiderations, according to Lepsius, "What are institutions?" is not the relevant scientific question; rather, "What are the consequences of institutions for social behavior?" is, and Immergut (1998: 26) adds that institutions help us to understand "why" individual and collective actors make the choices they do.

When searching for examples of institutions that have been analyzed on the basis of institutional theory, we find studies on market economy, bureaucracy, and the educational system. The educational system is a highly relevant case for institutional studies. Due to the importance of belief systems and the existence of rules, the educational system represents a highly institutionalized context and has a higher impact on social behavior than do specific organizational boundaries. The behavior is structured by participating in the same institutional context and the same educational culture (Meyer et al. 1981: 159–60; Scott 1991: 180f). The market economy is another context that has been analyzed by institutionalists (see, in particular, Streeck 2009). Powell (1991: 183, 185) points out that institutional and competitive processes are not necessarily oppositional and adds that it is difficult to separate economic and institutional processes and that economic activities are often only possible on the basis of institutional arrangements. Institutions provide the framework for economic exchange and reduce uncertainty (North 1990; Jepperson 1991: 4). Like Streeck, Lepsius is less interested in possible differences between institutional and competitive processes but considers the market economy to be an institution that provides powerful orientation for individual behavior.

Today, institutional theory is particularly prominent in political science. The interest is on state and societal institutions and how they influence political actors and define their interests. Examples of an actor-centered institutionalist perspective are the rules of electoral competition and the structure of the party system (Steinmo and Thelen 1998: 2). In addition to the question of how institutions shape the objectives of political actors, how these institutions influence the distribution of power between them is also investigated (Steinmo and Thelen 1998: 6). Though it is not always clear whether Lepsius focuses on individual or collective actors, his

perspective is above all sociological, and he is interested in how the social action of larger population groups is structured. Both perspectives, however, are interrelated. Those who represent institutions behave in line with the institutional regulations and in so doing make these institutions as well as their own action calculable for larger groups of the population. On the basis of the resulting trust-building and orientation processes, institutions influence the behavior of these groups, as well.

1.1.2 Institutions and Culture

Some institutional theoretical approaches view institutions as being strongly related to a country's political culture. Powell (1991: 188), for instance, emphasizes that individual preferences and choices that are influenced by institutional patterns cannot be understood without taking the larger cultural setting into account. According to Powell (1991: 181), shared conceptions and symbols directly influence individuals' beliefs and social action, and not only in an organizational form. In this perspective, individuals are embedded in and respond to a cultural infrastructure. Similarly, Wuthnow et al. (1984) and Scott (1991: 168) point toward cultural systems as social phenomena in their own right that influence the social world not only when contributing to a change of social structures but also by ascribing meaning to these structures. In their review paper on institutional theory, Hall and Taylor (1996: 939) draw a distinction between a "calculus approach" and a "cultural approach." On the one hand, institutions provide actors with greater certainty about the behavior of others, and this strategically useful information is taken into account in social action situations (calculus). On the other hand, institutions affect actors' identities, self-images, and preferences (cultural). There is no such distinction in Lepsius' work, for he considers institutionalization to be a mediation process between "culture" and "society." For instance, in the democratization process in Germany after World War II, the establishment of institutions preceded the development of a democratic political culture. In the following years, however, a growing part of the population became socialized within a democratic political culture and began to believe in democratic values.

1.1.3 Institutional Change

Institutions are often considered to support the calculations of others' behavior and have been perceived as static entities that contribute to more security about the future and therefore to stability. Today, however, many institutionalists are primarily interested in institutional change (see, for instance, DiMaggio and Powell 1991b; Jepperson 1991; Thelen 2009; Jennings and Greenwood 2003; Béland and Hacker 2004; Ebbinghaus 2005; Scott 2005). Lepsius' perspective has much in common with these concepts, and like Jennings and Greenwood (2003: 199), he

considers institutional theory to focus on dynamic processes and thus more on institutionalization than on institutions. While scholars such as Ebbinghaus (2005) and Thelen (2009) have developed concepts for capturing institutionalization and de-institutionalization, Lepsius focuses more on the change of social action related to institutional change. Institutional change does not move in only one direction, and according to Lieberman (2002) and Ebbinghaus (2005), de-institutionalization may occur as a consequence of normative or cognitive developments. De-institutionalization can, for instance, be the consequence of the de-legitimation of an institution with new ideas that call taken-for-granted routines into question. In Chap. 5, National Socialism is discussed as an example of how changes in the degree of the orientation power of single institutions can transform a society's overall cultural and social system.

1.1.4 Three Streams of Institutional Theory

Institutional theory is generally divided into three distinct traditions: "Rational choice institutionalism," "sociological institutionalism," and "historical institutionalism" (Hall and Taylor 1996; Immergut 1998; Scharpf 2000; Lieberman 2002; Béland 2005; Wendt et al. 2011). All three types of institutionalism focus on the relationship between institutions and human behavior (Hall and Taylor 1996; Immergut 1998) and share the goal of contributing to a better understanding of institutions and their impact on individuals in modern societies.

According to *historical institutionalism*, institutional structures establish the rules of the game for political reform and create relevant obstacles, such as veto positions for politicians. These structures shape political behavior and outcomes (Immergut 1992; Lieberman 2002; Béland and Hacker 2004). By focusing on periodization and regimes, historical institutionalists have applied the path-dependency concept to describe the origin and persistence of institutions and analyze their influence on collective actors (Lieberman 2002; Ebbinghaus 2005).

Rational choice institutionalism relies heavily on concepts from the "new economics of organization," with its focus on property rights, rent-seeking, and transaction costs for institutions and institutionalization processes. This perspective helps to explain why institutions continue to exist by focusing on their functions and benefits (Hall and Taylor 1996: 943, 952). From an institutionalist perspective, the state and professions have been analyzed as "the great rationalizers of this century," with sustainable influence on individual behavior (DiMaggio and Powell 1991b; Powell 1991: 188). In this context, some authors have referred to the types of social action introduced by Max Weber (Roth 1987; Townley 2002): affectual, traditional, value-rational, and means-end-rational social action. Instrumental-rational and value-rational social action are considered important for understanding institutional change (Roth 1987), and Townley (2002: 165) adds that "social action is rational to the extent to which it is based on ideas and conscious choice." Lepsius possibly offers an analytical tool to understand the importance of values and ideas

as well as of means-end-rationality for social behavior. Value-related and rational-choice behavior are not seen as a contradiction. In Lepsius' perspective, in the process of institutionalization, values develop into "rationality criteria," with individuals acting rationally if following these criteria in a defined context of action.

In *sociological institutionalism*, in contrast, institutions are defined not only by externally imposed and sanctioned rules and procedures but also by unquestioned routines, cognitive scripts, and moral values (Hall and Taylor 1996; Scharpf 2000). According to DiMaggio and Powell (1991b), this focus on the cognitive dimension distinguishes sociological institutionalism from other or earlier institutionalist approaches. With its "account for taken-for-granted cultural meanings and scripts that underlie action" (Lieberman 2002: 701), sociological institutionalism seems to almost exclusively follow the "cultural" approach. From this perspective, institutions do not directly affect the strategic calculations of actors, but they shape these actors' basic preferences and identities (DiMaggio and Powell 1991b; Hall and Taylor 1996). This approach is therefore highly relevant for gaining a better understanding of the relationship between institutions and social behavior.

1.1.5 Values and Ideas

Powell (1991: 189) emphasizes that it would be difficult to expect the values of highly diverse individuals to be so uniform that these norms result in similar and predictable social behavior. DiMaggio and Powell (1991a: 15) therefore come to the conclusion that it is "(n)ot norms and values but taken-for-granted scripts, rules, and classifications [that] are the stuff of which institutions are made." The role of values was considered part of the "old institutionalism," whereas "neoinstitutionalism" has been characterized by a "cognitive turn" (DiMaggio und Powell 1991b; Scott 1995).

The focus on values and their relevance to social action is presumably the main contribution of Lepsius' work to the international debate on institutional theory (see, for instance, Chap. 11). By referring to Lepsius, Ebbinghaus (2005: 6) emphasizes the importance of "guiding ideas" to provide orientation for and restraint to social behavior. In Lepsius' concept of institutional theory, values and "guiding ideas" become relevant for social action if they are institutionalized. In this perspective, modern societies cannot be held together by reference to a moral consensus alone (see also March and Olsen 1996: 253).

In the process of institutionalization, values (or "guiding ideas") compete with other "guiding ideas," and since the resulting institutions are based on competing ideas, there is also competition and conflict among institutions (see, in particular, Chaps. 1–4; as well as Scott 1991: 170). According to Lepsius, if a value is institutionalized, individuals do not necessarily have to personally accept this norm or value in order to act in line with the respective institution. The innovative contribution according to his theory is that values or "guiding ideas" are, in the process of institutionalization, translated into "rationality criteria," and only in this

institutionalized form do values receive enduring relevance for social action. This perspective, therefore, represents a combination of the "cultural" and "calculus" approaches. Lepsius can be viewed as a link between "old" and "new" institutionalism and offers a possibility of incorporating values and rationality at the same time. These values, however, might not have the same meaning to institutions in later years compared with the period of institutional emergence (see also Immergut 1998; Thelen 2009).

The "institutional logics debate" refers directly to Lepsius' concept of Leitideen (guiding ideas, guiding orientations), which are institutionalized to different degrees and are considered to always be in flux (Thornton et al. 2012: 129). The concept of "institutional logics" was introduced by Friedland and Alford (1991) and has been taken up by other institutionalists, such as Scott (2005) and Thornton et al. (2012). According to Thornton et al. (2013: 129), "institutional logics" guide individual behavior in a particular situation and context. This focus has a great deal in common with the "context of validity" introduced by Lepsius (see, in particular, Chaps. 2–4). In this perspective, values, identities, and interests are embedded within institutional logics (Thornton et al. 2012: 6) and shape individual preferences (Steinmo and Thelen 1998). Similar to other approaches, this perspective states that institutions are potentially contradictory and therefore make different institutional logics available to individuals and organizations (Friedland and Alford 1991; Steinmo and Thelen 1998). Like Lepsius, proponents of this line of reasoning refer to Weber's argument that processes of rationalization result in the differentiation of society, resulting in distinct and autonomous "value spheres," with each "value sphere" demanding certain patterns of behavior that are considered "rational" while sanctioning "irrational behavior" (Townley 2002: 164).

1.1.6 Conflict

In institutional theory, the question of conflict is highly relevant. Thelen (2009: 492) proposes "that scholars working within frameworks that conceptually conflate the institution and behavior under this institution will find it difficult to develop an account of change that leaves room for conflict and agency." This potential contradiction can possibly be resolved by Lepsius' concept in which contingencies that are not in line with the institution's guiding idea are externalized and remain unsolved or result in new institutionalization processes. The new institutions are necessarily in conflict with the older ones; otherwise, no externalization and new institutionalization would have taken place. Examples include institutions such as a market economy and social policy. Institutions are the product of conflict and agreement (Streeck 2009: 15). This perspective, namely that institutional environments are "conflicted" and that institutional struggle is always part of institutionalization and de-institutionalization processes, can also be found in contributions by Scott (2005), Streeck and Thelen (2005: 15), Thelen (2009), and many others. In order to analyze these conflicts, it is necessary to identify the

boundaries of the respective institutions or, in the words of Lepsius, the validity context. An often-quoted example of this perspective on "conflicts" and "institutions" is the analysis of the "institutionalization of class conflict" by Dahrendorf (1964: 267ff; see also Chap. 8). However, the question of how to empirically analyze institutional conflicts remains (Scott 1995: 130; Townley 2002: 164). The following chapters by Lepsius do not provide a systematic analysis of conflicts and institutionalization processes; however, Lepsius provides concepts and empirical examples to aid in better capturing conflict, institutionalization, and social action.

1.2 Structure of the Book

The second part of this introduction offers short introductions to the following twelve chapters of the book. Though the theoretical concept is laid down in most chapters, with institutionalization, de-institutionalization, political culture, and trust-building covered throughout the book via examples from Nazi dictatorship, democratization in Germany, and the European project, the book is broadly structured according to the following themes: In Chaps. 2–4, the theoretical framework for analyzing institutions is laid down. Chapters 5 and 6 discuss how institutionalization and differentiation take place. In Chaps. 7 and 8, trust in institutions is contrasted with trust in individuals. These chapters deal with extreme nationalism, de-legitimization, and de-institutionalization, and these analytical concepts are further elaborated in Chaps. 9–11. Finally, in Chaps. 12 and 13, institutionalization processes and the development of a democratic political culture are discussed.

1.2.1 Theoretical Framework for Analyzing Institutions

The second chapter is entitled "*Interests and Ideas. Max Weber's Allocation Problem*," with Weber's focus on interests and ideas at the center of Lepsius' institutional theory. The formation of interests and the conflicts between them are seen as relevant for the institutionalization processes, and ideas or "guiding ideas" (another term for values) are considered important for providing guidance for social action and for legitimizing institutions.

It is the question of how aspects of social behavior and organizational contexts can be attributed to particular ideas that reveals how close this institutional theory is to cultural sociology. The research agenda borrowed from Weber aims at identifying the interrelationship between the logic of the structure of social action and the logic of the construction of meaning. The substance of particular ideas is to be isolated from the sum of ideas that constitute a certain culture, and the consequences of these ideas are to be analyzed. Sociology, according to Lepsius, should not analyze culture in a "diffuse and vague sense" but rather focus on the societal consequences of certain ideas. It is not sufficient to identify and analytically isolate

these ideas, but it is essential to detect the ideas' cognitive structure and their relevance for social action. Accordingly, there are important parallels to the "cognitive turn" in institutional theory as well as to the "institutional logics" debate discussed above.

From this perspective, the task of cultural sociology is to focus on the context that produces ideas with relevance for institutionalization processes and to analyze the interdependencies between different ideas. According to Lepsius, it is this focus that makes Max Weber's work (and his "Protestant Ethics," in particular) relevant for today's cultural sociology as well as for institutional theory. The emphasis on the relevance of values and guiding ideas for institutionalization processes can be considered Lepsius' first contribution, and he shares this with many other protagonists of institutional theory. Lepsius' second contribution, however, distinguishes his work from most other institutional theories and furthermore complicates institutional analysis and the identification of the relevance of ideas for social action, in particular. He argues that the function of values may change as soon as social behavior is institutionalized. This makes the attribution of social action to certain ideas even more complex and requires knowledge about ideas that have been relevant in the context of institutional emergence as well as about ideas with relevance for later institutional change. Cultural sociology, with an interest in the relevance of institutions for social action, must accordingly focus on the consequences that derive from the cognitive structure of ideas as well as on "consequences that arise from the coincidence with unique contextual conditions" (see "Interests and Ideas. Max Weber's Allocation Problem," p 40).

The third chapter focuses on "*The Institutionalization and Deinstitutionalization of Rationality Criteria*." The combination of both the "cultural" and the "calculus" approaches suggested by Hall and Taylor (1996) is best expressed by Lepsius' term "rationality criteria." His argument is that in the process of institutionalization, ideas or values develop into behavioral maxims with relevance for a larger group of individuals who are not necessarily in contact with each other and who have their own interests and motives. Lepsius terms these behavioral maxims "rationality criteria" since following them in order to realize legitimate principles is considered rational. In other words, values and guiding ideas become substantiated and institutionalized by the creation of rationality criteria with relevance for social action. The possible influence of rationality criteria is always bound to a certain context of social action and therefore to the structure of the situation in which social action takes place.

The combination of cultural and rational elements in the concept of "rationality criteria" can be considered Lepsius' third contribution, and the emphasis that these criteria only have relevance in a particular social context is a fourth contribution. Institutional contexts, however, may overlap, and in a diffuse action situation, an idea's power to provide orientation is weakened by other guiding principles that claim validity in the same context. Lepsius considers this process, namely the formation of rationality criteria and the differentiation of their context of validity, to be the core of institution-building. The underlying values and guiding principles provide the legitimacy for institution-building. The behavioral relevance results

from a combination of "calculus" and "cultural" elements, from sanctions, and from behavioral habituation.

Lepsius provides the example of income maximization, which is considered rational behavior in an economic context. Irrespective of the reasons, those who do not follow this principle act "irrationally." In a different institutional context, such as the family, the same income maximization behavior would be considered "irrational" and would provoke severe sanctions. A guiding idea can claim high relevance for social action if institutionalized in the form of a rationality criterion and if a behavioral context is defined in which this principle has its own means of sanctioning. Only in this context is social action related to the respective rationality, while problems beyond these criteria are externalized. Since other institutions are to be developed for solving these externalized problems, the other side of the coin of the development of rationality criteria is social differentiation.

The focus, therefore, is on institutionalization, not on static institutions. The externalization of problems that are to be solved in other institutional contexts leads to social differentiation and therefore to a continuous process of institutional change. Often, only cumulative effects over a long period of time are visible. Furthermore, institutional change does not move in only one direction. Both institutionalization and deinstitutionalization processes of a guiding principle may take place.

Such a perspective is highly relevant for international comparison. In different institutional contexts, different forms and degrees of inter-institutional conflicts are likely to occur. When comparing Western and Eastern Europe, for instance, one reason for more severe institutional conflicts in the East could be that mediating actors and mediating processes are less developed in this region. Successful institutionalization in the West does not necessarily represent a model for the East.

Another focus of this chapter is on organizations and therefore on contributions to the discussion of the relationship between institutional theory and organizational sociology (see also Jepperson and Meyer 1991). Lepsius provides examples showing that institutional conflicts can take place between as well as within organizations and that several institutions can claim to be valid within an organization. Therefore, he concludes, it is advisable to clearly distinguish between "organizations" and "institutions." However, institutions that are represented by organizations to a low degree depend to a greater extent on individuals who have internalized the institutions' guiding principle (this argument is further elaborated in Chap. 4).

Chapter 4 deals with "*Institutional Analysis and Institutional Policy*." Lepsius, who considers an institution to be a social structuring that provides value relevance to social action, defines institutionalization as a "mediation process between 'culture' and 'society.'" This chapter provides another overview of Lepsius' concept of institutional theory. This time, however, this is done with a stronger focus on institutional policy, which is defined as the intentional influence on the degree and direction of the institutionalization of a guiding idea. Regulation, de-regulation, and re-regulation are the day-to-day work of institutional policy. By referring to Paul Lazarsfeld, Lepsius proposes that institutional analysis takes place in a five-

dimensional "property space" consisting of, first, the development of ideas into rationality criteria, second, the differentiation of validity contexts, third, the means to sanction, fourth, the externalization of problems not covered by the institution, and fifth, conflicts and mediation processes between different guiding ideas. The externalization of problems and contingencies contributes to homogenizing the orientation for social action in a defined social context. The focus of institutional analysis is on the relationship between ideas and the structuring of social action by asking "Which guiding ideas structure social action to which degree and in which validity context?" (see Chap. 4, p. 50).

The focus on institutional policy makes institutional analysis even more complex since the relationship between institutions and the overall institutional order that is influenced by this relationship is to be taken into account. From this perspective, the coordination and moderation of rationality criteria and of conflicts between them lie at the center of public policy. Lepsius offers the example of social policy, which is at the same time in conflict with and strongly related to the market principle of profitability.

Another example that is covered in this chapter is the institutionalization of a new guiding idea in Europe, the supra-nationality of the European Union. This guiding idea is in conflict with the sovereignty of the European nation-state. This struggle lies at the core of the dynamic development of the European project, and the European refugee crisis in 2015 and the following years demonstrates that this conflict is still alive and present. Lepsius' argument is more general. Since member states have been less and less able to solve the consequences of the European institution-building process, the externalization chances for Europe have decreased, and ever more competences are to be transferred to the European level. Therefore, further guiding ideas are to be institutionalized in Europe, and such developments require legitimacy. Lepsius views the formation of the political will at the European level as a precondition for a further strengthening of European institutions. He does not discuss alternative developments, but according to his conceptual framework, a conflict such as the refugee crisis could also lead to de-institutionalization processes since European institutions do not seem to provide sufficient orientation force in such a situation.

In principle, however, institutional differentiation of competing guiding ideas is possible at the national and the supra-national levels, and the relative autonomy, value justification, and context-related relevance are the preconditions for open, plural, and participatory life orders. Such developments require normative decisions and a high level of legitimacy.

1.2.2 How Institutionalization and Differentiation Take Place

Chapter 5 analyzes "*The Institutionalization of Rationality Criteria and the Role of Intellectuals*." Lepsius emphasizes that despite the importance of "rationality

criteria" in his conceptual framework, the question is not about the dichotomy between rationality and irrationality but, in the words of Max Weber, about the "peculiarity of the Occidental rationalism" (see Chap. 5, p. 62), for which the following issues are to be taken into consideration: The life areas in which rationalization takes place, the degree and direction of rationalization, the interrelation of differently rationalized life areas, and the consequences for the overall cultural and social order.

When asking how institutionalization takes place, Lepsius points to the role of intellectuals in the struggle over the form and direction of institutionalization processes. In this perspective, rationalization leads to intellectualization and therefore to a growing impact of intellectuals. They both have an impact on institutional reform and are involved in the struggle to increase the scope of validity of certain rationality criteria, and they identify and criticize tensions between different rationality criteria and the respective life areas.

Lepsius uses Weber's distinction between "priests" and "prophets" to describe the role of intellectuals. By "priests," he refers to today's officials who administer rationality criteria in an institutionalized context of action, whereas by "prophets," he refers to those who have no official position but criticize the use of rationality criteria (see also Weber 1972: 259ff., 268ff.). They can belong to different groups of people, but in principle, any individual can be both "priest" and "prophet."

In modern societies, differentiation and institutionalization processes have resulted in an increasing importance of the legal system with the consequence of a growing juridification of social relationships. Lepsius concludes, however, that "as effective as judicial coordinative mechanisms are, they should not exclusively define the constellation of rationality criteria or the resulting configuration of the social and cultural order of a society" (see Chap. 5, p. 68). Not only are "priests" who represent institutions crucial to modern societies, but so, too, are "prophets," who criticize institutions.

In addition to the theoretical framework, Chap. 6, "*Modernization Policy through Institution Building: Criteria of Institutional Differentiation*," provides a precise analysis of historical developments with a particular focus on allocation problems. Conflicts are considered a precondition for the development of modern societies, with rationalization processes of the social order being core characteristics of modernization. It is key, however, that these conflicts be regulated and mediated.

Weber considers the differentiation of the state and the Church to be the fundamental starting point and precondition of institutional differentiation. The crucial point is that this duality prevents the fusion of political authority with the legitimation of this authority. From this perspective, political authority can never have the competence to construe its own legitimacy. Such a separation of Church and state has never taken place in Russia and can be considered one of the barriers of the Russian path to modernity.

According to Weber, the second differentiation that has been structurally determining is the development of the Occidental town. Within the patrimonial and feudal order, the town became an independent authority, the main carrier of

structural heterogeneity, and a motor of social change. Applying this perspective to the twenty-first century, modernization processes in Hong Kong and Singapore can be considered a motor of social change in China. However, they need to maintain independent authoritative power. More generally, support of local structures and independent developments is crucial for differentiation and modernization processes. For institutional theory, the example of the "Occidental town" demonstrates that in a particular context (defined by Lepsius as validity context), "deviant" social action can develop free of sanctions from the overall society and therefore, over time, has the chance to find acceptance.

The third rationalization process that is part and carrier of institutionalization has been discussed by almost all schools of institutional theory: the development of a bureaucratic administration. The development of bureaucracy with qualified administrative personnel and universal norms resulted in a specific rationality of administrative behavior. A behavior bound to norms and with its formal norm-adequacy continuously evaluated on the basis of the statutory law is predictable and therefore provides strong orientation power for the clients of organizations.

Inter-institutional conflicts are considered typical for institutional differentiation, and institutional differentiation a precondition for innovation and modernity. "Modernity" can be primarily distinguished from "pre-modernity" by the existence of conflicts between institutions with different rationality criteria that are relevant for social action. In other words, regimes in which conflicts are suppressed are not on a path towards modernity. Part of this perspective is the acceptance of an "imperfect social order" as well as an acceptance by the population that "the state" or "the government" cannot solve and is not responsible for all social problems. The high extent of institutional differentiation provides individuals with the possibility to be active and participate in highly diverse contexts and processes for solving social problems. Even severe social and political conflicts, as are symbolized in America today by the Tea Party movement and also visible in the preliminary elections in 2016, are no sign of a lack of support of democracy despite their criticism of the Washington "political establishment" as long as no de-institutionalization takes place.

1.2.3 Trust in Institutions Versus Trust in Individuals

Chapter 7 analyzes "*Trust in Institutions*." From this perspective, a theory of institutions is a theory of trust. Without trust, institutions are meaningless and hardly relevant for orientation or for social action. If trust in institutions develops, we do not have to rely on trust in individuals or their individual motives and characters. Trust is placed in the guiding idea of an institution and does not need to be placed in a person's character. Trust is placed in an institution's code of procedure and does not need to be placed in a person's motives. For those who orient themselves toward institutions, it is therefore sufficient to evaluate the achievements of an institution, and these individuals do not need to obtain

knowledge about particular persons. For the development of trust, it is not required that the precise institutional rules and procedures in addition to the underlying guiding ideas be explicitly known and fully understood. Instead, the repeated fulfillment of expectations is crucial for trust-building processes.

There are various reference units for building up trust in institutions. First, trust can be placed directly in the guiding idea without taking the resulting institutionalization into account. Second, trust can be placed in the material results of an institution, while the guiding idea is of secondary importance. For instance, trust in a market economy is often initially reproduced on the basis of positive results, such as being employed and receiving an income. Third, trust can be directly placed in the institution without considering the underlying values and the material results. Lepsius refers to the example of "constitutional patriotism," which developed in Germany in sharp demarcation to institutionally unbounded nationalism, which was highly influential and fateful in German history. However, the limits of institutional trust are reached if people do not believe (any longer) in the underlying values and if they do not experience positive results of institutions over a longer period of time as well as if, as a consequence, trust in institutions is replaced by trust in individuals (see Chapter 8). In case of functioning institutions, on the other hand, the corruption of individuals does not reduce trust in institutions. On the contrary, when corruption is made public, debated and criticized, and finally, institutionally sanctioned, the institutional order is strengthened. It is not the behavior of individuals who represent institutions that reduces trust in institutions but rather individuals' unsanctioned behavior that does so.

In Chap. 8, "*Max Weber's Concept of Charismatic Authority and its Applicability to Adolf Hitler's 'Führerstaat*,'" Lepsius applies the concept of "charismatic authority" to analyze Adolf Hitler's position in Nazi Germany. He uses this framework to study the relationship between person and structure, or, more precisely, the personalization and the peculiar structuration of the National Socialist regime. This is a highly relevant example for institutional theory since it reveals the consequences of de-institutionalization and institutional decline.

"Charisma" in the sense used in this chapter is not identical with prestige or reputation but rather describes the extraordinary quality for which a particular person is considered a "leader." Furthermore and even more important, charisma arises from a social relationship between the charisma holder and the charisma believers. Such a charismatic relationship is not structured in a rational way, and institutionalized rationality criteria have no importance. Instead, the relationship is personalized and affective. It breaks away from any institutionalized social action, from collective decision-making, from binding hierarchies, and from the institutionalization of social conflicts.

Regardless of the prestige and number of followers, however, a "charismatic leadership" does not exist as long as the social system is not changed and remains to be controlled by independent institutions. There are various examples of charismatic personalities who never developed a charismatic leadership. In German history, however, there is a long tradition of belief in strong personalities and anti-institutional authority, and after being defeated in World War I, the population

showed a latent readiness to follow a charismatic leader. The perception of a severe crisis is the premise for a latent charismatic situation in which political institutions and their representatives are considered unable to master the crisis.

What began as an economic crisis resulted in a political one. A growing part of the German population saw a break with the existing institutions as the only solution. The permanent use of the emergence paragraph 48 not covered by the constitution weakened the constitutional order. The Enabling Act of 1933 constituted the final break with the former institutional order and abolished the parliament as a democratic institution as well as the principle of the separation of power. Hitler immediately restructured the existing constitutional and legal framework, and constitutional civil rights were abolished only four weeks after his appointment as chancellor. Only by abolishing the institutional order could the latent charismatic relationship become a manifest charismatic relationship with the establishment of a charismatic leadership.

More generally, the chapter demonstrates possible consequences of a breakup with formal rules and institutional differentiation and reveals that the lower the institutionalization is, the greater the potential for a personalization of leadership is. The more that political leadership is structured on the basis of direct personal loyalties to the leader, the higher the potential for the development of charismatic leadership is.

1.2.4 Extreme Nationalism, De-legitimization, and De-institutionalization

Chapter 9, "*From Fragmented Party Democracy to Government by Emergency Decree and National Socialist Takeover: Germany*," continues the study of charismatic leadership and additionally focuses on the "democratic potential" in Germany. The self-destructive possibilities of modern societies are analyzed via the example of the German Weimar Republic. By using the term "democratic potential," Lepsius does not intend to refer to a peculiar authoritarian personality maintained by Germans but rather to the conceptualization of the democratic institutional order. He argues that authoritarian personalities could be affiliated with democratic parties just as democratic personalities could identify themselves with authoritarian parties.

In a party system, ever-different conceptualizations of the political order are institutionalized. The more that the democratic potential rests on only a few parties, as was the case in the Weimar Republic, the more a democratic regime is at risk in times of crisis if protest voters change to non-democratic parties. According to Lepsius, during the Weimar Republic, about 45 % of the voters supported a democratic political order, 35 % an authoritarian political order, and 10 % a Communist political order, with 10 % undecided between the democratic and the authoritarian camps.

With respect to the electoral system and the constitution, Lepsius comes to the conclusion that neither core institutions caused the breakdown of the Weimar Republic or strengthened democratic political processes. As a result, the authoritarian political order always remained an alternative for vast and influential parts of the population, such as civil servants, the military, and most importantly, the former aristocracy. These groups did not trust the institutional order of the Weimar Republic but were ready to believe in ultimate values of an unknown new political and social order.

Chapter 10, "*Extreme Nationalism. Structural Conditions of the National Socialist Seizure of Power*," focuses on the middle-class as a carrier of national values. Members of the middle-class were perceived as (and claimed to be) realizing society's overall ethical norms, such as honesty and ambition as well as national reliability and responsibility. As part of this self-conception, any threat to the position of the middle-class, in economic or other terms, was perceived as a threat to the ethics of overall society. According to Lepsius, middle-class nationalism does not reflect a particular nationalistic mentality of its members but is instead related to these members' perceived position in the social structure. Middle-class self-confidence, in this perspective, rests on the definition of its role within the nation and also on the perceived position of the nation among other nations. Lepsius argues that middle-class nationalism grows if its members' economic and sociocultural positions are threatened and that extreme nationalism among the middle-class becomes more likely if the position of the nation is undermined. The question remains, however, as to how (even before the National Socialist seizure of power) the middle-class in Germany could follow the irrational nationalism that could not and did not promise practical help for its social and economic problems at that time.

What is the link to institutional theory? The chapter focuses on the nation-state as an institutional order with universal and severe sanctions and with highest relevance for orientation processes and social actions. From this perspective, according to Lepsius, all members of a society are nationalistic as long as they do not want to withdraw from the sanction context, as is the case with some national minorities. The chapter demonstrates that extreme nationalistic developments become dangerous when unspecified ultimate values become the main frame of reference. The less the concept of the nation is defined, the higher the chances are that population groups identify themselves with empty symbols or slogans such as "Germany awake!" The National Socialist mass movement, Lepsius concludes, was the result of a coincidence of structural and cultural factors. Such a coincidence is rare but not unique. The complex and heterogeneous social and cultural conflicts on which nationalism is based can, in most cases, be controlled. Only when social and cultural conflicts break out at the same time may they become unlimited and uncontrollable.

Chapter 11 analyzes "*The Ethics of Institutions*." What are the "ethics" of institutions? What are the ethical commitments that are created by institutions and are relevant for those who act in the respective context? These questions are important since institutions are guarantors for the ethical integrity of those who act within the institutional context. This is, for instance, the case in medicine, justice,

science, and law enforcement. The moral integrity of the individual's action is guaranteed by the legitimacy of the institution. The "ethics" of an institution are defined and restricted by its context of validity. Problems that are not part of a particular institutional context are externalized even if the consequences are considered to be unethical. They need to be dealt with by other institutions.

Lepsius refers to the example of the border troops of former East Germany to discuss individual ethical responsibility in the context of unethical institutions. In the German Democratic Republic (GDR), citizens who illegally crossed the border were declared "enemies." The action of the "border troops" was legitimized by the institutional order of that time, and "victims of the Berlin wall" were considered consequences of a legitimate order as long as the GDR regime existed. After 1989, however, many border troops, generals, and members of the highest political authorities were sentenced for manslaughter or complicity in manslaughter in numerous trials.

The former "command-and-obey" structure offered very limited room for individual social action, with severe sanctions in cases of non-compliance. Lepsius refers to the context of a totalitarian dictatorship in which individuals are hardly protected on the basis of civil rights and have only very limited room for deviant behavior. Non-compliance with the institutional structure, therefore, requires extraordinary individual self-reflection and the readiness to risk severe social and political sanctions. More generally, institutional orders in which a wide range of values are not represented and that do not allow open public debates produce an ethical indifference toward the common good. Institutions define the context of action not only in structural but also in cognitive terms. Institutions define the situation and therefore the goal and context of action and provide meaning to the situation. Highly institutionalized and strictly controlled social contexts leave little room for interpretation and have a great influence on social action.

Therefore, when analyzing totalitarian regimes, it is crucial to be cautious not to transfer the "immorality" of an institution to its members. Lepsius argues that if a change of a political order is only possible on the basis of high individual risk and heroic action, this order has already lost its morality. In such an order, the conditions for self-responsible behavior are lacking. Ethical principles could be followed in the private life-world but are not institutionalized and therefore provide no guidance for social action beyond the private sphere. In totalitarian regimes, the ethics of the individuals and the "ethics" of institutions fall apart, and behavior in private and public is strictly separated.

1.2.5 Institutionalization and Political Culture

Chapter 12 deals with "*The Legacy of Two Dictatorships for the Political Culture of a United Germany*." After World War II, new political institutions were built up. Due to the breakdown of National Socialism, there was an acceptance of institutional change. However, until the 1960s, there was resistance to the

democratic political culture in West Germany, and it was only over a long period of time that trust in the political system and democratic behavior developed. After 1989, the development of a political culture took place on the basis of established West German institutions. In East Germany, a slow process of orientation toward the new institutions took place. In the beginning, few people participated in political parties or other political activities. Many perceived themselves as minorities against West Germans, and indeed, political decision-making was dominated by the West German majority.

A common democratic political culture, therefore, faced considerable problems in united Germany. A political culture depends on the acceptance of its institutions, and people only develop trust in institutions on the basis of positive experiences in everyday life and fulfilled expectations. East Germans often experienced the opposite. New institutions demanded a high level of individual flexibility and decision-making that had been unknown to most East Germans, who were socialized in a system of job guarantees and universal childcare. Therefore, instead of trust, there was insecurity and distance regarding the institutional order.

Lepsius discusses the question of whether the acceptance of a democratic institutional order would have been easier if new common institutions had, at least in part, been built up in united Germany. His answer is "no." From the institutionalist perspective offered in the chapters of this book, the political culture of East Germany provides no basis for a democratic institutional order (this point can be extended to other socialist countries). A democratic political order depends on the self-legitimation of its basic principles, for which, according to Lepsius, not only trust but also loyalty toward the institutional order is required. Such a system loyalty is based on the acceptance of values related to individual civil rights and their realization within an order of solidarity, which is not experienced and practiced in totalitarian regimes.

The final chapter of this book, Chap. 13, "*The Formation of the German Political Culture by Institutional Orders*," draws an even closer link between political culture and a society's institutions. The argument is that without knowledge of the institutions, there is no understanding of the political culture. A political culture is the outcome of socialization processes through which people have learned patterns of belief and values and have developed certain perceptions of the social order. These orientation processes take place within the institutional framework. There is a strong interrelationship between political culture and institutions since institutions cannot exist without legitimizing values and since value orientations have no impact without institutions.

Post-war Germany is an interesting case for analyzing the interrelationship between institutions and political culture since the establishment of new political institutions preceded the emergence of a democratic political culture. After National Socialism, the new political order could not rely on a political culture that legitimized democratic institutions by referring to democratic values. Germany began as a democracy without democrats. There were no citizens who were socialized within a democratic political culture, which needs more time to develop than it takes to introduce democratic institutions. In this chapter, Lepsius analyzes

the hypothesis that the precedence of institutions in Germany shaped the political culture.

The period from 1945 to 1953 was one of rapid institutional innovation. The main institutional innovations were the party system, the principle of federalism, the system of industrial relations, and constitutional justice. Compared with the "economic miracle," these developments received little attention. However, the innovations that resulted in a new institutional order were of utmost importance for integrating economic, social, and political elites and for providing orientation for the overall population. On the basis of these experiences, a political culture has developed that contributes to the socialization of new generations. Due to the high importance of the constitution, the new German political culture has been labeled "constitutional patriotism."

In Germany, the new party system became a major factor of institutional innovation. The traditional cleavages between Protestants and Catholics as well as between the working-class and the middle-class were bridged. The new "people's parties" absorbed smaller radical parties and thus contributed to a political culture that became centralistic, non-polarizing, and non-ideological. In sharp contrast to the Weimar Republic, political parties show high responsibility for the overall political system and are not limited to the representation of particular interests. So far, a governmental majority has only been possible in coalition with another party, and all coalition partners have to take accountability for the overall governmental action while in power. This experience is strengthening the centralistic and non-polarizing political culture.

With respect to federalism, the important point is that autonomous units of decision-making exist below the national level. Therefore, there are various representation- and participation bodies, and citizens have a vast spectrum of participation options. The Länder are governed by different majorities, resulting in a plurality of political elites and offering minorities the chance to participate not only at the regional but also at the national level. Federalism, therefore, has become an important element of the democratic political culture in Germany.

The system of industrial relations is another institutional innovation (see also Thelen 2009). German trade unions and employers have often been considered to act in a manner that takes the overall economic order into account, with a low number and intensity of strikes compared with other countries. This order is institutionalized in a manner that requires democratic strike ballots before a strike begins and before the results of a labor conflict are accepted. A system of workers' participation, multiple-interest mediation, and orientation toward compromises has developed in industrial relations, resulting in a political culture with responsiveness to society as a whole.

The most important building block for the renewal of the institutional order after the experience of National Socialism was the establishment of the constitutional state with a binding administration, jurisdiction of the law, and individual basic rights that are not at the disposal of the legislator. Constitutional rights are protected by the Federal Constitutional Court. In this chapter, Lepsius demonstrates that the German political culture is no longer based on undefined collective values such as "the nation"

or "ethnicity" but rather on specific individual rights. German political culture is strongly legally bounded and has been individualized and de-collectivized.

References

Béland D (2005) Ideas and social policy: an institutionalist perspective. Soc Policy Adm 39 (1):1–18

Béland D, Hacker JS (2004) Ideas, private institutions and American welfare state 'exceptionalism': the case of health and old-age insurance, 1915–1965. Int J Soc Welf 13:42–54

Dahrendorf R (1964) Class and class conflict in industrial societies. Stanford University Press, Stanford

DiMaggio PJ, Powell WW (1991a) Introduction. In: Powell WW, DiMaggio PJ (eds) The new institutionalism in organizational analysis. The University of Chicago Press, Chicago, pp 1–38

DiMaggio PJ, Powell WW (1991b) The iron cage revisited: institutional isomorphism and collective rationality in organizational fields. In: Powell WW, DiMaggio PJ (eds) The new institutionalism in organizational analysis. The University of Chicago Press, Chicago, pp 63–82

Ebbinghaus B (2005) Can path dependence explain institutional change? Two approaches applied to welfare state reform. MPIfG Discussion Paper 05/2. Max Planck Institute for the Study of Societies, Cologne

Friedland R, Alford RR (1991) Bringing society back in: symbols, practices, and institutional contradictions. In: DiMaggio PJ, Powell WW (eds) The new institutionalism in organizational analysis. University of Chicago Press, Chicago, pp 232–263

Hall PA, Taylor RCR (1996) Political science and the three new institutionalisms. Polit Stud 44 (5):936–957

Immergut EM (1992) Health politics. Interests and institutions in Western Europe. Cambridge University Press, Cambridge

Immergut EM (1998) The theoretical core of the new institutionalism. Polit Soc 26(1):5–34

Jennings PD, Greenwood R (2003) Constructing the iron cage: institutional theory and enactment. In: Westwood R, Clegg S (eds) Debating organization: point counterpoint in organization studies. Blackwell, Maiden, pp 195–207

Jepperson RL (1991) Institutions, institutional effects and institutionalism. In: Powell WW, DiMaggio PJ (eds) The new institutionalism in organizational analysis. The University of Chicago Press, Chicago, pp 143–163

Jepperson RL, Meyer JW (1991) The public order and the construction of formal organizations. In: Powell WW, DiMaggio PJ (eds) The new institutionalism in organizational analysis. The University of Chicago Press, Chicago, pp 204–231

Lieberman RC (2002) Ideas, institutions, and political order: explaining political change. Am Polit Sci Rev 96:697–712

March JG, Olsen JP (1996) Institutional perspectives on political institutions. Governance 9 (3):247–264

Meyer JW, Rowan B (1977) Institutionalized organizations: formal structure as myth and ceremony. Am J Sociol 83:340–363

Meyer JW, Rowan B (1991) Institutionalized organizations: formal structure as myth and ceremony. In: DiMaggio P, Powell W (eds) The new institutionalism in organizational analysis. University of Chicago Press, Chicago, pp 41–62

Meyer JW, Scott WR, Deal TE (1981) Institutional and technical sources of organizational structure: explaining the structure of educational organizations. In: Stein HD (ed) Organization and the human services: cross-disciplinary reflections. Temple University Press, Philadelphia, pp 151–179

North DC (1990) Institutions, institutional change, and economic performance. Cambridge University Press, Cambridge
Powell WW (1991) Expanding the scope of institutional analysis. In: Powell WW, DiMaggio PJ (eds) The new institutionalism in organizational analysis. The University of Chicago Press, Chicago, pp 183–203
Roth G (1987) Rationalization in Max Weber's developmental history. In: Lash S, Whimster S (eds) Max Weber, rationality and modernity. Allen & Unwin, London, pp 75–91
Scharpf FW (2000) Institutions in comparative policy research. Comp Polit Stud 33(6–7):762–790
Scott WR (1975) Organizational structure. Annu Rev Sociol 1:1–25
Scott WR (1991) Unpacking institutional arguments. In: Powell WW, DiMaggio PJ (eds) The new institutionalism in organizational analysis. The University of Chicago Press, Chicago, pp 164–182
Scott WR (1995) Institutions and organizations. Sage, Thousand Oaks
Scott WR (2005) Institutional theory: contributing to a theoretical research program. In: Smith KG, Hitt MA (eds) Great minds in management: the process of theory development. Oxford University Press, Oxford, pp 460–484
Steinmo S, Thelen K (1998) Historical institutionalism in comparative politics. In: Steinmo S, Thelen K, Longstreth F (eds) Structuring politics: historical institutionalism in comparative analysis. Cambridge University Press, Cambridge, pp 1–32
Streeck W (2009) Re-forming capitalism: institutional change in the German political economy. Oxford University Press, Oxford
Streeck W, Thelen K (eds) (2005) Beyond continuity: institutional change in advanced political economies. Oxford University Press, New York
Thelen K (2009) Institutional change in advanced political economies. Br J Ind Relat 47 (3):471–498
Thornton PH, Ocasio W, Lounsbury M (2012) The institutional logics perspective: a new approach to culture, structure, and process. Oxford University Press, Oxford
Townley B (2002) The role of competing rationalities in institutional change. Acad Manag J 45 (1):163–179
Weber M (1972) Wirtschaft und Gesellschaft, 5th edn. J. C. B. Mohr, Tübingen [Weber M (1978) Economy and society. In: Roth G, Wittich C (eds) University of California Press, Berkeley]. German edition: Weber-Gesamtausgabe M. In: Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J (eds) https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000
Wendt C, Mischke M, Pfeifer M (2011) Perception of welfare state institutions: theories and concepts. In: Wendt C, Mischke M, Pfeifer M (eds) Welfare states and public opinion: perceptions of healthcare systems, family policy and benefits for the unemployed and poor in Europe. Edward Elgar, Northampton, pp 9–24
Wuthnow R, Hunter JD, Bergesen A, Kurzweil E (1984) Cultural analysis. Routledge and Kegan Paul, Boston

Chapter 2
Interests and Ideas. Max Weber's Allocation Problem

2.1 Introduction

Max Weber is rightly considered both a founder and champion of cultural sociology. His body of work is pervaded with the effort to analyze the intertwining of interests and ideas in the Sociology of Religion just as is done in the study of Economy and Society. His study of sociology always focusses on two issues: interests (including their formation and the conflicts between them) and ideas (values on which the actions of the individual and the group are based and that are used to justify and legitimize institutions). Weber's work is quoted over and over again: "Interests (material and ideal), not ideas, directly determine people's actions. But: the "world views" created by "ideas" have, like a switchboard operator, often set the future course according to which the dynamics of interests have conditioned action" (Weber 1978: 252). Weber used the metaphor of the "switchboard operator" in his material analyses, and it is this metaphor that continues to be relevant for cultural sociology today. The current paper is based on Weber's work. It analyses and identifies basic problems of cultural-sociological research and develops strategies from Weber's processes to help identify problems and solutions relevant for cultural sociology.

The goal of cultural sociology is certainly not to again point out that ideas, values, and "culture" are important for people's actions, the organization of human society, lifestyle, people's "habitus" (or "humanity" in general), or, in the words of René König, for people's "self-domestication." These topics have already been shown in anthropological terms to be part of an "instinct unbounded,"

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"environmentally open" human being who cognitively structures his or her social reality. The current task, however, is to cross-reference the logic of the structure of social action and the logic of the construction of meaning with people's behavior. Max Weber frequently made reference to this attribution problem. In the preface to the "Collected Essays on the Sociology of Religion," he asked the questions: "What combination of circumstances has led to the appearance of cultural phenomena at the base of the Occident (and only here) that—as we like to imagine—developed in the direction of universal significance and validity?" (Weber 1978: 1). According to Weber, rationalizations in the various spheres of life have existed in all cultures. However, "the most important characteristic element of their cultural and historical differentiation is exactly which spheres and in which directions they were rationalized" (Weber 1978: 12). The task is to isolate the substance of certain ideas from the conglomerate of ideas that make up the culture of a time and to identify these ideas' social consequences. For cultural sociology, this means focusing on certain ideas rather than discussing culture in a diffuse and vague sense. These ideas need to be unfolded in their cognitive structure in order to recognize the relevance of action contained within the ideas' characteristics. Only when this is done can their actual importance for the actions of individuals and collectives and for institutionalization processes be identified. As long as ideas are described in general terms and their internal structure is not determined, their consequences for social action also cannot be exactly specified, and social behavior cannot be attributed to them. Social behavior remains confined to metaphorical descriptions of "elective affinity" or vague assumptions. "Culture," then, remains in a sense confined to a "black box," i.e. to a residual category to which everything is attributed and that does not appear to be limited by other factors. The more fluid and non-binding the interpretation of values is, the harder it is to determine whether they can become allocation units. The most accessible ideas for an accurate determination of culture, therefore, are those that display a dogmatic or legal manifestation, i.e. ideas in socially authored religious associations and legal systems. Sociology of religion and law therefore represent the traditional fields of cultural analysis.

2.2 The Social Relevance of Ideas

Weber's writings on the sociology of religion represent a large-scale attempt to identify the social relevance of ideas. The "major religions" revealed to him ideas that were sufficiently dogmatically manifested and that also showed a significant variation in cross-cultural comparison. At the same time, Weber could assume that "in the past, the magical and religious forces and required ideas that were ethically bound to these forces through belief were among the most important formative elements of life." In his study, "The Protestant Ethic and the Spirit of Capitalism" Weber (1978: 12), tried "to gain a better understanding of what is usually the most difficult aspect of the problem: the condition of the emergence of an 'economic mentality' (the 'ethos' of an economic system) through certain religious beliefs,

specifically by using the example of the context of modern economic ethos with the rational ethics of ascetic Protestantism." Weber (1978: 12) attempted to historically and concretely determine the "linking of circumstances" that creates a "practically rational conduct of life" out of the religious constructions of ascetic Protestantism, whose professional ethics characterize the "ethos" of an economy.

There is obviously a long chain of circumstances, a complex process of mediation between the structure of an idea and the specific behaviors shaped by this idea. In analyzing this chain of circumstances, "the reasonably clear, causal attribution" (Weber 1978: 12) of economic behavior should be applied to the nature of the ideas. This is indeed the most exact formulation of the agenda of cultural sociology: how certain elements of social behavior and organization can be attributed to the nature of certain ideas. Weber often stressed the fact that this agenda does not imply an idealistic philosophy of history. Ideas may arise in any connection and be an expression of psychological needs and social interests of various kinds. Once they are created, however, the question arises as to how they in turn affect psychological needs and social behaviors. Accordingly, cultural sociological issues are twofold: the focus is on the formation context of ideas on the one hand and on the interdependency of ideas on the other. Weber's cultural sociology studies are characterized by the fact that the processes of "chaining" were explicitly analyzed. In stark contrast to rapid cultural criticism or to a global-culture philosophy, the focus here is on the empirically demonstrable attribution of social phenomena to cultural elements. In this sense, Weber's study of Protestant ethics is classic for methodological and heuristic reasons, regardless of whether historical constellations were correctly detected or planned allocations were preserved.

Max Weber's Protestant ethics studies deserve further analysis in order to gain systematic information for cultural sociology. Weber himself claimed that his study "could . . . possibly provide a contribution to illustrate the way in which the 'ideas' in history can actually become effective" (Weber 1978: 82), a claim that lies at the center of cultural sociology. The starting point of each such investigation involves the accurate determination of the idea whose social efficacy should be investigated. All too often, this starting point is missing and there is a lack of a precise point of reference to which effects can be attributed. A current example is the use of the term 'political culture,' which usually remains too vague and contains too many (self-contradictory) elements, and this is why attempts to cross-reference social action with political culture remain unsatisfactory. Weber was aware of this fact. After the introductory passages on the relationship between Protestantism and capitalist economic development, he writes: "A number of possible relationships seem to appear before our eyes if we phrase the question in this way. We now have to make sure that we can formulate what we have envisioned here as exactly as possible with the inexhaustible variety that accompanies every historical phenomenon. To be able to do this, the area of vague general ideas with which we have been operating up until now has to be abandoned and we have to try to penetrate into the specific characteristics and differences of those great religious streams of thought that have existed in the various forms of the Christian religion throughout history" (Weber 1978: 30f).

The consequent duty of cultural sociologists is to recognize the substance of these ideas, the mix ratio in which they guide social action, and their cognitive structure. This normally exceeds the expertise of sociologists, who are thus dependent on experts for their respective culture fields. At the same time, sociologists have to be in a position to reshape the results of cultural experts so that they are suitable to the original sociological question. However, this means that sociologists will acquire a great deal of knowledge about these cultural fields. Weber offers a telling example of the effort associated with this: He acquired an impressive knowledge in the field of comparative religion. One of the explanations for the state of cultural sociology that is so often lamented today may be that the effort to acquire concrete knowledge about the analyzed cultural fields is too great or is perceived as too great.

2.3 The Ethics of Ascetic Protestantism

The idea that Weber selected and wished to examine was "the ethics of ascetic Protestantism." These work ethics can be more narrowly defined as the requirement of being proven in everyday work, no matter what this work is or where it leads. The ethics exist in the context of a generally ascetic lifestyle of thrift, diligence, and self-discipline. It is not important how this idea came about; it is sufficient that it was defined independently of the variables that should be affected by it. The uniqueness of these specific work ethics arises not from their consequences, e.g. the development of a capitalist economy, but from their inner constructions of meaning. The ascetic way of life in inner-worldly probation in everyday life is justified as a "knowledge base" for its own state of grace, the "individual ascertainment of salvation" (Weber 1982: 307). The aim of the work ethics is not for external purposes, but rather for the internal assurance of one's own state of grace under the terms of the doctrine of predestination, which does not allow any influence of the god-specific plan of salvation through good deeds or magical practices. The work ethics of ascetic Protestantism has a steady and systematic requirement that a follower works in a profession as a merit in and of itself. The ethics has an extraordinary action-guiding significance as long as the knowledge of one's state of grace is of significant interest to the individual and if the individual believes in the transcendent expectations of divine grace.

This idea has a number of characteristics that are of the utmost importance for cultural sociological research. It enforces a specific behavior, it is distinguishable from other professional ethics, and it can be referenced to definable support groups. All these are necessary characteristics for the cognitive isolation of the idea which consequences are to be investigated. A cognitively isolatable idea must also have specific addressees on which the effectiveness of the idea's validity claim can be measured. The relationship between an idea and a support group that aligns its behavior with the idea must be sufficiently strong. In Weber's example, this arises partly from the existential anchoring of the idea through its internalization and

partly through the idea's sanctioning power. In this case, both socialization and sanctioning are realized within the same group, the believers with the consequence of the social isolation of the idea's validity claim. Ascetic Protestantism has led to a relentless individualization and a radical destruction of hierocracy that do, however, maintain community religiosity. The principle of community religiosity and the formation of sects as free associations of ethically equally qualified people allow for the assignment of specific ideas to specific support groups. It is the sect members themselves who socialize with each other and sanction others, which ensures both the similarity and the liability of the behavioral norm of the support groups. Socialization strength and sanctioning ensure pressure in the Protestant sects and the direct relationship between the validity claim of a specific value proposition and the behavior of an assignable support group. The actual behavior of sect members can therefore be used to observe the social effectiveness of the idea. In cases in which an idea but not its validity context is cognitively isolated, considerable difficulties in attributing observed behavior to ideas arise since it is highly uncertain with whom the ideas first gained sufficient behavior-formative liability. Sects and similar groups whose specific value-orientation is secured are therefore particularly suitable candidates for studying the effectiveness of ideas. The entire life of a sect's members is permeated by specific ethics; the visibility of the behavior of each individual in small groups allows for consistent educational work and direct control. In the case of the Protestant sects, a heavy sanction was added, namely the threat of exclusion from the sacrament, i.e. expulsion from the faith community (Weber 1982: 307ff).

2.4 Consequences of Ascetic Work Ethics

But what exactly are the consequences of ascetic work ethics? The ethics subject a certain behavioral field—namely that of the occupation—to a systematic and self-reflective perception that originally lay far outside of ascetic standards and was thereby often downright abhorred. The shift from the extra-mundane to inner-worldly asceticism is at the theological core of the new work ethics (Weber 1982: 314ff). This shift resulted in considerable discipline and an intensification of work and a corresponding suppression of other areas of life. The specific work ethics of ascetic Protestantism made choices, determined the direction of life, and had a positive effect on the selection of life areas and their required discipline as well as a negative effect on their de-selection. This direction determination was made by the cognitive structure of an idea and was independent of the conditions of life of those affected. The idea may match the interests, and both may be adjusted over time with each other, but the decisive factor was that the postulated behavior followed the construction of the idea itself. More generally, whether or not a postulated behavior is enforced is initially justified by the logic of the idea, though it may also depend on its life-practical exercisability. The ascetic work ethics was to a particularly great extent set apart from traditional and general interests for which, as Weber

emphasized, it was irrational and "absolutely the most unbearable form of ecclesiastical control of the individual" (Weber 1978: 20). However, given the plasticity of human behavior, the variation of behavioral alternatives that can be structured by ideas appears to be vast.

Which consequences arise is not just a matter of the cognitive construction of an idea. Properties of the context within which the behavior that is called upon by the idea is exerted determine the consequences as well. If ascetic work ethics find a supporter group that is active in an industrial sector that has monetary, economically organized exchange ratios, then there is a chance of gaining through continuous and systematically professional work. The economic gaining are not the goal of the idea, but rather its consequence under these conditions. This opportunity to make profits and to acquire wealth is now reinforced by the fact that the profits can only be used for reinvestment due to the ascetic work ethics' prohibition of consumption (Weber 1978: 190–93). A secondary consequence of the idea is the increased opportunity for self-financing of new and more extensive activities. The result of work ethics therefore directly represents an increase in labor intensity and a renunciation of consumption out of profits and indirectly represents an increase of the chances of gaining and of capital formation and self-financing.

Direct and indirect consequences must therefore be distinguished. The direct consequences can be directly attributed to the social relevance of the idea, whereas the indirect consequences are caused by the characteristics of the context in which the idea is effective. In this context, the idea triggers other functional relationships, e.g. the relationship between saving and investing, which leads to an increase in the investment rate, and a relationship between equity and debt financing, which leads to an increase in the equity ratio. In the case of the Puritans, functional relationships also received an increase in credit through sect membership. In a time of prevailing personal loans, credit approval crucially depends on the properties of the borrower, and membership in a sect with ascetic work ethics confirms lifestyle and guarantees financial standing (Weber 1982: 310f, 1978: 210ff). In this way, the chance of increased self-financing is accompanied by the opportunity of better borrowing. Again, this is not directly attributable to the cognitive structure of an idea, but rather to social-functional relationships that exist independently of this idea and its behavioral relevance.

For cultural sociology, it is critically important to correctly attribute these various contingencies. Ideas have consequences that derive from their structure as well as consequences that arise from the coincidence with unique contextual conditions. The different functional relationships must be carefully distinguished and identified. Care must be taken with "unintended" consequences, not only from an intentional perspective, but also from a functional perspective with the release or inhibition of "secondary" consequences. Weber repeatedly emphasized that Protestant ethics were not aimed at capitalism, that they alone did not trigger capitalism, and that they were only one of many elements that promoted capitalism's development, but also that they were crucially important for the expression of the rational operation of capitalism. "A strand of psychic contents that arose from very specific moral and religious roots was related to capitalist development *opportunities*"

(Weber 1982: 313). It is obviously critical to continue to analytically differentiate the relationships and disclose their structure. This complicates the allocation problem considerably. On one hand, properties of the behavioral context enable the application of behavioral precepts that flow from ideas; on the other hand, these properties trigger new behaviors in the behavioral context that are unrelated to ideas. The longer the chains of mutual inductions become, the more the enabling of ideas by context conditions and changes in contextual conditions by ideas become interlocked.

The power of ideas can best be seen in temporally and structurally determinable innovations. Every innovation is initially deviant behavior that is contrary to traditional norms and therefore subject to initial sanctioning pressure. The meaning of the value proposition that triggers the innovation lies in its dual legitimizing function of deviant behavior. On the one hand, innovators and dissenters feel legitimized for their actions through a reference to the value position, and on the other hand, they can fend off, avoid, or de-legitimize the sanctioning pressure of the environment on their actions by referring to these values. The self-confidence of the innovator is of great importance for the enforcement of a new feature. In this context, Weber emphasizes the effect of Protestant work ethics. "The entrepreneur (was filled with) the unbroken good conscience (of the awareness) that the providence does not show him the way to gaining without a definite purpose so that he can find a path to God's glory" (Weber 1982: 318). He lacks all doubt about the validity of his actions and the legitimacy of the results of his actions. "Occupation and the innermost ethical core of personality—this is crucial—are an unbroken unity" (Weber 1982: 319). This "good conscience" gives an extraordinary assertiveness and resistance against external disapproval and the threat of sanctions at the level of the personality of the innovation. The type of value reasoning is thus—regardless of the substance of the innovation behavior—an essential means of enforcing an innovation for the abolition of traditional habits and for breaking through barriers of sanction. The "tension between 'conscience' and 'action'" (Weber 1982: 168) can be bridged only by specific values, and therein lies a special significance of ideas, especially in the implementation of innovations. This importance increases as the environment whose interests are affected by the innovations and habits recognizes the value idea that is legitimized with the innovation. As much as their interests are also affected, they cannot deny the value reasoning or the derived justification for the innovation. The belief in ideas overrides the contradiction of interests.

In the case of the Puritans, the house industrial craftsman or the worker who worked with discipline and diligence while exercising his profession and who did not call the legitimacy of the entrepreneur into question came to the side of the self-righteous entrepreneur (Weber 1982: 36f). Internal and external legitimacy correspond directly in this case. But even in those contexts in which the work ethics was not shared, their transcendental justification gave them a tremendous chance of enforcement in a time when transcendental justifications had the greatest credibility. The breaking of tradition always succeeds best on behalf of traditionally accepted values, even if the innovation dissolves the traditional value proposition.

The efficacy of ideas, therefore, can be most clearly seen in innovative situations as motivational support for the innovators and as a legitimacy shield against the environment.

2.5 Diffusion of Value Orientations

Changes in behavior exerted by minorities can remain encapsulated and are often suppressed in the developmental phase and absorbed in the successive of generations. The minorities then lead a marginal and tolerated life of their own. Many religious sects have taken this route and have come about over generations, but without causing a general change in behavior orientations. They remain oriented toward their constitutive religious ideas, they withdraw from the world, or they immunize themselves against these ideas to such an extent that they repel external sanctions and may receive cognitive consonance in their internal milieu. However, in the case of the sects of ascetic Protestantism, as Weber argued, a new general "economic mentality" has been decisively shaped, i.e. the "spirit of capitalism." This points toward the central problem for all cultural sociology: the diffusion of ideas.

In principle, one could explain the diffusion of value orientations by an ever-increasing conversion of people to the value positions of the original support groups. But even this was not the case for Protestant work ethics. The capitalist economic sentiment spread, even though the Protestant sects had not experienced a corresponding increase in members. The work ethics first practiced by a minority with explicit reference value must therefore have a diffusion opportunity that is not tied to the socialization of religious value ideas constituting this work ethics. We are dealing with the problem of the consequences of an idea with a simultaneous termination of the validity of this idea. We should not assume, according to Weber, "that the subjective appropriation of this ethical maxim (Protestant ethics) for today's capitalism is a requirement of continued existence through the maxim's individual carriers, i.e. the owner or the workers of modern capitalist enterprises" (Weber 1978: 319). "Modern capitalism . . . no longer needs this support" (Weber 1982: 319). As soon as social behavior is institutionalized, values have a different function than they have in the context of emergence.

In the process of the institutionalization of capitalist economic behavior, other norms are taking the place of religious value justifications of behavior. The self-discipline and control of action that were so characteristic of Protestant ethics are giving way to criteria that have a similar effect but are not linked to the original meaning of this self-discipline in any way. What may even be regarded as a decay in moral conviction of a value change is only the result of routinization of a former virtuoso morality. Value justification is no longer necessary if the development phase of a new practice has been replaced by its institutionalization. The decline of the binding force of the original value justification is thereby not an expression of cultural decline, but of successful diffusion. Each diffusion of a virtuoso morality,

i.e. the expansion of its application, is connected with a routinization, i.e. with a moral decline, as is the case with work ethics of moral virtuosos of the Protestant sects.

The successful diffusion of a practice without the continuation of its original value justification is an important issue for the problem of the attribution of impacts on ideas. This transfer is greatly facilitated if the results of the new practice can serve purposes that were not intended by the original idea. While the Protestant work ethics regarded activity in this way and quite independent of their results as a value, the same work behavior was later praised for its successes. The value arguments of the same behavior can change radically without necessarily requiring a change in behavior. In this way, the work ethics can be exchanged in the process of diffusion, but disciplining work behavior can be retained. In place of the value of reasoning, which sees a knowledge base as its own state of grace in the disciplined and self-reflective occupation, comes the secular idea of self-realization through the work product, yet the nature of the obligation to work can be quite similar. Finally, however, large efficiency and success criteria are sufficient to justify the ethics, and so too is the acclimatization of job performance in organized patterns. In all these cases, we are dealing with an exchange of values, which themselves cannot be derived from the external observation of behavior. The transition from sub-institutional behavior of small groups with narrow and sharply structured socialization and sanctioning communities, such as sects, to the institutionalized behavior of large population groups and differentiated functional relationships, as is the case in the capitalist economic system, involves diverse and complex social processes.

In this paper we are primarily interested in the significance of these ideas. Weber's beliefs about the importance of Protestant work ethics for the economic mentality of capitalism are based on assumptions according to which "spheres" were rationalized in a specific "direction" in ascetic Protestantism and a "switch position" occurred whose consequences are leading to a complex development towards Occidental society. The isolation of these influences is one of the most difficult tasks of cultural sociology. Interests and ideas mingle in a wide variety of ways. For Weber, the moral justification of the independence of the "sphere" of economic behavior was initially in the foreground. The break with tradition that was brought about with Protestantism lied first in the radical rejection of all magic as a means of controlling transcendental powers and second in the resolution of all hierocratic powers. This resulted in the release of function-specific criteria of rationality as a means of action orientation and the breakdown of comprehensive instances for the integration of values and for their codification in sanctionable behavioral norms. Both results led to a differentiation of "spheres" and a release depending on specific criteria of rationality within these "spheres."

2.6 Separation of Value Spheres

A specific "separation of spheres" is present in Protestant work ethics in the sense that the positive assessment of the occupation is separate from the consequences of this occupation. Economic success as such does not have to be justified, for it is already justified by the ethical distinction of professional work. Wealth that had to be justified before, it is now ethically neutral, merely the result of professional ethics. This decoupling of the ethical assessment of the impact of trade from the ethical assessment of trade as such could be one of the "critical junctures" that have contributed to the general cultural significance of Protestantism. The inner pressure to justify the responsibility for the consequences of economic activity is reduced by Protestant ethics. Whether this ethical differentiation is represented institutionally is a separate question. The reduction in the social bonds between employee and employer towards a pure payment for labor power in formally free labor without regard to the social condition of the employee as a whole, the extreme opening of scheduling freedom of the entrepreneur in combination with production factors in the company's constitution, and the shifting of the costs of infrastructure and services for the acquisition of the consequential costs of industrial production by the public are consequences that may not be readily attributed to the idea of Protestant ethics. However, ideal interests in the realization of one's own state of grace in members of the Protestant sects became material interests of private wealth in religiously uncommitted "capitalists;" and virtuoso morality became everyday morality, innovation became routine, and individually attributable lifestyle became the lifestyle of a time.

The divergence of the "spheres" may also have been stimulated by the fact that Protestantism abolished all hierocratic powers. This eliminated instances that relied on these powers to ensure a comprehensive cultural integration and that aided in care for all segments of the population to morally and practically mediate conflicts between individual areas of life. Sects, however, can support far more radical ideas and exclude or endure conflicts between areas of life. In any event, Protestantism has no autonomous integration instance, and in non-reformed Protestantism every pastor is his own prophet and pope—if he or she wants to and can. As a result, Protestantism has not brought new social ethics that could ease the consequences of capitalism, even in light of the social question of the nineteenth century. It was the labor movement that first unfolded the new social morality of collective solidarity, and it was the bourgeoisie who unfolded the socially vague idea of collective nationalism. The state's interest in social integration, finally, developed the religiously empty idea of social policy and the instrumental welfare state. But these movements are based on the first enforced "separation of spheres" and the rationality criteria that pervade these movements and that largely continue to apply among them. Economic profitability and productivity have become objectives of the overall society.

2.7 Discussion

Max Weber (1982: 169) emphasized that he only identified a "single component" of Protestant work ethics that does not constitute the whole "economic mentality" and certainly cannot explain the emergence of capitalism as an economic system. The cultural ideas of ascetic Protestantism would have to be put into perspective with "humanistic rationalism and its ideals of life and cultural influences, as well as with the development of philosophical and scientific empiricism and the technical development and intellectual cultural property" (Weber 1978: 205). "Given the immense tangle of mutual influences between the material documents, the social and political forms of organizations, and the intellectual contents of the reformatory cultural epochs," we would require an analysis that can isolate a cultural element and "assess the extent to which a modern cultural content in its historical emergence can be attributed to these religious motives or to other motives" (Weber 1978: 89). Major concerns have been raised over and over again concerning this program and its execution. But all these concerns have not disputed the importance of the question, nor can they solve the existing problems for its implementation.

Interests and ideas do not directly oppose each other. Ideas are interest-based; they have to be able to "produce" something. Religions have to be able to interpret the specific life experience of "irrationality" for their believers, and legal norms are used with different types of enforcement of material interests. Conversely, interests are idea-based; they are focused on goals and make use of legitimate means. The intellectual interest of a group in the interpretation, articulation, and realization of ideas also becomes the group's material interest if its members try to gain influence and income from it. In the battle for skills, the interpretation and "management" of ideas are monopolized. Competence boundaries arise, and with them a differentiation of the socially controlled scope of ideas. Intellectuals' interests in the greatest possible consistency and cognitive contradiction of the ideas that they have to interpret compete with interest in the everyday practical utility of ideas for those who are supposed to practice them. Interests and ideas thereby describe two analytical perspectives. If one of the two is chosen, the other is not necessarily automatically negated. "Both are equally possible," as Max Weber (1978: 205) concludes in his study of Protestant ethics. But both perspectives must be viewed in their complementarity. Only then is the comparative social and cultural research able to identify the constitutive differences between societies. "Outwardly similar forms of economic organization (are) compatible with very different economic ethics and (display) very different historical effects related to their nature" (Weber 1978: 238). Even today, societies of similar techno-economic development levels differ considerably.

Ideas constitute specific value spheres and determine the action orientations within these spheres. This was Weber's assumption. They separate the work sphere from the sphere of consumption through a specific work ethic, i.e. the family organization, and they free employment conditions from living conditions and provide the work sphere with an autonomous value content. Through

institutionalization, the validity context is socially isolated. This has an effect on perception and behavior. Income and expenses are paid off only within an institutionalized action context. Other costs and expenses are externalized and not attributed to this action context. Depending on how this action context is defined, they represent very different "balance sheets." If a deficient radio factory goes bankrupt, the same production unit within a conglomerate can be used to continue the service. Nation-states can maximize their benefit according to internal criteria and at the same time harm the overall economic development that was grounded in their global economic interdependence. In such a situation, the unit at which the political legitimacy is aimed, the nation-state, can be an institutionally legitimized but functionally "wrong" unit. Only new value justifications can convey institutionalized contexts of action and value spheres and, if necessary, break through them. The change in gender roles, disarmament and control of the nuclear industry, and the creation of the European Union do not arise out of nowhere from the network of interests. Without value-constituting ideas, efforts and interest compensation have no accountability. In this sense, even a lack of ideas can act as a "switchboard operator."

References

Weber M (1978) Gesammelte Aufsätze zur Religionssoziologie, vol 1, 7th edn. J. C. B. Mohr, Tübingen [Weber M, The Sociology of Religion, translated by Fischoff E, with an introduction by Parsons T, 15th edn 1993. Beacon Press, Boston]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Weber M (1982) Die Protestantische Ethik II. In: Winckelmann J (ed) Kritiken und Antikritiken, 4th edn. Mohn Verlag, Gütersloh [Max Weber, The Protestant Ethic and the "Spirit" of Capitalism, edited, translated and introduced by Baehr P, Wells GC, 2002. Penguin Books, New York]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Chapter 3
The Institutionalization and Deinstitutionalization of Rationality Criteria

3.1 Introduction

The analysis of institutions and their change involves complex problems. The difficulties lie in the ambiguous meaning of the term "institution" as it is used in everyday language. However, the meaning of the term appears to be just as unclear and inconsistent in its use within the scientific community. After being neglected for a long time, new theoretical interest has begun to develop in the sociological discussion of the topic known as institutions (March and Olsen 1989; North 1990; Hall and Taylor 1996; Immergut 1998). The definition of this term must precede its description and analysis. I therefore begin with the question "What are institutions?" and offer an answer to this question. Then I discuss the characteristics of institutions and describe the processes that influence the content and consequences of institutions. Finally, I deal with the question of the extent to which institutional change can be seen as a process of the institutionalization or deinstitutionalization of rationality criteria.

3.2 What Are Institutions?

How is it that social actions in certain situations regularly align themselves with certain guiding principles, regardless of the motives and interests of individual actors? For this issue, institutions should denote processes that structure social

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action and base this action on certain values. The diversity and diffuseness of the definitions of the term institution in the literature reflects the lack of a specific issue associated with its use. The difficulty in defining the term can best be described by the old adage: A term is not right or wrong; a term prevails via the analytical power that it possesses for dealing with a problem.

3.3 Content and Consequences of Institutions

The process of exchange between ideas and behavioral structures, i.e. the creation of a "legitimate order" (Weber 1985: 15), has many dimensions. I distinguish between five of these dimensions that delineate the characteristics of institutions and should be considered when analyzing institutionalization processes: (1) The development of rationality criteria, (2) The differentiation of validity contexts, (3) The sanctioning power of the institution, (4) the externalization of contingencies, and (5) The structuring of conflict potential between institutions.

3.3.1 Development of Rationality Criteria

Behavior cannot directly orient itself toward ideas or guiding principles. "Let man be noble, helpful, and good," the poet says. But what are the criteria that define what behavior is to be considered noble, helpful, and good in a specific situation? In the process of the institutionalization of a value, ideas become behavioral maxims applicable to very different people, each with his or her own motives and interests. The formation of such behavioral maxims can be defined as rationality criteria because following them in a given context of action is considered "rational" for the achievement of a legitimate guiding principle. For example, the maxim of income maximization is considered rational for economic activity. Anyone who does not follow it behaves "irrationally," even if he or she has good reasons for such behavior. Judging a behavior as "unselfish" derives from the general claim of validity of the rationality criterion that exists for economic activities. In another value connection, this may be entirely self-serving. In the course of their institutionalization, values and guiding principles are substantiated by the development of rationality criteria that can be seen as relevant for action in specific situations. The idea of economic efficiency is substantiated by criteria that determine costs and revenues and relate them to each other. The resulting cost-benefit calculation is thereby the substantiated guiding principle of economic efficiency with a behaviorally guiding effect. If the criteria of rationality change, the regulatory consequences of the economy's central idea change as well. The process of the institutionalization of a guiding principle gives the principle a behavioral relevance and validity on the one hand and interprets and specifies it on the other. However,

the entire conceivable contents of a guiding principle are hardly ever substantiated, even if the criteria of rationality seem to support its realization (see the Chap. 4).

3.3.2 Differentiation of Validity Contexts

Rationality criteria, with which action is supposed to align itself, are not abstract, but are always bound to a defined action context. The effectiveness of a rationality criterion is thus dependent on the appropriate structure of the situation in which the action takes place. The institutionalization process includes not only the specification of a guiding idea, but also always a context for determining its validity. If the action context does not allow for behavioral orientation toward the rationality criteria, these criteria cannot or can only partially be applied.

The degree to which the application context is separated from other action situations is therefore an essential element of institutionalization processes. In the case of the institutionalization of the guiding principle of the economy, for instance, a separation of business from household, of labor relations from family connections, and of operating costs and revenues from corporately provided services for the infrastructure has taken place. Each institutionalization is therefore connected to a social fragmentation of the "life-world." Social differentiation thereby represents the other side of the coin when it comes to the development of rationality criteria, and there are also interactions between them. The more diffuse the action situation is, the more the orientational power of a guiding principle will be broken and weakened by other guiding principles that claim to be valid in the same action context. If a syncretism of guiding principles prevails within a typical action situation, then it cannot be assumed that the behavior will be expressed similarly, predictably, or typically. The degree of institutionalization will be low. However, if the behavior is consistently, regularly, and typically orientated toward rationality criteria, then the degree of institutionalization of a guiding principle will be high. In both cases, the differentiation of validity contexts is crucial.

3.3.3 Sanctioning Power of Institutions

Like any behavioral regulation, an institutionalized principle also requires a sanctioning power that enforces and defends its claim to validity. The nature and size of sanctions are crucial for institutionalization processes. In the economy, for example, the application of the cost-effectiveness principle is reinforced by market sanctions. Income calculation as a rationalization criterion is strongly enforced when losses occur that cannot be compensated for by external grants or loans and a company is at risk to go bankrupt. Market controls always provide far greater sanction funds, whereas the elimination of market controls reduces the sanctioning power of the institutionalized guiding principle of economic efficiency. The same

applies to institutions that are written in law. The ban on abortion, for example, lost validity in many countries through its exemption from punishment.

3.3.4 Externalization of Contingencies

If a guiding principle is institutionalized via the formation of rationality criteria and the differentiation of its social context and of its own available means of sanctioning, it will be able to claim a high behavioral relevance. The related actions will be based on the applicable rationality criteria and will deal with the problems that occur in the respective action context. Problems beyond these criteria will be externalized. The homogenization of action orientations that are associated with institutionalization restricts problem definitions and problem adaptations. The diffusivity of the action context is reduced and specific value orientations and action structuring become dominant. With such a focus on action orientation, many intended and unintended consequences occur that are not processed in the context of a given institution and tend to be rejected from the institution's validity context. If there are no other institutions to which these resulting problems can be transferred, they remain in the diffusivity of the "life-world" and are absorbed by individual behavioral adaptations.

To take another example from the field of economics: The more specifically work rules for the fulfillment of economic criteria are defined, the less important are the personal living conditions of employees for their employment, and the more they are determined by supply and demand criteria of the labor market. The employer has no obligations to guarantee a minimum standard of living to his or her employees. Guiding principles of solidarity and justice are excluded from the scope of institutionalized criteria of economic efficiency. The consequences of this strong differentiation of the central ideas and their contexts of action lead to a situation in which unemployment is either cared for by new institutions, such as social assistance or unemployment insurance, or lies in the responsibility of the individual person. An institutionalized guiding principle is all the more effective the more it successfully externalizes the contingencies associated with its validity and immunize itself against the resulting opposition.

3.3.5 Structuring of Conflict Potential Between Institutions

There is considerable conflict potential between institutions. The rationality criteria that are developed within them stand in opposition to each other. Spheres of validity may overlap, but the guiding ideas on which they are based are incompatible; otherwise, no differentiation would have taken place. A fifth dimension of institutional analysis is therefore the investigation of the structures and processes of mediation between institutions.

The state objectives laid down in the German Basic Law are an example for the institutionalization and mediation of conflicts, and we find similar objectives in other nations' constitutions. Democracy, the rule of law, and the welfare state are three principles between which there are tensions that cannot be avoided. The political order has developed complicated mediation structures and transferred part of the welfare state to the competence of collective bargaining, a part of the rule of law to the competence of the Federal Constitutional Court, and a part of the government's economic policy to the Federal Bank autonomy. All of these institutions are only indirectly connected with the principle of democracy. This differentiation of responsibilities is used to structure the conflict potential between conflicting institutions. At the same time, institutions dramatize their central ideas, increase their validity, but also communicate with each other on the basis of contracts, for instance in the field of collective bargaining.

Institutional conflicts can occur between or within organizations. It is therefore advisable to distinguish between "institution" and "organization." Within an organization, several institutions can claim to be valid. Depending on the situation, there may be a battle between institutions in the form of a dispute between organizations (e.g. between employers and employees) or within organizations (e.g. at the university level between research and teaching). The degree to which these organizations can enforce their maxims in opposition to others is critical for the validity of an institution. It is therefore not the institutions' coincidence with an organization that is decisive, even if this coincidence strengthens the institution's representation and application opportunities.

3.3.6 Characteristics of Institutions

Figure 3.1 clarifies the dimensions of institution-building. The core of institution-formation is made up of the interrelated formation processes of rationality criteria and the differentiation of their validity contexts. Institution-formation is legitimized by its relation to the values and guiding principles that it claims to realize. It gains behavioral relevance through its sanctions and the degree of realized behavior habituation. Institution-formation attains autonomy through the externalization of its affiliated contingencies and subsequent problems. It prevails in the fight against the validity claims of other institutions.

The institutional structure as a whole and the way in which conflicts between institutions are regulated determine the character of a society. Different guiding principles are always more or less institutionalized, there are always tensions between them, the lines of demarcation between their validity contexts are always being shifted, and the opportunities for outsourcing are always competitive. The relative dominance of individual institutions over others is critical for the institutional structure of a society. When legal and economic rationality criteria overcome social or political rationality criteria, the examination of the legal admissibility and of the economic affordability determines the framework within

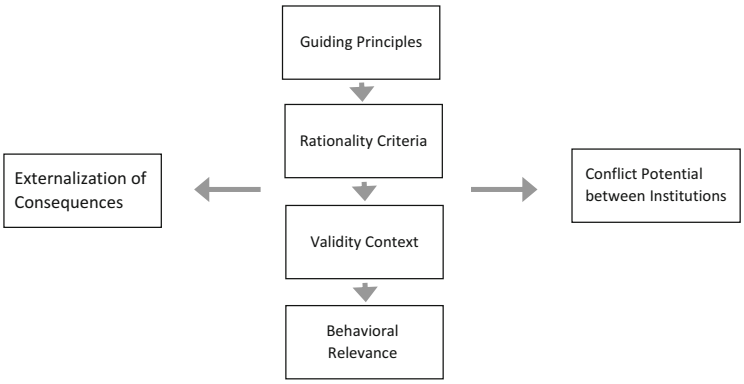

Fig. 3.1 Dimensions of institution-building

which other guiding principles can be realized. Only then do criteria such as social acceptance and political expediency come into play.

Conflicts between institutions are not easy to analyze. In Germany, for example, legislation by the political majority with respect to higher education reform and on party financing has been repealed by the Federal Constitutional Court. While the competence of the legislature has not been affected, the validity space within which it can exercise its competence has been reduced. Environmental legislation is another example that does not abolish the rationality criteria of economics, but changes the opportunities to externalize costs when they are internalized via the polluter-pays principle in the cost-benefit calculations. In the case of abortion legislation, the problem of two contradictory guiding principles is particularly evident. The principles of self-determination of women and of the protection of unborn life cannot simultaneously provide guidance for action. One of the two must give way to the other in any specific case. In Germany, first an attempt was made to describe the indication catalogue of the behavioral context of the two principles. Later, the legislator introduced the duty of advising pregnant women, which, however, does not limit their decision-making. The value conflict has been maintained only symbolically. Abortion is now considered to be illegal but unpunished. The guiding principle of the protection of life remains institutionalized but has lost power to sanction in a certain validity context.

Institutional change takes place not only in "revolutionary" situations in which all institutional complexes are changed, but also under "normal" conditions. Changes are usually only gradual and only visible in their accumulative effect over a long time. Small changes in the rationality criteria, shifts in the validity context, extensions or restrictions to contingencies' externalization opportunities, and processes of mediation between opposing central ideas take place constantly, and their associated de- and re-regulations often have long-term consequences. Institutional change is an ongoing process of the institutionalization and deinstitutionalization of guiding principles.

3.4 Social Change Through Institutionalization

In the preface of the "Sociology of Religion" Max Weber (1978: 4–12), describes the "most fateful power of our modern life: capitalism." Modern capitalism is an economic system that is based on the criterion of profitability. Weber explains that this economic system requires the differentiation of an action context within which all possible social relations can be organized by the rationality criterion. This context is the business, which is strictly separated from the household. Labor relations are resolved via care responsibilities and the pension rights of workers, and there is "formally free labor." Capitalist rationality criteria not only penetrate the economy, but they also ensure that as many areas of life as possible are open to the "calculability" of economic activity. The provision of the production factors of land, capital, and labor as well as market freedom, legal security in trade, and the predictability of government intervention enable maximum authority for the entrepreneur to make dispositions. These considerations correspond to the dimensions of institutionalization processes developed in this chapter. Weber's "Protestant Ethic and the Spirit of Capitalism" analyzes the process of forming the guiding principle of a specific professional ethic because for Calvinists, the principle of an unalterable divine state of grace could only be obtained through professional success. According to Weber, the resulting "inner-worldly asceticism" produced a mentality conducive to capitalism. Weber demonstrates the complexity and the constellation dependence of the development of rationality criteria that also change the content of the guiding principle. In his view, the "most fateful power of modern life" is the specific institutionalization of profitability as a rationality criterion for economic activity, as well as the methodological orientation of lifestyle that is incurred through it.

The triumph of capitalism was based in this view on the enforcement of specific rationality criteria for economic behavior and the successful externalization of problems towards the responsibility of other institutional sectors: the state, families, and communities. This process was legitimized by the efficiency of economic activity: rising productivity and growing national income. In the process of increasing institutionalization, capitalism gave up its original value justification and created a new one without religious derivations. However, out of the externalized consequences of capitalism, considerable opposing forces were created that developed in two directions. One force stood in direct opposition to the rationality criterion itself; the other wanted to limit the validity context of this criterion. The first direction led to Communism, the other to social policy reform. The impulse for the formation of new institutions for other central themes emerged from the conflict potential that grew out of the institutionalization of capitalism. In this sense, modern social politics is the "installation of the counter-principle" (Eduard Heimann) in the capitalist order.

Institutional formation, institutional struggles, and institutional reformations characterize the dynamics of social development. "Class struggle" is institutional struggle, and social policy is the process of institutional reform. Property rights of

entrepreneurs concerning the factors of production have been limited by social policy. Social security systems, labor legislation, and more recently, environmental legislation contain externalized consequential problems. At the same time, they restrict the application space of capitalist rationality criteria. However, the rationality criteria of capitalist economy are not abolished by either process. Communism, on the other hand, directly aimed at the institutions of capitalist economy by using the ownership of the means of production as the basis of property rights and the market as a regulatory mechanism. The validity of capitalist rationality criteria and their application contexts may be large or small and may change with respect to the historical development of institutional formation. It is therefore advisable not to consider institutions as frozen, but rather as processes. Max Weber (1978: 4–12) pointed out that "rationalizations have existed in the most differing spheres of life and in the most various ways in all cultural circles. The only question that is characteristic of their cultural and historical difference is: which spheres and in which direction have they been rationalized."

Institutional change can therefore take place at very different levels. The current debate over the "restructuring of the welfare state" is typical of this process. The continued payment of wages in case of illness is a good example. Whether 100 or 80 % of the salary should be paid, according to which calculation it should be paid, and for how long it should be paid seem to be a relatively unimportant point of contention for a country's institutional structure. But this point symbolizes the constant struggle between the criteria of the individual security of maintaining living standards without work and those of companies' cost-benefit calculations. For the latter, these are costs that are not connected with their economic activities and that are to some extent "internalized" by social policy. The desire to externalize the costs again in employees' households or in health insurance companies is thereby understandable. The opposite is true with regard to employees' interest in receiving a backup of the living standard in the event of illness. The current debate on wage labor costs is at the core of this conflict. To what extent should costs for the welfare state be financed by companies' income? This issue relates to the direct operating expenses for paid illness and vacations and is also applicable to the contributions that employers pay to social security. The pay-as-you-go system of social insurance, which is directly connected to employment, puts a strain on workers and employers through higher and higher contributions that are associated with wage and salary income, even though the expenses are not directly connected with the employment. The problem is growing for the pension system due to the asymmetrical age structure, for the unemployment system due to structural unemployment, and for health insurance due to longer life expectancy. The "restructuring of the welfare state" forces changes in the form of its institutionalization without necessarily causing the guiding principles contained within it to undergo a change. The degradation of the central ideas of social security and the similarity of the living conditions are not at stake, but their new institutionalized form is. What initially appears to be a struggle between interests is also always a struggle for the enforcement of institutionalized rationality criteria and the determination of their validity.

Institutional change often takes place in small steps and initially remains unnoticed. This was also the case when the European Economic Community expanded into the European Community and later into the European Union. A customs union and a common internal market were created from the original regulation of the coal and steel industry. We are now facing a collectivization of monetary policy, social policy, environmental policy, and foreign and defense policy. More and more areas of responsibility are being subjected to a unified regime. Out of a narrowly limited "special purpose association" (Ipsen 1972), a supranational regime has emerged that is limiting the powers of the member states more and more. The European Union is experiencing a gradual shift to "statehood," even if this is being kept in the dark. Thus, a fundamental transformation of the institutions of the European nation-state, with unknown consequences, is being introduced. Small steps are driving the formation of institutions. In this way, with the transition from unanimity to majority rule, not only has a technical procedure for making decisions in the Council of Ministers been changed, but so too has the importance of the individual Member States. The Member State that loses by majority decision no longer legitimizes the decision regarding its own population in its own name. It now needs to use a new guiding principle that gives binding force, even for a decision it hasn't made on its own. The dynamics of the institutionalization process are leading to the formation of a European Union in which laws can be legitimized, regardless of their legitimation at the level of the individual Member States. The European Parliament, which wants to legitimize its majority decision against a democratic country that has lost in the Council of Ministers, must make a mandate claim that is given by the "nation of the European Union." This "nation" does not yet exist; it remains to be constructed. The accumulation effects of small changes, e.g. the transition to majority rule in the legislative process, are thus leading to a fundamental change in the structure of institutions in all European societies.

3.5 Social Change Through Deinstitutionalization

Much as is the case with the formation of institutions, social change is brought about by its dissolution. Just as capitalism was the "power of destiny" in the nineteenth century, the communist "welfare state" became the "power of destiny" for much of the world in the twentieth century. The agenda of the overthrow of capitalism directed itself centrally against the institutional basis of capitalism. In place of the rationality criterion of profitability, the common good represented a maxim of economic activity. The context of action that was differentiated for the validity of capitalist rationality, in particular the scheduling freedom of the entrepreneur that was founded on private property, was dissolved. The nationalization of the ownership of means of production converted the individual acquisition economies into production plants on the state budget. The market, with its sanction funds for meeting the individual economic profitability, was replaced by a plan with a

politically controlled allocation of means of production and production requirements. The externalization of the resulting problems that took place in capitalism was reversed and became an internalization of social policy issues in the business enterprise. The complex mediation of contradictory institutions, their guiding principles, their rationality criteria, and their action contexts were replaced by a merger of institutions that displayed a simultaneous decrease of their relative autonomy.

The "unity of economic and social policy" proclaimed in East Germany is a good example of the deinstitutionalization of the criteria of economic efficiency. The consequences were the neglect of labor productivity, the lack of accounting, the unsatisfactory supply of goods to the population due to the lack of market rationality and pricing on demand and supply, the politically determined investment decisions, the state-combined structure that reduces the division of labor between businesses, and the overstocking and limiting of the autonomy of decision managements (Lepsius 2013).

The differentiation of validity contexts for rationality criteria of performance that are typical of capitalism became de-differentiated. In practical terms, companies could not lay off any employees, they supported a variety of welfare facilities, they subsidized indirectly cultural institutions, they were obligated to influence personal living conditions, and they were themselves political organization units. The company party leadership was obligated to comply with the State plan requirements. Moreover, they had to guide and monitor the attitudes and opinions of the company employees. The trade union leadership was an integral part of the company hierarchy and focused more on disciplining tasks than on the representation of employee interests. Promotions and bonuses had to be approved by political institutions. Businesses became integration centers of society. They were more than a workplace for their employees, but participation rights were not given an effective influence on the company policy as a whole. As an economic unit of production, businesses were permeated with political and social forms. Even if the working conditions were completely outdated and sometimes harmful, the status quo remained a given and unalterable.

With the deinstitutionalization of the criteria of economy and the de-differentiation of the action context for economic activity, a key institutional weakness came about: An intermediate level equipped by businesses with relative autonomy and control over resources was missing. All interests were focused on the party-state, which is the only entity with the available competence and resources. The unions were its "transmission belts" and the employer its agent.

Production development, production levels, and investment decisions went through the summary of rules of the State Planning Commission and were finally decided upon in the "Politburo." The "Politburo" had the duty of coordinating the institutionalized rationality criteria of socialist guiding principles and acting as arbiter in a system of fused institutions. However, political criteria dominated all other guiding principles. The economic deficit, socio-political alimonies of the prices of individual goods, innovation paralysis, and cultural leveling were the result of this politically enforced under-institutionalization.

In this regime, all other institutions not in agreement with the institutionalized and unlimited party rule could no longer claim autonomy: Freedom of expression, freedom of the press, academic freedom, artistic freedom, and independence of the rule of law were kept under permanent surveillance. This situation could not be justified by the central ideas of socialism but was the consequence of the general decomposition of the recognition of relative levels of autonomy for institutionalized guiding principles as well as the de-differentiation of their validity contexts. The merger of the institutions led to the omnipotence of an institution, namely the political office of the Socialist Unity Party of Germany (SED). Such regimes demonstrate an inability to reform, even with increasing inefficiency and the endangerment of their own existence. The immobilization of each institution, as well as of the smallest of institutional change and the inability to mediate inter-institutional conflicts, leads to a crisis of the regime as a whole.

The "Peaceful Revolutions" of the Eastern Bloc represent "real" revolutions, namely those of institutional regeneration. This is, however, extremely difficult after a period of deinstitutionalization and institutional fusion. In the case of the German Democratic Republic, this problem was solved through the transfer of West German institutions. The new institutional order was prepared, and the necessary experts for its implementation were already available. However, the situation for the other Eastern Bloc countries is far more difficult. There, the processes of institutional formation have not yet come to a conclusion. Even if Western models are available, these must be implemented endogenously. And because institutions are not abstract lists of rules, shape "living environments," and are based on legitimacy beliefs, the adaptation rate of new institutions varies greatly. An asymmetric institutionalization is likely to occur, and with it should come a high degree of uncertainty about the respective validity claims. Inter-institutional conflicts are large and severe, especially when the mediation processes are not yet established between them or do not work. The history of the former Eastern Bloc countries offers a wide range of experimental configurations for the analysis of social change through the processes of institutionalization and deinstitutionalization. What proves to be a model derived from long developments in the West does not need to prove to be a necessary interdependence of institutional constellation in the East.

References

Hall PA, Taylor RCR (1996) Political science and the three new institutionalisms. Polit Stud 44: 936–957

Immergut EM (1998) The theoretical core of the new institutionalism. Polit Soc 26(1):5–34

Ipsen HP (1972) Europäisches Gemeinschaftsrecht. Mohr Siebeck, Tübingen

Lepsius MR (2013) Institutionenordnung als Rahmenbedingung der Sozialgeschichte der DDR. In: Lepsius MR (ed) Institutionalisierung politischen Handelns. Springer, Wiesbaden, pp 67–81

March JG, Olsen JP (1989) Rediscovering institutions: the organizational basis of politics. Free Press, New York

North DC (1990) Institutions, institutional change, and economic performance. Cambridge University Press, Cambridge

Weber M (1978) Gesammelte Aufsätze zur Religionssoziologie, vol 1, 7th edn. J. C. B. Mohr, Tübingen [Weber M, The Sociology of Religion, translated by Fischoff E, with an introduction by Parsons T, 15th edn 1993. Beacon Press, Boston]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Weber M (1985) Wirtschaft und Gesellschaft, 5th edn. J. C. B. Mohr, Tübingen [Max Weber, Economy and Society, edited by Roth G, Wittich C, 1978. University of California Press, Berkeley]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Chapter 4
Institutional Analysis and Institutional Policy

4.1 Introduction

In their Manifesto of the Communist Party, Marx and Engels propose that "all of history has been the history of class struggle." But what are classes struggling for? It is the enforcement of new means of production. And what exactly are means of production? They are the institutionalized rules for the production and distribution of goods and services. Marx and Engels considered the rules of production to be a force that dominates all other institutional orders: the organization of the state, the rule of law, the production of knowledge, living conditions in general, and the alienation of the individual in particular, be he or she proletarian or bourgeois.

Class struggle, according to Marx and Engels, has modified the relations of production in the course of history in line with changing power resources. However, the institutional core, i.e. the private property of the means of production, has remained untouched. Only the communist revolution, according to Marx and Engels, would eliminate these institutions with the consequence of a breakdown not only of the capitalist order, but also of the state. This would allow for distributive justice that takes needs and capabilities into account, and the alienation of man from his work product and therefore from his work would end by itself. Classes, however, are only the medium of struggle, whereas institutions are the substance. Marx and Engels could also have written, "all of history has been the history of struggle among institutions." This would have been more in line with their institutional approach and would have relieved them from seeking the

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historical subjects of institutional struggle in the grand collectives and their mobilization through social movements as core historic events.

4.2 Institutional Conflict

However, many institutional struggles, even the economic ones, are led by minorities, and not all institutional change is the result of political pressure by social movements. Marx and Engels implied a precedence of institutions over the social existence of individuals as well as an interdependence of institutions and individuals. An elimination of institutions would therefore change everything else. As a result, institutional policy was the consequence of their institutional analysis. The goal of the proletarian revolution was not the redistribution of the social product but a change of the institutional order. The "dictatorship of the proletariat" was to be a transitional phenomenon so that a free and equal communist society could emerge. However, the institutional political approach resulted only in a revolution and then stopped. There was no room for institutional policy in communist societies. Those societies in which revolution took place and where private property of the means of production had been abolished remained in the phase of the "dictatorship of the proletariat" and a state-directed economy. No new institution-building followed from the de-institutionalization. Institutional differentiation was replaced by a strategy of a fusion of institutional orders that were then in the overarching competence of the Politburo and the direct authority of the executive organs of party and state. The fall of the "socialist camp" followed from the resulting decline of innovative power and internal adaptability.

This turn from institutional conflict to class conflict may also have contributed to a sociology that focused less on institutional analysis than on social inequality, political movements, and the appearances of individual and collective alienation. Even if institutional factors were taken into account, they were considered as boundary conditions, but their construction and functioning was not the main focus of research.

4.3 What Are Institutions?

More recently, we have experienced a new interest in sociological institutional analysis (DiMaggio and Powell 1991; March and Olsen 1989; North 1990; Rehberg 1994), and there are good reasons for a revitalization of institutional analysis. We are in a process of a continuous change of institutional orders, resulting in part from the demand of regulations for new problems such as environmental policy and in part from the declining cohesiveness of existing regulations in areas such as family policy. Modernization programs often aim at "deregulation" but also at the development of new institutions. Examples include processes of privatization of public

social services, a liberalization of the binding character of comprehensive labor agreements, and the replacement of general standardizations by contractual agreements between the involved interest groups. At the same time, we have experienced the breakdown of the communist order with the exchange of entire institutional structures as well as the development of the European Union as a unique example of institutional foundation. We are in a time of simultaneous de-regulation, re-regulation, and new regulation—in other words, in a time of comprehensive institutional policy.

What are institutions? Our general knowledge of institutions is rather weak. Any long-term orientation for social action that is not contingent, spontaneous, singular, or deviant is considered as being institutionalized. Any social arrangement, regulation, and organization are labelled an institution, a school just as the restrictive five-percent-clause in German electoral law, the freedom of opinion, or the European Union. Behavioral patterns, organizational forms, procedures, contexts of meaning, and imaginary orders are all elements of the semantic field of institutions. Such an understanding of institutions is necessarily ambiguous in theoretical terms, and the broad application has no classificatory use.

The indefinite term "institution" should therefore not be used if other terms are available that are more suitable to capturing the meaning. A school, for instance, is, among other things, a social organization, a public service, a medium of standardized socialization processes, a meritocratic selection mechanism, and a system of role expectations and group formation. But when do we speak of a school as an institution? We define a school as an institution for summarizing an undefined number of characteristics with one term that symbolizes durability. However, such indecisiveness with regard to content does not allow for formulating a specific institutional problem and therefore prevents institutional analysis. The analytical power of the term institution arises from the concrete definition of a problem. The starting point of institutional analysis is not "What are institutions?" but rather "What problem is to be answered?"

Ideal-typically, "institutions" can be defined as "social regulations" that symbolize principles and validity claims of a social order (Rehberg 1994: 56). Such a definition has the advantage of being able to distinguish institutions from simple regulations and arrangements or from standardized expectations. The focus is on the problem, not on the description of an organization. In this perspective, an institution is a social structuring that provides a value with relevance to social action. In other words, institutionalization is a mediation process between "culture" and "society" just like internalization is a mediation process between "culture" and the "individual" and socialization is a mediation process between "society" and the "individual" [see Parsons (1971), who distinguishes between the "cultural system," the "social system," and the "personality system"]. The term "institution" is more than the combination of regulations, long-term social action, organizations, and arrangements. Institutional analysis focuses on describing and explaining the relationship of ideas and the structuring of social action.

This focus is in line with Max Weber's concept of a "legitimate order." Regularities of social action can, according to Weber (1985), be caused "by actual

practice" (habit) and "long-term settlement" (custom), or by "instrumental rational orientation of the individual's social action toward uniform expectations" (interest). These are distinguished from regularities of social action that are caused by orientation at a "legitimate order," and in this case, the order obtains validity. Social action is therefore orientated at an envisioned order in which "meaning" is considered to be "exemplary" and "binding." In a nutshell, "the meaning of a social relationship can (a) only be labelled as an order if social action is orientated toward assignable 'maxims' (on average and approximately); (b) an order only has 'validity' if the actual orientation at these maxims takes place at least *also* (in the sense of virtually carrying authority) because they are considered to be valid in some way (binding and exemplary) for social action." Weber adds that different and "contradictory orders" exist toward which individuals orientate themselves not only successively but also in the "same action." For the validity of an order, it is crucial that there be "a chance that social action is actually orientated toward this order" [all references are from Weber (1985: 15–17)].

In this sense, the explanatory problem that is assigned to the term "institution" is the analysis of preconditions for the validity of a legitimate order aimed at a certain meaning. Institutional analysis focuses on the question: Which guiding ideas structure social action to which degree and in which validity context? Since it is a question of less or more, it is advisable to speak about institutionalization processes and not about fixed institutions that from an anthropological perspective could be considered as ontological. Guiding ideas are isolated from the syncretism of the desirable, specified for more or less distinct action contexts, and armed with more or less validity. Institutional analysis thus focuses on the institutions' constitution. There are three dimensions of the constitutional problem. The first problem is the specification of a guiding idea so that this idea can develop into an applicable orientation for social action. This process can be defined as the development of "rationality criteria," i.e. of norms for social action for which compliance is considered "rational" and as an orientation model that becomes independent of motivations and interests. The second dimension focuses on the differentiation of the validity context in which the rationality criteria becomes relevant. A behavioral norm can claim relevance only if a context is specified in which the relevance of other norms is excluded. The third dimension analyzes the assertiveness of rationality criteria against other (possibly contradictory) orders. What are the sanctions that the guiding idea can compete with? When is the guiding idea subject to other motives and interests of actors and the validity of other guiding ideas?

4.4 The Institutionalization of Science

The degree of the institutionalization of a guiding idea and the validity of an order depend on how these three dimensions are developed with regard to content. This can be demonstrated by the following example: The university is an institution of science, and science is institutionalized within the university. However, inside the

university, other interests and values claim to be valid as well. The university is an employer, an education agency, and a part of the healthcare system. It is therefore an organization in the service of different "institutions." The institutionalization of science has to sustain its position within the organization "university" but is not identical to it. The term organization must be clearly distinguished from an institution, and the description of an organization is not the analysis of an institution (see also Luhmann 1992: 98). What does institutionalization of science within a university mean? Rationality criteria (converting "science" into an orientation for social action) are to be specified by methodological conventions, problems, and solutions prevailing as scientific. Such criteria are, e.g. the normative imperative of intersubjective verifiability of results, avoidance of value judgments, disclosure of sources, and so on. The guiding idea of "science" is transformed into various normative incitements to social action. If these requests are fulfilled, the resulting conclusions are considered "science." Such imperatives of social action are not and cannot be generally valid. We therefore need the specification of the action context in which "science" can claim validity. The social differentiation of validity contexts, therefore, is a necessary precondition for the institutionalization of a guiding idea. Not everything written or said by a scientist is science or can follow the criteria of science if we do not want to completely separate the scientist from other life contexts. The authority of scientific rationality criteria in a certain validity context is always precarious with respect to the motives of the producers of science as well as to the defense against the validity claims of other guiding ideas, interests, and contradictory rationality criteria. Article 5.3 of the German Basic Law refers to the basic right to the freedom of science, research, and teaching at the university in order to prove a normative basis for the validity of scientific rationality criteria. This does not mean, however, that the university as a complex organization is structured according to the principle of scientific freedom. Rather, the validity of scientific rationality criteria is determined by the university constitution, the competence and the execution of academic self-administration, the boards and their composition that make decisions about science at the university, as well as the binding character of these decisions for the individual scientist. The postulate of scientific self-administration is therefore specified but not identical with the postulate of self-administration at the university. The institutionalization of the guiding idea of "science" is represented by various organizations: universities, academies, departments, research funding organizations, and councils of science. Science has no self-contained organizational "Gestalt" and can therefore not be captured by descriptions of its organizational form. The compliance with the rationality criteria of science relies first of all on scientists' willingness to comply and on their belief in the legitimacy of the underlying value relationships. Other than legal action against plagiarism, there are hardly any general instruments available to sanction. Other sanctions are directly related to a particular person and are related to reputation, the acceptance of research results, and recruitment processes. With regard to external relations to funding agencies and politically and culturally organized interests, the sanctioning power is also rather weak. For those who are not working in this field, science has validity through the applicability of scientific results for other contexts

and with reference to other rationality criteria. As a fundamental right, the freedom of science receives utmost symbolic approval. The consequences, however, are certain rights of the "producers of science" but not for the scope of the autonomy of "science" as a guiding idea. The level of institutionalization of a guiding idea does not necessarily correspond with the level of normative appreciation, and the "cultural value" can be higher or lower than the actual relevance for social action. The level of institutionalization of science is therefore the product of the definition of the rationality criteria of science, the definition of the scope of the validity context, and the validity of the rationality criteria for social action of individuals in the field of science. The level of institutionalization of science is determined by the degree of self-control of science and the education and recruitment of scientists, the criticism of scientific questions and methods, the granting of reputation, the sustaining of the claim of autonomy against other "value spheres," and the disposition of material resources, as well as by other means.

The institutionalization of a guiding idea has two consequences. If rationality criteria successfully claim dominant behavioral relevance within a certain validity context, the problem-solving capacities of this context are restricted. Only problems that can be solved by the respective rationality criteria are dealt with. For homogenizing the orientation for social action, subsequent problems and contingencies that arise through the institutionalization of rationality criteria are externalized and treated in another action context. The second consequence arises from conflicts between two (possibly contradictory) criteria for social action that claim validity. Both consequences contribute to the integration of an institutional order. The degree of integration depends on how successful contingencies are externalized and on the structuring of conflicts between institutions.

4.5 The Institutionalization of Capitalism

This can be exemplified by taking a classic example: If the criteria of a rational capitalist economy become institutionalized, a validity context is to be defined where economic behavior is structured by cost-benefit calculations and the principle of profitability. Such a context, as has already been emphasized by Max Weber, requires a strict separation of business from household and maximum authority for the entrepreneur to make dispositions regarding the combination and use of the means of production. As a consequence, solidarity relationships are weakened and broken by cost-benefit calculations. Decisions about the use of profits do not take the needs and demands of family members into account. Dismissal from employment is to be ethically approved of, even if it leads to financial distress of the respective person. This example indicates the set of problems related to an externalization of contingencies as part of the processes of institutionalization. The greater the entrepreneurs' freedom of disposition regarding the means of production and the more their behavior is released from its consequences, the more is "capitalism" institutionalized. And the more economic behavior underlies capitalist

criteria, the more far-reaching are the effects of the "most fateful force of modern life: capitalism" (Weber 1978: 4). The consequence is a wide scope of the validity of "capitalism." The crucial question is not the institution of private property, but the authority of disposition regarding the means of production and the externalization of consequences.

In the German Democratic Republic (GDR) and other communist countries, it is not the socialization of private ownership of firms that was the crucial point, but their conversion into state property and the restriction of the power of disposition concerning the means of production by a centralist state-directed economy. Management decisions were integrated in state budgeting, for which supply principles and not cost-benefit calculations were decisive. "The GDR was home economics" (Koziolek 1995; Lepsius 2013). Not economic principles dominated the economy, but other criteria such as the regime's preservation of power, the requirement of full employment, and the general principle of social equality. Cost calculations became increasingly fictional just like the price structure and the supply of goods and services controlled by rationing. Through the economy's subordination to party and state policy, economic rationality criteria lost authority and became "under-institutionalized" (Pirker et al. 1995). The separation of business from household had been basically reversed at the state level. At the level of the firm, social policy goals received higher importance than the principle of efficiency. Irredeemable employment, costs of social services provided by the firm, and uniform definition of income are all part of these principles. The reduced authority of economic rationality criteria resulted in a lower labor productivity, which, however, was not relevant for the survival of the firm. The allocation of state funds as opposed to profits under competitive constraints in a free market guaranteed the survival of the firm. Management principles based on strict cost-benefit-calculations lost importance, and there was therefore no longer any need to externalize the consequences. The "unity of economic and social policy" proclaimed in communist countries internalized the consequences of rational profit-seeking policy and gave it in the responsibility of the firm. Unemployment did not exist in nominal terms.

In "capitalist" societies, in contrast, with a great scope of action for profit-seeking cost-benefit-calculations, there are enormous subsequent problems, unemployment being the most obvious. As far as these problems are not left to the responsibility of the individual, the emerging problem pressure results in the institutionalization of new guiding ideas. This creates the space for social policy, social insurance, industrial law, rules for earnings and wages, as well as conditions of employment by labor agreements or public regulation. New institutions emerge that are in conflict with institutionalized "capitalism." These conflicts grow in times of high structural unemployment as indicated by debates on non-wage labor costs that are considered to be too high, flexible working hours, and criticism of nationwide comprehensive labor agreements for entire industries. At the core of these debates is the strengthening of "capitalist" rationality criteria through the externalization of its consequences. Social policy is the institutionalized "counterweight" to capitalism, so to speak. Profitability and social policy are both in conflict and are related to each other at the same time. A continuous struggle among institutions is

the consequence that has led to the institutionalization of the guiding idea of the self-responsible conclusion of contract between the social partners in countries such as Germany, France, and Sweden.

Institutional struggle influences the assertiveness of conflicting institutions and also the decisions of agencies that moderate the conflict in certain situations. Institutional analysis therefore needs to take into account the relationship between institutions and also the character of the overall institutional order that is influenced by this relationship. Coordination and moderation of institutionalized guiding ideas are at the core of public policy. The sanctioning power for enforcing and defending the respective principles plays a key role. Legal requirements and economic possibilities define the scope for the sanctioning power. However, in democratic decision-making contexts, mobilization processes may result in majorities that break institutions' monopoly and enforce the claim of new guiding ideas.

The organizational form of the carrier of institutionalized guiding ideas also defines their scope of action. We can distinguish between "institutions" that are strongly or weakly organized. This, however, does not mean that the organization is to be defined as an institution. The guiding idea of the "rules of law" is highly institutionalized through appeal stages of jurisdiction, while at the university, the guiding idea of freedom of science is poorly organized. The less institutions are represented by and through organizations, the more they depend on individuals who have internalized the guiding ideas and represent them individually. In conflict situations, it is often their authority and assertiveness that is decisive. An example of the downfall of institutions in Germany is the agreement to the Enabling Act of 1933. Institutions always act through individuals who commit themselves to the institutions' guiding ideas.

Institutional analysis, in this understanding, takes place in a five-dimensional framework. This "property space" (based on Lazarsfeld's term "attribute space"; Lazarsfeld 1937) is defined by the formation of rationality criteria for guiding ideas that are relevant for social action, the differentiation of validity contexts, the development of means of sanctioning for enforcing its validity against other guiding ideas, the treatment of subsequent problems and contingencies resulting from institutionalization processes, as well as conflicts and mediation processes between different and opposing institutionalized guiding ideas. In combination, they determine the validity of guiding ideas and of contexts for social action.

Institutional policy is the intentional exercise of influence on the degree and direction of guiding ideas that are institutionalized or de-institutionalized. The focus is on analyzing guiding ideas that are to a greater or lesser extent relevant for social action, on their configuration, and on the typical ways of life they determine. This was also Max Weber's intention in his Political Writings 1918/1919. His ideas about the "Reform of Germany," on the relationship between parliament and government, and between administration and leadership were guided by his ambition to form different principles of the political order in the way that a democratic and ethically responsible power structure could develop (Weber 1971). His "institutional policy" referred to detailed and specific constitutional regulations and was not merely a pious hope. His idea was that changes in

the codes of procedure and in the assignment of competences can be assessed as to the effectiveness of guiding ideas. Weber's intention was, e.g. to combine presidential, parliamentary, and plebiscite-democratic procedures in a way that would guarantee decision-making ability, legitimacy, representation of interest, as well as the definition of priorities for their implementation. In this article, however, the task is not to recognize the possible substance of Weber's contribution, but to provide an example of "institutional policy."

4.6 The Institutionalization of the European Union

A noteworthy example of current institutional policy is the development of the European Union. Starting as a formation of contract between sovereign countries under international law, a new supra-national community developed. The institutionalization began with the question of organizing decision-making processes and competences of new authorities and councils: the European Council, the European Commission, the European Parliament, and the Court of Justice of the European Union. In the early stages, the sphere of authority was limited to the establishment of a customs union and to the freedom of movement of goods, services, capital, and people. The guiding idea that was already institutionalized in the European Economic Community (EEC) is the increase of welfare through the enlargement of the market. Furthermore, specific criteria for the harmonization and standardization of economic trade-offs have been formalized. Member states transferred part of their sovereignty rights to the EEC. This definition of the EEC's sphere of authority allowed for a strong homogenization of the "European policy field," the "Common Market." The member states, however, remained responsible for coping with the consequences of this process, which was externalized in their authority sphere. The EEC operated as a "special-purpose association" (Ipsen 1972).

The development of the European Union exemplifies the process of institution-building with the development of a large common market as the guiding idea. This goal was justified by the value that a common market would increase the general welfare of the members' citizens. This guiding idea was highlighted by implementing the "four freedoms" as rationality criteria. Behavior and decisions based on these criteria were defined as "rational" with respect to the fulfillment of the guiding idea. For the validity of these criteria, a new action context was developed that was separated from the authority of the member states. Given the initially restricted and instrumentally specified empowerment of European authorities, the differentiation of authorities between the European Commission and the member states' governments occurred without problems. The demarcation was strict and explicit. Competences transferred to the EEC could no longer be claimed by its member states. Regulations by the EEC received a legally binding and direct authority within the member states, which could no longer influence this process. Sanctioning power was provided by legal action of the Commission and the European Court of Justice. European law has precedence over national law and

binds national courts of justice. The formation of political will and decision-making was transferred to expert groups of the Commission, the Council, and national governments and consultatively involved associations. These experts work in closed spheres of action and increasingly orientate themselves toward the rationality criteria of the newly institutionalized guiding idea. The formation of will and decision-making were largely disconnected from democratic control. The legitimacy is based on the approval of the member states' governments, which are democratically legitimized but do not require majority decisions by the national parliaments for resolutions or laws. National parliaments may contribute to the implementation of European law into national law; however, the content is already predetermined at the European level. The European Parliament, in turn, has no direct right to participate in this process. Consequences and contingencies related to regulations and deregulations of the EEC could be left with the national governments and were therefore externalized. The EEC's success is to a large extent based on the constitutional terms and conditions of this institution-building process. As a consequence, a new guiding idea was institutionalized, the supranationality of the European Community, and later of the European Union. This guiding idea is in conflict with the sovereignty of the nation-state. The dynamics of this conflict have defined the further development of the European project.

The more dense and comprehensive regulations of European market relations became, the more attributions of competences overlapped. Because of competition regulations, national rules that were not in line with the establishment of a common market were overturned or not tolerated, e.g. in areas such as environmental law, the approval of production methods, quota arrangements of European television production, and the harmonization of educational systems In the process of implementation of the institutionalized guiding idea, more and more areas of application for the rationality criteria emerged, even if these areas were only indirectly connected to the guiding idea. The logic of these rationality criteria requires an expansion of their validity. The claim of a monetary union and as a consequence the harmonization of national monetary and credit policies having an effect on the organization of national budgets followed from the "common market." As a consequence of the introduction of the European Monetary Union, member states not only lost a fundamental symbol of their sovereignty, namely the notation of their currency, but also core competences of their capability to act. Therefore, member states were less and less able to solve the consequences and contingencies that followed from the institution-building process. For the European Community and later the European Union, externalization chances decreased and members therefore had to deal with consequences requiring a further expansion of competences. Depending on the scope of this process, the European Union will more and more obtain responsibilities for employment policy and social policy. Rationality criteria are to be expanded upon, and further guiding ideas are therefore to be institutionalized. As a consequence, the "special-purpose association" has to develop into an authority with principally universal competences to regulate.

The tension between supra-nationality and nationality is shifting toward the principle of supra-nationality. Two subsequent problems follow from this

development. The first problem concerns the legitimacy of the supra-national regime and the second concerns the development of a new sovereign for creating legitimation. The first one is expressed in debates on strengthening the rights of the European Parliament, the parliamentarization of the Commission, and restrictions of the Council of Ministers' prerogative to decide. The second problem is expressed in the gradual development of a European citizenship alongside the respective national citizenship. The right of the citizens of all member states to vote in local elections at their place of residence is a first step. The conflict between supra-nationality and nationality occurs as an accumulation process of small steps. The granting of voting rights at the local level does not affect sovereign rights at the national level. In principle, however, a European citizenship has been founded by granting local voting rights. An independent sovereignty of the European Parliament cannot exist without the development of European citizen rights and European people, even if it is the result of direct elections. Institutional policy is therefore to a great extent a struggle of competences with contingencies of small-scale changes of procedures that often do not affect the guiding ideas' relevance for social action.

The evolution from the European Community to the European Union, the increasing "collectivization" of policy fields from economic, transport, international trade, currency, and credit policy toward social, educational and research policy, and foreign and security policy requires a restructuring of the institutional order. The problems Max Weber faced in 1918/1919 when focusing on the necessary reorganization of Germany, the configuration of the relationship of parliament and government, of bureaucracy and non-governmental expert groups, are recurring: which guiding ideas of the political order should have authority, how are contradictory guiding ideas to be combined, and what chances should democratic legitimation procedures, expertocracy, and intermediate actors have. What is the role of objectives such as the development of more equal living conditions and the freedom of individual conduct of life? These issues are to be decided on a normative basis. A formation of the political will according to mere assumptions of efficiency misses the reflection of value relationships that is represented by an institutional order. But these are not the only value relationships that are part of the normative preferences and are considered to be desirable. In the process of the institutionalization of guiding ideas, decisions are to be made concerning the demarcation of contexts in which these guiding ideas are valid, about the externalization of consequences, and about the cleavages where institutional conflicts are carried out. Institutional policy has to consciously reflect and regulate these questions. Efficiency arguments conceal the actual problem of institutional policy.

4.7 Discussion

The goal of institutional policy is not the increase of the functional efficiency of a guiding idea and its rationality criteria, but rather the recognition of the interdependency of guiding ideas and the mediation of conflicts between them.

The debate about the state of the European Union is focused too much on administrative efficiency according to uniform rationality criteria. In this sense, the concept of subsidiarity is first of all promoted because it seems to allow for a distribution of competences according to efficiency assumptions. The indecisiveness of the context of validity of the new supra-national regime apparently avoids the establishment of conflict zones and tries to bridge them in individual cases. In these cases, the assertiveness of highly institutionalized guiding ideas is crucial, not the desirability of behavioral norms for diverse value relationships. However, it is the institutional differentiation of various guiding ideas, its relative autonomy, independent value justification, and context-specific relevance for social action that allow plural (according to the formal principles), open (according to the compromises), and participatory (according to procedures of formation the political will) life orders. Such processes, however, require normative decisions concerning peoples' conduct of life.

References

DiMaggio PJ, Powell WW (1991) Introduction. In: Powell WW, DiMaggio PJ (eds) The new institutionalism in organizational analysis. The University of Chicago Press, Chicago, pp 1–38

Ipsen HP (1972) Europäisches Gemeinschaftsrecht. Mohr Siebeck, Tübingen

Koziolek H (1995) Die DDR war eine Hauswirtschaft. In: Pirker T, Lepsius MR, Weinert R, Hertle H-H (eds) Der Plan als Befehl und Fiktion: Wirtschaftsführung in der DDR. Gespräche und Analysen. Westdeutscher Verlag, Opladen, pp 255–281

Lazarsfeld PF (1937) Some remarks on the typological procedures in social research. Zeitschrift für Sozialforschung VI:119–139

Lepsius MR (2013) Institutionenordnung als Rahmenbedingung der Sozialgeschichte der DDR. In: Lepsius MR (ed) Institutionalisierung politischen Handelns. Springer, Wiesbaden, pp 67–81

Luhmann N (1992) Universität als Milieu. Haux, Bielefeld

March JG, Olsen JP (1989) Rediscovering institutions: the organizational basis of politics. Free Press, New York

North DC (1990) Institutions, institutional change, and economic performance. Cambridge University Press, Cambridge

Parsons T (1971) The system of modern societies. Prentice-Hall, Englewood Cliffs

Pirker T, Lepsius MR, Weinert R, Hertle H-H (eds) (1995) Der Plan als Befehl und Fiktion: Wirtschaftsführung in der DDR. Gespräche und Analysen. Westdeutscher Verlag, Opladen

Rehberg K-S (1994) Institutionen als symbolische Ordnungen. Leitfragen und Grundkategorien zur Theorie und Analyse institutioneller Mechanismen. In: Göhler G (ed) Die Eigenart der Institutionen zum Profil politischer Institutionentheorie. Nomos, Baden-Baden, pp 47–84

Weber M (1971) Gesammelte politische Schriften, 3rd edn. J. C. B. Mohr, Tübingen [Max Weber, Political Writings, edited by Lassman P, Speirs R, 1994. Cambridge University Press, Cambridge]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Weber M (1978) Gesammelte Aufsätze zur Religionssoziologie, vol 1, 7th edn. J. C. B. Mohr, Tübingen [Weber M, The Sociology of Religion, translated by Fischoff E, with an introduction by Parsons T, 15th edn 1993. Beacon Press, Boston]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ,

Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Weber M (1985) Wirtschaft und Gesellschaft, 5th edn. J. C. B. Mohr, Tübingen [Max Weber, Economy and Society, edited by Roth G, Wittich C, 1978. University of California Press, Berkeley]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Chapter 5
The Institutionalization of Rationality Criteria and the Role of Intellectuals

5.1 Introduction

Doubts about the feasibility of the world, perceptions of the end of growth, and the fear of the transition from highest technical predictability to irreparable demolition challenge the rationality of the current social order. Intellectuals, in particular, perceive the continuous rationalization as the end of all rationality. De-rationalization is often seen as a promise of change. Examples are veto-decisions based on consternation instead of majority voting in the state order, taxes on rationalization or partial bans on investments in the economic order, the reduction of the division of labor in the social order, and the promotion of the emotive formation of groups in the private sphere of life. It is believed that a far-reaching value-change takes place in the Western world, a conversion of the cultural configuration that has influenced the special development of the Occident compared with other high cultures since the Renaissance: the crisis of the homo faber, i.e., of instrumental world dominion.

5.2 Max Weber's Research Program

The thesis of a crisis of rationalization is closely connected to Max Weber's research program. His universal-historical comparative studies on the economic ethics of the world religions focused on the question of how the special

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development of the Occident took place or, more precisely, how we can explain the historically unique process of rationalization of the conduct of life that has pervaded all life spheres and has, at the same time, liberated the individual and forced him into an "iron cage."

In the preface to the "Collected Essays on the Sociology of Religion," Max Weber provided an overview of his research program. His question was, "Which combination of circumstances resulted in the fact that only in the Occident have cultural phenomena developed that, as we like to believe, have developed in a direction with universal significance and validity" (Weber 1978: 1). His thesis was that the answer is "a specific 'rationalism' of the Occidental culture" (Weber 1978: 11).

"Rationalizations," Weber continued, "have existed in various form in all cultures in different areas of life. For their cultural-historical difference, however, in which spheres and in which direction they have been rationalized is distinct. It is therefore critical to recognize and to explain the origin of the special quality of Occidental and (in particular) modern Occidental rationalism" (Weber 1978: 12).

The main question is therefore not the dichotomy between rationality and irrationality, as is often suggested in public debates, but rather the "peculiarity of the Occidental rationalism" for which the following three perspectives are relevant:

1. In which life areas does rationalization take place?
2. To what degree and in which direction are they rationalized?
3. How are life areas that are rationalized to a greater or lesser extent connected, and what are the consequences of this constellation for the cultural and social order?

What defines the degree of rationality according to Weber? "One can," he says, "'rationalize' on the basis of different final perspectives and objectives, and what seems to be 'rational' from one perspective can be 'irrational' from another one"(Weber 1978: 11). If the objective does not defines the form of rationalization, there must be other parameters.

According to Weber, "'Science' at a state of development that we recognize as 'valid' today does only exist in the Occident. Empirical knowledge, reflections about world- and life problems, the deepest philosophical and also . . . theological wisdom, and knowledge and observation of extraordinary sublimation have existed elsewhere, above all in India, China, Babylonia, and Egypt. But . . . the mathematical foundations . . . were lacking and were first developed by the Hellenes. . . . The modern rational experiment was lacking. . ., which was essentially a product of the Renaissance as well as the modern laboratory" (Weber 1978: 1).

Weber named three dimensions for identifying both the peculiarity and the degree of rationality of modern Occidental science: the mathematical foundation, the experiment, and the laboratory. These examples can be generalized: The characteristic and degree of rationalization can be considered a process of institutionalization of rationality criteria. The degree and direction of rationalization results from the character of these criteria. The dimensions of "mathematical foundation" and "rational experiment" refer to the definition of rules for assessing

the predictability of the method and the inter-subjective verification of scientific work. The dimension of "modern laboratory" refers to the implementation of these rules as permanent, effective orientations for social action within a specific context of action, namely organized scientific research, which can be differentiated from other life spheres.

So far, based on Weber's instructions, we have developed the idea of the institutionalization of rationality criteria. This brings us to our next point, again with reference to Weber's work, for developing the complexity of the institutionalization processes of rationality criteria.

Weber considered modern capitalism, in particular, to be a structural outcome of Occidental rationalization. He wrote: "'Acquisitiveness,' 'profit seeking,' of money gains, of the greatest possible amount of money, has in itself nothing to do with capitalism. We find this motive among waiters, medical doctors, coaches, artists, prostitutes, corrupt officials, soldiers, criminals, crusaders, gamblers, and beggars. It can be said that this motive exists among all sorts and conditions of men and at all times and in all countries of the world wherever objective possibilities exist. It belongs to the cultural-historical basics that we should abandon this naïve understanding of capitalism. Unlimited greed for acquisition is not in the least identical with capitalism. . . . However, capitalism is identical with the pursuit of profit, and as part of a continuous, rational capitalist enterprise, is also identical with ever-renewed profit and therefore with 'profitability'" (Weber 1978: 4).

Modern capitalism, therefore, is not the product of a pursuit of acquisition that has existed at all times, but rather of economic behavior with particular orientation toward the principle of profitability (Weber 1978: 4ff). Profitability, however, is the result of a particular criterion for rational action: the orientation toward capital accounting, the comparison of the annual balance sheet with the opening balance sheet. Profit-seeking becomes subject to procedures of pre- and post-calculation, criteria of rationalization of economic behavior. The degree to which economic action becomes predictable on the basis of this rationality criterion defines the degree of rationalization. The latter is defined not directly by the rationality criterion, but by a complex process of adaptation of events and behavioral structures toward the validity of this criterion. The starting point of rationalization is the development of procedures that allow the predictability of economic behavior (originally double accounting and today a comprehensive system of cost- and benefit calculation). However, these procedures are meant to be institutionalized to gain sufficient validity for the orientation of social action.

Weber considered the process of institutionalization of capitalist rationality criteria, the reconfiguration of social orders for enforcing rational capitalist behavior, to be the global historical importance of capitalism. Weber provided a number of details for the reconfiguration of social orders that enable capitalism. He emphasized the necessity of separating the household and business, private property and business assets, and of developing an economic entity, the firm, which is separated from other social relationships (Weber 1978: 8). The validity of the rationality criterion of capital accounting requires the isolation of economic behavior from ethical and political norms and objectives, from solidarity relationships and

obligation structures, which cannot be bound to the imperative of profitability. To generalize, the institutionalization of rationality criteria requires a sufficient demarcation of the scope of action in which the rationality criteria are valid and they are isolated and protected from other behavioral expectations and their respective sanctional power. The degree of validity of rationality criteria, therefore, depends on the degree of isolation of the context of social action in which the rationality criteria define the dominant behavioral expectations.

According to Weber, a second characteristic of modern capitalism is "the rational-capitalist organization of (formally) free labor" (Weber 1978: 7). The rationality criterion of capital accounting focuses on the highest accountability of all costs, i.e., the labor costs, in particular, besides the capital costs. The formally free employment contract establishes a new leeway in decision-making for the free combination of production factors by increasing or decreasing the production factor of labor without being tied to behavioral norms other than capitalist subsistence strategies. The free labor contract released the employer from any maintenance obligations beyond the employment contract, as was the case with feudal employers. The formally free labor contract allowed the capitalistic operating employer to organize the work in his company according to cost-benefit calculations.

Again, Weber's arguments can be generalized: Within the context in which they are valid, the institutionalization of rationality criteria aims at subordinating all conditions of social action to these criteria. The consequences of this process are externalized and delegated to other social groups or associations, in which they are perceived and structured according to other rationality criteria. The social security of the worker is transferred to other social entities, such as his family, welfare organizations, or public social policy. The tendency of externalizing follow-up costs is part of the principle of increasing structural differentiation with the consequence of growing public expenditures, governmental responsibilities, and public regulation.

The final element of institutionalization processes developed by Weber is that social behavior that is in line with valid rationality criteria has to be rewarded and made sustainable. Capitalist economic activity with high chances of making profits and therefore also high rewards strengthened the validity of the respective rationality criterion.

Weber's criteria for defining the degree of rationalization of social action can be summarized as follows:

1. Criteria, rules, and procedures are to be defined that structure a certain social behavior and thereby make it calculable, predictable, and inter-subjectively controllable in order to isolate it from diffuse behavioral relationships and to make it independent of individual motivations.
2. These criteria are to be institutionalized to provide long-term orientation for social action. This requires:

(a) the demarcation of a context of social action in which rationality criteria can claim validity and therefore develop a scope of competence for successfully prevailing against other behavioral norms and their respective sanctions, and
(b) an internal homogenization such that orientation for social action is restricted to aspects that can be treated in line with the rationality criteria.

3. Social action that is oriented at institutionalized rationality criteria must have positive results for the actor. Permanently ineffective social action can neither be enforced nor maintained.
4. In terms of Weberian sociology, we can add that all institutional differentiation requires legitimation for the carrier of an institution as well as for those who do not belong to the institutionalized context but have to bear the externalized costs of institutional differentiation.

5.3 Crisis of Rationality and De-institutionalization?

How can these conceptual considerations contribute to an analysis of the "crisis of rationality" referred to in the beginning?

First of all, we have to consider the fact that we are dealing with different degrees of rationality in different life areas with highly complex configurations of heterogeneously institutionalized rationality criteria that are in conflict with each other.

The answer, therefore, cannot be de-institutionalization in general. This would contribute to increasing arbitrariness, insecurity, and confusion. The often-proposed confidence in imagination, spontaneity, and dismay cannot replace the institutionalization of rationality criteria.

Furthermore, the experience of National Socialism, in particular, should be a warning for such a program. The National Socialist regime was characterized by a process of de-institutionalization of rationality criteria and was carried by a blind trust in the Charismatic special qualifications of the Führer, the belief in the power of will (even against all sanity), and the perception of a higher efficiency of procedurally undefined and uncontrolled orientation toward material objectives. Many intellectuals supported this self-destruction of political and legal institutions in German society in the putative service of direct realization of certain values. The institutional order was not only eliminated and synchronized by National Socialist elites, but was also sacrificed to a high extent, even by those intellectuals who were not National Socialists.

Of course, there were still bureaucracies and companies in National Socialist Germany that functioned in line with criteria for behavioral orientation controlled by procedures. However, it was not the continued functioning of single entities that was decisive, but rather the de-institutionalization of rationality criteria in the overall political, legal, and economic order. National Socialism is an impressive example of how changes in the degree of rationality in single institutions and through the corresponding changes in constellations of and relationships between

institutions can change the character of the cultural and social system of the overall society within a short period of time.

The analytical perspective proposed in this article aims at overcoming the alternative between rationality and irrationality, i.e., between rationalization processes that may break up life contexts on the one hand and the postulate of encompassing the realization of values on the other. The focus should be on various problems that need to be separately analyzed and not on a decision for or against rationality criteria. The respective degree of rationalization of single areas of life can be varied and can be increased or decreased depending on the form of institutionalization of the respective rationality criteria and on the handling of its consequences. Differently institutionalized rationality criteria are in a relationship of tension that results in typical configurations. They define the social and cultural order of a society. Single rationality criteria may gain dominance over others and may intrude into other life areas in which they have not been effective before. They may even coexist unmediated and be indifferent or contradictory to each other. All these questions require a detailed analysis before arriving at a global critique of the existing institutional system.

We are in a continuous process of change with respect to the validity of rationality criteria. What is familiar under the label of class conflict (the conflict among organized interests) is a struggle about the form and degree of the institutionalization of rationality criteria and their validity, about the degree to which the externalization of consequences is possible, and about the question of who has to carry the consequential costs.

5.4 The Role of Intellectuals

Intellectuals play a major role in the struggle over the form of institutionalization of rationality criteria. Increasing rationalization results in growing intellectualization with ever-greater impact chances of intellectuals in a double sense. Intellectuals influence the administration, the reform, and refinement of rationality criteria and struggle for the extension of their scope of validity. Furthermore, intellectuals identify the tensions between different rationality criteria and the life areas dominated by them. By revealing these tensions, they expound on the problems of formal rationality criteria with material interests and moral concepts.

Intellectuals always fight on both sides: for the extension of the validity of rationality criteria and for the restriction and abolition of these criteria. Intellectuals' peculiar role of a "for-and-against" or "both and" is vested in the process of rationalization. They "invent" criteria of rationality with the aspiration of systematizing the conduct of life and of structuring the social circumstances. As soon as these criteria are institutionalized, they are adopted by lawyers, engineers, economists, and priests, who all have their own interests in increasing their competence through the extension of the scope of validity of rationality criteria. Areas of social action are localized and organized by formal criteria whose application is

monopolized through expert knowledge and technical language. This is described by Weber as follows: "The bureaucratic state apparatus and the incorporated rational homo politicus, just as the homo oeconomicus, performs its tasks, including the punishment of crime, factually, 'without regard for the person,' 'sine ira et studio,' without hate and therefore without love, particularly if these tasks are carried out in the most ideal sense of rational rules of the state order" (Weber 1978: 546). However, bureaucratic routinization does not guarantee success. Contradictions between rationality criteria and successfully claimed and organized material interest are a problem for bureaucratic rationality. Intellectuals deal with contradictions between formal rationality criteria and criticize them and mobilize material interests and values. This can be done in different ways. Weber provided an example by describing oppositions against religious rationalizations: "Prophets who were hostile against priests, mystics, and sectarians seeking salvation without priests as well as sceptics and belief-hostile philosophers with the reaction of a rationalization of hieratic apologetics developed again and again out of lay beliefs" (Weber 1978: 565). "Priests" are today officials of an institutionalized context of action in which they administer rationality criteria, and "prophets" are those who problematize and criticize the use of rationality criteria without having an official position or related competences (Weber 1972: 259ff., 268ff.). They can be different groups of people, but they can also overlap; any individual can be "priest" or "prophet" or both.

The circular stimulation included in these processes is decisive: The rationalization of living conditions produces tensions between formal and material rationality and therefore also the chance to delegitimize rationality criteria. Sometimes, for instance, emphasis is placed on the fact that the parliamentary representative democracy is only a formal democracy without its own legitimation since the principle of the self-determination of authority by the subjects of this authority is not fulfilled. The more that intellectually insulated and (as a matter of principle) legitimating values for the validity of rationality criteria in the discourse of "prophets" and "priests" are developed, systematized, and radicalized, the more problematic the consistency between the functional results of institutionalized rationality criteria and the legitimating arguments for their validity becomes. Different strategic positions of "priests" and "prophets" are the consequence. The former are pragmatists who deflate value references, and the latter are ethicists who inflate value references. By aiming at "enforcing a strict boundary for rational discourses" (Weber 1978: 564), restricting the scope for discourses, and excluding the ethicists, they are in danger of demanding that they themselves "sacrifice the intellect." The more that ethicists demand and enforce a material execution of values as a matter of principle, the more they take up problematic means that discredit the value reference of their claims. "Fiat iustitia et pereat mundus" stands in contrast to "the end justifies the means." It is therefore not surprising that struggles among intellectuals result in polarizations, that they discredit each other, that they lose credibility, and that as long as the "priests" have more effective instruments of power, the "prophets" are oppressed and prosecuted.

5.5 Discussion

This, however, is only the social dramatization of a systematic state of tension. It is much more rational to identify such a situation than to defame its protagonists. Self-reflection of the rationality criteria and their constellation is only possible with the common action of both the pragmatists and the ethicists, the "priests" and the "prophets." The current situation seems to be less characterized by a general "crisis of rationality" than by a lack of reflection on the effects of certain constellations of changing rationality criteria. The comparatively high expectation with respect to the efficiency when governing political systems results in a rapid sequence of measures for satisfying material interests, i.e., in ad hoc-legislation that (in terms of its content) is basically controlled by the general rationality criterion of conformity with the constitution. The consequence is an extraordinary effectiveness and assertiveness of legal rationality criteria for the governance of the institutional system. An increasing juridification of social relationships follows. However, as effective as judicial coordinative mechanisms are, they should not exclusively define the constellation of rationality criteria or the resulting configuration of the social and cultural order of a society.

References

Weber M (1972) Wirtschaft und Gesellschaft, 5th edn. J. C. B. Mohr, Tübingen [Max Weber, Economy and Society, edited by Roth G, Wittich C, 1978. University of California Press, Berkeley]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Weber M (1978) Gesammelte Aufsätze zur Religionssoziologie, vol 1, 7th edn. J. C. B. Mohr, Tübingen [Weber M, The Sociology of Religion, translated by Fischoff E, with an introduction by Parsons T, 15th edn 1993. Beacon Press, Boston]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Chapter 6
Modernization Policy Through Institution Building: Criteria of Institutional Differentiation

6.1 Introduction

Modern society is simultaneously a product and producer of specific institutional orders. Degree of integration and conflict potential, conditions for stability and innovation, individual freedom and collective adaptability, and the extent of formal rationality and material realization of values are directly influenced by a society's institutional order. Modernization policy is the attempt to plan and intentionally construct the future order of social life through institutional reform and recreation.

We are all witnesses of a continuous process of institution building and reform. This process is the result of numerous individual decisions that are carried out ad-hoc on the basis of changing interest formations and power constellations. This kind of institutional reform has been criticized as being short-term crisis management and social engineering on a case-by-case basis in line with existing opportunities. Sociology should be able to contribute to institutional analysis and to forecast the impact of different yet interdependent processes of institution building. A systematic analysis of continuing institutionalization processes requires criteria that allow for an assessment of current institutional settings as well as for long-term projections. Currently, two sets of criteria exist. First, there are criteria that allow for assessing the conformity of institution building with the existing legal and (in particular) constitutional order. Second, there are criteria that allow for assessing the economic consequences of institution building. The continuous process of institutionalization and de-institutionalization is reflected judicially and economically but not explicitly sociologically. A good example is the long-running

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discussion regarding workers' participation legislation. The debate has been dominated by criteria of economic efficiency and constitutional permissibility. From a sociological or cultural point of view, commitments to certain values have been expressed, but a sociological view of the consequences of the processes of institution building has not been taken into account.

6.2 Max Weber's Sociology of Institutions

Max Weber laid the basis for a sociological study of institutions. His comparative historical structural analyses of the causes of the Occident's unique development, or in modern terms, of the establishment of modernization processes, arrived at the following more general result: The historic and unique development of the Occident is based on specific differentiations within the institutional order and on the related inter-institutional conflicts. These conflicts and how they are mediated constituted the dynamic of the Occidental development. The processes of rationalization of the social order as the most essential characteristics of modernization resulted from specific developments of institution building and segmentary conflict regulation. Weber clearly identified the importance of institutionalization processes for the order and the dynamics of societies as well as for the interdependencies of institutions, social actions, and the contents of interpretative paradigms. His perspective, however, was not reduced to the historical explanation of the Occident's unique development. It also continue to provide guidance for the development of analytical categories for the sociological analysis of current institutionalization processes and for developing hypotheses about their consequences. To clarify Max Weber's program of an institutional analysis of the overall society, some of his theses about the unique development of the Occident are roughly described in the following sections.

The fundamental starting point is the institutional differentiation of secular and spiritual power, or in modern terms, the differentiation of the state and the Church. This duality is structurally determining since it enduringly prevents a fusion of the execution of political authority with the definition of the legitimation of this authority. Political authority cannot acquire the competence to interpret its own legitimacy. Being responsible for salvific goods and the competence of defining values and the interpretation of meaning, on the other hand, does not allow for a permanent execution of political authority. Perennial tendencies toward Caesaropapism and hierocracy can be stopped by a high degree of autonomy and autocephaly of the "state" and the "Church" via their mutually mediated division of competences and their particular and unique basis of authority, respectively (Weber 1972a: 688ff). The second structurally determining differentiation, according to Weber, is the development of the Occidental town as an independent authoritative and social unit within the patrimonial and feudal social order. The decisive element of the resulting institutional differentiation was the creation of a regime by its own members (autonomy) on the basis of an order and not on the basis of a right of the

leader, the formal equality of all members, or their participation in the administration of the power-relationships (autocephaly). The result led to a structural heterogeneity of the political and social order based on different and partly contradictory structuring principles with, in principle, the same importance. In other words, the republican and democratic structuring model complemented the patrimonial and feudal structuring model. The Occidental town was therefore at first a "non-legitimate authority" since it contradicted the legitimation principles of the surrounding authorities. Following a period of tolerance and, later, of acceptance by the surrounding authorities, however, the town became the main carrier of structural heterogeneity and the motor of social change (Weber 1972a: 727ff).

Weber's studies demonstrate that institutional differentiation is not only the distinction of social contexts of action, but also their relative freedom from sanctions from the overall society and therefore the chance to develop unique institutionalized value orientations. The relative freedom from external sanctions, however, required a restriction of the claimed validity of the new value orientations. In other words, the form of functional specification is the core of institutional differentiation, and the determination of the validity context and the assertiveness against other institutionalized contexts of action constitutes the importance of institutionalization processes for the overall society. Functional specification not only results in a particular competence, for instance in the institutionalized division of labor, but also in a specific privilege of interests against conformity pressure of the overall society. Social action within an institutionalized context with relative freedom from sanctions by the overall society has the chance to become accepted despite its "deviant" character. As a result, innovation can be "peacefully" executed despite conformity pressure. However, in order to be accepted, these innovations rely on legitimacy, which they may gain because the context of action is institutionally restricted. Therefore, innovation is supported on the one hand yet is segmentarily embedded and restricted on the other. This embedment, however, results in the development of different goals of action and rationality criteria within institutionally differentiated areas. Institutional differentiation therefore always defines the potential for innovation and also for differentiated criteria of rationality for leading toward innovation.

Max Weber's work also demonstrates that the development of the urban community resulted in a privilege of the economic interests of the urban citizens (the patricians) against the claim of alimentation of territorial authorities and therefore the chance for the establishment of a rational labor economy. Income chances, politically protected by the autonomous town, became institutionalized and developed their own behavioral rationalities. Cost-benefit calculations became the main criteria of rationality with the instruments of accounting and balancing. Later, the freedom of income chances in early capitalism and their rationalization by specific economic criteria of action received a broad institutional basis in the autonomy of the entrepreneur that caused the economic dynamic to a similar extent as the specific conflicts of "modernity."

The second structurally decisive rationalization process on the basis of specific institutional differentiation was the development of bureaucratic administration.

Regimes that are based on statutes develop a specific interest in administration with respect to factually qualified administrative personnel and universally administrative norms. The result is a specific rationality of administrative behavior through legal behavioral norms and the evaluation of behavior with respect to its formal norm-adequacy toward statutory law. Both main criteria of rationalization of the "modernity" have therefore developed in a process of context-specific functionalization. Today, the extension of their validity as major criteria of rationalization is mainly related to their success as universal instruments of decision-making as well as to the more and more complex social situations that are consequences of these rationalization processes.

The development of institutionalized science as a structural precondition for the development of "modernity" took place in another context. The duality of the "state" and "Church" resulted in a free space for science between compliance with authoritative knowledge on the one hand and the conformity toward salvific knowledge on the other. The institutionalization of science in the specific form of the Occidental university that became independent from ecclesiastic schools did not begin before the eleventh and twelfth century (Bologna, Paris). The autonomy and autocephaly granted toward an assembly of scholars by the Emperor and the King on the one hand and by the Pope on the other constituted the institutional differentiation of science in the form of the university and the college. The right to define the rules, to own property, to practice self-administration, to recruit new scholars, and to recognize the general validity of academic exams has since been the basis for the dynamic development of science. The resulting relative autonomy is tied to specific goals that constitute the legitimacy basis for autonomy, namely knowledge production and the systematization of knowledge administration. The institutionalization of specific interests has developed its own rationality through scientific methodology for the rational area of the truth of scientific propositions, particularly on the basis of the method of the natural science experiment. Weber was therefore right when saying that only in the Occident was there "science" on the basis of rational "proof" and rational experiment, whereas we find "knowledge and observation of extraordinary sublimation" in other world regions as well (Weber 1972b: 1–16).

Modernization policy through institution building is therefore not only the organization of courses of action and their functional configuration. Each process of institution building produces a specific scope of action with its own interests regarding the specific and segmentary rationalization for achieving its objectives. Depending on the kind of institutionalization, the result is different orientations for social action as well as different goals and methods of rationalization. The degree of relative autonomy defines the approved scope for deviance from social norms. The kind of mediation between institutional differentiations defines the structural dominance of orientations for social action for the overall society. Inter-institutional conflicts are typical for a high degree of institutional differentiation, and the maintenance of these conflicts is the basis for the dynamic that is the result of such a societal order. The reform and rebuilding of institutions always determine

the degree of social dynamics in the future and the dominance of segmentary orientations for social action.

Inter-institutional conflicts are therefore not only the result of supply claims and the appropriation of power by their members. They are particularly based on differences in their orientations for social action provided by their respective rationality criteria. Institutional conflicts can be separated analytically and exist independently of the question of equality of living conditions and of the degree of subordination of their members. "Modernity" can be distinguished from "pre-modernity" not by the degree of inequality and the degree of subordination, but by conflicts between institutions with different rationalizations of social action. In the words of Max Weber, the pivotal question is "which domains have been rationalized and in which direction" (Weber 1972b: 12). In other words, modernization policy is the decision about the intentional structural dominance of institutionally isolated rationality criteria for context-specific social behavior. This always implies the decision as to which conflicts between rationality criteria are allowed and how they are institutionally mediated. There have always been conflicts between organized elites and counter-elites that have not necessarily led to dynamic modernization processes. Only when these conflicts were linked to institutional change and to relationships between institutions did they produce the continuous dynamic of "modernity," which is the quarrel between carriers of institutionalized contradictory rationality criteria.

6.3 Conflict Institutionalization and Institutional Differentiation

Modernization policy therefore has to explicitly identify the intended or tolerated conflict and to mediate the expected outcomes. An example is provided by the German constitution, in which the following three national objectives of the same rank are defined that cannot be equally realized. The principles of democracy, the rule-of-law, and the rule of social policy are heterogeneous organizing principles that are in a relationship of mutual tension that cannot be resolved. Modernization policy within the framework of the constitution has to recognize this relationship of mutual tension and has to safeguard the relative equilibrium of these objectives. If the claim of equal status and autonomy of these objectives for the state order is accepted, the resulting conflicts, and therefore, from the perspective of only one of the three goals, the "imperfection" and "contradictions" of the order, have to be accepted as well. In economic policy, the institutionalization of conflicting objectives took place similar to the principle of the equal status of conflicting national objectives institutionalized in the constitution. The so-called "magic square" can be seen as a system of economic objectives consisting of the sub-goals of full employment, economic growth, currency stability, and balance in foreign trade. Again, all four goals cannot be realized to the same extent by following a unitary strategy.

The relative assertiveness of single goals depends on the degree to which they are a part of the competences of their own organizations. Examples include (1) the Supreme Court, with the competence to prove whether national objectives are realized in a well-balanced manner and whether the relationship of mutual tension is being maintained, and (2) the Federal Bank (today, the European Central Bank), with the competence to guarantee the sub-goal of currency stability. Without discussing these issues in detail, the general conclusion is that the method of organizing the competence of interpreting the respective sub-goals influences their assertiveness as well as the degree of conflicts between the sub-goals. We do not find such explicitly defined goal systems in other areas of our social order, nor do we have the analytical understanding for unresolvable conflict situations.

Our analytical understanding is most developed in the institutional complex that can be labeled the "institutionalization of class conflict" with the functions of wage autonomy, labor law, labor management regulation, and workers' participation. The overall complex, however, is mainly considered from the perspective of "class interests," with a focus on the relative participation of population groups in business decisions and their share of the national income. More important, however, are the inter-institutional conflicts that resulted from the development of modern capitalism. According to Max Weber, the principle of profitability of capital investment connected the development of cost accounting in management with the organization of formal free labor. In other words, if profitability becomes the dominant criteria in the management of firms as a result of institutional differentiation, it also becomes dominant for other commercial employment systems that, in a process of rationalization, underlie the same criteria. In the course of history, the resulting conflicts have led to the development of the labor movement, labor laws, and social policy as different institutionalizations of the principle of social security with their own criteria for their rationalization. Profitability and the principle of social security are institutionalized goals that are in conflict with each other and that are mediated in different social orders in various ways. The respective rationality criteria are not abolished. Their particular structural dominance for the overall social order, however, depends on the mode of these mediation processes. Inter-institutional conflicts are not identical with distribution conflicts. However, for members and carriers of institutions, the assertiveness of their institutional organizational unit is always related to different income and supply chances. Therefore, the core of institutionalization processes is the definition of particular behavioral goals and their rationalization. The institutionalization of conflicts should always be analyzed with a focus on the definition of the relative weight of behavioral goals and rationality criteria and not only with respect to the degree of realized "distributive justice" and the democratization of decision-making competences.

The core problem of conflict institutionalization can be illustrated by a historical example. The famous Investiture Controversy from 1075 to 1122 between Pope Gregory VII and Emperor Henry IV was about the enforcement of the Church's claim of autocephaly and the refusal of the royal right of investiture against the bishops on the one hand and the maintenance of the King's individual patrimonial rights to clerical vassals and the bishops as "imperial officials." Both parties were

dependent on each other. The King was dependent of the legitimation of his secularized authority by the Church, and the bishops were in need of the alimentation by the Emperor in form of imperial fiefdom. Finally, after a long struggle, the conflict was resolved in the form of the acceptance of the dual role of the bishops as Church dignitaries and secular fief holders in a dual appointment act that was connected in time and content. The King obtained the symbols of clerical authority from investiture with ring and staff but maintained the right of investiture with the scepter, the symbol of secular authority.

The Church's claim of autocephaly (independent elections of bishops) and the King's claim of appointing the lifetime positions were maintained and mediated through procedures. Because of different interests, their power to achieve the respective goals, and highest legitimation of their particular claims, the conflict was institutionalized. This institutionalization process took place without making a decision on the priority of the respective value justification, by retaining the claims of autonomy and autocephaly in line with the respective self-concept, and by mediating mutual dependency through procedures.

Historically, it is of crucial significance that this institutionalization irrevocably established the duality of state and Church and de-legitimized the idea of a hierocratic Empire. The development of a Roman-Catholic Europe resulted in a desacralization of secular authority. In the Orthodox Church, however, a process of institutional differentiation did not take place. The break between the Western and the Eastern Church in 1054 maintained the sacralized idea of an Empire in Byzantium that was succeeded by Moscow. The fusion of Church and state in the absolutist Tsardom was the historical basis for the later bond between political authority and the self-legitimizing interpretation of values in Soviet Communism through the doctrine of the dictatorship of the proletariat in the organizational form of the Communist Party. The form of conflict institutionalization, therefore, is decisive for the development of cultural plurality and political division of power [Max Weber's analysis is much more detailed (see Weber 1972a: 713). For the argument in this study, however, Weber's emphasis on processes of institutional differentiation and the resulting conflicts and their institutionalization (in his words, "the peculiar balance of tensions") is decisive].

Institutional differentiation separates specific contexts of social action from the generally valid system of norms and sanctions and therefore provides the opportunity to formulate individual goals within this context and to develop particular rationality criteria for achieving these goals. The resulting inter-institutional conflicts, if they become permanent, are institutionalized, i.e., through mediation by specified procedures and the maintenance of different orientations for social action and rationality criteria. The form of conflict institutionalization defines the degree of isolation and autonomization of different objectives of social action and at the same time their impact on society in general. Modernization policy is the intended configuration of processes of institutionalization and their mutual mediation as well as of processes of dedifferentiation and the fusion of institutions.

6.4 Allocation Problems

In order to generalize these issues and to analytically systematize them, we can distinguish between four "allocation problems" that define the assignment of particular skills to certain units of action.

"Competence allocation" regulates the definition and distribution of decision-making authority: Who can decide what? It defines the autonomy of an organization, and the organization receives the right to act with validity for others. The consequence is a certain obligation to take action to fulfill the expectations of others. Otherwise, the granted autonomy may decrease.

"Resource allocation" regulates the definition and distribution of power to control the means of the achievement of objectives: Who has which means at his or her disposal? Such resources can consist of political, economic, or military power, as well as the administration of spiritual goods, knowledge, and particular services. The degree to which these resources are at one's disposal determines the assertiveness of an action unit and therefore its objectives and rationality criteria.

"Legitimacy allocation" regulates the definition and distribution of legitimacy: Who justifies the social order? Not only is political authority in need of legitimacy for achieving compliance with the execution of power, but the acceptance of all relationships of dependency as well as processes of institutional differentiation, such as institutionalized medicine, also needs to be justified.

"Control allocation" regulates the definition and distribution of exercising sanctions: Who can penalize what? Not only do courts have the right to sanction, but so, too, do organizations and associations such as unions (freedom of strike) and employer associations (freedom of lockout) as part of mutual sanctions within collective agreements. Therefore, they determine the inter-institutional interdependency and their symmetric and asymmetric mediation.

To a certain extent, the four "allocation problems" correspond with the distinction of executive authority, legislative authority, and the judiciary. However, when "resource allocation" is added, the focus is not only on the state order, but also on the decision-making and structuring problems of the institutional order of the overall society. The assignment of these skills to different institutions and the respective consequences define the institutional order as a whole. The degree of symmetry or asymmetry of the assignment to different institutions increases or reduces these institutions' influence. The struggle about competences, resources, legitimacy, and sanctional power is the substance of inter-institutional conflicts and of social dynamic.

6.5 Discussion

Modernization policy as institution building would have to analyze these four processes and their interdependencies in order to arriving at conclusions about the likely consequences of institutional reform and reconstruction. However, there are a large number of possible alternatives: differentiations and fusions in the contexts of social action, the homogenous and heterogeneous assignment of decision-making competences, the disposition of resources, the provision of legitimacy, and the power to control. Allocation processes do not have to occur at all levels in the same sense. There can be intentional disproportionalities between the allocation of competences and legitimation, of resources and competences, and of control and legitimation, and they can be distributed to different actors just as with the idea of checks and balances. Decisions about institution building that are made continuously should not take place merely according to the current distribution of power, the superficial perception of the institutions' interdependencies, or the ideal of structural homogeneity of societal orders. This would render modernization policy a "trial-and-error procedure" without taking cumulative historical experiences into account or developing alternative decisions for the aspired solution.

References

Weber M (1972a) Wirtschaft und Gesellschaft, 5th edn. J. C. B. Mohr, Tübingen [Max Weber, Economy and Society, edited by Roth G, Wittich C, 1978. University of California Press, Berkeley]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Weber M (1972b) Vorbemerkungen, in: Gesammelte Aufsätze zur Religionssoziologie, vol 1, 6th edn. J. C. B. Mohr, Tübingen [Weber M, The Sociology of Religion, translated by Fischoff E, with an introduction by Parsons T, 15th edn 1993. Beacon Press, Boston]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Chapter 7
Trust in Institutions

7.1 Introduction

Ludwig Bendix, a lawyer and honorary labor judge in Berlin and father of famous sociologist Reinhard Bendix, lost his license as a lawyer—as did all Jews—in June 1933. Under suspicion of being a communist (as a lawyer, he once defended a communist), he was confined to a concentration camp for 4 months. After being released, he attempted to open his office again as a legal advisor. In 1935, his office sign was pasted over by a note saying, "Those who buy from Jews are 'Volksverräter' [betrayers of the nation]." Bendix called the responsible police station and asked for a police officer to officially remove the note. He thought that he could confront the violation with the support of public authorities. Despite suffered discriminations, an occupational ban, and an illegal arrest, he was convinced that the constitutional state was independent of the political regime and that public authorities therefore had to condemn the party's illegal action. Indeed, a police officer came to witness the removal of the note even though he did not remove it himself.

Through this experience, Bendix's belief in the state of law was strengthened, and he sent a letter to the chief of police station 174 in which he thanked him for sending the police officer and wrote, "I would like to use this opportunity to get your attention and to demand police protection for another issue. At your former office building, the current party's inn, the front is covered by a huge white banner saying, 'We don't want the Jews anymore.' At the fence in front of the house, there is a 'Stürmerkasten' [a box with the party's organ] showing a provocative

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illustration. Both the banner and the 'Stürmerkasten' are a provocation for any single Jew, and even more for Jews like us who have lived in Germany for generations, have bled for Germany, and love it as our home country. Furthermore, the removal of the banner is in the public interest since many foreigners live in our neighborhood and the Reich's prestige will decline if and because they will report to their home countries" (Bendix 1985: 254). This letter was forwarded to the Gestapo, and 2 weeks later, Ludwig Bendix was again brought to a concentration camp. Not till 2 years later, when his family was able to present the immigration documents to Palestine, was he released from KZ Dachau. During the short time between his release and emigration from Germany, he formulated a plea in which he accused the commander of KZ Dachau of being responsible for the death of a cardiac Jewish prisoner because of enforced gymnastic exercise. Bendix wanted to use legal action to discover the responsible party for this death. His family made the emigration possible by preventing the letter from being sent.

This sequence of action demonstrates unbroken trust in the principles of the rule of law despite severe sanctions. These principles were internalized by Ludwig Bendix, they were part of his identity, and he was not able to abandon them existentially. He believed that police, prosecution, and courts served the law, and he wanted to see this guiding idea realized by referring to the institutions of the rule of law. The guiding idea in which Bendix trusted, however, was deinstitutionalized directly after the National Socialists took over power. The further the deinstitutionalization proceeded, the less realistic his expectations were. Bendix's former rational behavior became irrational and incomprehensible when considering his own interests. The scope of validity of legal rationality criteria was shrunken. Civil rights were suspended; norms, procedures, and responsibilities were decayed by political criteria; organ structures were changed; and the degree of personal arbitrary decisions increased. In political cases, the police were not controlled by the courts and partly merged with the party's apparatus of the SS (*Schutzstaffel, the editor*). Ernst Fraenkel (1941) accurately described that a dual state was developed at that time: The legally unbounded "prerogative state" had developed alongside the "normative state" that was still related to legal procedures. Bendix misjudged the already-incurred deinstitutionalization of law in the "prerogative state" and believed that he could act in the framework of the legally bounded "normative state." Jewish citizens of the Reich could have no doubts about the anti-Semitic character of the National Socialist regime but still trusted in the principles of the German constitutional state. They believed that they could, with severe discrimination, continue living in National Socialist Germany under the shelter of the rules of law. Since the pogrom of 1938, however, they had to realize that they were no longer protected by civil law.

7.2 Fulfillment of Expectations Results in a Relationship of Trust

Trust in institutions, as demonstrated by this example, refers to very different aspects (Luhmann 1989; Waschkuhn 1984). Due to belief in the validity of certain values, we trust that the social action of people we do not know is oriented toward these values. Based on the experience that a certain institutional order has functioned, we trust that individuals and organizations are sufficiently structured and controlled by institutionalized rules, even in unpredictable situations. It is trust in justice, in an institutional order with explicit responsibilities, norms, and authorities controlling the action of the organs of jurisdiction. Trust may develop out of the experience that certain individuals and organizations practice their prior behavior again and again. The fulfillment of expectations of a certain behavior results in a relationship of trust even if the institutional rules and procedures and the guiding ideas on which they are based are not explicitly known.

If trust is related to the expectation that a certain behavior will take place in the future under circumstances that cannot be controlled (Preisendörfer 1995: 264), we have to ask for the basis of this trust. In the case of individual and corporate actors, we can observe their behavior over a long time, form an opinion about their motives and disposition, and form our expectations about their future social action on this basis. There is always a risk that our expectations may be wrong, and one should not be "overly trusting." However, even in a relationship of mutual trust, distrust may protect from disappointment and from related material or mental damage. In the case of trust in institutions, our trust is not related to the behavior of individuals and their motives and disposition. Trust in a person's disposition is replaced by trust in an institution's guiding idea. Trust in a person's motives is replaced by trust in an institution's code of procedure. Direct observation and control of a person's social action are replaced by observations of achievements ascribed to an institution and of control mechanisms monitoring the institution.

Trust in institutions refers to the functional relationship of guiding ideas, norms, and procedures substantiating these ideas, to the degree of the differentiation of the scope of validity in which social action is structured, and to the actual imprint of social action. Trust in institutions is a multi-dimensional process in which the granting of trust may focus on one dimension or another and may also vary over dimensions. Tensions between different dimensions of an institutionalization process always result in fragile trust in institutions.

In general, functioning institutions accumulate trust due to their perceived performance over a longer period, while non-functioning institutions consume trust due to insecurity over whether they will fulfill promised expectations. Vice versa, functioning institutions require low levels of trust, while non-functioning institutions need high-level trust to remain. There is a gap between the demand and acquisition of trust. Since the demand and acquisition of trust are related to different dimensions of the institutionalization process, the overall trust of an institution is

not easy to identify. The granting of trust in an institution can be analytically differentiated according to the reference units in which trust is placed.

7.2.1 Trust in Guiding Ideas

Trust can be placed in the guiding idea released from the procedures of its institutionalization. A good example is Bärbel Bohley's (*an East-German civil-right activist, the editor*) notion after the German unification: "We asked for justice and got the rule of law." The isolation of the legitimizing guiding idea of justice from its institutionalization frequently results in disappointment in the effectiveness of institutions with the rule of law. In this case, trust in the guiding idea is strong, while trust in the institutional order is much weaker. In opinion polls, 70 % of respondents in West Germany in 1996 said that democracy is the best form of government (according to Allensbach, see F.A.Z. from 17.4.1996). When being asked whether one can trust the parliament to make decisions "in the interest of people like you," only 44 % of respondents said "yes" (Eurobarometer 45, 1996: 98). This is but one example for the frequent situation that a guiding idea receives a higher level of trust than its institutional form. And this is also why unsatisfactory results of institutions are often accepted over a longer period of time. Belief in the guiding idea constitutes trust, which is set in the idea's future effectiveness. This was the case in East Germany for several decades. Socialism, it was believed, was the order of the future, a superior order of society that would outweigh today's shortages in the long run. The guiding idea of socialism supported the prevailing institutional order, even if it was replaced by "real existing socialism." In this case, the functional relationship of an institutional order is less important. Trust is oriented toward the guiding idea and subordinates its institutional form.

7.2.2 Trust in Material Results

Trust can be placed in the material results of an institution. The output and the expectation that this output will be constantly repeated strengthen trust in the institutional order. In this case, how the results are achieved by the institution and which ideas are claimed to be realized are of secondary importance. It is the result that counts, and trust in the institutional order rises only from the recognition of positive results. In West Germany's early years, steady economic growth and rising individual income constituted the basis for a growing acceptance of parliamentarianism, of the political parties, and finally, of the guiding idea of democracy. In such a case, the functional relationship of an institutional order can potentially be undermined. Lacking efficiency such as high unemployment, high duties and taxes, and slow economic growth raises doubts in the institutional order, resulting in a loss of validity of the respective guiding ideas. The current

debate about the "bureaucratic welfare state" is a sign of a primary orientation toward an economically defined output that leads to a loss of trust in the institutional order as well as in the underlying values. In former East Germany, cumulative disappointment of output expectations finally resulted in a loss of trust in the state and in the economic order, and eventually also in the guiding idea of socialism.

7.2.3 Trust in the Institutional Order

Trust can be directly oriented at the institutional order. The so-called "constitutional patriotism" in West Germany is a good example. Trust is placed in the institutionalized regulation framework in which the guiding idea is effectively enforced. The constitution is particularly suited to this kind of trust relationship since basic laws and national objectives as well as organizational structures and procedures form a functional relationship that is legally enforceable through the constitutional court. In this case, it is trust in the functional relationship of the institutionalization process as such. "National sentiment" is, in contrast to "constitutional patriotism," not related to an institutional order. It is oriented toward values that can be realized without a specific institutional order and is therefore not bound to institutions. Even if the "national sentiment" is the basis for the development of collective self-confidence, it is open to various means and procedures for realizing national values, and nationalism can therefore be linked to various political orders. Only if the values of patriotism are constitutive of a specific institutional order, such as for the development of a democratic constitution (United States), for the development of parliamentary government (Great Britain), or for the development of civil rights (France), is "national sentiment" related to institutions. In West Germany, "constitutional patriotism" was of particular importance in contrast to institutionally unbounded nationalism. After World War II, the divided nation could not define itself as a nation-state, and after National Socialism, a democratic community could not be defined by referring to national values since they were historically compromised. The formation of identity along criteria of the institutional order and the developing trust in the functional relationship of the constitution became the integrating element for the concept of the state. The constitutional court became of central importance to the interpretation of guiding ideas and to continuous control of the legislation. New problems and value preferences were integrated in the functional relationship of the constitution, and institutional orders were changed accordingly. In opinion polls, the constitutional court regularly receives the highest expressions of trust (Gabriel 1996: 260). This can be seen as an indicator of trust in the validity of the basic law. It is crucial that the guiding ideas as well as the consequences of constitutional action remain mediated by institutions and that the constitution become neither ideally nor materially undermined.

7.2.4 Limits of Trust in Institutions

Trust in institutions reaches its limits in cases in which the rules and procedures that structure and control social action are considered not to be efficient and if their guiding ideas are no longer recognized. Such a situation occurs if trust in institutions is replaced by trust in individuals, with institutional orders becoming marginal and with trust being oriented toward the motives, dispositions, and abilities of particular persons. The erosion of trust in institutions is the precondition for the construction of charismatic authority. Due to the belief in a charismatic leader, a direct realization of certain values through the leaders' action that is not controlled by institutions is expected. The complexity of the institutional orders is considered a "system" that is not able to fulfill expectations and in which destruction is seen as a precondition for the realization of expectations.

In case of a transfer of trust from an institution to the personal qualification of a leader, the confider becomes dependent on the leader's arbitrariness and reduces the chances of controlling his or her behavior. Charismatic authority is not only institutionally under-structured but also enlarges the scope of the manipulation of values that the leader pretends to realize (see Chap. 8). The leader's order becomes "law" with the "leader protecting the law." The entire institutional order is at the leader's disposal and is considered to lack its own value. All expectations are placed on the leader's "genius," and cognitive dissonances resulting from perceptions of everyday life are separated from his or her person and intentions. In National Socialism, the notion "What if the 'Führer' knew?!" was the immunizing formula against cognitive dissonances.

7.2.5 Sanctions

Institutions are always represented by individuals but without becoming personalized. Trust in institutions is influenced by the observation of the behavior of individuals representing the institution. The degree of behavioral rules and intervention in privacy varies in different institutional orders. In individual behavior, a "moral" representation of values postulated by the institution is required. If this is not the case, institutions must be able to sanction. It is not the corruption of individuals that reduces trust in institutions, but rather the acceptance and tacit approval of these individuals. Corruption that is publicly debated and institutionally sanctioned strengthens the institutional order. It is not the misbehavior of institutions' representatives, but rather the estimated number of unreported cases, adaptation to this number, and erosion of the willingness to sanction that compromise trust in institutions.

A striking example is the "mani pulite" ("clean hands") campaign of Milan prosecutors and judges. The dimension of bribery in Italian public administration and corruption by parties was known, imputed, and counted on by everyone. When

the judiciary began to raise spectacular as well as ordinary cases, and high-ranking political figures were accused and actually sentenced, the traditional party-system collapsed. It was a "coup," so to speak, of the judiciary (Pizzorno and Della Porta 1993; Belligni 1995). This extreme case clarifies the relationship between trust and institutions. Trust in institutions depends on the institution's power to sanction. Trust in institutions is bound to the observation of the behavior of the institution's representatives and to the degree these representatives realize the guiding ideas symbolized by institutions. However, the misbehavior of institutions' representatives is not only a moral issue. The institutional form and the degree to which behavioral contexts are differentiated and to which the overlap of the contradictory structuring of social action is avoided either facilitates or complicates individual conformity toward an institution. An example is the implementation of a new rule for financing parties in Germany that raised suspicion of tax fraud when collecting donations for parties. Familiar practices by the parties' treasurers now became "criminalized" by changes of party financing rules. Respectable treasurers were sentenced. When institutions become personalized, the reference point for trust in institutions becomes blurred, much in line with the saying "politics ruins character." Trust in institutions does not refer to an individual's ideal moral, but rather to institutions' structuring of social action and their guiding ideas as well as the related observable individual behavior.

7.2.6 Distrust

Distrust in institutions as such is not necessarily a sign of weakness. The need to control institutions is part of the way institutions function. Distrust itself can be institutionalized, e.g. in the case of a critique in science, contrarian expert reports, or a revision of judgement. The institutional order bears a number of characteristics that can easily lead to distrust. Political parties, for instance, propagate far-reaching goals without being able to fully realize them. This discrepancy is under permanent observation. Party critique is part of the control system and is therefore immanent in the institutional order. Mass media raises public attention to party critique, and parties strongly criticize each other. Elections, finally, are a means for everyone to sanction political parties. It is therefore no surprise that when asking about trust in institutions in opinion polls, it is the political parties that regularly receive the lowest scores. This result virtually follows from the institutional order of the political process. Reservations about political parties, voting for parties, and the attribution of governmental action to parties are major elements of trust-giving in the institutional order that every single citizen has at hand.

Distrust in political parties becomes problematic if it spreads to the party-system, i.e. the "party state," since an overall degradation of parties negatively effects a main pillar of the democratic institutional order. Asking for a democracy without parties reveals more than mere distrust in parties; it also reveals resistance against representative democracy. Distrust, reservation, and resistance mark a

continuum with transition points in which the critique of institutions' unsatisfying performance is separated from these institutions' values. To maintain this differentiation, it is important to know an institution's "gestalt" and guiding ideas. This information is required to change the organizational form of an institution as well as to recognize its guiding ideas. This is the area of conflict for day-to-day flexible management (Nedelmann 1995) in which trust in institutions is reproduced. A mere routinization of institutionalized social action with the corresponding values being neglected decomposes the understanding of institutions as a complex structuring of the context of social action in terms of a guiding idea. A differentiated understanding of institutions of representative democracy is expressed by routine voting for a political party related to a certain milieu just as little as a normative obligation of conformity with institutions in line with the motto "the party is always right."

7.3 Discussion

Trust in an institutional order is more complex than trust in a single institution. An institutional order has to sustain not only contradictions between pretension and the realization of a guiding idea, but also contradictions between different institutions. Satisfaction with Germany's institutional order, for instance, is always based on the assessment of the political system of parliamentary democracy as well as on the assessment of the economic system of the market economy. Although both the political and the economic order follow different rationality criteria, they are assessed in the same functional relationship. The acceptance of democratic values and institutions in post-war Germany, for instance, was supported by the experience of increasing economic wealth. Economic stagnation, on the other hand, often reduces satisfaction with parliamentary democracy. The distinction and connection of both institutions requires complex mediation with the precondition of a separation of the institution's guiding idea from interdependencies of its potential impact. The assessment of economic efficiency and political creative power is united in the loyalty to the existing institutional order (see also Kaase 1979).

References

Belligni S (1995) Die "schmutzigen Jahre". Die Ent-Institutionalisierung der italienischen Parteien. In: Nedelmann B (ed) Politische Institutionen im Wandel. Westdeutscher Verlag, Opladen, pp 167–187

Bendix R (1985) Von Berlin nach Berkeley. Suhrkamp, Frankfurt

Eurobarometer (1996) Standard Eurobarometer 45. European Commission, Brussels

Fraenkel E (1941) The dual state. A contribution to the theory of dictatorship. Oxford University Press, New York

Gabriel OW (1996) Politische Orientierungen und Verhaltensweisen. In: Kaase M, Eisen A, Gabriel OW, Niedermayer O, Wollmann H (eds) Politisches System. Berichte der Kommission

für die Erforschung des sozialen und politischen Wandels in den neuen Bundesländern. Leske & Budrich, Opladen, pp 231–312
Kaase M (1979) Legitimitätskrise in westlichen demokratischen Industriegesellschaften: Mythos oder Rationalität? In: Klages H, Kmieciak P (eds) Wertewandel und gesellschaftlicher Wandel. Campus, Frankfurt, pp 328–350
Luhmann N (1989) Vertrauen. UTB, Stuttgart
Nedelmann B (1995) Gegensätze und Dynamik politischer Institutionen. In: Nedelmann B (ed) Politische Institutionen im Wandel. Westdeutscher Verlag, Opladen, pp 15–40
Pizzorno A, Della Porta D (1993) "Geschäftspolitiker" in Italien. Kölner Zeitschrift Soziol Sozialpsychol 45:439–446
Preisendörfer P (1995) Vertrauen als soziologische Kategorie. Zeitschrift Soziol 24:263–272
Waschkuhn A (1984) Partizipation und Vertrauen. Westdeutscher Verlag, Opladen

Chapter 8
Max Weber's Concept of Charismatic Authority and Its Applicability to Adolf Hitler's "Führerstaat"

8.1 Introduction

Was National Socialism a "monocraty" in which Adolf Hitler's will determined all decisions according to the model of totalitarian "leader dictatorship," or did the increasing fragmentation of authority result in a "polycraty" with independent subareas that could conduct authority without Hitler's approval or even against his will? Neither view denies Hitler's pivotal role. However, "monocraty" and "polycraty" have been proposed as two alternative interpretations of the National Socialist regime (Mommsen 1981; Hildebrand 1981; Kershaw 1980). Nevertheless, both contradictory hypotheses could be combined by applying Max Weber's concept of "charismatic authority." The advantage of this model is that it investigates and seeks to analytically mediate (and not to polarize) the relationship between person and structure. This perspective is important when analyzing the National Socialist regime, which underwent a specific personalization as well as a peculiar structuration due to Hitler's position in the "Führerstaat."

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8.2 Max Weber's Concept of Charismatic Authority

Charisma in the sense of Max Weber is "the supposed extraordinary quality of a personality that causes him or her to be considered a 'leader'" (Weber 1972a: 140). Charisma is based on a social relationship between the charisma holder and the charisma believer. The quality of a person considered charismatic is granted by his or her followers just as the charisma holder demands the acceptance of the claimed charisma. Social development is generated in which the position of the leader, the nature of the executed authority, and the form of obedience are conditioned in a specific way. The Weberian perspective is not focused on analyzing the personality of the charismatic leader, but rather on the structure of the charismatic social relationship. This relationship is characterized by the following attributes:

First, "voluntary acceptance through the subjects by abandonment to revelation, hero worship, and trust in the leader" (Weber 1972a: 140). For "genuine" charisma, i.e. in immediate and direct personal relationships, this acceptance is the "highest personal abandonment" and "duty." The leader claims the highest authority and the followers accept obedience as their duty. The charismatic leader must have the will to claim the highest authority, and the followers must have the will to completely subordinate themselves to the leader. This is not only a question of subjective will, but also of the structural chance for charismatic behavior. Both the leader and the followers must be in or create a position that allows for claiming authority or for subordinating themselves. Not only is charisma considered extraordinary, but the charismatic relationship also has an extraordinary character and is different from the networks of roles and norms of everyday life.

This different character leads to the second characteristic of a charismatic relationship, namely the dissolving of previous normative standards, procedures, and organizational forms. The more a charismatic person claims the highest authority, the less he or she can accept other normative rules and procedural control. These rules and control would restrict the person's arbitrariness, and obedience would be subject to conditions. According to Weber, in a charismatic relationship, there are "no rules of procedure, no abstract legal acts, and no rational jurisdiction" (Weber 1972a: 141). While there is formal "jurisdiction on a case-by-case basis" with regard to content, the charisma holder claims "new imperatives." The charismatic leader creates a new leadership position for him- or herself as well as the social position of the obedient persons, i.e. the followers. Weber refers to Jesus, who said to his disciples: "It is written ... but I tell you ...," and demanded that they leave family and work if they wanted to follow him. The release from day-to-day obligations enabled the disciples to follow their leader and obey his message. Charismatic relationships are characterized by an affective and personalized structure. They are not structured in a rational way and do not follow institutionalized rationality criteria, which is why Weber emphasized that they are "specifically alien to the economy." They evade the control of rational economic management and establish an economic basis by prey, blackmail, donation, bribery, and begging (Weber 1972a: 142).

The third characteristic follows from the previous ones. The social structure that comes out of a charismatic relationship represents an emotional collectivization held together by an emotional bond with the leader and, if necessary based on the size of the group, organized by followers and confidants chosen by the leader. In order to execute power, an authority (be it a movement, a party, or a state) always requires a management unit with members selected by the leader according to their "charismatic qualification." "There is no 'hiring' or 'suspension,' no 'career' and no 'rise in rank,' but only appointments based on the leader's intuition according to the charismatic qualification of the appointee. There is no 'hierarchy,' but only intervention of the leader in general or particular cases of the management's charismatic inadequacy for certain tasks. There are no 'local authorities' and respective 'competences,' and there is also no appropriation of authority by 'privileges,' but only (possibly) local or factual limits of the charisma and the 'mission'" (Weber 1972a: 141). The structure of a charismatic group or a charismatic association is characterized by the peculiar coexistence of strict "command and obey" relationships and a fluent and loose organization of the management. There are no collective decision-making processes, no binding hierarchies, and no stability of procedures, and there is also no institutionalized conflict articulation and resolution. The internal structure of the association is determined by ad-hoc interventions and uncoordinated authorizations from a sub-leader by charismatic persons as well as by the self-empowerment of charismatic followers. A charismatic association, therefore, is at the same time rigid and flexible, authoritarian and anarchistic, uniform and fragmented, centralist and uncoordinated. It is personalized and indifferent to any form of institutionalized rationalization. If a charismatic authority is comprehensive and has a wide scope, sub-domains can develop with routine tasks being performed according to fixed and bureaucratic rules, and these sub-domains may even become largely independent of direct charismatic social relationships. It is crucial that the entire structure have features of a charismatic association and thus be legitimized by personal loyalties and a belief in the extraordinary abilities of the leader. Furthermore, domains in which the leader seeks to demonstrate his or her extraordinary abilities should not be restricted by the regime structure or by responsibilities of the followers.

The fourth characteristic of a charismatic relationship is the imperative of probation. "If probation is permanently missing, the exceptional charismatic leader is abandoned by God, by his or her magical or heroic power, and success. And above all: If his or her leadership does not improve the well-being of the followers, the charismatic authority may disappear" (Weber 1972a: 140). Belief in charisma and its ascription to a particular person are tied to observed probation. Chiliastic hope connected to a belief in charisma is not completely detached from the perception of reality and the interests of the charisma followers. If charisma disappears, the charismatic relationship is suspended and, as Weber pointed out, charisma becomes part of everyday life and is replaced by institutionalized structures for social action. The imperative of probation is the primary restriction to social action for the charismatic leader. He or she has to ensure that the followers recognize the leader's probation permanently in order to control, interpret, and

manipulate these followers. The followers may continue to believe prophecies that have not come true since a non-fulfilled probation of the charisma can be reinterpreted ex post. More generally, cognitive dissonances can be bridged without eliminating the underlying contradictory perceptions as such (Festinger 1957; Festinger et al. 1965). As Weber pointed out, probation can be achieved more easily if the willingness to believe is increased by "enthusiasm or by distress and hope," and therefore by an emotionalization of orientation for social action, and, it can be added, if alternative interpretations and courses of action are missing in a precarious situation. Once a charismatic leadership has been developed, the holder has a great chance of determining his or her followers' perception of reality and of excluding alternative courses of action by deinstitutionalizing the formation of political will and decision-making. A charismatic person may therefore successfully lay claim to his or her charisma's validity and to the maintenance of his or her claim to power, even if probation is missing for a longer period of time.

As with any ideal-type, Weber's model of charismatic authority does not fully correspond with reality. Therefore, investigating whether or not a social relationship is charismatic is not the right question. It is much more fruitful to look into the degree and the direction of the social relationship's charismatization. Both the degree and direction of the charismatization of a social relationship are variable. The more that institutionalized norms are abandoned, the stronger the charismatization of the relationship becomes. This change of norms determines the value relationship that is followed by the charismatic community. By analogy to Weber's concept of rationalization, the following questions concerning the charismatic relationship are viable: What life spheres are affected by the charismatic relationship? To what degree are they charismatized? In what respect are charismatized and non-charismatized life spheres and social relationships connected? (Weber 1972b; Lepsius 1990: 44ff)

In contrast to contemporary usage, charisma is not identical to prestige, reputation, popularity, or personal ability. Charisma establishes a social relationship that changes behavior patterns fundamentally. As Weber emphasized, charisma is a 'revolutionary power' that may lead to 'a change of vital courses of ethos and action and complete reorientation of all attitudes to any single life form and to the 'world' in general (Weber 1972a: 142). A charismatic situation constitutes a break with the habitual and institutionalized structures of social action. A charismatic leader is not only a person who is given great expectations and trust and to whom special skills are attributed. A charismatic leader constitutes a new leadership, a new structure of social relationships, and a new cognitive definition of the situation of social action. As long as a leader does not change the social system, as long as he or she complies with the common role expectations of a leadership position and accepts that his or her actions are controlled by independent institutions and public opinion, this leader cannot be a charismatic leader, regardless of his or her prestige and ability or how much he or she is honored, recognized, and idolized by followers.

It may be difficult to distinguish between a figure's idolization and charismatization since the boundaries are blurry. However, a charismatic social relationship differs from a non-charismatic one on the basis of the afore-mentioned

characteristics. A charismatic personality is required but is only one of many characteristics. John F. Kennedy was called a charismatic president, but his presidency did not constitute a charismatic leadership. Martin Luther King explicitly disapproved all expectations that would have made him a charismatic leader. As a result of his political success, Otto von Bismarck was charismatized; however, he remained chancellor even though he had had greater personal influence on the political structure of the German Empire than was granted by his position. All these 'charismatic' (or better, 'charismatized') personalities remained within institutionally bounded borders and did not change the political regime, even if their actions extended the role expectations attributed to their positions. As a consequence, they had greater opportunities to act than their positions would generally have granted them. However, charismatic authority is not merely tyranny or dictatorship. It is legitimate authority insofar as the followers believe in the virtue of the leader and in the values he or she promises to fulfil. In this sense, Napoleon was a charismatic leader, as was Hitler. Through their personal actions, they created a new authority that was perceived as legitimate by their followers.

8.3 The Latent Charismatic Situation

A precondition for the construction of charismatic authority is a latent charismatic situation, the willingness to comply in belief in the leader's charisma with a direct personal authority. There are two dimensions of a latent charismatic situation: a cultural one and a social one. Edward Shils (1975: 127) provides a concise definition of the cultural dimension: "The propensity to impute charisma is a potential in the moral, cognitive, and expressive orientation of human beings." The addiction to charismatic belief is culturally determined by the view that transcendental powers are directly responsible for people's fate and fortune and are represented in a person's characteristics. A leader virtually acts on behalf of God, or as Hitler used to say, of "destiny." In German culture, there is a comparatively high readiness to believe in charismatic power. The idolization of Frederic II of Prussia following his unlikely victory at the end of the Seven Years' War was attributed to his genius. The same took place with the charismatization of Bismarck following the foundation of the German Empire. The expression "men make history" is not only a personalization of historical events, but also implicitly downgrades the relevance of institutional orders. German political culture shows strong anti-institutional elements and great trust in the virtue of personal decisions by an "open but authoritarian elite" (Struve 1973). After its defeat in the First World War, large parts of the German population showed a latent readiness for charismatic leadership in their distrust of the new constitution, parliamentarianism, party rule, and the influence of interest groups. The authoritarian camp of the German political culture considered democratic developments to be un-German, ineffective, and not adequate to the Weimar Republic's tasks. Hopes were projected onto a new, still unknown leader who would lead Germany, liberated from the action constraints of

the parliamentary republic, to new strength by following his 'genius' and not parliamentary majorities. The wartime experience also strengthened the readiness to accept a heroic gesture and to put faith in the 'genius' of the commander in a hopeless situation. The charismatisation of Hindenburg and Ludendorff is a manifestation of a latent charismatic situation that began during wartime. At the turn of the century, a 'cult of the genius' spread among intellectuals as well (Schmidt 1988).

The social precondition for a latent charismatic situation is the perception of a crisis. Political institutions are made responsible and are thus delegitimized by their inability to master the crisis. At the same time, hope is raised that a 'strong man' will alleviate deprivation. By the end of the war and the Treaty of Versailles, the nation-wide unsettledness that had captured vast parts of the German population, the instability of political majorities and governments of the Weimar Republic, inflation in 1923, and the severe economic crisis of 1929 fostered the German population's willingness to comply with a strong leadership and to sacrifice its institutional order. A feeling of powerlessness and helplessness had captured the main representatives of those parties that had established the institutions of the Republic a few years before as part of the 'Weimar Coalition' (Matthias und Morsey 1960; Matthias 1960; Morsey 1960). The final point of this process of the self-abandonment of the belief in the old institutional orders was the support of the Enabling Act of 1933 (Morsey 1992). Under the umbrella of the Enabling Act, the authoritarian camp used the crisis to abandon the Weimar constitution and to establish an authoritarian political order, be it with a military government or with Hitler. For the Communist Party, finally, the crisis was taken as a sign of the end of Capitalism and of the beginning of the Proletarian Revolution (Bahne 1960). Both the Communist and the authoritarian camps pursued the de-legitimation of the Weimar Republic. The economic crisis became a political crisis for which a majority saw a solution only in the break with established institutions.

However, the perception of a political and economic crisis as such does not necessarily result in a willingness to place faith in a charismatic authority. This would require a political culture that contains such options. In Germany, both preconditions for a latent charismatic situation (i.e. the social one and the cultural one) were in place in 1930.

8.4 The Manifest Charismatic Situation

A latent charismatic situation may become manifest if a charismatic claim is raised, i.e. if a person promises to master the crisis and receives credibility for this claim. In Germany, a person indeed raised this claim and successfully demanded credibility. This was Hitler's personal achievement. Without him, the transition to charismatic authority in 1933 would not have been possible. Hitler offered a definition of the situation and showed the way to overcome the crisis. According to his definition, the crisis was the work of the 'evil one' who wanted to enslave and destroy

Germany. He defined the governing system as a corrupt instrument that was therefore not able to cope with the crisis. He promised salvation through the destruction of the forces of evil and its replacement with the forces of good. Then Germany would rise again. The mythic universality of Hitler's definition and the Manichean simplification of the fronts promised a clear option without involving a true and practical discussion of a political program. Charismatic leaders refer to ultimate values, survival, rescue before the fall, honor, and justice, but not to the implementation of specific measures. A charismatic mission can only be justified by the realization of ultimate values, not by instrumental answers to 'everyday' problems. Hitler did not convince the Germans to overcome the crisis through a precise program, but he convinced them that something completely new needed to be constructed (Jäckel 1981). The slogan 'Germany awake!' combines a lack of contentment with mandatory decisiveness. To bridge the invocation of abstract values and the expectation of practical solutions to a crisis, assumptions of causality that make it plausible to put faith in the force of an extraordinary personality need to be part of the political culture.

Hitler's strategy was a dramatization of the perception of the crisis in the direction of his interpretation. Using his own militia troops, he provoked public unrest, evoked the danger of civil war by the Communists, and restricted perception to only one alternative: friend or foe, good or evil, life or death. This world view of Manichaean dualism was staged in everyday life by processions and street fighting, mass rallies, indoor-battles with opponents, and magical invocations and death-rituals. Electoral campaigns and operations of mobile SA troops spread across the whole country. By referring to conspiracy theories, Hitler was able to personalize the perception of a crisis and presented himself and the National Socialists as the only alternative to chaos.

The more that unavoidable alternatives determine the perception of reality, the greater the willingness to choose ultimate values as points of reference is. The more abstract the values are, the less they are broken by particular interests and goals. Orientation towards abstract ultimate values and a belief in ideals strengthen the readiness to obey orders to highest and unlimited authority. A process of circular stimulation began with a crisis, which was defined by a charismatic leader and could only be solved by the charismatic leader himself.

However, the claim of charismatic leadership has to be supported by the probation of the charismatic leader. Before the seizure of power, the probation was fulfilled by the National Socialists' (and therefore Hitler's) electoral successes. These successes were indeed remarkable and changed the German party-system within 3 years from its previous and relatively stable development since the times of the German Empire (Table 8.1).

The continuous rise of voters was taken as sign of probation, particularly since propaganda placed Hitler's ability and commitment at the center of public attention. The seriousness of the economic crisis and permanent elections implied a great chance of visibility and agitation for a demagogic protest party. In 1932, with two presidential ballots, two parliamentary elections (Reichstagswahlen), and state elections in Prussia, Bavaria, and Württemberg, there were five national opportunities to prove Hitler's claim to leadership. Even if the 7 % increase in votes from

Table 8.1 Electoral results of the National Socialists (in percent), 1928–1933

1928	May 20	Reichstagswahl (parliamentary election)	2.6
1929	October 27	Landtagswahl (state election) Baden	7.0
	December 8	Landtagswahl (state election) Thüringen	11.3
1930	July 22	Landtagswahl (state election) Sachsen	14.4
	September 14	Reichstagswahl (parliamentary election)	18.3
1931	May 17	Landtagswahl (state election) Oldenburg	37.2
	November 15	Landtagswahl (state election) Hesse	37.1
1932	March 13	Reichspräsidentenwahl (presidential election), first ballot	30.1
	April 4	Reichspräsidentenwahl (presidential election) second ballot	36.8
	April 24	Landtagswahl (state election) Prussia	37.1
		Landtagswahl (state election) Bavaria	32.9
		Landtagswahl (state election) Württemberg	30.5
	May 29	Landtagswahl (state election) Oldenburg	46.3
	June 19	Landtagswahl (state election) Hesse	43.1
	July 31	Reichstagswahl (parliamentary election)	37.3
	November 6	Reichstagswahl (parliamentary election)	33.0
1933	January 15	Landtagswahl (state election) Lippe	39.5
	March 5	Reichstagswahl (parliamentary election)	43.9

Source: see Lepsius (1993: 103)

March 13th to July 31st, 1932, had not been spectacular, it could be interpreted as a sign of an unstoppable rise. When the number of votes decreased at the Reichstagswahl on November 6th, 1932, the first loss of belief in Hitler took place. Following another loss in the number of votes at the state election of Thuringia, 'Reich Organization Leader' Georg Strasser, Hitler's most important henchmen, openly turned against Hitler. Strasser, however, found no followers, resigned, and let Hitler have the leadership (Fest 1973: 489ff). The next election in the small state of Lippe on January 15th, 1933, was another probation for Hitler's charisma. He faced up to the force of probation, and within a few days, he spoke at 18 rallies in small towns. The electoral results (39.5 %) of the National Socialists (NSDAP) in Lippe were below those of July 31st, 1932, but higher than the Reichstagswahl (33 %) on November 6th. This was interpreted by the party and the public as a demonstration of probation. No consequences resulted from the Strasser crisis. Members and followers of the NSDAP were in doubt of Hitler but had no representative who could or (as in the case of Strasser) wanted to step out of Hitler's shadow. The charismatic bond to Hitler pulled the party leaders together. The party had no procedures for collective decision-making. It is not possible to vote for a charismatic claim alone. After Lippe, Hitler's authority was again undisputed.

Throughout 1932, the latent charismatic situation evolved into one of manifest charisma. Hitler successfully claimed leadership and, in free elections, won almost 40 % of the votes. There was nobody in the 'republican' camp who could have

Table 8.2 Legislation and emergency decrees, 1930–1932

	1930	1931	1932
Legislation passed by parliament	98	34	5
Emergency decrees by the president	5	44	66
Meeting days of parliament	94	41	13

Source: see Lepsius (1993: 105)

seized the latent charismatic situation, and the majority in the presidential election was only won because of Hindenburg's nimbus. Hitler competed with Hindenburg in the presidential ballots and therefore made his claim even against this highly recognized iconic figure. The myth of field marshal Hindenburg was broken. He had been elected by the votes of those who were far away from him, by the supporters of the Weimar Coalition, and he was isolated from those who were close to him, from the supporters of a conservative regime. The charismatized general of the First World War never made a charismatic claim, and with increasing age, the position of the president was a burden he could not bear. He could not fulfill the charismatic hopes of those who were looking for a new leader and found Hitler. Due to the rapid collapse of institutions, the personalization of the political process increased. The constitutional order was broken by the excessive and permanent use of emergency decree paragraph 48, which was not covered by the constitution. Presidential cabinets replaced parliamentary majority governments. Ordinary legislation was replaced by emergency decrees and the parliament, which had been disempowered directly after the election, convened less and less often. The erosion process of the parliamentary system of government is shown in Table 8.2.

Appointments and dismissals of Chancellors Brüning, von Papen, and von Schleicher were all based on decisions by the president and individuals who had personal access to the president but no political responsibility. Persons and decisions were no longer mediated within the party-system. The party-system had been fundamentally changed by the electoral successes of the NSDAP. Those parties that continued to support the constitution of the Weimer Republic lost their majority of votes and seats in parliament in 1932. A return to a government that was supported by the parliamentary majority was only possible if the NSDAP persuaded Hindenburg to appoint Hitler as chancellor. However, Hitler only had a majority after the immediate dissolution of parliament and reelections in March 1933, and his reelection was only possible with the support of the German National People's Party. Furthermore, the economic and social order was collapsing rapidly in the course of the world economic crisis. Unemployment rose to about six million, and compared to 1929, the gross domestic product decreased by almost 40 % (Keese 1967; Borchardt 1982; von Kruedener 1992). Need grew, institutions collapsed, and public unrest and fear of civil war increased. Preconditions for charismatic hope were given, and a leader began to emerge. More hope was placed on him than on his party, and most people voted for Hitler, not for the NSDAP, for it was he (and not National Socialism) who promised rescue and motivated many people with regard to form and content.

8.5 The Construction of Charismatic Leadership

A manifest charismatic situation turns into charismatic leadership if a charismatic person actually wields power and his or her followers believe in this leadership mission. The charismatization of a leadership position has consequences for the structure of social relationships, and due to the change of this relationship, the idolized leader becomes a charismatic leader. Person and social structure have reciprocal effects. Hitler succeeded in creating a position as a charismatic leader for himself three times. In 1921, he forced a small sectarian movement to accept him as their absolute leader, unrestrained from any procedures of this association. His demagogic skills had just led the party from the back rooms of pubs out into the public and to the public's attention. Hitler threatened to leave the party if they made a decision against his will. Having the choice between former irrelevance and the acceptance of his absolute and highest authority, the group bowed to Hitler's claim of leadership. For the first time, he succeeded in establishing a charismatic legitimized leadership. Following his arrest and conviction related to the attempted coup in Munich on November 9th, 1923, he purposely kept the party unorganized and prevented the appointment of new party leadership. After his release, he could re-establish the party on February 27th, 1925, declared all interim organizations within the racial movement as non-binding, and claimed back his former leadership position. Hitler did not accept any general political goals that were binding for him. He viewed the NSDAP either as his own party or irrelevant. The re-establishment of his charismatic leadership, now supported by the prestige and myth of a coup leader and political prisoner was his the precondition for the revitalization of the party.

On February 14th, 1926, Hitler achieved his objective when he ordered all party leaders to a meeting in Bamberg on short notice. After a 4-h speech without debate about existing conflicts and diverging political goals, he had the commitment to himself that he had wanted from the rival and opposing North- and West-German party leaders. Gregor Strasser and Joseph Goebbels, both representatives of the opposing camp, abstained from a debate and manifested their personal loyalty to Hitler. For Goebbels, this was a conversion experience with a life-long existential effect. From then on, Hitler's charismatic leadership within the party was vested again. He held off all attempts to formalize decision-making processes and to discuss ideological and political goals. Later conflicts with Otto Strasser and with the SA-leader Stennes in 1930, with Gregor Strasser in 1932, and with Ernst Röhm in 1934 were solved without collective decision-making and sometimes even by criminal means, e.g. against Röhm and the SA-leaders in 1934 (Nyomarkay 1967). Hitler's authority was not impaired by such acts. Those who did not comply with his authority lost any support as well as their already-achieved charismatic qualifications within the party. Only Hitler sustained his position as charismatic leader, even if Stennes and Röhm had surrendered followers and each of the Strasser brothers enjoyed a unique reputation. His followers' authority, even if they had important functions within the organization, was bound to Hitler's charismatic authority until death. Each of Hitler's successful claims of charismatic leadership

was at the same time a probation of his charisma, proof of his extraordinary skills. It was often reported that hardly anyone could withstand, object to, or prevail over him in a direct confrontation. Even Albert Speer's last conversations with Hitler at the end of March 1945 were defined by Hitler's communicative suggestive power even though de facto Speer had already opposed his will (Speer 1969: 457ff). Hitler's personal ability was, in direct contact, to even captivate opponents and finally, to enforce his will. All challenges to his claim of authority generally resulted in a renewal of personal loyalty, the sense of obligation to obedience, and the acceptance of the 'leader's genius.' Hitler's charismatic power was particularly proven in direct interaction. Hitler achieved the third 'takeover' of charismatic leadership after being appointed chancellor in 1933 and 1934. This time, however, the social system was much more complex than the local and small sectarian party group of 1921 or the movement of 1926.

All three different social systems represent structural characteristics of charismatic leadership: the context of a small group with direct interaction of its members; the context of a large organization with various personal- and group interests; and also the context of a governance system with institutional differentiation, highly organized interest groups, and various cultural and political orientations. A number of common characteristics of charismatic leadership can be distinguished. The first characteristic is the breakup of formal rules and institutional differentiation. The party's organizational form contained a lack of procedures for decision-making, for the appointment of officials, and for the cooperation of sub-organizations within the party. The organizational core was the secretariat with the central member register and the cash register as well as the party's central organ, the "Völkischer Beobachter," all directly controlled by followers personally bound to Hitler. The power of financial control could hold together the different branches of the party and their largely independent leaders. An increasing number of 'apparatuses' grouped around this center to cope with certain tasks that had been created ad hoc, such as agricultural policy, youth policy, media and propaganda, medical doctors and health policy, teachers and educational policy, judges and legal policy, as well as the party's security service and the responsible leader of an NSDAP district as executive authority. Alongside these units, there was the Sturmabteilung (SA) with its own territorial and command structure independent of the party and related to the party organization only through the bond to Adolf Hitler. There was no central coordinating collective planning- and decision-making body. Hitler surrounded himself with his own personal staff of people with overlapping responsibilities who would relieve him of routine work without restricting his leeway in decision-making. "The movement was primarily based on a network of personal connections, with all levels of the party organization having similar forms of patronage and cliquism at the top and, in contrast to a hierarchical rule-based bureaucracy, with personal relationships (including personal patronage, rivalries, and feud) being of great importance. Since rules of procedure were of secondary importance, the selection of persons and the constellation of persons in positions of power became the actual determining constitutional realities for the party just like they later did for the power structure of the 'Hitler

State'" (Broszat 1969: 68). The lower the institutionalization is, the greater the personalization of leadership is, and the more the latter is structured according to direct personal loyalties to the leader, the greater the charismatization of the leadership is.

While Hitler was able to manipulate the party organization from the very beginning, as a Reich chancellor, he had to restructure the existing constitutional and legal framework. This he did with great speed. On February 28th, 1933, exactly 4 weeks after his nomination, constitutional civil rights were abolished by emergency decree for the 'Protection of People and State.' This emergency decree, justified by the pretended Communist uprising after the Reichstag fire, was never repealed and remained the basis of the regime. Three weeks later, at the first session of the newly elected Reichstag on March 23rd, 1933, legislative power was assigned to the government by the enabling act (Ermächtigungsgesetz). This act abolished the principle of the separation of powers. Those parties that were not banned lost their functions and had dispersed by July. The NSDAP became the state party. After Hindenburg's death on August 2nd, 1934, the position of the president of the Reich, and therefore also the rights and duties of another constitutional body, were also abolished. The fusion of the functions of the chancellor and the president of the Reich into the new position of the 'Führer' served as the ultimate institutional release of Hitler's capability to act. As a consequence, charismatic leadership was formally consolidated. Hitler was now leader of the only permitted party, chancellor and president of the Reich, and the Wehrmacht's commander-in-chief.

The constitution of the Reich had been suspended as far as necessary based on Hitler's claim of charismatic leadership and his threat to resort to violence to enforce this claim if necessary. However, the constitution was repealed. Under the conditions of a one-party state, the Reichstag was maintained with parliamentary elections in November 1933, March 1936, and April 1938, and was used for government declaration and nominally for legislation. The parliament had to renew the 'Ermächtigungsgesetz' every 4 years since Hitler could not formally decree his own legislative authority (Hubert 1992). A new National Socialist constitution was never introduced. Proposals from Frick, the Secretary of the Interior of the Reich, for regulating the relationship between the party and the state and for developing a centralized state bureaucracy were never realized (Neliba 1992). This was just as little in Hitler's interest as was the codification of a new National Socialist criminal law presented to him in 1936. Any constitution and legal order, independent of its ideology, would restrict Hitler's freedom of action. Charismatic leadership, however, is not bound to procedures but rather governs with personal orders, intervenes whenever it appears necessary, and avoids decisions that would oblige even the leader. The position of the 'Führer' was unique and created by Hitler only for himself. In his 'political testament' of April 29th, 1945, one day before his suicide, Hitler renewed all traditional positions and appointed different people for the position of the president, the chancellor of the Reich, and leader of the party.

The second characteristic is the elimination of any kind of collective decision-making. The party had no council, even if an assembly hall had been set up. The "Gauleiter," faithful and personally chosen followers and holders of regional

executive power, had no common body, and no more than three of them were allowed to meet together without Hitler's explicit approval. Cabinet meetings hardly took place at the government level, and they stopped completely after 1937. The coordination of departments took place via the chancellery of the Reich and in accordance with the Führer's instructions and decrees. The monocratic principle of leadership was in place for all party and state bodies. Each leader received authority ad personam by the charisma holder and had to define, enlarge, and defend his own sphere of competence. There was no substitute for Hitler and no procedure for his succession. The appointment of a senate for the selection of Hitler's successor in the event of his death, announced by Hitler at the outbreak of the war, never took place. The principle was personal selection and order by the Führer based on criteria of charismatic qualification. Compared with Hitler, Mussolini's position in Italy was institutionally bound to a much greater extent (Bach 1990). The King was still above Mussolini, and the High Fascistic Council was a body of collective decision-making within the party. Accordingly, King and Council were together responsible for Mussolini's deposition. Hitler, in contrast, could not be disposed of; he could either resign or die. Due to the lack of institutional alternatives, assassination attempts were the only way to withdraw Hitler against his will from his position. Since all assassination attempts failed, he remained in power until his suicide. Although the fall of the German Reich was observable for a long time, neither military nor political officials responded proactively to this downfall apart from the conspirators of July 20th, 1944. Only when Admiral Dönitz, Commander-in-Chief of the marines, was informed by radio message that Hitler had appointed him president of the Reich and when Hitler's death was confirmed did he begin quickly and in a well-planned way with the capitulation (Schramm 1962; Lüdde-Neurath 1950). The transfer of supreme decision-making power to Hitler was only repealed by his own order.

The third characteristic of charismatic leadership is the aspiration toward self-reliance and the principle refusal of coalition. Hitler followed this principle. In 1925/1926, while reorganizing the party, he refused any cooperation with other racial groups. In 1931, he denied participating in the Harzburg Front, and in 1932, he denied becoming a member of a government he would not lead. Coalitions would reduce the validity of the claim of charismatic leadership, and the leader would depend on third parties. Someone who presents him- or herself as an extraordinarily gifted emissary of destiny cannot agree to binding compromises and has to carry the risk of failure alone. Hitler often had to make agreements, compromises, and pacts; however, they had no binding power for him. They were always seen as tactical and revocable. This was the case in foreign policy, e.g. with respect to the sudden treaties with the Vatican in 1933, Poland in 1934, and the Soviet Union in 1939, and also for many non-decisions on domestic policy. The argument made by some commentators that Hitler was afraid of specification and avoided decisions correctly describes the situation but comes to the wrong conclusion when interpreting it as a weakness of Hitler in decision-making. Non-decisions were a result of a decision as well, namely the decision to retain self-determined capability to act and to avoid liability.

Fourth, charismatic leadership promises the definition of a 'mission' and the orientation towards the highest values that the leader promises to achieve. These values, however, should not result in any normative restrictions to social action. The charismatic movement's ideology has to secure the leadership's basis of legitimation and at the same time its freedom of action. The often-described indecisiveness and the lack of contentment of the National Socialist world-view satisfy these requirements. The de-institutionalization of the leadership organization matches the de-operationalization of the leadership ideology. The 'belief syndromes' of nation/race and leader/community describe a value relationship that can be represented by different groups in various ways: conservative-nationalistic, Christian-messianic, military-disciplining, revolutionary-equalizing, racist-purifying, and terrorist-nihilistic. It is also important for the charismatic leader to have the exclusive right of interpretation of the ideology so that his or her action cannot be criticized on the basis of external legitimate interpretations and the standardization of the ideology. Accordingly, Hitler always forcefully fought any codification of National Socialism as well as any debate of the program, he codified the more-or-less accidental party platform of 1920, despised party ideologists such as Alfred Rosenberg, and identified National Socialism with himself. 'Hitler is our program' was the concise slogan for this situation. The increasingly racist radicalization of National Socialism was Hitler's own interpretation, with no pivotal meaning and its consequences being concealed at the beginning. The construction of an identity as a 'common destiny' for the followers and the will of the Führer, who determines the 'destiny' of the community, results in an ideological fusion of belief in legitimacy and the Führer's freedom of action, which increases his chances of probation and undermines any ideologically based criticism of leadership. In National Socialism, the personalization of the ideology has the dimension of a chiliastic sect. National Socialist ideology was highly applicable for charismatic leadership—a collective promise of salvation without operationable concretization. In the 'ideal case,' the leader defines the 'hardship' from which he or she is going to release the people and choses the means for solving the crisis. The monopoly on interpreting the goals and freedom of means maximizes the chances of charismatic leadership.

The identification of the leader with his or her followers and the proclaimed identity of the followers with the leader are required. In his speech in the Reichstag at the outbreak of war on September 1st, 1939, Hitler declared, "If I demand that the German people make sacrifices, and all sacrifices if necessary, I have a right to do it. Because I am willing to make any personal sacrifices, as I have done before." After invading Poland, Hitler explained to the commanders-in-chief of the Wehrmacht: "Finally, destiny has brought victory to me. Furthermore, I had precise insights into the presumable development of historical occasions and the strong will to draw brutal conclusions . . . Only those who battle with destiny will have fortune. I have experienced many examples of fortune in recent years. . . . In this battle, I will win or die. I will not survive the defeat of my people. Outward no capitulation, inward no revolution" (all quotations from Michalka 1985: 11, 20, 22). These and many other of Hitler's statements demonstrate the self-explanation of the

charismatic claim and the request of identity of followers and leader. The leader himself *must* be convinced of his mission and skills to fulfill the mission, even if failures occur or if downfall is in sight. Hitler's mission was the battle for world domination by racially-politically purified Germans/Germanic people/Arians derived from his Manichean world-view and verified by 'destiny.' Hitler considered himself, and only himself, as qualified for this mission. In his political will from April 29th, 1945, just before his suicide and the total defeat, he again confirmed his mission: "Above all, I pledge leaders of the nation and followers to scrupulous adherence to racial laws and ruthless resistance to the world's poisoner of all nations, the international Jewry" (quoted from Schramm 1962: 417). Hitler's world-view was more radical than the National Socialist program or contemporary fascism, serving a broader and more diffuse supply of legitimacy than would have been possible based on criteria of his own mission and related consequences and costs (Jäckel 1981, 1986). Structural conditions of charismatic leadership are concretized and enforced only by a person who believes in the claim of charismatic leadership him- or herself and is able to take hold against others. Structural conditions are strengthened by exercising violence, e.g. the prosecution of opposition members, apostates, and non-converters; the suppression of public opinion and criticism; and the fight against alternative definitions of the situation and of rationality criteria that cannot be manipulated by the charismatic leader him- or herself.

8.6 The Structure of Charismatic Leadership

After the seizure of power, Hitler constructed an autocratic regime within a complex and differentiated territorial state. The conditions for the exercise of charismatic leadership were different compared with a sect or a movement. The cohesiveness of belief in charisma was now not only relevant for the freely recruited followers, but also had to be enforced for non-believers. The charismatic leader's management was now not only able to focus on the immediate wants of the charismatic leadership, but also had to fulfill the daily-life tasks of a society. Therefore, members of the management became numerous and could not be recruited among the followers. Differentiated criteria of decision-making had to be accepted. Charismatically unbounded rationalities of the economy, military organization, and legal relationships between individuals and organizations had to follow certain procedures. 'Genuine' charisma, which structures direct interactions, no longer complied with the requirements. After all, it is unlikely that a modern industrial state based on complex functional relationships and specialized interests would bear a political system of charismatic leadership.

Very early on, Ernst Fraenkel (1941) realized the peculiar fragmentation of the legal and management system of the Third Reich. He termed this a 'Dual State' characterized by the coexistence and overlap of a 'normative state,' which is legally bounded to procedures of routine management, and a 'prerogative state,' which is

not bounded to procedures. The latter increasingly obtained competences relevant for the enforcement of the Führer's will. Fraenkel's thesis can be generalized. In a complex territorial state, charismatic leadership requires a peculiar separation of organizational forms and rationality criteria. Only part of it follows the requirements of an autocratic regime. The legal structure of companies and the economic system were not changed, the military was not replaced by a National Socialist militia, and church structures as well as local authorities and their management tasks were maintained. Alongside the 'normative state,' more and more special administrations with direct instruction by Hitler as well as 'Reich commissioners' were put into place, and party and state positions were executed in personal union. The consequences were the overlap of competences, the lack of coordination, and a confusion of responsibilities (Broszat 1969; Rebentisch 1989).

As a result, the second characteristic of the regime became visible: the resolution of the coordination of fragmented responsibilities. This is in line with Weber's description of bureaucracy in charismatic authority. Areas of competence that were internally organized in a bureaucratic way and bounded to procedures became de-hierarchized, remained uncoordinated with regard to procedures, and had no formal rationality criteria at their disposal to be able to prevail against others. Even if their executive officers had no charismatic bond to Hitler, their room for maneuvering was restricted to such a degree that compliance and retreat to their scope of competence's core remained the only possibility. Any influence on the context and on interest mediation of the political process was gone. The structure of charismatic leadership may tolerate many semi-autonomous structures of social action as long as they do not influence or even restrict the leader's vital decisions.

Due to the termination of formal coordinating procedures and the lack of institutionalized conflict resolution, the leader received a central role as mediator and coordinator. The claimed monocracy was structurally strengthened by an anarchic polycracy. The more that substructures became dependent on Hitler's personal decisions, the greater the Führer's functional importance became. A functional bond with the Führer developed even without charismatic belief. It is sufficient that the top executives of departments, organizations, management, and coordination committees were personally bound to the Führer because they believed in his charisma, owed their position to him, or were not able to cope with their scope of competence without his support. The more personalized the decision-making system was, the greater the importance of personal access to Hitler was. Hitler's talent could be seen when he put his charismatic skills into action by charismatizing even skeptical persons.

Fragmentation and mutual isolation of departments, interest groups, companies, churches, universities, judicature, military, and others were primarily determined by the resolution of intermediate structures of a society, particularly those generating political liability. In 1933/1934, Hitler's authority was not primarily enforced by the prohibition of opposing organizations, but first and foremost by the complete resolution of intermediate structures. The first step was the abolition of parliamentary legislation and the second step was the resolution of parties as authority for interest articulation and mediation. The same was the case with the destruction of

unions and their fusion with employer associations in the German Labor Front (DAF). Constraints on self-determination rights, the standardization and centralization of associations, and destruction of regional states' competences had similar effects. The more that intermediate structures were destroyed, the weaker the chances of articulation and coalition building for the remaining units became. Concern about preservation resulted in increased inward orientation and accordingly in indifference to political developments outside the individual sphere, at the same time compromising individuals' own existence. An example for this process of self-prohibition was the indifference to the Jewish Laws, which resulted in a loss of influence of the non-Jews as well. The refusal of civil rights to the Jews initially only affected a minority. However, as a consequence, the majority of 'Arian' Germans also lost their constitutionally protected legal status. The Protestant Church, for instance, could externalize the problem that Jews in public service were dismissed as long as they were not members of the Church. However, they were soon forced to reveal their own parishioners and to limit the Church's claim of autonomy. Some employers may at first have enjoyed the ban on unions until they realized that without unions, employers lost influence as well. The uncontested position and extension of the army was considered favorable by the officer corps until their code of honor was broken by the so-called Fritsch scandal (actually, the code was broken when general von Schleicher was murdered in 1934). The battle for the preservation of inward autonomy forced a retreat from the common political arena—an arena with no coalition partners to gain influence. Associations, organizations, institutionalized areas of competence became, through tracing by the police and infiltration by National Socialists, disempowered and politically neutralized. At the same time, however, they continued routine work in relative autonomy. As a result, numerous functional elites who did not believe in Hitler's charisma and were hostile toward him became part of the National Socialist regime.

Only parts of the regime were charismatic; however, these were critical parts. The first one was the development of management with immediate tasks for the Führer, in particular chancelleries that did preliminary work only for Hitler: the Reich Chancellery, the Party Chancellery, and the Wehrmacht Chancellery (the high command of the Wehrmacht). These chancelleries were Hitler's executive authorities and enforced direct access to departments of the ministries, the party, and the Wehrmacht according to the Führer's will. Furthermore, Hitler had special emissaries, such as the commissioner for the 4-year plan, the Reich Minister for arms and munitions, the Propaganda Ministry, and the foreign-policy office of the party. Top charismatic executives were primarily implemented in areas with the greatest political importance to Hitler: controlling public opinion (Goeppels), exploiting the party (Heß, later Bormann), foreign policy (Ribbentrop), Wehrmacht leadership (Blomberg, later Keitel), arms buildup (Todt, later Speer), tracing by the police (Himmler), and Jewish policy and later the murder of Jews (Himmler, Heydrich, Kaltenbrunner). Along with the development of the 'Dual State' as defined by Ernst Fraenkel, there was a spin-off of charismatic authorities from regular administrative authorities with executives who were charismatically qualified and personally bounded to Hitler and who considered obedience an obligation,

even if they had concerns. The charismatic authorities prevented charismatic authority from becoming part of everyday life with activities beyond the regular governance structure (Bach 1990). Without collective decision-making and since Hitler, as a matter of principle, only communicated with individual representatives, the top charismatic executives were not able to form coalitions or to formulate an alternative master plan. They remained subordinates with mandates for autonomous implementation and in competition with each other for the favor of the charismatic leader.

The diagnosis that the National Socialist regime was a polycraty with autonomous areas of competence is therefore basically correct. However, this polycraty never attained independent power and competence in decision-making as against Hitler. The polycraty is therefore a product (and not the opposite) of the charismatic monocraty. As long as all legality derives from the legitimacy of the charismatic leader and is not independently justified, no polycraty with an autonomous scope of action develops, even if instruments of power may be large in individual cases. As long as there is a charismatic bond to the leader and conformity to his order is considered an 'obligation,' there is no appropriation of competences and resources. Hitler's assertiveness and the speed with which he created ever-new emergency situations prevented the charisma from becoming part of everyday life, which would have been a precondition for the appropriation of competences and resources by polycratic subunits.

The opposition against National Socialism had to aim at Hitler and was broken by the charismatic bond to Hitler. The resistance had to either wait until Hitler's charisma decayed or physically eliminate the charismatic leader. The first alternative dominated the opposition in the army for years, and the second alternative was only considered by a minority who viewed tyrannicide as justified. General von Treskow and Colonel von Stauffenberg belonged to this minority. They realized that the regime's source of legitimacy had to be destroyed before a regime change could take place. They could prepare the upheaval only under the shelter of non-charismatized military organizations. They hoped to be able execute the regime change on the basis of management tools of parts of the bureaucracy. The upheaval was supposed to succeed after the abolition of the source of legitimacy by using non-charismatized bureaucracy. They correctly realized the position of the opposition and the possible strategy in a charismatic regime. All other strategies were based either on chances of a single perpetrator without subsequent capability to act or on the expectation of the final decay of the charisma.

This, however, did not happen until Hitler's suicide and the almost complete occupation of the Reich. The maintenance of legitimacy despite increasing failure and despite people's growing need indicates the core of charismatic authority, namely the irrational belief in wonder. In the initial years, the pretended charisma was proven through the decline of unemployment, arms policy, and hidden national debt. These achievements were followed by Hitler's major and unexpected foreign policy successes: the return of the Saar region, the Anschluss of Austria, and the assignment of the Sudetenland. The Second World War, which was sparked without much enthusiasm, strengthened the belief in Hitler's charisma and confirmed his

extraordinary skills by the Blitzkriege. By Winter 1941/1942, any hopes of victory had decayed. Stalingrad later retreated, autumn began, and pressure and day-to-day need in Germany grow. The probation of charisma did not occur, however, and Hitler's legitimacy remained. Belief becomes apparent when it is contradicted by reality. Without July 20th, 1944, the Germans would likely have bowed to the charismatic Führer's will until his fall without any sign of resistance.

The charismatic core of Hitler's regime was the protection of personalized belief in legitimacy. At the time of the seizure of power, this belief was not charismatically constituted. It was virtually syncretic with elements of formal legitimacy (based on the nomination by the president of the Reich and the following majority of a coalition government) and enhanced by elements of traditional legitimacy (laying claim to conservative national values). Only a minority of persuaded party followers believed in Hitler's personal extraordinary skills. Charismatic legitimacy only became dominant with the construction of a monocraty and the charismatically interpreted initial successes around 1937. The institutional reconstruction of the regime, the permanent propaganda of Hitler's charisma, and the increasing use of forces for suppression of the opposition paralyzed the capability of acting as well as alternative interpretations of the situation. These were the preconditions for the belief in extraordinary charisma. The outbreak of war strengthened loyalty to the Commander-in-Chief and therefore to traditional legitimacy. Charisma was maintained even in times of failure if the causes of failure were separated from the responsibility of the charismatic leader. In trivial terms, this was expressed by the familiar saying, 'What would happen if the Führer knew?!' In wartime, furthermore, the failures were attributed to the strength of the enemies, who, however, from this perspective did not demonstrate moral supremacy compared with National Socialism. Hitler's legitimacy and its charismatic core were the product of the regime and its ability to manipulate the criteria that define how charisma is to be proven. Framed by the structural power of the leadership, charismatic authority was based on the emotional collectivization of the followers and the institutionalized paralysis of the ability to act, even for those who did not share the belief in Hitler's charisma.

References

Bach M (1990) Die charismatischen Führerdiktaturen. Drittes Reich und italienischer Faschismus im Vergleich ihrer Herrschaftsstrukturen. Nomos, Baden-Baden

Bahne S (1960) Die Kommunistische Partei Deutschlands. In: Matthias E, Morsey R (eds) Das Ende der Parteien 1933. Droste, Düsseldorf, pp 655–739

Borchardt K (1982) Zwangslagen und Handlungsspielräume in der großen Weltwirtschaftskrise der frühen dreißiger Jahre und wirtschaftliche Ursachen des Scheiterns der Weimarer Republik. In: Borchardt K, Wachstum K (eds) Handlungsspielräume der Wirtschaftspolitik. Vandenhoeck & Ruprecht, Göttingen, pp 165–182

Broszat M (1969) Der Staat Hitlers: Grundlegung und Entwicklung seiner inneren Verfassung. dtv, Munich

Fest J (1973) Hitler. Eine Biographie. Propyläen, Frankfurt
Festinger L (1957) A theory of cognitive dissonance. Standford University Press, Stanford
Festinger L, Riecken HW, Schachter S (1965) When prophecy fails. University of Minnesota Press, Minneapolis
Fraenkel E (1941) The dual state. A contribution to the theory of dictatorship. Oxford University Press, New York
Hildebrand K (1981) Monokratie oder Polykratie? Hitlers Herrschaft und das Dritte Reich. In: Hirschfeld G, Kettenacker L (eds) Der "Führerstaat": Mythos und Realität. Studien zur Struktur und Politik des Dritten Reiches. Klett-Cotta, Stuttgart, pp 73–97
Hubert P (1992) Uniformierter Reichstag. Die Geschichte der Pseudo-Volksvertretung 1933-45. Droste, Düsseldorf
Jäckel E (1981) Hitlers Weltanschauung. DVA, Stuttgart
Jäckel E (1986) Hitlers Herrschaft. DVA, Stuttgart
Keese D (1967) Die volkswirtschaftlichen Gesamtgrössen für das Deutsche Reich in den Jahren 1925–1936. In: Conze W, Raupach H (eds) Die Staats- und Wirtschaftskrise des Deutschen Reiches, 1929/33. Ernst Klett Verlag, Stuttgart, pp 35–81
Kershaw I (1980) Der Hitler-Mythos. DVA, Stuttgart
Lepsius MR (1990) Interessen, Ideen und Institutionen. Westdeutscher Verlag, Opladen
Lepsius MR (1993) Das Modell der charismatischen Herrschaft und seine Anwendbarkeit auf den "Führerstaat" Adolf Hitlers. In: Lepsius MR (ed) Demokratie in Deutschland. Vandenhoeck & Ruprecht, Göttingen, pp 95–118
Lüdde-Neurath W (1950) Regierung Dönitz. Musterschmidt-Verlag, Göttingen
Matthias E (1960) Die Sozialdemokratische Partei Deutschlands. In: Matthias E, Morsey R (eds) Das Ende der Parteien 1933. Droste, Düsseldorf, pp 101–278
Matthias E, Morsey R (eds) (1960) Das Ende der Parteien 1933. Droste, Düsseldorf
Michalka W (ed) (1985) Das Dritte Reich. Dokumente zur Innen- und Außenpolitik, vol 2. dtv, Munich
Mommsen H (1981) Hitlers Stellung im nationalsozialistischen Herrschaftssystem. In: Hirschfeld G, Kettenacker L (eds) "Der Führerstaat": Mythos und Realität. Studien zur Struktur und Politik des Dritten Reiches. DVA, Stuttgart, pp 43–70
Morsey R (1960) Die deutsche Zentrumspartei. In: Matthias E, Morsey R (eds) Das Ende der Parteien, 1933. Droste Verlag, Düsseldorf, pp 279–453
Morsey R (ed) (1992) Das "Ermächtigungsgesetz" vom 24. März 1933. Quellen zur Geschichte und Interpretation des "Gesetzes zur Behebung der Not von Volk und Reich". Düsseldorf
Neliba G (1992) Wilhelm Frick. Der Legalist des Unrechtsstaates. Schöningh-Verlag, Paderborn
Nyomarkay J (1967) Charisma and factionalism in the Nazi Party. University of Minnesota Press, Minneapolis
Rebentisch D (1989) Führerstaat und Verwaltung im Zweiten Weltkrieg. Steiner Verlag, Stuttgart
Schmidt J (1988) Die Geschichte des Geniegedankens. Wissenschaftliche Buchgesellschaft, Darmstadt der Wehrmacht. dtv, München
Schramm PE (ed) (1962) Die Niederlage 1945. Aus dem Kriegstagebuch des Oberkommandos der Wehrmacht. dtv, München
Shils E (1975) Center and periphery. Essays in macrosociology. University of Chicago Press, Chicago
Speer A (1969) Erinnerungen. Ullstein Verlag, Frankfurt
Struve W (1973) Elites against democracy. Leadership ideals in bourgeois political thought in Germany 1890–1933. Princeton University Press, Princeton
von Kruedener J (ed) (1992) Economic crisis and political collapse. The Weimar Republic 1924–1933. Berg, Munich
Weber M (1972a) Wirtschaft und Gesellschaft, 5th edn. J. C. B. Mohr, Tübingen [Max Weber, Economy and Society, edited by Roth G, Wittich C, 1978. University of California Press, Berkeley]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by

Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Weber M (1972b) Vorbemerkungen. In: Gesammelte Aufsätze zur Religionssoziologie, vol 1, 6th edn. J. C. B. Mohr, Tübingen [Weber M, The Sociology of Religion, translated by Fischoff E, with an introduction by Parsons T, 15th edn 1993. Beacon Press, Boston]; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000

Chapter 9
From Fragmented Party Democracy to Government by Emergency Decree and National Socialist Takeover: Germany

9.1 Introduction

The breakdown of the Weimar Republic involved more than the mere collapse of a government or the dissolution of a political system. The seizure of power by the National Socialist party and the dictatorial regime of Adolf Hitler demonstrated the self-destructive possibilities of a modern society. This change, revolutionary in its consequences, happened non-violently, observing the legal provisions of a democratic constitution in an economically developed, tightly socially organized, and highly culturally diversified country.

Since the breakdown of the Weimar Republic, a great many attempts have been made to analyze this process. However, as Turner (1972: 4) stated, "Despite the plethora of studies dealing with Nazism and the Third Reich, these phenomena in no sense belong to a closed chapter of history. Instead, they remain the focus of a vigorous and ongoing body of international scholarship. Historians and social scientists have far from plumbed the full depths of the sea of documentation that these phenomena have generated." One could add that the social sciences are still struggling to develop adequate systematic categories to analyze the breakdown of the Weimar Republic in theoretical terms.

This essay will not attempt to give a systematic analysis or a general interpretation, nor will it give an account of the sequence of events that led to the breakdown. The former would not be possible because of the lack of theoretical analysis that remains to be done, and the latter is unfeasible because of the spatial

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constrains of this chapter and is unnecessary in light of the available literature (Bracher 1970, 1971; Matthias and Morsey 1960; Vogelsang 1962; Conze and Raupach 1967; Jasper 1968; Nicholls and Matthias 1971; Mommsen et al. 1974; Schulz 1975; Nolte 1966). The following paragraphs will attempt to discuss some dimensions of the complex process and propose a number of analytical accounts that will be neither exhaustive nor evaluated in regard to their relative weight for the explanation of the historical phenomenon.

9.2 The Democratic Potential

The strength of a democratic regime lies within the popular support of a democratic conceptualization of government. The Weimar Republic, it has often been stated, was a republic without republicans and a democracy without democrats. While both statements are too rigid, they certainly point toward one of the basic hazards of the Weimar Republic: the very narrow democratic potential. With the term "democratic potential," we do not wish to refer to theories of a peculiar authoritarian German personality or to conceptualizations of a specific German value system. In this context, the democratic potential is defined by democratic conceptualizations of the political order institutionalized within the party-system.

The institutionalization of democratic and non-democratic concepts of political order in the political system does not need to correspond with the distribution of personality types. Democratic personalities may be identified within authoritarian parties just as authoritarian personalities may have acquired a political affiliation with parties committed to democratic institutions. The institutionalization of social behavior cannot be reduced to underlying motivations or attitudes; it makes social action to a certain degree independent of them and defines legitimated alternatives of behavior for people with all kinds of personality structures (Horkheimer 1936; Fromm 1941). The strength of the democratic potential of a political system can hence be measured by the votes for parties committed to democratic institutions. The more components of the political process are committed to democratic institutions, the greater the institutionalized democratic potential is. The more homogeneously the party-system is oriented toward a democratic political order, the less the democratic regime becomes endangered by shifts in party identification and by sudden disaffections with a particular government. If, however, competing conceptualizations of the basic political order are firmly institutionalized in the party-system, changes in the respective strength of the parties may have repercussions on the nature of the political regime. The more the strength of the institutionalized democratic potential is based only on some parties, the more risks a democratic regime runs by changes in voter alignments or protest movements in times of crisis.

In the Weimar Republic, three major conceptualizations of political order that are firmly institutionalized in the party-system can be distinguished: the democratic, the authoritarian, and the Communist. To these we will add a fourth residual category comprising splinter parties organized along particularistic regional and

economic interests with ambivalent or undefined conceptualizations of the national political order. Table 9.1 shows the general distribution of votes along these groupings for the period of 1907–1933 according to the results of national elections.

The democratic camp was formed by a coalition of the Social Democrats, the Catholics, and the Left liberals, who strove for a democratization of the Empire and proposed peace negotiations in 1917. This "Weimar coalition" took responsibility for the armistice in 1918, established the democratic constitution of the new Republic in 1919, and defended a democratic political order in the years of turmoil from 1918 to 1920. It founded the Republic, but it was a coalition of parties with very divergent political interests and lacked a homogeneous political platform. It had a unique strength in the National Assembly of 1919 that it never regained.

This was partly due to the fact that at the time of the election on January 19, 1919, only 2 months after the armistice, the demission of the Kaiser, and the collapse of traditional order and imperial illusions, the authoritarian camp found itself in a state of organizational and political weakness. However, it soon recovered, and by July 1920, at the first Reichstag elections, it had regained its pre-war strength. The second factor leading to the majority for the democratic camp in 1919 was the organizational unity of the Socialist party.

The radical wing of the Socialists had not yet established an organization throughout the country, and only by the end of 1920 did the Communist party become a party with mass support. The permanent institutionalization of the Communist conceptualization of a political order became an uncompromising opposition to the democratic order and received its support from strata that had formerly voted for the democratic camp; this, then, weakened it to a level below its pre-war strength.

The authoritarian conceptualization of political order was not only a carry-over from imperial times, a nostalgic resentment against the present state of affairs believed to be caused by Allied reparations and political mismanagement, and anxieties of the middle-classes toward Socialist reforms. It was deeply rooted in a widespread intellectual conviction that there was a distinctly German road to modernity that was not to follow the path of the West. This conceptualization had a number of long-standing leitmotifs: Power should be wielded by an elite of virtue and competence, not by functionaries of the impersonal parliamentary mechanisms; social conflicts should be solved by reason of the public good rather than settled by compromises of conflicting interests; integration should be achieved by national commitment and a quest for community, not by particularistic interest mediation and institutionalized procedures; and the state should have ultimate authority and moral dignity in regard to the autonomous forces of society and the individual pursuit of goals.

These ideas coalesced in a distrust of democracy and the free organization of social interests and in the belief in state intervention and constitutionally secured elite authority. It should be made clear that such a concept of political order was neither totalitarian nor Fascist: It did not call for a unitarian mass-movement but for a professional corporative order in its own right; it did not believe in a military policing of society but in the authority of welfare-oriented paternalism; it did not

Table 9.1 National elections in Germany, 1907–1933 (Reichstagswahlen)

	Percentage of votes in national elections										
Conception of political order	1907	1912	1919	1920	1924 (1)	1924 (2)	1928	1930	1932 (1)	1932 (2)	1933
Authoritarian	33	27	15	30	36	35	26	30	45	42	55
Democratic	59	63	76	47	46	50	49	43	38	36	33
Communist	–	–	7	20	13	9	11	13	14	17	12
Particularistic	8	10	2	3	5	6	14	14	3	5	2

Source and details: see Lepsius (1978: 37)

advocate an uncontrollable charismatic leader bound only by his fortune and his idiosyncratic judgments but an open elite committed to the public good and responsible to uphold publicly shared values of honor and individual virtues subject to law. These ideas were formed in the course of the nineteenth century under the impact of industrialization and the French Revolution. Their goal was twofold: to rapidly overcome the backwardness of Germany and at the same time to avoid the negative consequences of modernization clearly evident in the Western countries. The German way to modernity was believed to be superior in terms of efficiency as well as in terms of humanitarian values (Pankoke 1970; Struve 1973; Dahrendorf 1967; Kohn 1960; Krieger 1957; Mosse 1964; Plessner 1959; Stern 1961; Gay 1969).

The democratic concept of political order was in a precarious situation. However, its potential support was not so weak that democracy had no chance of survival. In 1919, this concept had a unique strength, and in 1932 it still had not lost all chances for a majority. The democratic potential had the potential to grow under favorable conditions.

To substantiate this argument, it is useful to analyze two presidential elections: 1925 and 1932. The presidential elections brought about a polarization and a concentration since an absolute majority (in the second ballot, a relative majority) was necessary. They also led to a symbolic dramatization by the personalization of the election. While numerous parties provided many and often indistinct alternatives in the parliamentary elections, the presidential elections restricted the choices and mobilized the democratic and authoritarian potential more clearly. Table 9.2 condenses the voting results according to the different conceptualizations of political order in the two ballots for president of the Reich and adds the results of the preceding national parliamentary election.

There is a two-step process of concentration and polarization. The first occurs between the parliamentary elections and the first ballot for the presidential elections, where the alternatives are reduced from about 15 parties to 5 or 7 candidates for the presidency. The voters of the particularistic parties thereby had to make a choice between the major orientations of the national party-system.

Table 9.2 Relative strength of basic orientations in the elections for Reich President in 1925 and 1932 compared to Parliamentary elections of 1924 and 1930

	Percentage of votes					
	Reichstag		Reich President			
	1924	1930	1925		1932	
Conception of political order			1st ballot	2nd ballot	1st ballot	2nd ballot
Authoritarian	35.5	30.3	39.9	48.3	36.9	36.8
Democratic	49.5	42.9	53.0	45.3	49.6	53.0
Communist	9.2	13.1	7.0	6.4	12.2	10.2
Particularistic	5.8	13.7	0.1	–	0.3	–
Turnout	77.7	81.4	68.9	77.6	86.2	83.5

In the second ballot, a further reduction of alternatives takes place, with three candidates representing the three basic conceptualizations of political order. While the Communists could retain their core support despite having no chance of winning, the ambivalent situation between the democratic and the authoritarian orientations becomes clearly apparent. The victorious candidate in both elections was Field Marshal von Hindenburg, who was the candidate of the authoritarian camp in 1925 and the candidate of the democratic camp in 1932. In 1925, his candidacy pulled 12.8 % of the electorate toward an authoritarian orientation; in 1932, however, it pulled 10.1 % toward the democratic orientation.

Contradictory to these effects, there was a comparatively good economic situation in 1925, which should have favored the democratic forces, whereas the economic crisis was at its peak in 1932, which should have favored a radical protest vote. It seems that the polarizing effect of the candidacy of Hindenburg in both elections could not break up the basic strength of the authoritarian and the democratic potential, respectively; it could, however, swing the ambivalent electorate to one side or the other. In rough calculations on the aggregate election results—with all their known fallacies—it seems to be safe to conclude that the three major institutionalized conceptualizations of political order had a rather stable potential throughout the Weimar Republic of about 45 % for a democratic political order, 35 % for an authoritarian political order, and 10 % for a Communist political order. It was up to the remaining 10 % of the electorate, which was undecided between the democratic and the authoritarian camp, to decide the fate of the democratic order.

The democratic potential of the Weimar Republic rested on the coherence and integrative capabilities of its intermediary organizations, parties, and interest groups to safeguard its basic core and to win support from segments of the population that were ambivalent or attached to the other conceptualizations of order. The coherence between the organizations was by and large maintained throughout the period. There were important breakups, particularly when the Bavarian branch of the Catholic party decided to desert the democratic camp in the second ballot in the election of the president of the Reich in 1925, which made Hindenburg the winner over the Catholic candidate, Wilhelm Marx, and caused the first major shift to the right in the political structure. But despite great internal differences and struggles, the organizations of the democratic camp maintained close connections and continued to form the Prussian government until its enforced dissolution by Chancellor von Papen on July 20, 1932 (Schulze 1977). The integrative abilities of the parties and intermediary organizations of the Catholic and Socialist segments of the democratic camp lasted until the Nazi seizure of power in 1933. In the end, the democratic camp lost because the liberal and Protestant segments had become already disintegrated in the late twenties.

The democratic potential could have grown through the disintegration of either the authoritarian or the Communist camp. The Communists, however, became more and more uncompromising during the Weimar period (Weber 1963, 1969; Flechtheim 1969; Pirker 1965). In the course of its internal Stalinization during the years 1924–1928, the Communist party moved further away from the Socialists and made them their main target after 1929. Ideologically as well as organizationally,

the Communists camp was tightly integrated and ready to absorb the protest vote of the unemployed working class.

The authoritarian camp compromised occasionally between 1925 and 1927. Altogether, it lost popular support, but many of its followers moved toward the ambivalent group of regional or economic particularism rather than toward the democratic camp. The authoritarian camp returned to system-opposition in 1928–1929; but it was not the traditional forces that regained popular support. The authoritarian camp became completely reorganized and energetically strengthened by the Nazi party, which not only unified different groupings but was able to attract most of the ambivalent segments. By the end of the period, the authoritarian camp had also made some inroads into the solid basis of the democratic camp, thereby creating a relative majority for the authoritarian camp.

The democratic potential stagnated. It might have been enlarged by integrating the ambivalent sector or by destroying the two other camps. This could have been achieved by the successful performance of democratic governments or by expanding the integrative capability of the respective intermediary organizations. The former would have been difficult to achieve given the basic differences of the political forces inside the democratic camp on major issues of internal policy and the general obstacles created by the war and the economic development. The latter possibility was not pursued because of the subcultural fixation of the organizations, parties, and interest groups. The Catholic Zentrum party was enclosed by religious boundaries, the Social Democratic Party by class boundaries.

The disintegration of the authoritarian potential in 1919 and 1928 could not be utilized for permanent growth; rather, it enlarged the ambivalent segments from 1928 to 1930 and provided an unstructured reservoir for recruitment by the Nazis. It was the Nazi's vigorous campaigning and unscrupulous tactical agitation that restructured the authoritarian camp, moving it beyond the boundaries of Protestant middle-class conservatism into a highly politicized mass-movement. This process, of course, was enormously aided by the disruptive effects of the economic crisis.

The democratic regime was not doomed by the weakness of the democratic potential, but by its internal fragmentation and overall stagnation. The authoritarian potential did not win because of its traditionally institutionalized concepts of political order and organization but through its renewed internal cohesion and the vitality provided by the Nazi movement. The basic weakness of the democratic potential, however, limited the elasticity of the democratic regime in times of severe crisis because it did not allow for a change of government and a coalition of political forces within a common democratic conceptualization of political order. A change of government had always implied the danger of a change of regime. A stable democratic regime should allow for a change of government without a threat to the regime.

In this sense, the Weimar Republic was not a stable democracy. Parliamentary democracy, established during the turmoil of the German defeat in 1918–1919, remained an "improvised democracy" (Eschenburg 1963). Legitimacy rested less on value commitments than on instrumental considerations. As perceived efficiency declined during the economic crisis after 1929, so did the legitimacy of the

parliamentary regime. A substantial part of the population shared what Thomas Mann expressed in 1918: "I don't want politics. I want objectivity, order, and decency" (Mann 1919: 246). Mounting difficulties led to new improvisations during the period of presidential cabinets (1930–1933) and to an erosion of parliamentary procedures. The political system did not satisfy the quest for leadership and symbolic integration that was so prominent in Nazi agitation.

9.3 The Party-System

The German party-system was formed in the Empire from 1870 to 1890 and carried over into the Weimar Republic without basic changes. This had two major consequences for the political process in the Weimar Republic. First, the party-system was based on the social and cultural cleavages of the 1870s and 1880s and preserved them over a period of 50 years while fundamental changes in the social structure took place. Second, in the Bismarckian political culture and within the imperial constitution with its pseudo-parliamentary government, the parties became used to acting as representatives of their respective sociocultural milieus rather than as responsible units of government. Within the parliamentary regime of the Weimar Republic, this traditional attitude led to an unconstructive inclination to regard uncompromising representation of traditional goals higher than participation in government.

The basic fragmentation of the German party-system consisted of four major groupings: a conservative political formation resting on the Protestant, agrarian segments of the population, located primarily in North and East Germany and oriented toward pre-modern authoritarian values; a liberal political grouping resting on Protestant urban and agrarian populations and organized along the influence patterns of local notables, divided into a nationalist right-wing and a democratic left-wing; the Zentrum party, which bound together the Catholic population in agrarian, middle-class, and industrial areas primarily in West and South Germany; and the Socialist labor movement, which integrated the secularized working class in the industrialized urban centers and was dedicated to democratic and Socialist emancipation. The party-system was structured along religious, class, regional, and ideological lines in a complex way that did not lead to a clear grouping of opposing coalitions; it evoked high sensitivity on issues of firmly institutionalized interests within any coalition.

Throughout the course of the Weimar Republic, the fragmentation grew further, thereby weakening the traditional party-system (Lepsius 1973; Ritter 1973; Neumann 1965). The Socialists split into the Social Democratic and the Communist parties. In the Catholic camp, the Bavarian branch became independent. The conservative and liberal milieus, however, experienced the greatest disintegration in numerous splinter parties of particularistic orientation (Sass 1930). Figure 9.1 represents the party-system of 1928 in a two-dimensional space. One dimension is a

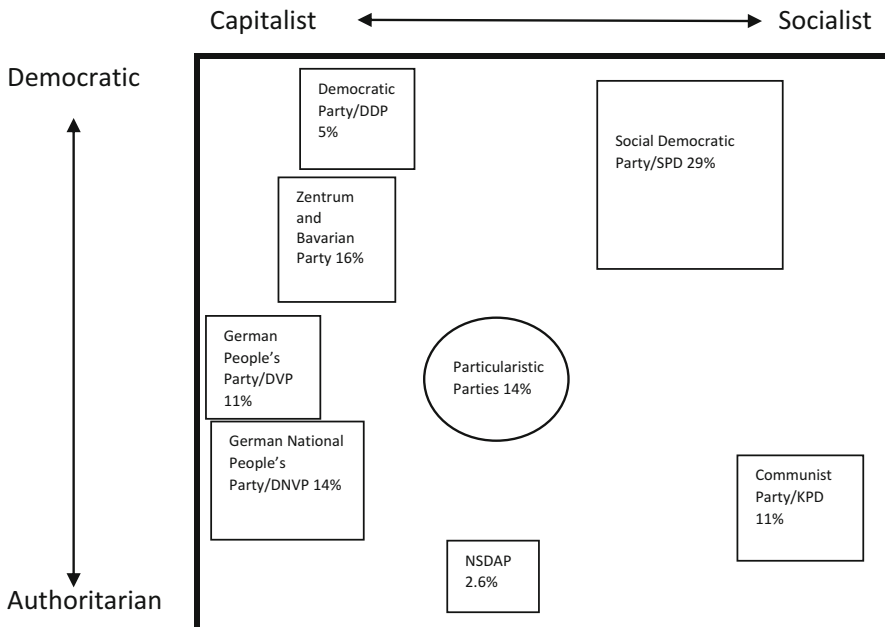

Fig. 9.1 German party-structure in 1928

democratic-authoritarian continuum, and the other dimension is a capitalist-socialistic continuum. The placement of the parties within this property space is, of course, always somewhat difficult to decide. The sketch should be used as an indication of the relative standing of the parties to one another and not as an indication of their absolute standing on questions of the political or the socioeconomic order. The percentages in the sketch refer to votes obtained in the elections of May 20th, 1928, and are used to define the relative size of the parties. The party-system of the Weimar Republic offered two main alternatives for broad coalitions. Each, however, had to overcome a major internal cleavage. The democratic dimension united the parties of the Weimar coalition and created the Social Democrats, the Catholic parties, and the liberal Democratic Party. These parties could compromise both on constitutional issues, since they endorsed the democratic regime, and on foreign policy, since they agreed on a revisionist strategy toward the Versailles treaty. They could not compromise on social issues, particularly when the DVP was included in a coalition, since they were too heterogeneous along the capitalist-socialistic dimension. The other coalition of forces was structured along the homogeneity on the capitalist dimension and could include the DNVP, the DVP, the Catholic parties, and the DDP. These parties could compromise on social and economic issues but not on constitutional and foreign policy issues. This led to a situation in which a coherent policy became impossible for any government. Both types of coalition were tried out, the democratic coalition for 5 years, the bourgeois

coalition for 2 years. For 7 years, neither was attainable and minority or presidential cabinets were in office.

The development of the German party-system before the advent of the Nazi movement led to a disaggregation of interests within the parties. The mediation of political, economic, and social interests could not be achieved within parties and had to be secured at the level of the formation of a government coalition. This caused extreme instability in the governments of the Republic, as continuous tension management had to be maintained by means of government alterations. In the period from February 13, 1919, the date of the formation of the first parliamentary government, to January 30, 1933, when Hitler became chancellor, there were 20 cabinets. The governments had a parliamentary majority in only about half of these 14 years.

This liability of the political process led to a complicated process of government by issue. For any major political issue, a separate coalition and cabinet had to be formed. The governments did not rest on firm coalitions of parties on a common platform for a certain period of time but rather on short-term negotiations on policy actions for specific issues. The coherence of a government was achieved by the interaction of a few personalities who could exert influence within their parties to make them tolerate the government from issue to issue. This caused an alienation between government and parliament quite in contrast to the principles of parliamentary democracy.

The government became more dependent on the prerogatives of the president of the Reich and saw itself as an independent agency that had to continue governing by continuous crisis management despite the fragmented parliament. The parties, however, felt that the reluctant toleration of government provided them with veto power on symbolic issues without the necessity of becoming entangled in the ongoing crisis management, which could be used to secure the Gesinnungsgemeinschaft (association of individuals with similar attitudes) within the party and its symbolic mediation in their respective electorates. As a contemporary observer wrote, "What we have today is a coalition of ministers, not a coalition of parties. There are no parties committed to the government any more, only opposition parties. The fact that we have arrived at such a situation is a more severe hazard to the democratic system than ministers and parties foresee" (Stolper 1929: 333). This is the clear perception of the crisis of the parliamentary regime under the conditions of the existing party-system in 1929, a time in which neither the economic crisis nor the impact of the Nazi movement was dominating the political scene.

An awareness of the malfunctioning of the parliamentary system grew rapidly. It led to widespread resignation within the democratic camp and to a widely encouraged search for new forms of government, thereby revitalizing the authoritarian critique of democracy. A simultaneous development of disaffection with parliamentarianism and a quest for government authority came into being independent of the Nazi agitation against the political system. Even defenders of democracy lost their belief in its effectiveness. "There was no government with real authority during the entire period. A philosophy of 'somehow one must govern' served as a

guide, and given the circumstances, this philosophy had to guide political action but simultaneously led to a complete resignation, which was fatal to the vitality of a parliamentary democracy" (Hermens 1933: 145).

Ferdinand Hermens pointed out as early as 1932 that one of the causes of the disintegration of the party-system was of an institutional kind. He held that the electoral system of unrestricted proportional representation was crucial for the political crisis of the party-state. It facilitated the formation of small parties and the foundation of ever more by giving them the chance to win a few seats in the parliament. With about 60,000 votes out of an electorate of 35 million voters, a splinter group could count on one seat. In 1930, there were 19 parties that polled less than 100,000 votes each, some of them, like the party against alcohol, having the character of politicized sects. It is obvious that such parties were without any influence, but they reduced the strength of the parliamentary system.

After the election in 1928, there were 88 members of parliament elected by parties polling less than 5 % of the national vote each. If one assumes only a modified proportional representation system by which no party polling less than 5 % of the total vote gets seats, 18 % of the members of parliament in 1928 would have been excluded.

Hermens (1933) suggested a majority system which would not only have inhibited the creation of new parties but would also have forced the traditional party-system to reorient itself and try to aggregate diverse particularistic interests. While it is quite true that the electoral system of the Weimar Republic facilitated the disintegration of the party-system, it did not, of course, originate it. However, this was a condition for the parliamentary crisis that had been widely discussed since 1924, but no alteration of the election system could be achieved by a parliament that was paralyzed on so many issues (Hermens 1933, 1941; Schäfer 1967).

By 1930, the situation had worsened, and the party-system changed. The disintegration of the party-system, already clearly visible in 1928, had developed into a regime crisis under the impact of the severe economic crisis. None of the traditional parties, entrenched in old boundaries, was able to reintegrate the substantial segments of the population that were drifting out of the established political order either by voting for particularistic groups or by increased abstention.

Three major components of the traditional party-system moved to the right: the conservative DNVP under its new leader, Hugenberg; the DVP, after the death of its leader, Stresemann, in 1929; and the Catholic Zentrum party, under the more conservative chairmanship of the prelate Kaas.

The DNVP and DVP, which until 1928–1929 could be regarded as the semi-loyal opposition to the democratic system, now became disloyal. In the Socialist camp, the strength of the disloyal opposition of the Communists was likewise growing. The Social Democrats, loyal to the democratic process until the very end, were unable to absorb the drifting voters of 1928. They had nothing to offer these voters, primarily peasants and people of middle-class origin, as they reinforced the traditional labor-movement goals in order to defend their basic constituency against the competition of the Communists. The main event, however,

Table 9.3 Strength and composition of the disloyal opposition to the democratic regime, 1928–1933

	Votes in Reichstag Elections (in percent)				
	1928	1930	1932 (1)	1932 (2)	1933
DNVP	14.2	7.0	5.9	7.2	8.0
NSDAP	2.6	18.3	37.2	33.0	43.9
KPD	10.6	13.1	14.2	16.8	12.3
Total disloyal opposition	27.4	38.4	57.3	57.0	64.2

was the breakthrough of the Nazi movement. It became by far the strongest party and turned the process of slow disintegration into a rapid reintegration of the party-structure. The Nazis succeeded in absorbing the unattached and ambivalent voters of the splinter parties and former supporters of the Protestant middle-class and conservative parties. They pulled a substantial number of voters who were still bound by semi-loyal and even loyal parties prior to 1930 into a movement of uncompromising disloyalty to the democratic system. Together with the Communists, the Nazis made the disloyal opposition in 1932 a majority that was, however, internally antagonistic and unable to form a government (Table 9.3).

The crisis of the democratic regime was closely connected with the nature of the German party-system, its fragmentation and its reluctance to accept the functions of parties in a parliamentary government (Bracher 1957; Conze 1954; Conze and Raupach 1967). To be sure, the tasks with which a German government was confronted in the post-war period and the subsequent economic crisis were extraordinary. The weakness of the democratic potential, furthermore, put severe limits on the formation of governments and loyal oppositions. But while continuous crises in the years 1919–1923 (adjustment to the lost war, assassinations, rightist putsches and leftist upheavals, occupation of the Ruhr, and inflation) could be overcome, the less threatening problems of 1928–1930 overburdened the party-system. To reiterate, even without the threat of Hitlerism and the consequences of the mass unemployment of 1931 and 1932, the democratic parties were prepared to suspend the democratic procedures and resort to a presidential rule. By early 1930, they had accepted the government of Chancellor Heinrich Brüning, which rested on presidential power rather than on parliamentary majority. This signals the degree of frustration and timidity which became so dominant by the end of the Republic in 1932. It is likely that the combination of presidential rule, the politics of issue coalition, and short-term crisis management could have been carried on for a longer time and that the total collapse of democracy could have been avoided, despite the economic crisis that was further weakening the traditional structure of the German society and politics. There might also have been a chance for a revitalization of the party-structure in 1934 or 1935 when the international economy recovered. However, the fragmentation of the party-system and the strategy of temporary retreat from government participation and crisis management by emergency decrees were certainly preconditions for the breakdown of democracy.

9.4 The Constitutional Framework

Any political process is influenced by the constitutional framework in which it takes place. In the case of the breakdown of the Weimar Republic, the constitutional framework deserves special attention, as the breakdown and the seizure of power by Hitler has a curious double character. It is a regime change that observed legal provisions while using revolutionary means.

In this context, a systematic analysis of the Weimar constitution is not to be given, but a few remarks concerning the prerogatives of the Reich President and the famous Article 48 must be made (Bracher 1957; Needler 1959; Revermann 1959; Scheuner 1967). The constitution basically endorsed parliamentary rule but granted special rights to the president of the Republic. This duality of a parliamentary and a presidential rule was deliberately introduced into the constitution. It was partly influenced by the former imperial constitution and was partly introduced as a means of strengthening the authority of the state and counterbalancing the power of the parties and the parliament. The president could claim greater personal legitimacy than the chancellor, as the former had a plebiscitarian basis and the latter only an indirect legitimation by parliament. The president could bring a government into office without active participation of the parliament as long as the parliament was not casting a vote of no confidence. The president could dissolve the parliament without its consent. The president could issue decrees in states of emergency to restore public order with the endorsement of the chancellor, which the parliament later could revoke or merely tolerate by not casting a vote against the decree. Taken together, the presidential prerogatives allowed for government without an active participation of the parliament. The parliament could fall back on a passive role of toleration and resort to its veto powers without being forced to formulate a political course of action of its own. There is a certain correspondence between the party-structure and the constitution. This could be seen as functional, given the fragmented party-structure; it could, however, also prolong a party-structure that was dysfunctional for a parliamentary democracy. In the first years (1919–1924) of the presidency of Friedrich Ebert, the emergency powers of the president became widely used to cope with upheavals and revolts within the narrow sense of the constitutional definitions. However, by 1923 and 1924, the presidential prerogatives were also used to cope with economic matters that had no relation to any state of emergency or public disorder. They were, however, only used for a short period of time, since the parliament always retained its ultimate authority. President Ebert, a Social Democrat who was deeply committed to a democratic form of government, never intended to abuse the emergency powers in order to change the power distribution between the legislative and executive branches of government.

With the appointment of Chancellor Brüning on 30 March 1930, a new situation was created. Brüning's government was put into office by the Reich President without consultation with the parties and was declared deliberately to be a non-parliamentary government resting on the authority and the constitutional

power of the president. The right to issue emergency decrees was now used as a permanent substitute for legislation. Its precondition was the internal paralysis of the parliament, which would only agree not to pass a vote of no confidence. When in July 1930 an emergency decree on the budget was not tolerated by the parliament, the president resorted to his right to dissolve the parliament. The emergency decree was issued again, now not faced with any acting parliament to resist its legality. Sixty days later, however, new elections had to take place. By combining the three constitutional rights of the president, a government could remain in power without the explicit endorsement of parliament, thereby distorting the nature of the constitution. The countervailing powers of the president became the dominant focus of political authority. A shift of power from the legislative to the executive branch took place, which changed parliamentary rule into presidential rule. Holding a national election in September 1930 at the start of the economic crisis and with a Nazi movement already underway to mobilize and radicalize the electorate was a politically fatal decision. Its only result was to increase the incapacity of the parliament. The Nazis, who had had 12 deputies in the Reichstag of 1928, now returned with 107; the Communists enlarged their faction from 54 to 77. However, the decision to dissolve the parliament was not taken with the aim of restoring parliamentary rule but rather with that of prolonging presidential rule. The party crisis had led to an extension of the constitution. The government was no longer conceived as an agent of the parliament but as one of presidential authority. The awareness of the parliamentary crisis now became an awareness of a constitutional crisis. Conservative forces, opposed to parliamentary democracy, saw their opportunity to gradually transform the political system into a semi-parliamentary rule with a government "above the parties" and responsible only to the president legitimated by the plebiscite. The more reactionary circles thought that the time for exclusion of the labor-movement from the political process and a reduction of social legislation had come, which meant restoring not only the pre-war political order but its social order as well. Presidential rule became a new form of legal government, opening up a chance for permanent dictatorial rule. As long as Brüning was chancellor, the latter possibility was not contemplated by the government. He aimed at an eventual return to a parliamentary regime (Brüning 1968, 1970; Trevianus 1968). It was only after his dismissal by president von Hindenburg on May 30, 1932, that the essence of the constitution was violated.

The new chancellor, von Papen, appointed by Hindenburg on June 1, 1932, did not even have a chance to be tolerated by the parliament. Before even a vote of no confidence could be cast, the parliament was dissolved by presidential decree. New elections were to take place within the constitutional limits of 60 days. This caused an election at the peak of the economic crisis, which could only lead to an enormous increase of Nazi strength in the Reichstag. There had already been three nationwide elections in 1932 that Hitler had used for a continuous campaign. The new Reichstag saw the NSDAP as by far the largest faction with 37.2 % of the votes. However, the Reichstag, elected on July 31, 1932, was immediately dissolved on September 12, and a fifth election was called for November 11, again observing the constitutional provision of the 60 days. The rationale for the two dissolutions and

elections of parliament, however, was an abuse of the constitution, i.e., installing a presidential government without parliamentary support. Neither von Papen nor von Schleicher, who became chancellor on December 3, 1932, was committed to a democratic regime. They were, however, unable to establish an authoritarian rule by either an enforced permanent dismissal of parliament or a military coup d'état. They succeeded in further discrediting parliamentarianism, in providing new occasions for agitation and mobilization of the population by useless elections, and in unintentionally justifying Hitler's claims that the present system was rotten and that Germany could only be saved by a truly authoritarian leadership based on his own mass support (Bracher 1957; Eschenburg 1963; Vogelsang 1962).

Table 9.4 indicates the breakdown of parliamentarianism well before the Nazi seizure of power. With the gradual shift of power from the parliament to the president, the arena of decision-making became confined, and legal procedures were replaced by personal relations. The leadership of the parties and factions lost influence. The mediation of interests in the political arena shifted from organized procedures between agencies to obscure informal conferences and confidential agreements. The personal likes and dislikes of Hindenburg, his understanding of the political situation, and his physical health became of the utmost importance to the political fate of the country. Rooted in the tradition of the imperial army and living in a world of conservative national commitments, Hindenburg had no clear understanding of a democratic parliamentary system. Overburdened by the decisions he had to make or at least to justify with his signature, 85 years old and in poor-health, he was placed in the center of the remaining area of legal decision-making (Dorpalen 1964; Wheeler-Bennett 1967). Personal access to Hindenburg rather than constitutional procedures defined political options. The appointments and dismissals of Brüning, von Papen, and von Schleicher, and finally also the appointment of Hitler, were arranged by a very small and irresponsible group of people with influence on Hindenburg. A process of gradual denaturation took place, covering up even the most obvious violations of constitutional rights. The deposition of the Prussian government by the Papen government on July 20, 1932, could still pretend to be legally justified by a presidential decree (Brecht 1967). This blurring of the categories of legality and legitimacy also served to make the seizure of power by Hitler look legal (Schmitt 1958, 1963). He was appointed by the president but could not win a vote of confidence in parliament. Therefore, the Reichstag was dissolved once more 2 days after his appointment, and new elections were scheduled for March 5, 1933. Hitler had 5 weeks without a constitutional basis to establish his rule and in particular to take over the police in Prussia, suppressing leftist forces and intimidating all opposition. On February 28, 1933, an emergency decree was issued, which pretended to be constitutionally legal while it suspended

Table 9.4 Erosion of Parliamentarianism

	1930	1931	1932
Laws passed by parliament	98	34	5
Emergency decree by the president	5	44	66
Days in parliamentary session	94	41	13

the very basis of the constitution with no parliament to cast a vote on the decree. The election on March 5, 1933, conducted under the unrestricted impact of Nazi propaganda and using all the suppressive powers of the government, brought the Nazis 43.9 % of the vote and, only in coalition with the DNVP and their 8 % of the vote, a narrow majority. Pseudo-legality was transformed into a nominal legitimacy, which in turn was used to destroy constitutional legality and to establish an undemocratic rule (Bracher et al. 1960).

Attitudes are formed and actions are taken within an institutional framework. This framework is not neutral but produces a dynamic of its own. An institutional framework not only defines the normal procedures, but it makes certain alternatives more accessible than others. The constitution and the election system, both hailed as most democratic, did not cause the breakdown of the Weimar Republic. However, they did not serve to strengthen the democratic political process. The imperial regime, with its authoritarian political order, remained an alternative preferred by many parts of the elite—the civil servants, the military, the professors, the industrialists, and of course, the former aristocracy. Democratic procedures and institutions did not gain consensual legitimacy with the population, either. Open interest mediation was mistaken for efficiency. At best, the Germans became "rational republicans" (Vernunftrepublikaner); at worst, they were longing for a restoration of the monarchy or a charismatic leader.

9.5 Economic Situation and Social Structure

The impact of the economic depression on the rise of Nazism and the breakdown of democracy in Germany cannot be overestimated. It has often been stated, and this assumption is very plausible, that without the disruption of the economic situation, the political system would not have entered a prolonged crisis, nor would a large segment of the population have been mobilized by the Nazi movement. The rise of the Nazi movement and the unemployment curve show a close similarity. Germany was hit particularly hard by the global depression. Next to the United States, Germany suffered most, much more than France, Great Britain, the Scandinavian countries, Holland, and Belgium.

This severe economic crisis, which led to a decrease of the gross domestic product in 1932 to 63 % of its 1928 level and to the unemployment of six million people in the first months of 1932 and 1933, was caused by the international depression, structural domestic problems, and political factors (Kaltefleiter 1969; Kindleberger 1973; Gordon 1974; Stolper et al. 1967; Grotkopp 1952; Stucken 1964; Lücke 1958). The main cause, however, rested in international economic developments and lay outside of the German political and social system. However, the question of whether the economic crisis was aggravated by German actions and why the economic crisis led to a breakdown of the total political system must be raised (Table 9.5).

Table 9.5 National income, 1929–1932 (1929 = 100)

	1929	1930	1931	1932
Germany	100	92	75	61
United States	100	94	78	60
United Kingdom	100	98	87	85
France	100	99	93	84
Sweden	100	107	108	100

Source: see Lepsius (1978)

After a disastrous inflation in 1923, the German economy recovered quickly. Foreign (particularly American) loans provided short-term investment funds; these were used to modernize the industrial production system, which, due to the war, had a 10-year backlog of demands for new equipment. The internal war debts were liquidated by the currency reform of 1923/1924, which diminished large sums of private savings, thereby impoverishing the middle-classes and causing lasting psychological trauma. The reparations demanded by the Allies became the main political issue; they were thought to be the major cause of German economic difficulties. At first undefined in their amount, they were the subject of continuous negotiations leading first to the Dawes Plan of 1924, which regulated the procedures and amount of the annual payments, and later to the Young Plan of 1930, which set up a definitive schedule of payments to end in 1988. The capitalized present value of all payments was computed at just below 37 billion German marks, which is remarkably lower than the sum of 132 billion marks set up by the Reparations Commission in 1921. In addition to the financial and economic burden, reparations played an enormous symbolic role in the German political scene. The sum was regarded as totally unjust and as much higher than needed to compensate for the war damage caused by the German army in occupied territories. It was seen as being a means for the permanent enslavement of Germany by France and as a basis of direct intervention in German affairs. A severe limitation of national sovereignty was clearly perceived in the occupation of the Ruhr area as a sanction for alleged German non-compliance in 1923, in the setup of an Allied control commission in Berlin, and in the imposition of foreign experts on the board of the Reichsbank, the German central bank, and the national railways. Their controlling power was to secure a guarantee for the reparations payments. The provisions of the reparations agreements caused the German authorities to view themselves as hampered in embarking on any policy of credit expansion to counteract the depression (Helbick 1962) (Table 9.6).

The German reparations were linked with the regulation of French and British war debts to the United States, and this interdependence caused a fatal immobility in the international fiscal system and contributed to the enormous decline in international trade during the global depression. In the German political scene, the reparations became the overriding issue as the depression was seen as an ideal opportunity to achieve an international agreement to abolish the reparations altogether. The Brüning government concentrated all its efforts on this goal

Table 9.6 Unemployment, 1928–1933 (annual average as percentage of labor force)

	1928	1929	1930	1931	1932	1933
Germany	8.6	13.3	22.7	34.3	43.8	36.2
United States	4.4	3.2	8.9	15.9	23.6	24.9
United Kingdom	10.8	10.4	16.1	21.3	22.1	19.9
France	4.0	1.0	2.0	6.5	15.4	14.1
Sweden	10.8	10.2	11.9	16.8	22.4	23.3

Sources: see Lepsius (1978)

regardless of the repercussions on the domestic economic and political situation. The strategy was first to prove to the Allies the German incapacity to pay reparations and only then to embark on a policy of public works and credit expansion.

However, when the Reparations Conference in Lausanne from June 16 to July 8, 1932, brought about the final settlement, Brüning had already been dismissed. The nationalistic opposition had denounced the policy of compliance and gradual negotiations on the reparation question from the very beginning. The NSDAP embarked on a violent campaign against the reparations and the Versailles treaty, both symbols of national degradation, both alleged tools of an international conspiracy of world capitalism and in particular of Jewish manipulations against the German people. The experience of misery served as proof of these allegations, which converted economic problems into ideological commitments of mythical character.

The domestic economic difficulties began with an agrarian crisis in 1927–1928. Violent demonstrations, particularly in Schleswig-Holstein, gave rise to a peasant movement directed against the party-state and demanding special legislation that would keep agriculture outside the market economy. Its basis was a delayed adaptation of agriculture to the new market conditions. The war and the post-war period had been boom years for farmers because of the shortage of food. The annulment of debts by the inflation that took place until 1923 and the currency reform had secured a period of 10 years during which agriculture in Germany had not to face the conditions of the market. A high renewed indebtedness (partly for new machinery and partly for consumption since the harvest of 1923 was sold for the old, inflated currency) and falling agricultural prices had put certain agricultural areas, particularly those in the North and East, in severe financial difficulties. Public sales of farms (because of failure to pay interest or taxes) led to upraise of the peasant population against the perceived immorality of the economic and political system.

The agrarian movement (Landvolkbewegung) became a violent populist movement with strong anti-Semitic tendencies. The outburst of violent protest in 1928 led first to the formation of regional agrarian protest movements and then to the erosion of the voter basis of the Protestant middle-class and conservative parties. By 1930, the agrarian protest movement had been integrated in the NSDAP. Agrarian voters in Protestant areas provided the Nazis with their success in the national elections of 1930. In Schleswig-Holstein, the NSDAP won 27 % of the

vote, and in 1932, this was the only district in which the Nazis received more than 50 % of the vote. This development took place at a local level and within the regional agrarian subculture. The new leaders of the spontaneous agrarian movement converted to the NSDAP voluntarily (Angress 1959; Sering 1932; Franz 1959; Beyer 1957; Heberle 1963; Stoltenberg 1962; Sahner 1972).

The party did not respond to the agrarian protest until late 1930. Walther Darré, the agrarian expert, was put in charge of a special organization on August 1, 1930; the first party meeting with representatives of the peasantry convened on February 9, 1931. It must be noted that the alliance of the Landvolkbewegung with the NSDAP was not the result of a special propagandistic effort on the side of the Nazis or of the personal experience of mass rallies conducted by Hitler. Rather, the Nazi party, being in a state of rapid, disorganized growth, was open for most diverse activists, particularistic interests, and protest moods. The party's vague reference to a professional corporative order, the radical attack on the political system, and its open hierarchy made it attractive as a nationally unifying body for regional and social protest and provided political career options for young activists.

The mediation between the agrarian structural crisis and the Nazi movement was provided by the breakdown of traditional intermediary organizations and the unavailability of alternative political organizations in Protestant areas. The socialists never managed to care for the peasants; they concentrated on the working class and, via certain unions, on the agricultural day-laborers. The independent farmer was supposed to die out and transform into a new agricultural worker in a Socialist society. As late as 1927, the first agrarian program was proclaimed by the SPD (Nilson 1954). Only the Catholic milieu, always concerned with the peasants as faithful Catholics, was able to absorb the unrest of the peasants, but, of course, the Catholic Zentrum party was no alternative for Protestant farmers.

The large landowners in East Elbia, also caught in a long-standing economic crisis, were accustomed to political and economic protection from the aristocratic elite of pre-war Prussia. They felt threatened by the new political order and particularly by the Social Democrats, who proposed to nationalize their estates. With the election of Hindenburg as the president of the Republic, a new avenue to state subsidies became available. Hindenburg, belonging to the old Prussian elite and a landholder himself (an estate was presented to him as a gift in 1927), became an advocate of the demands of the landowners. When Hindenburg appointed Brüning as chancellor of the presidential government in 1930, he made it quite clear that a special relief program for the East German estates had to be enacted by the government. The dismissal of Brüning in 1932 was influenced by distrust in Brüning's willingness to continue the relief program for the East. It is remarkable that throughout the severe economic crisis from 1930 to 1932, the government paid 170 million marks to the approximately 13,000 large landowners, much more than was given to industry in direct or indirect subsidies (Raupach 1969; Schulz 1967; von Borcke Stargordt 1957). This curious one-sidedness can only be explained by the specific mediation of the interests of the Junkers, which was easier to achieve in a presidential than in a parliamentary regime.

The structural crisis in agriculture had different political consequences. The land-owners found an avenue to achieve their objectives and remained conservative. The peasants did not see an avenue for relief and special treatment via the affiliation with the traditional parties, so they formed regional protest movements of their own. As these proved ineffective, the peasants shifted to the Nazis, who in turn, after 1931, skillfully infiltrated the agrarian interest organizations and converted them into supporters of the NSDAP (Gies 1967).

The international financial crisis following the crash of the New York stock market in October 1929 caused the cancellation and recall of foreign loans in Germany. The German banking system was, due to inflation, very limited in capital and relied heavily on foreign loans. The investment boom in German industry, as well as in German cities, was financed by short-term loans from the banking system, but these loans were placed on long-term projects. Only 58.6 % of the total credit volume was financed with long-term credits, as compared with 91.5 % in 1913. The German banking system, therefore, was more endangered by the international financial crisis than other banking systems. The breakdown occurred in July 1931, when the international financial system did not succeed in saving the Austrian Kreditanstalt and its insolvency also affected the German banks. The failure of the international banking and credit system was related to rivalries between France and Great Britain, triggered by a plan to construct a tariff union between Austria and Germany, which was perceived by France as a violation of the peace treaties.

Chancellor Brüning and the president of the Reichsbank, Hans Luther, in close cooperation with the leaders of the major German banks, solved the crisis by more or less nationalizing the banks. Though the handling of the banking crisis can be considered a great success for the government, the crisis itself was most unfortunate for the economic and political situation. The dysfunctions of the credit system led to a further weakening of trust in economic development. The central bank rate was raised from 5 to 8 %, which tightened the credit market further and discouraged the investments vital for a recovery of the economy. The political consequences were equally negative. The bank crisis heightened the distrust in the existing system. The bank managers saw themselves being strongly dependent on the government and feared direct state control, particularly in case of a Socialist regime. Some of them began to establish relations with Hitler to secure future autonomy (Bonn 1967). By 1930, industrial production had declined sharply (Table 9.7). German industry relied heavily on exports. International trade, however, was falling even more than domestic consumption. From an index of 100 in 1929, the total imports of 75 countries, measured in millions of gold dollars, declined to an index of 40 in 1932 (Kindleberger 1973).

Table 9.7 German industrial production (1928 = 100)

	1929	1930	1931	1932
Total industrial production	100	92	75	61
Production goods	100	94	78	60
Consumption goods	100	98	87	85

Source: see Lepsius (1978)

Big industry in Germany had two major interests. The export industry advocated a policy by which it could retain its position in the world market. It favored lower production costs to meet the devaluation of the pound sterling. Since the relative position of the German export industry could not be bettered by an alteration of the exchange rate because Germany had to observe the gold standard due to reparation treaties, a lowering of wages was thought to be the only option. The export industry, particularly the big corporations in the chemical and electrical industry, therefore supported the deflation policy of the Brüning cabinet, hoping that eventually the international economy would recover. The minister of economies during the period of October 1931 to January 1933, Warmbold, was a former board member of the I.G. Farbenindustrie, a huge chemical corporation created in 1925.

The steel industry, on the other hand, was more oriented toward the domestic market and in general less liberal in economic persuasion. Its leaders were inclined to see a long-term solution only in government spending, particularly in the rearmament of the German army. Nationalistic stands were taken by some leading managers and particularly by Hugenberg, the leader of the DVP, and a former member of the board of Krupp. Their interests were also directed toward a definitive cutback in social legislation and union influence; they were fiercely anti-socialistic and opposed the Brüning government for its conciliatory policy towards labor. Representatives of the coal and steel industries, notably Fritz Thyssen and Emil Kirdorf, were among the first industrialists who established close relations with Hitler. The majority, however, remained ambivalent and preferred to support truly conservative and authoritarian politicians like von Papen (Treue 1967; Turner 1972; Hallgarten 1955; Mommsen et al. 1974).

Small business, retail trade, and small artisans were under great pressure. They found themselves in a structural crisis, faced with the need to change from the productive trades to the repair and service trades, as well as to cope with the rising trend toward department stores and chain stores. Their difficulties were considered to be caused by a double attack from capitalist big business and Socialist labor. These segments developed the classic attitude of the "struggle against class struggle," activating all the moral sentiments of the pre-war world. Moral indignation and the feeling of political powerlessness had already radicalized them before the advent of the economic crisis. The coincidence of a structural adjustment crisis with the general depression made them particularly vulnerable and ready to believe in Nazi propaganda (Lipset 1960; Geiger 1930, 1932; Riemer 1932; Wulf 1969; Roloff 1961; Winkler 1972). As the effects of the depression on the self-employed do not clearly show up in the unemployment figures, it must be kept in mind that the situation of the population was even worse than the unemployment figures indicate (Table 9.8).

Germany suffered the worst unemployment of any country during these years. On average, already before the depression about 1.3 million people were unemployed in 1927 and 1928, representing an unemployment rate of about 9 %. According to present standards, this can be considered as severe structural unemployment. As the unemployment rate went up to 22.7 % in 1930 and 43.8 % in 1932, the situation became disastrous. A complete disruption of everyday-life occurred

Table 9.8 Employment in percentage of the employment capacity of industry

	1929	1930	1931	1932	1933
Hourly wage earners	70.4	61.2	50.7	41.9	46.3
Salary earners	87.8	83.2	73.5	61.2	60.5

Source: see Lepsius (1978)

for about half of the industrial working-class. White-collar workers were severely hit as well, and although their relative degree of employment was higher, they were less accustomed to unemployment than the working-class and felt more emotionally degraded by being out of work (Jahoda et al. 1961).

On January 31, 1933, the day Hitler became chancellor, there were 6,014,000 people unemployed: 578,000 white-collar workers and 5,436,000 blue-collar workers, one-quarter of whom were below 25 years of age (Statistisches Jahrbuch für das Deutsche Reich 1935). Many young people never made the transition into a stable working life. They were particularly easy to mobilize into militia-like organizations and were always available for street demonstrations and fights at party rallies. These militia-like organizations threatened public security and on occasion created an atmosphere of civil war, especially the storm troops (SA) of the Nazis and the Rote Frontkämpferbund of the Communists. For the young and unemployed men, these organizations provided clothing, food, and most of all, a feeling of belonging and comradeship providing a meaningful structuring of their daily life (Bracher 1957; Bennecke 1962).

The more unemployment rose, the greater the number of people became who had to live on less than a minimum income. In 1932, 19.4 % of 5.6 million unemployed people received unemployment insurance, 25.8 % got support from a special relief fund, 36.6 % were on social welfare, and 18.2 % did not receive any aid (Statistisches Jahrbuch für das Deutsche Reich 1933; Preller 1949; Hartwich 1967). The unemployment insurance program, created in 1927 to handle about 900,000 unemployed people, had already become insolvent by 1929. The municipalities, responsible for the welfare payments, were bankrupt or in a severe financial crisis by 1931. Therefore, all relief payments were lowered substantially. But the population still at work also experienced a mood of deprivation and fear of becoming unemployed. By 1932, the situation of the majority of the population was desperate and characterized by disrupting life expectations and conceptualizations of social and political order. This is also reflected in the birth rate, which declined to the level of the war-years of 1916–1918.

As the supply of labor exceeded the demand for labor, the strategic position of the labor unions became weaker. In April 1930, 20 % of union members were unemployed; in April 1932, the figure was about 44 %, with an additional 20 % working short hours (Statistisches Jahrbuch für das Deutsche Reich 1933). The capacity of the unions to exert political pressure and, as a last resort, to conduct a general strike, decreased. Unemployment and depression confronted the unions with problems for which they had neither an economic program nor a political strategy. It wasn't until 1932 that they adopted a plan of modest credit expansion and public works; they were politically on the defensive, trying to maintain the

status quo and preserve their organizations against the attacks of the Communists and the Nazis (Schneider 1975a, b; Heer 1971). On the other hand, the influence of the employers rose steadily because of the labor market situation and their growing impact on the government. Employers used their strategic advantages to cut back social legislation and union influence more generally. The changed power relation became obvious and politically important as early as 1930, when an attempt to reconstruct the unemployment insurance program failed because labor and industry would not compromise on the proposed increase of contributions by employees and employers. The last parliamentary government of the Weimar Republic collapsed as a result of this issue; the Social Democrats retreated from active participation and left the field to the conservative forces (Timm 1952; Conze and Raupach 1967). The economic crisis had changed the distribution of power and the influence structure within the political system.

The white-collar strata were particularly vulnerable in this crisis. This group had expanded very rapidly in the preceding 20 years and was less integrated than the workers. Their interest groups were traditionally conservative in orientation, representing the aspirations of the white-collar employee to move up in status and to achieve and maintain a social position similar to civil servants. Only after the war did Socialist and democratic orientations gain in influence via the new white-collar unions. The majority, however, became radicalized in favor of nationalistic and authoritarian political ideas, supporting anti-democratic tendencies and, in the end, the Nazi movement (Speier 1977; Kocka 1974; Jones 1974).

The general economic developments are shown in Table 9.9. Gross domestic product, private consumption, gross investment, and state expenditures declined. Incomes from wages and salaries and from property and proprietorship declined at the same rate. With the reduction of the state budget, expenditures for relief payments rose, leading to an increase in the excise tax from 0.8 to 2 % in 1931. This, together with the high level of the central bank rate, was counterproductive for a revival of the economy (Keese 1967; Wilbrandt 1931; Bry 1960; Petzina 1967). The deflationary policy aggravated the economic situation. The hesitation of the Brüning government to put a public works program into action further contributed

Table 9.9 Indicators of economic development, 1928–1933 (1928 = 100)

	1928	1929	1930	1931	1932	1933
Gross national income (includes net exports, at market prices)	100	101	93	78	63	65
Private consumption	100	103	99	84	67	68
Gross domestic investment	100	77	60	28	33	41
Government purchases	100	103	90	81	72	74
Income of households						
Wage and salary incomes	100	101	94	80	62	63
Property and proprietorship income	100	99	89	74	60	62
Public transfer payment	100	113	124	131	122	111

Sources: see Lepsius (1978)

to a feeling of helplessness and despair (Keese 1967; Hermens 1967; Trevianus 1968).

To return to the question raised at the beginning of this section, it seems that the economic crisis in Germany was aggravated by peculiarities of the German situation. The coincidence of diverse structural strains in the economy produced by a constrained adaptation of some traditional segments of the economy, particularly agriculture, retail trade, and the trades, an enforced modernization of the industrial production apparatus in the years 1924–1929, and a crisis of the structurally weak banking system were highly increased by the global depression. Excessive concern with the reparations problem led the government to an economic policy that, in search for a solution, aggravated the depression.

The second question raised was in what respect the economic crisis contributed to a breakdown of the political regime. This crisis of everyday-life mobilized the population to a higher extent than any propaganda could possibly achieve. This mobilization activated parts of the population who, under normal conditions, do not participate in the political process and are therefore not integrated through intermediary interest groups and parties. In general, non-integrated groups are more likely than the average population to turn to the most radical parties available. In such a case, the outcome of the rebellious stance of the population depends on the nature of the party-system. In a given situation, available radical parties may be more or less radical than their voters' mood, and they may be loyal to the system or not. The willingness to support a radical party is determined by the power of the moderate parties to absorb the protest mood and how successful they provide a plausible interpretation of the situation. The strength of the moderate party-structure depends on the capacity of the radical parties to produce a more plausible interpretation of the situation as well as on their organizational network leading divergent protest movements into unified political forces.

In the German case, the economic crisis was most influential with respect to political mobilization. However, there were several filters that channeled the effects of this mobilization. Prior to the economic crisis, there was a firmly institutionalized disloyal opposition to the democratic regime consisting of Communists as well as conservative nationalists. Any radicalization of the voters would lead to a reinforcement of the disloyal opposition. This, however, could take place only when the moderate parties could neither retain their voters and interest organizations nor absorb the respective protest vote. While the Catholics and the Social Democrats were fairly successful in the former respect, they were not in the latter. The Protestant middle-class parties, both liberal and conservative alike, however, were unable to secure their bases—neither the individual voters nor the interest organizations that had been affiliated with them. The farmers' organizations, the trade associations, and a substantial part of the intellectuals and white-collar workers searched for new alignments. They could not join the Catholics because of cultural tradition, neither the Social Democrats because of class interest and status resentment. Nor did either party try to win them. The Communists were unlikely to attract the middle-class, and only a few intellectuals switched to them. So the conservative nationalists would have been the most likely choice for the

Table 9.10 Changes in Protest Votes, 1924, 1930, and 1932

	1924	1930	1932
Percentage unemployment	13.1	22.7	43.8
Percentage of voter turnout	76.3	81.4	79.9
Protest votes of the Right (DNVP and NSDAP)	24.9	25.3	40.2
Protest votes of the Left (KPD and USPD)	13.2	13.1	16.8

protest orientation; however, they did not succeed in retaining their voter basis (Kaltefleiter 1969).

The availability of the vital Nazi movement, uncompromised by a former involvement in government and rapidly expanding a wide network of devoted young functionaries and organizations, provided the most plausible protest opportunity. It also presented a definition of the situation that corresponded with the irrationality of contemporary life. Action and willpower would be the means by which the impact of international conspiracy and the impotence of decadence would be crushed, and German virtues would be restored.

For assessing the overall impact of the Nazi movement on the breakdown of the political system at the peak of the economic crisis, I use a rough and, of course, very questionable method, namely comparing the elections in May 1924, September 1930, and November 1932 (Table 9.10). The election in May 1924 followed the inflation crisis and a period of great internal disruption, including the occupation of the Ruhr by France and upheavals in central Germany and Bavaria, which showed the highest percentage of leftist and rightist protest votes prior to the depression. By 1930, at the beginning of the depression, the rightist and leftist protest vote had regained its 1924 strength. With the worsening of the situation until 1932, the leftist protest vote grew by about 27 %, comprising 16.8 % of the total vote. Assuming that the rate of growth of the rightist protest vote would be comparable, one could project a total growth in the rightist protest vote up to about 31 %. Instead, it gained 40 %. It can then be argued that the impact of the Nazi movement prompted about 10 % of the population to turn to a rightist protest vote, which otherwise would have stayed within the realm of the moderate traditional or splinter-party-system. It was due to the particular aggressiveness of Hitler's movement and the weakness of the moderate liberal parties and Protestant middle-class organizations that the regime collapse became possible in 1932.

9.6 Adolf Hitler and the Nazi Party

The previous sections concentrated on the framework in which the breakdown took place. But none of the factors discussed so far has been of decisive importance for the final outcome. The active and, in the end, fatal role was played by Hitler and the NSDAP. In underlining Hitler's importance for the breakdown of the Weimar Republic, I am not resorting to a demonology of Hitler or to conceptualizations

such as "it is men who make history." Rather, I will turn to the structural aspects of Hitler's role (Maser 1973; Bullock 1965; Heiden 1944).

The conceptual tools for this investigation are derived from Max Weber's theory of charisma (Weber 1968; see also Chap. 8). Weber proposed four dimensions to define charismatic authority. First, there is a belief in the exceptional qualities of an individual. This belief calls for absolute trust in the leader and makes recognition of his legitimacy a duty. Second, the influence of the leader rests on the recognition of his charismatic qualities as proved by his success. The attributed charisma therefore is subject to proof. The chances of a leader for achieving recognition of his assumed charismatic qualities are increased psychologically by complete personal devotion on the side of his followers arising out of enthusiasm, despair, or hope. Sociologically, they are determined by the definition of the situation in which the charismatic leader is forced to prove his qualities. Third, the realm of authority is a charismatic community, not a firmly institutionalized organization. The administrative staff consists of trusted agents who have either been provided with charismatic authority by the leader or possess charisma of their own. There is no bureaucratic organization, no principle of formal rules, no supervisory or appeal body, and hence no process of rational judicial decision-making. Fourth, the economic basis is not derived from systematic economic activities, but rests on voluntary contributions and booty.

In line with these propositions, we will first describe the simultaneous development of Hitler's claim to ultimate authority and the belief in his charismatic qualities. We will then discuss the evolution of Hitler's 'charismatic community' into a mass movement and into a dominant force in the German political scene.

Hitler's rise comprised a number of successful claims of ultimate authority put forth despite high risks for his personal career. The capacity of unscrupulous tactical decisions and hazardous risk-taking is undoubtedly a personal precondition of his success. On July 21, 1921, Hitler forced the then sectarian party to acknowledge him as the leader, unbound by any formal regulations, by declaring his resignation when leading party members suggested a coalition with other racist-nationalistic organizations or folkish associations. This first seizure of power placed him at the central position of the Nazi party and for the first time established his claim of ultimate personal authority. After his defeat at the coup on November 9, 1923, during his trial and imprisonment, he deliberately kept the party organization in a state of disorganization to avoid the establishment of new leadership. Upon his release from prison, he founded the party anew on February 27, 1925, revoking all organizations that had been established in the meantime. The new party lost many followers and members because of Hitler's rigid actions. For Hitler, however, it was the second successful seizure of power which was already based on his artificially created reputation as the hero of the Munich coup. The third successful defense of his ultimate authority took place on February 14, 1926, when party leaders in North and West Germany started to closely cooperate and proposed a revision of the party program that should include leftist inclinations and new organizational procedures. Hitler summoned the district chiefs on short notice to a meeting in Bamberg, where, after a 5-h speech no dissent was expressed, and

Strasser as well as Goebbels, both spokesmen of the dissenters, confirmed their personal loyalty. With this third seizure of power within the party organization, Hitler's ultimate authority was firmly established, and no further serious attempts of ideological specification and formalization of the decision-making process were undertaken. Later conflicts, e.g., with Otto Strasser and SA leader Stennes in 1930, with Gregor Strasser in 1932, and with Rahm in 1934, were settled by Hitler's unquestioned authority, and the dissenters lost any personal charismatic authority they might have had the moment Hitler turned against them (Nyomarkay 1967). Every successful claim of ultimate authority was in itself a verification of Hitler's charisma and considered as a proof of his extraordinary gifts. Challenges of his authority were converted into renewed personal loyalty.

This process of gradual increase of Hitler's charismatic authority rested on some preconditions that were independent of his personality, but also on his extraordinary ability to persuade and convince people in face-to-face contact. The first external precondition was the peculiar organizational structure of the party. The Führerprinzip as basic rule meant the total abolition of any formal regulations for decision-making and legitimation of authority. There were no collective bodies, no representative mechanisms, and no procedural limitations of action (Horn 1972). Ultimate authority rested with the leader of the party, who became legitimized by undefined acts of plebiscitary consent. Hitler in turn appointed the sub-leaders who had ultimate authority in their own areas granted by him, independent of the formal consent of their subordinates. Furthermore, Hitler designed an intricate net of competing realms of jurisdiction, thereby placing himself in the all-important position of supreme conflict manager. Personalized rivalries without an institutionalized claim of competence kept the organization of the party in a state of artificially created disorganization that could only be controlled by Hitler through arbitrary decisions without any limitations by procedure or precedent. There was a correspondence between organizational anarchy and the need of ultimate authority, which, in a process of circular stimulation, enhanced Hitler's position and the dependence of the sub-leaders on personal loyalty. Hitler's extreme autonomy from the demands of the party gave him the chance to take any action he wished as well as to leave conflicts and competing ideologies unsolved, thereby integrating very divergent interpretations of the objectives and the ideological basis of Nazism.

This openness of interpretation contributed to the development of a second precondition of Hitler's charismatic authority: the lack of an officially defined ideology. The party program as expressed in the 25 points of 1920 was a rather arbitrary collection of sentiments and particularistic demands lacking intellectual consistency and pragmatic implementation. Hitler declared this program unalterable in 1926, thereby avoiding any intellectual discussion of ideological matters. Only he could interpret the Nazi ideology. His personal beliefs, therefore, played an extremely important role in the policy of Nazism. "Mein Kampf," written between 1924 and 1926, expressed in much greater detail his personal beliefs than did the party program (Hitler 1925; Maser 1966; Lange 1968).

In "Mein Kampf," his violent anti-Semitism became much more obvious than in the party program, and this violent anti-Semitism was not equally shared by other

Fascist movements (Pulzer 1964; Mosse 1966). Hitler's beliefs rested on racist Darwinism, the core of his belief-system. Other guiding ideas were also shaped by Hitler's convictions: the extreme anti-modernism and the pre-industrial conceptualization of social order as a militarized peasant society whose development rests on soil and space and whose blood is to be sacrificed to gain eternal life (Jäckel 1969; Heer 1968). Hitler had no genuine interest in economic questions. He denounced capitalism and socialism alike. His intention was not to create a new economic order but to have an effective production apparatus at his command. He did not care for capitalism, but he could compromise with capitalists as long as they were compliant and efficient. Hitler's affinity with the capitalist system rested not on any general conceptualization of economic and social order in an industrial society, but on his conviction that only individual leadership, unrestricted by bureaucratic regulations, would produce efficiency. In effect, "Nazi Weltanschauung was a meaningless abstraction until personified in Hitler" (Nyomarkay 1967: 21). This left Hitler uncontrolled by ideological interpretations of his actions by the party members since with no clearly defined and implemented obligatory program "no legitimate questions could be raised about the leader's conceptualization or interpretation of an idea" (Nyomarkay 1967: 22). Followers could incorporate their own anxieties and hopes into the vague values of the movement whose programmatic emptiness allowed for an identification with an ultimate authority, regardless of specific and mutually exclusive interests and particularistic aims. On the other hand, Hitler could adjust the ideology to the short-term tactics he felt suitable and obscure his personal implementation of the ultimate cause. His ultimate authority was enhanced by his position as the sole ideological interpreter of Nazism.

Third, it should be noted that Hitler most decidedly avoided any coalition with organizations outside his direct area of ultimate authority. From the very beginning, he fought against any cooperation with other rightist and folkish groupings, even when such coalitions would have promised greater influence in the political arena. Internal autonomy and external independence were Hitler's guiding principles, rigidly putting aside considerations of growth, influences, and stability of the organization. It was his own influence that was important to him, not the development of the party or its impact in a given political situation. He followed this principle throughout the negotiations in 1931 and 1932, in which other actors tried integrate the Nazis into the traditional authoritarian camp and thereby to tame Hitler.

The charismatic nature of the Nazi movement was not only the result of specific properties of Hitler's personality, mystical capabilities, rhetorical fascination, and ruthless tactics, but also of deliberately advanced properties of organization, ideology, and external independence of the movement. Hitler was quite aware of the requirements of the role he had chosen for himself and spent a lot of time on the elaboration of the image he wanted to create. Perhaps the greatest personal burden he willingly carried was the discipline to conform to his self-created role and public image (Stern 1975).

The Nazi Party was formed as a "charismatic community" dedicated to Hitler and managed by his agents in the districts, the Gauleiter. The only nationwide

organizational bond was provided by the head office in Munich, which was in charge of the finances and the central membership file. Otherwise, great regional independence and diversity existed (Orlow 1969; Noakes 1971; Schön 1972; Heyen 1967; Allen 1965). Only the paramilitary branch of the NSDAP, the SA, developed an identity of their own. They were militarily organized outside the jurisdiction of the Gauleiter and directly committed to their leaders. Many SA leaders, mostly former army officers and veterans of the war, were torn between loyalty to Hitler and a commitment to form a militia to support the regular army. With all of Hitler's personal ability to persuade, to subjugate opponents, and to destroy definite spheres of competence, he did not succeed in fully integrating the SA until he ordered the execution of its core leadership during the Röhm Putsch in 1934. The independent organization and clearly defined identity of the SA set institutional limits to Hitler's charisma.

The Nazi militia, which Hitler used to produce an atmosphere of civil war in 1932, was at the same time the greatest threat to the unity of the party. However, the SA leaders had no political strategy of their own and had to fall back on Hitler for subsidies and ideological justification. Thus, Hitler kept the SA leadership in line until he no longer needed them (Bennecke 1962; Bloch 1970).

Hitler was reluctant to establish any other specific organization outside the party, which, by the contextual properties of its field of operation, would not be able to function as a charismatic community. There was never a serious attempt to create National Socialist unions or interest groups (Schumann 1958). There were, however, a multitude of auxiliary organizations for almost every occupational group within the party. But they served only to attract sympathizers and to absorb divergent interests but never developed into service organizations for a clientele outside the party membership.

A charismatic community is likely to remain small and insulated and to consume its energies in continuous internal conflict management and purification of the charismatic qualities. Hitlerism was, therefore, not regarded as a formation with political importance, but as a disturbing nuisance. Until 1928, this judgment seemed justified. The NSDAP polled 2.6 % of the national votes in the Reichstag election of May 28, 1928. Its membership comprised 100,000 people. Its financial means consisted of membership fees, revenues from publications, and occasional gifts from idiosyncratic wealthy people (Turner 1968).

The prospects for the Nazis looked dim. Even vigorous campaigning by Hitler in 1927 (he was prohibited from making public speeches in most states until early 1927) did not have an effect. The general political and social situation did not allow a sufficient resonance for his apocalyptic visions. There were not enough anxieties to be directed toward the promises of the new order of the Third Reich. Nazism was a highly internally integrated but externally isolated political sect. The party succeeded in absorbing the radical folkish fringe in the political scene but seemed to be entrenched in the boundaries of the election of May 1924. There was but little hope for a breakthrough into the established party-system. The strategy of a putsch had been discredited since the debacle of November 1923 and was disregarded by Hitler. Mussolini's March on Rome was no realistic option in Germany.

The breakthrough came with changing political circumstances rather than through the activities of the Nazi party. In the summer of 1929, the nationalist opposition in the established party-system propagated a referendum against the Young Plan, which they considered a national degradation and an attempt to prolong the dependency of Germany with reparations. Led by the DVP under their new rightist leader, Hugenberg, nationalistic and conservative groups like the organization of veterans of the war (Stahlhelm) and agricultural associations (Landbund) formed a national committee for the referendum against the Young Plan and co-opted the Nazis. This was the first step by the conservative establishment toward the acknowledgment of Hitler and his party, providing him with the chance to gain national reputation by collaborating with respectable organizations and personalities. It also provided access to financial means and the popular press, which to a large degree was owned or directed by Hugenberg, who had established the greatest press concern in Germany. Nazi propaganda became nationally recognized, and Hitler became personally respectable. The referendum of December 22, 1929, failed. However, the alliance with the conservatives opened the authoritarian camp to the Nazis. The state elections of December 8, 1929, in Thüringen saw the first major Nazi victory. They won 11.3 % of the votes, and were for the first time invited to participate in a state government in coalition with other rightist forces.

The circle of the folkish fringe was broken up, and the Nazi party gained national reputation. While the conservatives thought they could use Hitler and his movement for their own objectives, Hitler did not make any commitment and carried out his plan with complete independence. It was not he who became absorbed in the national opposition of the establishment, but rather them who lost their voters to Hitler. The DNVP suffered through the defection of its conciliatory leaders and was outrivaled by the much more radical and populist propaganda of Hitler's NSDAP. By the Reichstag election of September 1930, the DNVP had lost half of its 1928 vote while the NSDAP won 18.3 % of the vote, becoming more than twice as strong as the DNVP.

The strategy of the established conservatives that had proven to be disastrous for them in 1929/1930, the wasted attempt to tame Hitler and to incorporate his party into a national front under their leadership, was repeated by the Harzburger Front in October 1931 and finally in the negotiations to form a rightist cabinet in August 1932 and in January 1933. Hitler played three times the same game: He agreed to join forces yet upheld his claim of ultimate authority and his independence of action. Hitler could increase his demands from time to time as his relative weight in the rightist-nationalist coalition rose. In 1929, he was the underdog, but in 1933, he was the main figure due to the accelerating economic crisis and gains in voter support. Aided by the depression and growing unemployment, the change of middle-class interest group officials to the Nazis, and their rapid infiltration by young and active men who converted to the Nazi party and became mobilized by the skillful propaganda activities of the party nationwide, by the end of 1931, the NSDAP had won 26.2 % of the votes in the state elections of Hamburg and 37.1 % of the votes in the state elections of Hessen. Nazism had become a major

component of the political system. Its voters primarily had a Protestant and middle-class background. In areas with no dominant Catholic organizations, the agrarian protest votes shifted towards the NSDAP. In areas with weak labor unions, the industrial and urban protest votes shifted to the Nazis as well. In areas with large-scale industrial plants, unions were strong and the protest remained within the Socialist and Communist parties. As a consequence, Catholic and working-class segments of the population were strongly underrepresented among NSDAP voters (Milatz 1965; Kaltefleiter 1969; O'Lessker 1968/1969; Shively 1972).

In the spring of 1932, an election for Reich President was due to be held. Brüning tried to avoid an election at the peak of the economic crisis. However, the parliamentary majority that was needed to enact a special law to prolong the period of office of president von Hindenburg could not be obtained. Hitler played an important role, and categorically refused any attempt to keep Hindenburg in office without an election. Despite the fact that Hindenburg represented the national values for which Hitler was agitating, he turned against the field marshal and became a candidate for president in 1932.

Only 17 days before the election, Hitler obtained the required German citizenship by a nominal appointment to the civil service of the state of Braunschweig, where the Nazis held the Ministry of the Interior. Hitler's candidacy against Hindenburg was an attempt to gain undisputed leadership in the nationalistic, authoritarian camp, uniting all rightist opposition to the democratic system. Hitler gained 36.8 % of the vote on the second ballot in April 1932. His claim to supreme leadership was clearly documented and caused a radical reorientation among the conservative elites.

The military, through its political spokesman, General von Schleicher, started to negotiate with Hitler in April 1932. Leading industrialists established contacts with Hitler, some Protestant clergymen openly endorsed the Nazis, and a member of the royal Hohenzollern family joined the party. The conservative establishment symbolically, financially, and politically opened the door to power. In early 1932, they still thought they could tame Hitler and persuade him to tolerate a regime of their own. By the end of January 1933, they were willing to grant him the chancellorship. Hitler skillfully played a double strategy: the promise of legality and the threat of civil war. For both strategies, he had the necessary means at his disposal. For the legal creation of an authoritarian regime, it was his mass support and parliamentary strength that provided the basis. For the threat of civil war and a violent revolutionary takeover, it was his private army, the SA, which could arouse public disorder any time and at any place. The violence in political fights on the streets and at the party rallies, particularly those of the Nazis and the Communists, increased considerably in 1932. From January to September 1932, 155 people were killed (Osterroht and Schuster 1963: 367). The entire year of 1932 saw the deaths of 82 Nazis (Espe 1933). The election campaign in June and July of 1932 saw the greatest number of casualties, with 100 people being killed. Attempts to outlaw political violence, the use of weapons, party armies (in particular the SA), and the wearing of party uniforms remained ineffective. Numerous lawsuits were conducted, but only a few resulted in prison sentences, more often against

Communists than against Nazis (Jasper 1963). As the national government became more accessible to conservative politicians, the willingness to embark on a forceful policy to prohibit Nazi violence became weaker. Growing sympathy from the younger officer corps and the strength of the SA, nearly 500,000 members strong, made it unlikely that the army would be willing to forcefully subordinate the SA. The double character of the SA as a Nazi party organization and militia to support the regular army in case of war inhibited the prohibition of the SA from its very beginning.

Hitler's tactics were aimed at a legal takeover of government, but as he declined any offer short of the appointment as chancellor, he ran high risks. His followers were disappointed that despite all their efforts and their victories in the elections, the seizure of power had not yet been achieved in the summer of 1932. There were two tendencies within the party. One was articulated by Gregor Strasser, the most important leader next to Hitler. He advocated participation in the government, even without Hitler as chancellor. The other was espoused by the SA, who were in favor of a violent takeover of the government, or a "real" revolution, as they saw it. Again, Hitler's unique position in the Nazi party was crucial. He was confronted with the loss of control of his forces, but Hitler's institutionalized charisma was not damaged. Strasser resigned and could not gain party support for his course of action. Hitler's charisma also kept the SA in a precarious state of obedience. Hitler retained his freedom of action, his capability to wait until the conservative establishment would invite him to become chancellor and provide him with unrestricted power of government. There was no decision-making body of the party or the Reichstag faction that could influence his decisions. However, without the intrigues of Schleicher and Papen, the deadlock they had created, and the final submission of Hindenburg to the advice of Papen and of his son, the seizure of power by Hitler on January 30, 1933, might not have been the necessary result of Hitler's strategy. It was in his nature to risk an all-or-nothing game.

There were at least two chances for a weakening of the Nazi movement in late 1932 and early 1933. The first would have been a destruction of the belief in Hitler's charisma; the second was connected with a change in the political and economic situation by which the perceived need of charismatic leadership as the sole solution to a chaotic crisis would have become less plausible.

Charismatic authority and a charismatic community rest on a belief in the extraordinary gifts of a leader. This belief must be verified by signs of his extraordinary abilities. The destruction of such a movement is unavoidable if the charisma of the leader can no longer be proved in the perception of his followers. Until the summer of 1932, proof of Hitler's extraordinary capabilities was provided by continuous election victories, which kept the party in a state of high enthusiasm and mobilization. The experience of the futility of the election campaigns and the losses in the November election potentially constituted a severe blow to Hitler's charisma, the more so as the financial means of the party were completely exhausted. Without the seizure of power at the last moment, in January 1933, elections in 1933 and 1934 would have most likely resulted in a severe decline in NSDAP votes.

Charismatic authority requires a situation in which extraordinary capacities are expected: Ordinary situations do not call for extraordinary means or personal gifts. It was the combination of a political and economic crisis in Germany in the years 1929–1933 that created an atmosphere conducive to belief in extraordinary gifts. Hitler's chances lay in his capacity to define the situations as hopeless and his leadership as the last chance for salvation. These chances would have been limited by improvement in the economic situation, which was expected in 1933, and by governmental stability as provided by the Brüning cabinet on the basis of emergency decrees. However, developments in 1932 narrowed politics down to a single issue: chaos or regeneration of Germany. This allowed Hitler to gain support from very divergent segments of the population with heterogeneous interests and aspirations on the level of ultimate values. The eschatological character of Nazism had a peculiar pseudo-religious fascination, extremely favorable for the belief in charismatic authority. The unprecedented growth of the NSDAP in membership and votes (Tables 9.11 and 9.12) within three years must be seen in the context of a highly emotionalized and anomic situation. Forces of destiny seemed at work; economic interests and social distinctions were superseded by a hope in the "power of will" and the "vitality of youth." Trust in the institutions of the existing system was exchanged for the commitment to ultimate values of an unknown but new order.

It was Hitler and the NSDAP who were best prepared to capitalize on this mood and the underlying disruption of the social structure after 1930. There was no political leader in the democratic camp who could match Hitler's demagogy and provide an alternative general definition of the situation that was less irrational and more convincing. Stresemann had died; Otto Braun, the popular prime minister of Prussia, was in poor health; Brüning was an introverted personality without popular appeal; and Hindenburg had become senile. The democratic elite was paralyzed (Matthias and Morsey 1960). Those who influenced the final decisions to hand over the government to Hitler were opportunistic and without popular resonance: Papen and Schleicher, the last chancellors; Otto Meissner and Hindenburg's son Oskar, the closest advisers to the Reich President; Hugenberg and Schacht, the spokesmen

Table 9.11 NSDAP Membership, 1925–1933

1925	December	25,117
1926	December	49,523
1927	December	72,590
1928	December	108,717
1929	December	176,426
1930	September	293,000
1930	December	389,000
1931	December	806,294
1932	April	1,000,000+
1932	December	1,378,000
1933	August	3,900,000

Source: see Lepsius (1978)

Table 9.12 Popular Support of the NSDAP (in percent), 1925–1933

1928	May 28, Reichstag elections	2.6
1929	October 27, Landtag elections in Baden	7.0
1929	December 8, Landtag elections in Thüringen	11.3
1930	July 22, Landtag elections in Saxony	14.4
1930	September 14, Reichstag elections	18.3
1931	May 17, Landtag elections in Oldenburg	37.2
1931	November 15, Landtag elections in Hessen	37.1
1932	March 13, Reich President election, first ballot	30.1
1932	April 4, Reich President elections, second ballot	36.8
1932	April 24, Landtag elections in Prussia	37.1
	Landtag elections in Bavaria	32.9
	Landtag elections in Württemberg	30.5
1932	May 29, Landtag elections in Oldenburg	46.3
1932	June 19, Landtag elections in Hessen	43.1
1932	July 31, Reichstag elections	37.3
1932	November 4, Reichstag elections	33.0
1933	March 5, Reichstag elections	43.9

Source: see Lepsius (1978)

of industry and finance. The Communists, uncompromisingly attacking the democratic system, provided another general definition of the situation, the collapse of capitalism, but their new order was less empty than that of Hitler. Communist Russia attracted neither the peasants, the white-collar class, nor even the majority of the working-class. Their very existence, however, seemed proof that there was only one alternative: chaos or Hitler. Hitler's impact was that he persuaded not only his voters but also many of his enemies into accepting his definition of the situation.

Not only Hitler, but also the NSDAP as an organization was able to capitalize on the anomic situation. Led by young functionaries, the party mobilized cities and rural areas by continuous rallies, parades, and demonstrations. The rhetoric and liturgy invented by Hitler was spread throughout the country in numerous election campaigns. The NSDAP was able to absorb the rapidly increasing and changing membership and to infiltrate local associations and interest groups (Schäfer 1956; Merkl 1975; Kater 1976; Mommsen 1976).

Hitler was a new type of political leader, and the NSDAP was a new type of political party. It was sufficiently flexible for rapid expansion, and its internal immobilization allowed Hitler a unique freedom of action. These characteristics were shared by no other party. The Communist party was inflexible for ideological reasons, the Social Democrats limited its leadership by high internal bureaucratization, the Zentrum party was entrenched in the Catholic milieu, and the bourgeois and conservative parties had no vital local organizations. The NSDAP was the perfect instrument for Hitler's strategy to create a threat of civil war that he could trade for the handing over of power. Hitler's bargaining power rested in the

NSDAP. But since the NSDAP had no organized will of its own, Hitler could bargain at no cost to himself as long as he commanded the party as a charismatic community.

9.7 The Process of the Transfer of Power

The dismissal of Brüning by Hindenburg at the end of May, 1932, meant the destruction of the tiny chance for a consensual emergency policy of the democratic forces. With Papen's appointment, a government with no popular support was put in office. It had to rely either on the support of the Nazis or on the intervention of the military. As the military would not embark on a policy of a military rule, Hitler remained as the only option. The Papen government tried to buy Hitler's toleration and increasingly became the executive of Hitler's will. First, it lifted the prohibition on the SA, which had been decreed by the Brüning government in April 1932. Second, the Papen government announced new elections, giving Hitler a chance for renewed mass mobilization and reinforced strength in the Reichstag. Third, it dissolved the government of Prussia, still in the hands of the Weimar coalition, which could thereby command the police forces in two-thirds of Germany. Despite all this, Hitler did not support the Papen government at all. Only a military government seemed capable of preventing the final seizure of power by Hitler. In December 1933, General von Schleicher tried to form a coalition between the military and the conservative elites that would be tolerated by the unions, but these were desperate intrigues without any chance of success. Schleicher's inclinations toward an authoritarian political regime had played an important role in the dissolution of the moderate Brüning regime, in the appointment of Papen (personally suggested to Hindenburg by Schleicher), and finally in his turn against Papen. However, he became discredited by these intrigues. The alternatives were further reduced since not even the possibility of a military rule remained realistic. The conservative establishment had chosen a policy with which they sold themselves to Hitler and at the same time destroyed their own basis of power. The more their own power basis became deflated, the more Hitler's power became inflated. Even Reich President von Hindenburg, who disliked Hitler personally and profoundly, saw the final solution in his appointment.

The democratic forces saw no chance for a counterattack. They had lost the instrumental majority. They were excluded from the game of personal intrigues around the now all-important Reich President. The democratic forces had no access to the military and had lost control over the police forces in Prussia. The labor unions' capacity for a political general strike was highly reduced due to the great number of unemployed persons. The forces of the old Weimar coalition were unable to form a firm and united front for the defense of democracy on ideological grounds. A process of intimidation and an atmosphere of fatalistic hopelessness prevailed. Democratic forces became even fragmented by strategies to secure individual survival under an anticipated period of Nazi rule. Desperate but inactive,

they were watching and contributed to the transfer of power to Hitler (Bracher 1957; Matthias and Morsey 1960; Pünder 1961; Meissner and Wilde 1958).

The process of the transfer of power began with the dissolution of the Weimar coalition in 1930, gained momentum with the cooptation of Nazism by the conservative camp in 1931, and was finalized in 1932 by the conviction that no alternative but Hitler remained. The Weimar coalition was established in 1918/1919 and rested on the coalition of the middle-class parties with the Social Democrats in the Interfraktioneller Ausschuss to end the war, in the Stinnes-Legien agreement between industry and labor to secure the economy in the demobilization period, and in the contract between the military and the republican government to guarantee internal security. As a consequence, conservative and authoritarian forces were excluded after the armistice. The dissolution of the Weimar coalition began with the end of the industry-labor agreement in 1923 and the attempt of the employers to cut social legislation and to limit the influence of the unions during the depression. It was aggravated by the alienation of the military from the republican state and finally by the weakening of the coalition between the middle-class parties and the Social Democrats. This led to an exclusion of the labor movement and to the re-entry of conservative and authoritarian forces into the government. However, by 1931 and even more so in 1932, the balance of power had changed. The conservative and authoritarian forces first considered using Hitler, then taming him, and in the end they had to bow to him (Neumann 1966).

The switch from parliamentary democracy to government by emergency decree damaged the constitution. The installation of the Papen and Schleicher governments created a deadlock with Hindenburg being placed in the decisive position. His sentiments were with the authoritarian camp but he was not prepared to suspend the constitution altogether. By appointing Hitler, he thought to retain the constitution, for only Hitler had promised a government with a parliamentary majority. The idea of returning to the constitutional basis by including Hitler in the political process clearly demonstrate the profound misjudgment of Hitler and the Nazis.

Hitler followed a strategy that supported such misunderstanding. He had fought Socialist tendencies within the NSDAP since 1930, guaranteed industry that the status quo would be maintained, promised the military its autonomy, and showed neutrality with regard to the Churches. Hitler activated common resentments in the authoritarian camp against socialism and liberalism as well as its latent anti-Semitism. On the other hand, he could threaten industry with state socialism, the military with his SA militia, and the Churches with a new Germanic religion. It was a precarious strategy of offering legality and threatening civil war.

The situation was generally perceived as irresolvable. Anticipating the takeover of power to Hitler, as early as summer 1932 industry, military, Churches, and unions chose a course of action directed not at combating Hitler but at negotiating with him to ensure their survival (Matthias and Morsey 1960; Stern 1966; Schweitzer 1964; Esenwein-Rothe 1965; O'Neil 1966; Carsten 1964; Wheeler-Bennett 1967; Norden 1963; Müller 1963; Lewy 1965; Böckenförde 1961; Beier 1975; Mommsen 1975).

Hitler changed his strategy the moment he was appointed as chancellor. He disproved all those who had believed that his regime would only be transitory because, first, the collapse of capitalism would carry away fascism as well, second, the incompetence of the Nazis to govern would lead to a return of the rule of traditional elites or, third, disappointment with Hitler's regime would lead to a dissolution of the Nazi movement. Hitler acted quickly after his appointment on January 30, 1933. On February 28, he issued an emergency decree with Hindenburg's authorization that suspended constitutional civil rights, using the burning of the Reichstag's building as a pretext. The last free elections took place in an atmosphere of public insecurity and terror directed towards the Communists and Socialists. Hitler's NSDAP received 43.9 % of the votes and, together with 8 % of the votes for the DNVP, gained a tiny majority. Two days after the opening of the new Reichstag, on March 23, 1933, Hitler succeeded in mustering a two-thirds majority to pass the Ermächtigungsgesetz for suspending the constitution for 4 years and for enabling the government to act unbound by the constitution. The Communist members of parliament were already persecuted, and most of them had been imprisoned. Only the Socialists opposed Hitler. Within 7 weeks Hitler turned the pseudo-legality of his seizure of power into a revolution of the political system. The last remnant of the old system, the institution of the Reich President, was paralyzed due to the senility of Hindenburg. When Hindenburg died on August 2nd, 1934, Hitler had firmly established his rule and could merge the offices of the president and the chancellor. Parties became prohibited, unions dissolved, the army sworn to personally obey Hitler, public opinion intimidated, and the media controlled. The political system had been changed entirely (Bracher et al. 1960; Broszat 1969).

References

Allen WS (1965) The Nazi seizure of power: the experience of a single German town, 1930–1935. Quadrangle Books, Chicago

Angress WT (1959) The political role of the peasantry in the Weimar Republic. Rev Polit 21: 530–549

Beier G (1975) Zur Entstehung des Führerkreises der vereinigten Gewerkschaften Ende April 1933. Arch Sozialgeschichte 15:366–392

Bennecke A (1962) Hitler und die SA. Olzog, München

Beyer H (1957) Die Landvolkbewegung Schleswig-Holsteins und Niedersachsens 1928–1932. Heimatgemeinschaft des Kreises Eckernförde, Eckernförde

Bloch C (1970) Die SA und die Krise des NS-Regimes 1934. Suhrkamp, Frankfurt

Böckenförde EW (1961) Der deutsche Katholizismus im Jahre 1933. Hochland 53:215–239

Bonn KE (1967) Die deutsche Bankenkrise, 1931. Piper, Munich

Bracher KD (1957) Die Auflösung der Weimarer Republik, 2nd edn. Ring Verlag, Stuttgart

Bracher KD (1970) The German dictatorship. Praeger, New York

Bracher KD (1971) Die Auflösung der Weimarer Republik, 5th edn. Ring Verlag, Villingen

Bracher KD, Sauer W, Schulz G (1960) Die nationalsozialistische Machtergreifung. Westdeutscher Verlag, Opladen

Brecht A (1967) Mit der Kraft des Geistes. Deutsche Verlags-Anstalt, Stuttgart

Broszat M (1969) Der Staat Hitlers: Grundlegung und Entwicklung seiner inneren Verfassung. dtv, Munich
Brüning H (1968) Reden und Aufsätze eines deutschen Staatsmannes. In: Vernekohl W, Morsey R (eds) Regensberg, Münster
Brüning H (1970) Memoiren, 1918–1934. DVA, Stuttgart
Bry G (1960) Wages in Germany, 1871–1945. National Bureau of Economic Research, no. 68. General Series. Princeton University Press, Princeton
Bullock A (1965) Hitler: a study in tyranny, 2nd edn. Harper & Row, New York
Carsten FL (1964) Reichswehr und Politik 1918–1933. Kiepenheuer & Witsch, Cologne
Conze W (1954) Die Krise des Parteienstaates in Deutschland 1929/30. Hist Z 178:47–83
Conze W, Raupach H (eds) (1967) Die Staats- und Wirtschaftskrise des Deutschen Reiches, 1929/33. Klett, Stuttgart
Dahrendorf R (1967) Society and democracy in Germany. Doubleday, Garden City
Dorpalen A (1964) Hindenburg and the Weimar Republic. Princeton University Press, Princeton
Eschenburg T (1963) Die improvisierte Demokratie. Piper, Munich
Esenwein-Rothe I (1965) Die Wirtschaftsverbände von 1933-45. Duncker & Humblot, Berlin
Espe WM (1933) Das Buch der NSDAP. Schönfeld, Berlin
Flechtheim OK (1969) Die KPD in der Weimarer Republik. EVA, Frankfurt
Franz G (1959) Politische Geschichte des Bauerntums. Niederländische Landeszentrale für Heimatdienst, Celle
Fromm E (1941) Escape from freedom. Farrar & Rinehart, New York
Gay P (1969) Weimar culture: the outsider as insider. Seeker & Warburg, London
Geiger T (1930) Panik im Mittelstand. Die Arbeit 7:637–654
Geiger T (1932) Die soziale Schichtung des deutschen Volkes. Enke, Stuttgart
Gies H (1967) NSDAP und landwirtschaftliche Organisationen in der Endphase der Weimarer. Republik Vierteljahresh Zeitgeschichte 15:341–376
Gordon RA (1974) Economic instability and growth: the American record. Harper & Row, New York
Grotkopp W (1952) Die grosse Krise. J. C. B. Mohr, Tübingen
Hallgarten GWF (1955) Hitler, Reichswehr und Industrie. EVA, Frankfurt
Hartwich H-H (1967) Arbeitsmarkt, Verbände und Staat, 1918–1933. Walter de Gruyter, Berlin
Heberle R (1963) Landbevölkerung und Nationalsozialismus. DVA, Stuttgart
Heer F (1968) Der Glaube des Adolf Hitler. Bechtle, Munich
Heer H (1971) Burgfrieden oder Klassenkampf: Zur Politik der sozialdemokratischen Gewerkschaften 1930–1933. Luchterhand, Neuwied
Heiden K (1944) Der Führer: Hitler's rise to power. Gollancz, London
Helbick WJ (1962) Reparationen in der Ära Brüning. Walter de Gruyter, Berlin
Hermens FA (1933) Demokratie und Wahlrecht. Ferdinand Schöningh, Paderborn
Hermens FA (1941) Democracy or anarchy. University of Notre Dame, South Bend
Hermens FA (1967) Das Kabinett Brüning und die Depression. In: Hermens FA, Schieder T (eds) Staat, Wirtschaft und Politik in der Weimarer Republik. Duncker & Humblot, Berlin, pp 287–310
Heyen FJ (1967) Nationalsozialismus im Alltag: Quellen zur Geschichte des Nationalsozialismus im Raum Mainz-Koblenz-Trier. Harald Bolt, Boppach am Rhein
Hitler A (1925) Mein Kampf, vol 2. Franz Eher, Munich
Horkheimer M (ed) (1936) Studien über Autoriät und Familie. Librairie Félix Alcan, Paris
Horn W (1972) Führerideologie und Parteiorganisation in der NSDAP, 1919–1933. Droste, Düsseldorf
Jäckel E (1969) Hitlers Weltanschauung. Wunderlich, Tübingen
Jahoda M, Lazarsfeld PF, Zeisel H (1961) Die Arbeitslosen von Marienthal. Verlag für Demoskopie, Allensbach
Jasper G (1963) Der Schutz der Republik. Mohr Siebeck, Tübingen
Jasper G (ed) (1968) Von Weimar zu Hitler, 1930-33. Kiepenheuer and Witsch, Cologne

Jones LE (1974) The crisis of white-collar interest politics: Deutschnationaler Handlungsgehilfen-Verband and Deutsche Volkspartei in the world crisis. In: Mommsen H, Petzina D, Weisbrod B (eds) Industrielles System und politische Entwicklung in der Weimarer Republik. Droste, Düsseldorf, pp 811–823

Kaltefleiter W (1969) Wirtschaft und Politik in Deutschland. Westdeutscher Verlag, Opladen

Kater M (1976) Sozialer Wandel in der NSDAP im Zuge der nationalsozialistischen Machtergreifung. In: Schieder W (ed) Faschismus als soziale Bewegung. Hoffmann and Campe, Hamburg, pp 25–67

Keese D (1967) Die volkswirtschaftlichen Gesamtgrössen für das Deutsche Reich in den Jahren 1925-1936. In: Conze W, Raupach H (eds) Die Staats- und Wirtschaftskrise des Deutschen Reiches, 1929/33. Ernst Klett Verlag, Stuttgart, pp 35–81

Kindleberger CP (1973) The world depression, 1929–1939. University of California Press, Berkeley

Kocka J (1974) Zur Problematik der deutschen Angestellten 1914–1933. In: Mommsen H, Petzina D, Weisbrod B (eds) Industrielles System und politische Entwicklung in der Weimarer Republik. Droste, Düsseldorf, pp 792–810

Kohn H (1960) The mind of Germany: the education of a nation. Scribner's, New York

Krieger L (1957) The German idea of freedom. Beacon, Boston

Lange K (1968) Hitlers unbeachtete Maximen. Kohlhammer, Stuttgart

Lepsius MR (1973) Parteiensystem und Sozialstruktur. In: Ritter GA (ed) Deutsche Parteien vor 1918. Kiepenheuer and Witsch, Cologne, pp 56–80

Lepsius MR (1978) From fragmented party democracy to government by emergency decree and National Socialist takeover: Germany. In: Linz, Stephan (eds) The breakdown of democratic regimes: Europe. John Hopkins University Press, Baltimore, pp 34–79

Lewy G (1965) The Catholic Church and Nazi Germany. McGraw-Hill, New York

Lipset SM (1960) Political Man. The social bases of politics. Doubleday, New York

Lücke RE (1958) Von der Stabilisierung zur Krise. Basle Center for Economic and Financial Research, Series B, no 3, Zürich

Mann T (1919) Betrachtungen eines Unpolitischen, 10th edn. Fischer, Berlin

Maser W (1966) Hitlers Mein Kampf. Bechtle, Munich

Maser W (1973) Hitler: legend, myth, and reality. Harper and Row, New York

Matthias E, Morsey R (eds) (1960) Das Ende der Parteien 1933. Droste, Düsseldorf

Meissner HO, Wilde H (1958) Die Machtergreifung. Cotta, Stuttgart

Merkl P (1975) Political violence under the Swastika. Princeton University Press, Princeton

Milatz A (1965) Wähler und Wahlen in der Weimarer Republik. Bundeszentrale für politische Bildung, Bonn

Mommsen H (1975) Die deutschen Gewerkschaften zwischen Anpassung und Widerstand 1930–1944. In: Vetter HO (ed) Vom Sozialistengesetz zur Mitbestimmung. Bund Verlag, Cologne, pp 175–299

Mommsen H (1976) Zur Verschränkung traditioneller und faschistischer Führungsgruppen in Deutschland beim Übergang von der Bewegungs- zur Systemphase. In: Schieder W (ed) Faschismus als soziale Bewegung. Hoffmann & Campe, Hamburg, pp 157–183

Mommsen H, Petzina D, Weisbrod B (eds) (1974) Industrielles System und politische Entwicklung in der Weimarer Republik. Droste, Düsseldorf

Mosse GL (1964) The crisis of German ideology: intellectual origins of the third Reich. Grosset and Dunlap, New York

Mosse WE (ed) (1966) Entscheidungsjahr 1932: Zur Judenfrage in der Endphase der Weimarer Republik, 2nd edn. J. C. B. Mohr, Tübingen

Müller H (1963) Katholische Kirche und Nationalsozialismus. Nymphenburger Verlagshandlung, Munich

Needler M (1959) The theory of the Weimar presidency. Rev Polit 21:692–698

Neumann S (1965) Die Parteien der Weimarer Republik, 2nd edn. Kohlhammer, Stuttgart

Neumann F (1966) Behemoth: the structure and practice of National Socialism, 1933–1944. Harper Torchbooks, New York
Nicholls A, Matthias E (eds) (1971) German democracy and the triumph of Hitler. George Allen & Unwin, London
Nilson SS (1954) Wahlsoziologische Probleme des Nationalsozialismus. Z gesamte Staatswissenschaft 110:279–311
Noakes J (1971) The Nazi Party in Lower Saxony, 1921–1933. Oxford University Press, London
Nolte E (1966) Three faces of Fascism. Holt, Rinehart and Winston, New York
Nyomarkay J (1967) Charisma and factionalism in the Nazi Party. University of Minnesota Press, Minneapolis
O'Lessker K (1968/1969) Who voted for Hitler? Am J Sociol 74:63–69
O'Neil RJ (1966) The German Army and the Nazi Party, 1933–1939. Cassell, London
Orlow D (1969) The history of the Nazi Party: 1919–1933. University of Pittsburgh Press, Pittsburgh
Osterroht F, Schuster D (1963) Chronik der Sozialdemokratie. Verlag für Literatur und Zeitgeschehen, Hannover
Pankoke E (1970) Soziale Bewegung – Soziale Frage – Soziale Politik. Ernst Klett, Stuttgart
Petzina D (1967) Hauptprobleme der deutschen Wirtschaftspolitik 1932/33. Vierteljahreshefte Zeitgeschichte 15:18–55
Pirker T (1965) Komintern und Faschismus. Deutsche Verlagsanstalt, Stuttgart
Plessner H (1959) Die verspätete Nation. Kohlhammer, Stuttgart
Preller L (1949) Sozialpolitik in der Weimarer Republik. Franz Mittelbach, Stuttgart
Pulzer PGP (1964) The rise of political anti-semitism in Germany and Austria. Wiley, New York
Pünder H (1961) Politik in der Reichskanzlei. DVA, Stuttgart
Raupach H (1969) Der interregionale Wohlfahrtsausgleich als Problem der Politik des deutschen Reiches. In: Conze W, Raupach H (eds) Die Staats- und Wirtschaftskrise des Deutschen Reichs 1929/30. Ernst Klett Verlag, Stuttgart, pp 13–34
Revermann K (1959) Die Stufenweise Durchbrechung des Verfassungssystems der Weimarer Republik 1930–1933. T. Aschendorff, Münster
Riemer S (1932) Zur Soziologie des Nationalsozialismus. Die Arbeit 9:101–118
Ritter GA (ed) (1973) Deutsche Parteien vor 1918. Kiepenheuer and Witsch, Cologne
Roloff EA (1961) Bürgertum und Nationalsozialismus 1930–1933. Verlag für Literatur und Zeitgeschehen, Hannover
Sahner H (1972) Politische Tradition, Sozialstruktur, und Parteiensystem in Schleswig-Holstein. Anton Hain, Meisenheim am Glan
Sass J (1930) Die 27 deutschen Parteien 1930 und ihre Ziele. Himmelheber, Hamburg
Schäfer W (1956) NSDAP, Endwicklung und Struktur der Staatspartei des Dritten Reiches. Norddeutsche Verlagsanstalt, Hannover
Schäfer F (1967) Zur Frage des Wahlrechts in der Weimarer Republik. In: Hermens FA, Schieder T (eds) Staat, Wirtschaft und Politik in der Weimarer Republik. Duncker & Humblot, Berlin
Scheuner U (1967) Die Anwendung des Art. 48 der Weimarer Reichsverfassung unter den Präsidentschaften von Ebert und Hindenburg. In: Hermens FA, Schieder T (eds) Staat, Wirtschaft und Politik in der Weimarer Republik. Duncker & Humblot, Berlin
Schmitt C (1958) Verfassungsrechtliche Aufsätze aus den Jahren 1924–1954. Duncker & Humblot, Berlin
Schmitt C (1963) Der Begriff des Politischen. Duncker & Humblot, Berlin
Schneider M (1975a) Unternehmer und Demokratie: Die freien Gewerkschaften in der unternehmerischen Ideologie. Neue Gesellschaft, Bonn-Bad Godesberg
Schneider M (1975b) Das Arbeitsbeschaffungsprogramm des ADGB in der Endphase der Weimarer Republik. Neue Gesellschaft, Bonn-Bad Godesberg
Schön E (1972) Die Entstehung des Nationalsozialismus in Hessen. Anton Hain, Meisenheim am Glan
Schulz G (1967) Staatliche Stützungsmassnahmen in den deutschen Ostgebieten: Zur Vorgeschichte der 'Osthilfe' der Regierung Brüning. In: Hermens FA, Schieder T (eds) Staat, Wirtschaft, und Politik. Duncker & Humblot, Berlin, pp 141–204

Schulz G (1975) Aufstieg des Nationalsozialismus; Krise und Revolution in Deutschland. Propyläen, Frankfurt a. M
Schulze H (1977) Otto Braun oder Preussens demokratische Sendung. Propyläen, Frankfurt a. M
Schumann HG (1958) Nationalsozialismus und Gewerkschaftsbewegung. Norddeutsche Verlagsanstalt, Hannover
Schweitzer A (1964) Big business in the Third Reich. Indiana University Press, Bloomington
Sering M (1932) Die deutsche Landwirtschaft. Berichte über Landwirtschaft 50. Berlin
Shively WP (1972) Party identification, party choice, and voting stability: the Weimar case. Am Polit Sci Rev 64:1203–1225
Speier H (1977) Die Angestellten vor dem Nationalsozialismus: Ein Beitrag zum Verständnis der deutschen Sozialstruktur, 1918–1933. Vandenhoevk & Ruprecht, Göttingen
Statistisches Jahrbuch für das Deutsche Reich (1933) Statistisches Reichsamt, Berlin
Statistisches Jahrbuch für das Deutsche Reich (1935) Statistisches Reichsamt, Berlin
Stern F (1961) The politics of cultural despair. Doubleday, New York
Stern F (ed) (1966) The path to dictatorship, 1918–1933. Doubleday, Garden City
Stern JP (1975) Hitler: the Führer and the people. University of California Press, Berkeley
Stolper G (1929, December 13) Der deutsche Volkswirt, p 333
Stolper G, Häuser K, Borchardt K (1967) The German economy, 1870 to the present. Harcourt, Brace, New York
Stoltenberg G (1962) Politische Strömungen im schleswig-holsteinischen Landvolk 1918–1933. Droste, Düsseldorf
Struve W (1973) Elites against democracy. Leadership ideals in bourgeois political thought in Germany 1890–1933. Princeton University Press, Princeton
Stucken R (1964) Deutsche Geld und Kreditpolitik, 1914–1963. J. C. B. Mohr, Tübingen
Timm H (1952) Die deutsche Sozialpolitik und der Bruch der großen Koalition im März 1930. Droste, Düsseldorf
Treue W (1967) Der deutsche Unternehmer in der Weltwirtschaftskrise. In: Conze W, Raupach H (eds) Die Staats- und Wirtschaftskrise des Deutschen Reichs 1929/30. Ernst Klett Verlag, Stuttgart, pp 82–125
Trevianus GR (1968) Das Ende von Weimar, Heinrich Brüning und seine Zeit. Econ, Düsseldorf
Turner HA (1968) Emil Kirdorf and the Nazi Party. Central Eur Hist 1(4):324–344
Turner HA (ed) (1972) Nazism and the third Reich. Quadrangle, New York
van Norden G (1963) Kirche in der Krise. Die Stellung der evangelischen Kirche zum nationalsozialistischen Staat im Jahre 1933. Presseverband der evangelischen Kirche, Düsseldorf
Vogelsang T (1962) Reichswehr, Staat und NSDAP. Deutsche Verlagsanstalt, Stuttgart
von Borcke Stargordt HG (1957) Der ostdeutsche Landbau zwischen Fortschritt, Krise und Politik. Holzner, Würzburg
Weber H (ed) (1963) Der deutsche Kommunismus: Dokumente. Kiepenheuer & Witsch, Cologne
Weber M (1968) Economy and Society (edited by Guenther Roth and Claus Wittich), 3 vol. Bedminster Press, New York; for the most recent German edition see Max Weber-Gesamtausgabe, edited by Baier H, Hübinger G, Lepsius MR, Mommsen WJ, Schluchter W, Winckelmann J: https://www.mohr.de/mehrbaendiges-werk/max-weber-gesamtausgabe-323700000
Weber H (1969) Die Wandlung des deutschen Kommunismus, vol 2. Europäische Verlagsanstalt, Frankfurt a.M
Wheeler-Bennett JW (1967) Hindenburg, the wooden titan. Macmillan, London
Wilbrandt R (1931) Arbeitslosigkeit in Deutschland. In: International Unemployment. International Industrial Relations Institute, The Hague
Winkler HA (1972) Mittelstand, Demokratie, und Nationalsozialismus: Die politische Entwicklung von Handwerk und Kleinhandel in der Weimarer Republik. Kiepenheuer & Witsch, Cologne
Wulf P (1969) Die politische Haltung des schleswig-holsteinischen Handwerks. Westdeutscher Verlag, Opladen

Chapter 10
Extreme Nationalism. Structural Conditions of the National Socialist Seizure of Power

10.1 Introduction

A particularly fatal form of nationalism is ascribed to the Germans. However, in German history, there are examples of extreme nationalism as well as of periods that have been criticized because of a perceived lack of national feeling. Today, the aggressive nationalism in Germany that brought National Socialists to power is unanimously condemned. At the same time, in celebrations of German unity, we complain about the precarious state-consciousness and national feeling. Indeed, while the Weimar Republic was threatened by nationalistic coups from the very beginning and destroyed by the National Socialist mass movement, nationalistic flows hardly played any role in the Federal Republic. Extreme national feeling, therefore, seems not to be connected to an authoritarian German character or to the "fate" of German intellectual history since both would be rather stable factors and could not be changed over a short period of time. Nevertheless, this extreme national feeling is often taken as point of reference when either accusing or excusing the Germans because it is always easier to consider the social-moralistic consequences of nationalistic behavior as belonging to the world of the "fateful." After the experience of National Socialism, it is understandable that the former outbreak of nationalistic feelings is perceived as scary today and is often mystifying. Expressions such as "demonical persuasion" or "disastrous constellations" are more comforting when describing this period. They seem to explain National Socialism as a historical accident whose uniqueness promises to reliably protect us from a repetition.

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Sociology, however, does not explain social phenomena as historical accidents but rather tries to find explanations, for instance, in a society's structural relationships. It is this analytical focus that constitutes sociology as a science. For sociology and other sciences, however, there are limits to explaining the world and the position of people living in it since the totality of the object, such as National Socialism, is ignored by categories of an analytical discipline and comprises coincidences and biographic curiosities of acting individuals. This article, therefore, does not describe and analyze the National Socialist phenomenon as a whole but rather attempts to develop hypotheses about the relationship between nationalism and social structure. The attractiveness of National Socialism before the seizure of power is taken as a rough indicator of the sensitivity of certain population groups to extreme nationalism (Lepsius 1993, endnote 1).

The rapid growth of National Socialism that began as a radical sect with 2.6 % of the votes at the national elections (Reichstagswahl) of May 20, 1928, to a broad mass movement with 37.3 % of the votes at the national elections of July 31, 1932, an outrageous success within only 4 years, is a phenomenon that needs to be explained. It is not only due to historical interest and political-ethical commitment that sociologists focus on this period. The rapid rise of National Socialism and the resulting sudden decomposition of political and social organizations of a large industrialized society remain challenging for sociologists. Sociology that attempts to derive regularities of social behavior from the social structure of a society is forced to reassess its analytical instruments when focusing on the radical change of the political and social order and from consistent social action to behavior that remains unexpected. Structural conditions that result in steady regularities over a long period seem to imply certain ambivalences with the possible result of sudden and unexpected change. What are such structural ambivalences? What additional conditions must be fulfilled in order to create such an effect or other effects in a certain structural configuration?

It has often been emphasized that the Weimar Republic was politically unstable from the very beginning and that there was no sudden break with a former stable political system. When considering the numerous civil-war-like coups, parliamentary crises, premature dissolution of the Reichstag, and snap elections, this argument seems to be convincing. From 1919 until the seizure of power by Hitler (a 14-year period), there were 19 Cabinets with average terms of seven and a half months (Lepsius 1993, endnote 2). At the same time, however, the basic political orientation of the German population shows consistent patterns. When focusing on the four national elections from 1920 to 1928, the picture is as follows (Tables 10.1 and 10.2):

Despite some fluctuation among parties, we find a clear pattern of political orientations, even when considering the crisis year of 1923, which influenced the first election in 1924, in particular. The data show a tradition that is clearly in line with electoral results in the German Reich before World War I.

When considering this long-lasting pattern of political orientations among the German population, which was presumably influenced by fundamental organizational principles and cultural conceptions of governance, the National Socialist movement was at first no more than a right-wing extremist faction. The party's rise

Table 10.1 National elections from 1920 to 1928 (in percent of votes cast)

	1920	1924	1924	1928
DNVP	15	20	21	14
NSDAP		6	3	3
Right	**15**	**26**	**24**	**17**
DVP, DDP, and smaller parties	25	24	24	28
Zentrum, BVP	18	17	17	15
Center	**43**	**41**	**41**	**43**
SPD, USPD	40	20	26	30
KPD	2	13	9	10
Left	**42**	**33**	**35**	**40**

Table 10.2 National elections from 1903 to 1912 (in percent of votes cast)

	1903	1907	1912
Right (Conservatives)	**14**	**14**	**12**
Nationalliberale, Freisinn, smaller parties	27	31	29
Zentrum	20	19	16
Center	**47**	**50**	**45**
Left (SPD)	**32**	**29**	**35**
Other parties, particularly protest parties of ethnic minorities	**7**	**7**	**8**

took place not through an absorption of the always-limited reservoir of conservative voters, but was instead related to a fundamental break of the basic system of the political order. Bourgeois and Liberal parties (Deutsche Volkspartei, Demokratische Partei, Wirtschaftspartei, and smaller regional parties) had 28 % of the votes in 1928 and 22 % in 1930, but only 5 % in 1932 (Milatz 1960: 743–93; Stephan 1932a: 570 ff., b: 353 ff., 1933: 110 ff.; Bracher 1957, 1964: 50–82). National Socialism changed from a sectarian right-wing party to a radicalized center party. Its voters came from the same population groups that had voted for bourgeois-liberal parties before. First of all, members of the old middle-class, self-employed craftsmen and farmers, as well the new middle-class, the employees, voted for National Socialists. Furthermore, its voters came from large groups of politically unintegrated young voters or non-voters who were unemployed as well as (particularly inside the cadre of the party) marginal characters who had strayed socially since the end of World War I (Lipset 1960).

10.2 Claiming Moral Standing: The Middle-Class

It has often been hypothesized that the middle-class has been a main field of recruitment for National Socialism. In the early 1930s, there was unanimity about this question among contemporary observers. As early as in 1930, directly after the

first major success of National Socialism at a national election, the German sociologist Theodor Geiger emphasized the sensitivity of the middle-class with respect to National Socialism. However, Geiger also expressed the opinion, and hope, that this was only a short-term "middle-class panic," a temporary mental disorientation. The middle-class, according to Geiger, who referred to Marxist categories, had not yet found its right place, i.e., its place in line with its socio-economic position. While the economic position of the majority of employees was objectively the same as that of the blue-collar workers and "solidarization with the proletariat" therefore seemed to be the need of the hour, they were still oriented towards traditional bourgeois guiding principles (Geiger 1930: 637 ff.). Geiger hypothesized that a further rise of National Socialism could be prevented if Social Democrats would reach these social classes, inform them about the party's social position, and clearly represent their interests (Geiger 1931: 635). In this perspective, the middle-class would not vote for the Nazis again and would recognize that the party would not represent their interests. The petite bourgeoisie that had "gone wild" would not support a disastrous policy because of well-understood self-interest. However, Geiger was mistaken. He underestimated the advertising appeal of National Socialist irrationalism and considered National Socialism only as an "empty phrase," a primitive "blood romanticism," an illusory myth of a "Third Reich," against which concrete economic interests and a rational decisions would succeed. Even though he clearly recognized the danger of National Socialism and warned in 1932 that "our nation is at risk of losing the history of its spirit" (Geiger 1932: 115), he trusted too much in the ultimate power of rationality and the necessary enforcement of economic interests.

The reduction of social differentiation to two classes, the capitalists and the proletariat, the owner of the means of production and the property-less wageworker and employee, prevented the recognition of the middle-class as an independent social construction and made it difficult to analyze its curious and complex structural conditions. Trust in the historically immanent proletarianization of the middle-class resulted in one of the greatest misjudgments of the time, namely the interpretation of Fascism as the final battle of Capitalism (Fetscher 1962; Pirker 1965). Of course, the developments remind us of Karl Marx's prediction in the Communist Manifesto. "The lower middle-class, the small manufacturer, the shopkeeper, the artisan, the peasant, all these fight against the bourgeoisie, to save from extinction their existence as fractions of the middle-class. They are therefore not revolutionary, but conservative. Nay more, they are reactionary, for they try to roll back the wheel of history".[1] According to Marx, they were blinded and succumbed to the intrigues of Capitalism, but only to recognize their true position side by side with the wageworkers. Fascism would collapse, and a broad popular front would develop to destroy Capitalism.

The second thesis refers not to the ideological confusion of the middle-class but to their concrete economic interests. It has been argued that the radicalization of the

[1]This reference is not translated but taken from the English version of the Communist Manifesto.

middle-class was the result of the economic threat by the cartelized large-scale industry on the one hand and the unionized workers on the other. Both groups downgraded the economic chances of self-employed small-scale traders, and the conflict with two powerful opponents forced them into a radical protest movement in the middle. In this approach, the middle-class is considered an independent category, and its constant threat through rationalization processes resulted in a re-orientation from Liberalism to authoritarianism and to a battle on two fronts, namely against the unions on the left and the large-scale industry on the right. The major role given to the large department stores in the agitation of that time was mainly symbolic, and it was not by accident that the otherwise poor economic program of the NSDAP (National Socialist German Worker's Party) postulated the later unexecuted "municipalization of large department stores" and its completely irrational renting at low costs to small-scale traders. The NSDAP was not a specific middle-class party in the sense that it promoted economic and social improvements, in particular, for certain occupational groups, as had been done before by the "Wirtschaftspartei (Economic Party)". A concrete program for a new economic order was lacking, and the party only promised a solidarization of all occupational groups in the name of the national community. They agreed with the middle-class not in their claim for a particular economic program, but on a much more intimate factor, namely their fight against class struggle, their fight for a vague but seemingly highly promising new social order.

What does the expression "fight against class struggle" mean? First of all, it is a fight against the two camps of the classic class struggle, against workers and capitalists. However, the phrase "fight against class struggle" expresses much more, namely a fight against a main principle of societal organization and against a certain type of carrying out and mediating of social conflicts. The objective is not only the assertion of the middle-class in the class struggle, but the negation of contradictory economic interests and the denial of social tensions more generally. Anti-capitalist affections ended in sociopolitical irrationality. Consequently, these developments were also anti-parliamentaristic. The parliament as a forum of open conflict settlement implies the explicit recognition of social conflicts and therefore, from this perspective, was considered to be degenerating and dangerous.

The affinity between National Socialism and the middle-class is obvious since both were fighting against class struggle. Riemer described this relationship in 1932: "National Socialism does negate class struggle; however, not by overturning or settling, but by ignoring it and making it to appear irrelevant. Class struggle is not understood in a sociological perspective as a result of social tensions within a capitalist economic society but is trivialized as a consequence of political sedition and shortsightedness. National Socialism is blind with respect to the real class positions of a modern society" (Riemer 1932: 111). The middle-class and National Socialism both neglected the structural conditions of modern society. Both used irrational means and referred to conspiracy theory to explain the present. A provincial middle-class person might have had concrete ideas about political intrigues in the German Capital. The National Socialists further developed such ideas into the mythical Jewish world conspiracy again all "Germaneness." In their conception,

they equated the "source of all evil," of all tensions and problems, with the level of a demonology while the national community could, in principle, be harmonized, and all structural conflicts would become meaningless. They were, in this perspective, pure intrigues of demons, or more concretely, results of sedition by Marxist and Liberal Judaism. While such an all-powerful conspiracy theory served as an irrational explanation of the presence of the "Third Reich," its myth became the symbol for a chance to escape from this reality to a future with a vague new order.

Even if we accept a causal relationship between the economic oppression and proceeding industrialization, namely the fight against big capitalists and unionized workers, the denial of organizational principles of an industrialized society, and the pooling of these aversions in the chiliastic hope for a new social order and salvation by a messianic character, the question remains as to why the mentality of the middle-class became affiliated with extreme nationalism.

National Socialism was characterized by a strong claim of national validity. The nationalism of National Socialism called for a revision of the Treaty of Versailles. More than representing politically realizable claims, this revision was a moral postulate. This can be demonstrated by referring to the conclusion of Hitler's speech on the 1st of May, 1933, in which he reinterpreted the socialist Mayday as the national Labor Day: "We want to earn the ascent of our nation honestly and by hard work, our insistency, and our unshakable will! We are not begging the almighty: 'Lord, make us free!' We want to be active, work, build a confraternity, and struggle together, so that when the hour comes and we stand before the Lord, we can ask Him: 'Lord, you see that we have changed. The German nation is no longer a nation of infamy, shame, self-laceration, of pusillanimousness and skepticism. No, Lord, the German nation has a strong will again and is strong in its insistency and in bearing all sacrifices. Lord, we won't let you go! Now bless our fight for our freedom and this, our German nation and fatherland" (quoted from Domarus 1962: 264). The borrowing from biblical diction underlines the eschatological character of this nationalism, giving National Socialism characteristics of national chiliasm, which was made more explicit when referring to the "Thousand-Year Reich."

However, how did it come to be that unsophisticated bourgeois followed such an irrational nationalism, even when considering their difficult social situation, a nationalism that was not able to promise any practical help for their present-day socio-economic difficulties?

The category of the middle-class and the self-perception of its members contains an image of an order in which the middle-class claims a central position as their social place (Daheim 1960). This central position could at first be a calculated middle position in the distribution of income, prosperity, and privileges. Supposing that this is the case, it is important to ask how this claim of a middle position is justified. The justification requires a reference to an ethical order beyond the virtual characteristics of the social situation. The "center" is not a mere average, but rather the "happy medium," the "healthy" one, and therefore, the expressions of the "healthy middle-class" and of the "golden ground" of skilled crafts and trades are no accident. The claimed center refers to a normative perception that the

performance of the middle-class is the realization of the moral norms of a society, nota bene, always in the self-perception of the middle-class. The category of the middle-class therefore goes beyond the society's social differentiation in social classes; it refers to a universal perception of an order that covers all social classes. The claimed contribution to the well-being of this universal order is the basis for the demand of disproportionately high income, prosperity, prestige, and social privileges.

The middle-class, therefore, claimed to realize society's ethical morals: honesty, effort, ambition, and thriftiness, but also national reliability and responsibility, in particular. Privileges were based on these virtues, and the middle-class therefore claimed a public guarantee of these privileges, such as living standards according to individuals' rank in society, guaranteed educational privileges, fixed trade margins, and regular promotion. Beyond the claim of class privileges, the self-perception of the middle-class constituted the claim of national honor and validity as well as the claim to represent and execute society's ethical morale. Any threat of the economic position of the middle-class was therefore considered a threat of societal ethics, and any class conflict in which the middle-class was involved was considered by its members to a national state of emergency as an attack against the morals of the society (Ranulf 1964; Gusfield 1963). Middle-class nationalism therefore has nothing to do with a particular nationalistic mentality or with a high density of authoritarian personalities in the middle-class, but is instead directly connected to the self-conception of the middle-class as an individual social organizing structure. The increasing pressure on its economic situation through economic rationalization as well as the general crisis radicalized the middle-class, resulting in a stricter interest representation as well as growing nationalistic emotions.

There is another aspect that gives middle-class nationalism a romantic and irrational character and makes it to appear conservative and reactionary as well as slightly fascistic or at least Fascist-like. Despite all conservatism, Fascism, as emphasized by Lipset (1960), is not extremism of the right, but rather extremism of the center. Ethical perception of the old middle-class was based on the ethics of craftsmen and tradesmen of a pre-industrial society, of self-employed businessmen who had a production and delivery monopoly in rural and provincial areas. Due to reading and writing skills, they claimed to be the bearers of culture. For such morals, industrialization, bureaucratization, technology, mass culture, and mass communication were an anathema and were topoi of the petit-bourgeois' time- and cultural criticism. These ethics are by no means Nazi-like in a more narrow sense, in the sense of a totalitarian dictatorship, of a war of extermination, of concentration camps, artificial breeding of elites, biological racial fanaticism, or a warrior ethics of the strongest. After World War II, members of the National Socialist party denied that they had supported or had even known about these objectives. This can be considered an extenuation attempt of ex-post-facto rationalization (or utter lying). However, it can also be seen as an expression of an illusory image of society that was a completely inadequate representation of reality. On the basis of this image of society, it was not possible to reflect on the consequences or to concretize societal conceptions. The ethics of the middle-class were by no means

the ethics of the SS (Schutzstaffel, the editor). The social ethics of the middle-class were a pre-industrial relic, an illusion in which the members believed more and more that it was tied to a positive self-image, an illusion that even today is part of the national culture transferred from generation to generation in the institutionalized educational system.

The nationalism of the middle-class is not restricted to Germany. It can be found in the "old middle-class" of other societies, as well. It can be found in occasional nationalistic waves in America, for instance, in the McCarthyism of the 1950s and later in Goldwaterism. However, all these movements have the right to be protected from comparison with the inhumanity of National Socialism.

The vast number of followers of Senator McCarthy serves as an example for our argument since provincial self-employed tradesmen were overrepresented among his supporters. However, during the senator's greatest popularity in 1954, there was no economic crisis in the United States, as was the case during the rise of the NSDAP. The thesis that National Socialism was merely a consequence of an economic emergency is therefore insufficient. Furthermore, anti-liberal and nationalistic tendencies in McCarthyism took place within a democratic culture and social ethics, and were not a breakthrough of traditional anti-democratic values. Finally, empirical studies on the senator's followers in the small town Vermont demonstrate that authoritarian characters were not over-represented (Trow 1958). All these factors call into question the familiar economic, cultural-historical, and psychological hypotheses about the disposition of the German population towards National Socialism.

Talcott Parsons (1960) hypothesized that McCarthyism could be understood as a coincidence of two tendencies, namely of the decline of old American values of laissez-faire and of the changing position of America in world politics. Economic crisis, large-scale industry, unions, and social policy of the New Deal had challenged the position and the self-confidence of the petty bourgeois and had called into question their economic and, in particular, their cultural leadership claim as carriers of traditional social morality in American society. At the same time, the change from isolationism to worldwide commitments, symbolized by the Korean War, challenged America's national self-definition. In such a situation, the carriers of traditional values radicalize to renew their former leadership claim. The petty bourgeois was under twofold pressure through an economic and cultural threat of its position (Polsby 1963; Stouffer 1955).

The middle-class claim of representing the society's social morality resulted in a class-specific nationalism in America as it did in Germany. In both countries, the Communists were considered the typical symbol of a middle-class threat because of the double threat by Communism, of the economic existence of the self-employed, and of national independence. The fear created by Communism played a major role in the motivation in Germany to support National Socialists. In America, the fight against a Communist-leftist intellectual conspiracy was the main focus of McCarthy's investigations. This analogy had an important cultural variant in German antisemitism (Massing 1959), ascribing to the Jews not only the responsibility for the national enslavement of Germans but also for the middle-class's

economic threat by big capitalists. In America, on the other hand, resentment against intellectuals who were always marginalized in the American cultural tradition was of greater importance. Martin Trow (1958) has shown that McCarthy's followers did not consider themselves to be particularly ruthless in tracing "un-American activities" or in oppressing the freedom of opinion, but instead viewed themselves as fighters for freedom of opinion and against its suppression by subversives. The struggle for the putative good-old right of the social-moral claim of validity was fought in subjective certainty of ethical indignation. This subjective certainty can be so intense that many other developments remain un-criticized or even un-noticed, including unethical ones. The perversion of moral standards, as took place in Germany, is the most dangerous part of nationalistic developments.

Due to its structural situation, the self-employed middle-class is particularly prone to nationalistic tendencies. Its claim of societal validity is linked to the definition of the nation as the context for its claim of validity. The assertiveness of the middle-class is based on the definition of its own role within the nation as well as on the definition of the position of the nation compared with other nations. The greater the nation's external expansion of power, the higher the internal claim of validity is. This twofold national focus of middle-class self-confidence is central to this type of class-specific nationalism. Middle-class assertiveness always becomes insecure in a situation in which its domestic-political role and the nation's external position are not in line with its prospects. Middle-class class-specific nationalism becomes aggressive if its socio-cultural standing in the national society is threatened, and it becomes extremist if its definition of the nation is undermined at the same time. In Germany, both were the case. Rationalization and trade-union influence, inflation and economic crisis, fear of Communism, and the image of Jewish economic and cultural monopolies characterize the perceived internal political threat. Defeat in World War I and the War Guilt Thesis, war reparations and arms limitations, reservations against republican-parliamentary forms of government, and the open identification of the German nation with a socio-ethical guiding idea characterize the insecurity of national confidence. The National Socialists took advantage of this situation, and the middle-class followed National Socialism with a self-identity of being peaceful and virtuous, ambitious and parsimonious, and being the foundation of the state.

10.3 Claiming Societal Representation: The Farmers

Self-employed tradesman were not alone among the early followers of the NSDAP. Another large group was the farmers. In a certain sense, farmers are part of the middle-class. They are economically self-dependent, have a pre-industrial economic mentality, and face the pressure of continuous processes of product rationalization. They differ from self-employed tradesman, however, in their lower degree of political integration in overall society. The farmers' image of society

has always been dominated by an agrarian subculture that is regionally restricted and anti-centralistic. They have always been willing to support regional parties, have followed the main political movements only suspiciously, and feared that their own agrarian interests would be revealed to the almighty industry as well as the working-class. In the Weimar Republic, there were various regional particularistic Agrarian parties exemplifying the low degree of farmers' integration through political organizations at the national level.

What circumstances made the suspicious and conservative farmers change from corporate regional representations to a nationalistic mass movement operating at the national level? Rudolf Heberle, another German sociologist, who, like Geiger and Riemer, had to emigrate, analyzed this question in an excellent study in 1932. Heberle (1963) analyzed the dramatic change of political orientations of farmers from Liberalism to Conservatism and further to National Socialism within only 10 years. The agrarian German state Schleswig-Holstein was characterized by a liberal political tradition from 1870 until the early years of the Weimar Republic. After the post-war period, the economic crisis, and inflation, a shift to the right took place from the Liberal party to the German Nationals. In 1930, the National-Socialists received 27 % of the votes in Schleswig-Holstein, putting them at the top in all German electoral districts. In 1932, Schleswig-Holstein was the first and only electoral district in which the NSDAP received the absolute majority (with 51 % of the votes). National Socialists had the highest percentage of followers in Geest, an area of small and medium-sized family farms, a homogenous social structure without class conflict, and strong local solidarity as well as social control. Farmers who were rooted in the soil and provincial middle-class and linked to a self-conscious regional culture with slightly anti-Semitic but all-in-all "honorable citizens" voted almost unanimously for the NSDAP. National Socialism took over the political heritage of democratic Liberalism.

This paradoxical and radical break leads to the conclusion that a change of party loyalty is not identical with a change of basic political orientations in a society. Heberle showed that farmers did not vote for the Liberals ideologically, but rather as a sign of diffuse opposition against the governmental system in Berlin. Based on their regional protest, they allied with the opposing Deutsche Fortschrittspartei in the German Reich, with the opposing Deutschnationale Volkspartei in the 1920s, and with the National Socialists in the early 1930s. Occasionally, they tried to form regional parties to directly demonstrate their claim of socio-political autonomy.

The Danish party, the South-Schleswig Voters Union, characterizes the regional rural claim of autonomy particularly well. In the German Reich, the Danish party relied on a language-ethnic minority. However, after North-Schleswig became part of Denmark in 1920, only small Danish enclaves remained on German territory. In the national elections of February 7, 1924, only 5000 people voted for the Danish-orientated Voter Union, a number that represented more or less the strength of the Danish minority. In early 1930, the Danish party received only 1700 votes, and membership of Danish associations declined to about 2500 members in 1945. After World War II, however, the South-Schleswig Voters Union received almost 100,000 votes, and Danish associations had about 74,000 members. Afterwards,

membership and votes declined continuously, with about 34,000 members and voters in 1958 (Varain 1964; Isbary 1960). This close relationship between votes and memberships indicates that the South-Schleswig movement represented a well-organized and socio-culturally closed population group. About 55 % of the locals voted for the Danish party in 1947. Again, the high number of votes is to be interpreted as a socio-political protest against post-war dire straits. This interpretation is also supported by the fact that those communities with a very high percentage of "Danish" votes also had a particularly high share of votes for the National Socialists in the 1930s (Varain 1964: 56) and that only a very small proportion represented a language-ethnic minority. There is evidence for the social protest thesis, for the "panic reaction of starving and frustrated population groups uncertain about their future" (Isbary 1960: 11). However, compared with the hardship of refugees, the local farmers and small-town traders did not belong to the starving and particularly vulnerable parts of the population. Refugee pressure was more a threat for the closed social milieu than for the economic position. In a large number of communities, majorities of refugees threatened the regional claim of autonomy. As a consequence, the South-Schleswig Voters Union not only demanded that Schleswig-Holstein be relieved from refugees but also that refugees receive a special status as "guests" with restricted political rights and that Schleswig be separated from Holstein and establish its own regional state with a regional parliament (Varain 1964: 18ff). The orientation towards Denmark and the threat of joining Denmark showed opportunistic tendencies. The main objection, however, was the claim of regional autonomy. When this claim became domestically and politically accepted and represented, there was no longer a need for external affirmation, and the farmers' association took over the position of the Danish party. Farmers in Schleswig-Holstein voted for the Liberal, German-National, National-Socialist, "Danish," and (in the Federal Republic of Germany) Christian-Democratic parties. However, they always had the same objective, namely the preservation of their tradition and the representation of their claim of validity (Simon 1962). All attempts to establish a regional party failed since they neither represented the majority nor could gain any influence in the Reich. They were not able to develop a concept of a political order that could unite the region, and the heterogeneous business types and subsistence strategies prevented an economic-political united professional association. This is why the farmer movement in Schleswig-Holstein always responded with cultural particularism and diffuse political-social protest (Heberle 1963; Stoltenberg 1962).

The change of farmers in Schleswig-Holstein from Liberalism to Conservatism, to National Socialism, and finally to the Christian Democratic Union was less radical than it seemed since it was always mediated by the same social process, namely the appearance of special regional parties: the change from the Liberals to the German-Nationals from 1918 to 1921 by the Schleswig-Holstein state party, the change from German Nationals to National Socialists from 1925 to 1929 by the peasantry movement, and the change from National Socialism to the Christian Democrats by the South-Schleswig Voters Union (Heberle 1963). All developments have a consistent process in common: When leaving a national integration

party, voters did not directly join another national integration party; this always took place via a regional special party, and the shift in direction was always the consequence of a crisis within subcultural representation bodies. Organizations of the rural social milieu, the farmers' associations, home associations, cooperatives, and stock-breeding associations mediated the political integration of farmers in the overall society. They were the actual carriers of political orientations. The pressure on agriculture to adapt in an industrial society was intensified in the post-war period of 1918–1921 with the consequence of a permanent crisis of professional bodies of small- and middle-sized farmers, resulting in internal fights and changing coalitions with national parties. After heavy conflicts, the representative bodies of the rural social milieu collapsed, and spontaneous demonstrations took place that could no longer be controlled and mediated by farmers' associations. The milieu opposed to its own professional bodies (Stoltenberg 1962) became more and more radicalized until, after bomb attacks and arrests, it broke down without a leader. At that time (Winter 1929/1930), National Socialists could easily take over the associations and led the farmers to National Socialism (Heberle 1951, 1963; Stoltenberg 1962; Roloff 1961; Franz 1951). The release of the rural representative association from national integration parties was followed by the self-destruction of farmers' associations, infiltration by National Socialists, and repatriation with a national integration party.

The great success of National Socialism not only in the rural population in Schleswig-Holstein but also in all Protestant rural areas was possible because of the breakdown of rural representative bodies. This breakdown was largely independent from and took place before agitation and propaganda of the NSDAP. The minority position of agriculture in an industrial society makes the integration of a regional peasant subculture in the political system difficult and dependent on decisions by officials or regional rural bodies (Stoltenberg 1962: 34, 149; Varain 1964: 235). If officials lose legitimacy for decision-making, the rural social milieu remains without leadership and becomes receptive to mass-movement propaganda.

These developments correspond with mass society theory (Lederer 1940; Kornhauser 1959; Gusfield 1962), which argues that intermediate bodies that structure individuals into primary groups and link them to the system of government are decisive for a stable democratic political order. However, the question remains as to why nationalist propaganda had such a high suggestive power for the rural classes. The breakdown of farmers' associations as representative bodies for their economic interests and for their cultural claim of validity not only resulted in a loss of leadership and emotional radicalization but also in a sudden devaluation of traditional categories for structuring the rural subculture. Any organizational crisis is also a crisis of legitimacy. The breakdown of organizations of the socio-cultural milieu called into question the image of the social order that had constituted the organizations' basis of legitimacy. The emergence of regional rural parties signaled the withdrawal of farmers from the societies' national political organizations and the reduction of their categories of an order to those of their regional subculture. When these parties furthermore turned against their associations and took direct action, such as demonstrations and violent measures, the categories of an order with

importance for their social action and self-identification within the society were further reduced. The farmers could not even obtain a sufficient interpretation of their position, an orientation for their behavior, or an identification with their perceived role in society from the perceived order of their subculture. Their self-identification had no institutional pillar since the institutions of the peasant culture were devaluated. Perceptions of an order that is linked to the differentiation of the society into classes and provides orientations as well as class-specific and subcultural images of society became meaningless for the interpretation of social developments (Nilson 1954; Hoffmann 1956).

This was the chance that National Socialism needed. Under the pressure of partial anomie and the loss of traditional class-specific norms, the farmers were searching for new categories for defining their own situation. This was provided at the next-highest normative system of society, the nation. The farmers found their new interpretative patterns at the level of national values. Even if norms that are derived from these perceptions of an order provide only general and unspecific orientations, they helped to stabilize farmers' self-esteem and reduce the paralyzing feeling of social disorientation and helplessness. Farmers became particularly nationalistic against their regionalist tradition since this nationalism was framed as "folkish," "autarkic," "anti-socialist," and "anti-capitalist" and promised to enforce parts of the subcultural value system at the national level and make it mandatory for society at large. The NSDAP made this promise, and the farmers believed with a clear conscience that they had to follow National Socialism.

While the example of the "old middle-class" was used to demonstrate that the middle-class image of society contains a claim of validity with class-specific nationalistic components and that the middle-class is latent nationalistic, the case of farmers exemplifies another important relationship. It is not about nationalism as part of the self-image of a social class but rather about a shift of a social class's perception of an order towards the universal perceptions of the nation and therefore about a shift in the frame of reference for interpreting the unique collective position. Depending on the frame of reference, social action may change completely without a change in actors' motives. Farmers in Schleswig-Holstein voted for the NSDAP as they had voted for the Liberals before. They did not change their former liberal character to an authoritarian one; rather, they changed the frame of reference for their actions but remained the same.

10.4 Claiming Political Equality: The Workers

Representative bodies have proven to be effective at enforcing economic and social-political interests. Their breakdown was not only a consequence of their failure as an interest organization. Inefficacy at particular tasks does not result in a loss of general legitimacy at representing members' societal claim of validity. In contrast to regional farmers' associations, trade unions and left parties could maintain their legitimacy as representative bodies of workers even beyond the

National Socialist seizure of power (Bracher et al. 1960; Tormin 1960), although they were also powerless and helpless in the economic crisis. The representative bodies of farmers and workers could not provide effective support for protecting the social existence of their members in the agrarian crisis or with respect to mass unemployment. However, while farmers' associations broke down and they voted for National Socialists, the interest organizations of workers remained intact, and organized workers remained largely unaffected by the NSDAP's nationalistic propaganda, even in the elections of March 1933. The different behavior cannot be attributed to different material distress since the economic crisis threatened workers and farmers alike. Additionally, the leadership of Social Democrats and trade unions demonstrated no more strength of purpose than the farmers' associations. Their paralysis and resignation, overly high age, and bureaucratization became obvious when the Prussian government was illegally withdrawn on July 20, 1932 (Matthias 1960; Hunt 1964; Bracher et al. 1960). The representative bodies of farmers and workers were both directly connected to their respective milieu. They were not just peripheral interest associations; rather, they were strongly merged with the respective subculture and their traditional-, sports-, and sociability associations, cooperatives, and educational organizations; they had traditional bonds of loyalty; and they were based on a milieu-specific recruitment of their leaders.

In all these contexts, there were no fundamental differences between the representative bodies of farmers and workers. Therefore, the different legitimizing power of the respective associations must have been based on other aspects. Without analyzing the indicated problems more systematically (Lipset 1959; Lepsius 1993, endnote 33), we can distinguish between two different hypotheses. The first refers to the structural situation in which the representative bodies mediate between the subcultural class-specific milieu and the overall society. The second refers to the claim of validity within the overall society.

The first hypothesis can be formulated as follows: If a social milieu is directly integrated into the overall society's political system of government, it will even be tied to its representative bodies representing their claim of validity in times of crisis, at least symbolically. However, if a social milieu is only indirectly connected to the system of government, their representative bodies as well as their legitimacy is endangered in times of crisis. The representative bodies have to exercise their mediating functions in different structural situations that are also important for the internal legitimacy of their members. Based on its regional and economically internal differentiation (great land owners, family farmers, part-time farmers), the agrarian-Protestant milieu was not able to establish its own cohesive representation within the overall society's system of government. Regional farmer parties remained minority groups without any political influence. Representative bodies of the peasant milieu were dependent on coalitions with national parties that had milieu-heterogeneous interests and were therefore not able to directly mediate their members with the national system of government. They were not able to directly represent the farmers on the national level, at least symbolically, and therefore, when facing economic hardship, immediately faced a legitimacy crisis. The

workers' milieu, on the other hand, had apart from the trade unions and workers' parties, a direct milieu-homogenous political representation that remained symbolically effective, even in times of crisis (Conze 1954; Timm 1952). Therefore, organized workers maintained their class-specific frame of reference for their political orientation while farmers were forced to change their frame of reference for their political and societal orientation. Thus, we can hypothesize that workers followed nationalistic propaganda to a lesser extent because their class-specific perceptions of the political and social order were institutionalized to a higher extent.

Scholars have often referred to the "organizational fetishism" of the socialist milieu, to the mythologization of the internal closeness and solidarity and the related isolation of the milieu's representative bodies from overall society. Certain norms have contributed to organizational self-sufficiency and to the immobility of political action (Matthias 1960). A necessary precondition is the direct mediation and symbolic representation of the milieu at the national level by a milieu-homogenous party. Under its protection, a wide range of subcultural associations and clubs may develop that appear to produce a self-sufficient autonomy working against the institutions of the overall society (Ritter 1963; Roth 1963). This contradiction between the representative bodies' virtual lack of influence and the simultaneous organizational eagerness requires a particular cultural interpretation that reinterprets the means-ends relationship between organizations and political objectives such that the organization becomes a value in and of itself and is not endangered, even when not politically successful. This ambivalent interpretation of the relationship between the workers' movement and overall society's system of government was developed through the "Kautskyism" and the continuous revisionism conflict since the 1890s. The goal of the emancipation of the workers' movement was transferred into an intrinsic historical process that proceeded continuously, even if the party actually had no political success. The continuous growth of the organizations of the workers' movement, on the other hand, was proof of the evolutionary historical process. The strengthening of organizations promised a successful revolution in the future (Matthias 1957), and the structural and cultural closeness of the socialistic milieu produced a surprisingly high stability in the economic and political crisis.

The closeness of the socialist milieu, termed by Guenter Roth (1963) as the "social-democratic subculture," constitutes the constrained national claim of validity of the workers' movement and immunized them against extreme nationalism. Through its legalistic-reformist action, the workers' movement was accepted as a political organization while its revolutionary rhetoric produced a stigma of unreliability at the same time. The movement had been accepted under the condition that they would not take part in executing power at the national level. Because of this discrimination by bourgeois society (which was institutionally supported by the restricted parliamentarization in the German Reich) within the existing system of government, the socialist milieu could not and did not want to claim validity at the national level. Its claim of validity was related to a future system of government based on its own majorities. The workers' movement was "negatively integrated" (Roth 1963); they were included in a system of government that they did not want to

represent. The existing state was the state of others. Their national claim of validity applied to a virtual social order that did not correspond to the existing one. The left-wing socialist expression "The fight against the state is the fight for the state" expresses this shift in frame of reference for the socialist claim of national validity (Miller 1964). Within the existing order, workers could not become nationalistic.

On this basis, the second hypothesis about the unequal disposition of workers and farmers towards extreme nationalism can be formulated as follows: A subculturally reinforced class only becomes nationalistic if this nationalism corresponds with the values of a social order in which the social class claims national validity. Farmers in Germany were not discriminated against by the traditional system of government and considered it their frame of reference for national representation. They easily became nationalistic as the NSDAP explicitly referred to pre-industrial and folkish values and promised to reassert them. For socialist workers, however, the situation was different. These workers projected their claim of validity onto a future social order, and their demand to participate was discriminated against in the existing one. They were traditionally considered as being nationally unreliable and a threat to the citizens. This discrimination was activated by the NSDAP and therefore also by bourgeois reservations against the legitimacy of the full national participation of the working-class. As a result, the disparity in the national frame of reference had to be enlarged, and the propagated nationalism could not have had any fascination for the working-class. The working-class only becomes nationalistic if the bourgeois and the socialist frame of reference for a national claim of validity are the same, as is the case with external threats. In such occasions, German socialists always became nationalists. In 1870, German socialists were against any dynastic war but supported a national defensive warfare against Napoleon; in 1914, they were against any imperialistic war but supported a national defensive warfare, in particular against reactionary tsarist Russia. The national unreliability of socialists has always been a myth. They, too, were open to nationalistic interpretative patterns and even developed a special awareness in which good socialists appeared to be good Germans. Whenever there was a chance of equal participation in the nation, socialists were particularly proud to exemplarily fulfill their national duties (Grebing 1962). Subcultural class-consciousness shrouded workers' nationalism and immunized them against bourgeois nationalism. As long as workers had no chance of full national participation, at least symbolically, workers' nationalism was constrained.

10.5 Claiming Cultural Autonomy: The Catholics

Parallel to the constrained nationalism of socialist workers, there was also resistance of political Catholicism against National Socialism. Only Protestant farmers and the Protestant middle-class were among the early voters of the NSDAP. Catholics who were politically organized in the Zentrum party voted consistently from 1928 to 1933 for their party without noteworthy changes to National

Socialists, although the Zentrum had many members of the old middle-class and even though farmers showed strong affinity for NSDAP propaganda in other respects. Protestant and Catholic population groups shared the same social classes but acted completely differently. Confessional affiliation enabled Catholics to follow a development that was typical for Protestants and immunized even the Catholic middle-class against the fascination of nationalism.

It seems likely that the key difference can be found in the respective denomination's substance. Indeed, the Protestant concept of the state and image of society (particularly of Lutheran Protestantism) differs in many respects from the Catholic one. In an intellectual-historical regress, Luther has even been made responsible for the German catastrophe. Such assumptions, however, are problematic as long as the intellectual-historical interpretation is not substantiated by an analysis of social institutions that mediate values and structure social action. Many facts disagree with the thesis that Catholicism (due to its dogmatic substance and its social institutionalization) had a greater resistance against Fascism and that Catholic belief had a lower affinity towards extreme nationalism than Protestantism. There are also fascistic examples within the Catholic social milieu, for instance, in Austria and France. Instead of discussing these examples in more detail, however, we develop hypotheses regarding the resistance of politically organized Catholicism to the NSDAP.

In contrast to many other parties of the Weimar period, the Zentrum party (in which we also include the Bavarian National Party) was not a class party, but rather an integration party covering different social classes. Its organizational principle was not the differentiation of the society into social classes, but rather the idea of belonging to a denomination. The party was based on a well-organized Catholic milieu (Amery 1963) that was isolated (Matthias and Morsey 1960) in a dual sense: "on the one hand, through the culture war, and on the other, through the unhistorical and natural law-dominated theory of the state" (Böckenförde 1961: 236; Lepsius 1993, endnote 43). It was also discriminated against by Protestant-Prussian bourgeois. A number of class-specific associations (Catholic trade unions, craftsmen associations, academics associations, and so forth) were absorbing social conflicts that were nonspecific to the denomination, making it possible for the Zentrum to refrain from class conflicts and the related national claim of the equality of social classes. With respect to its political orientation, the electorate of the Zentrum was excused from the enforcement of specific claims of equality, could leave class conflict to others, and was not forced to identify itself with a political order of differentiated claims of equality. Political Catholicism virtually had to dissociate itself from class conflict in order to maintain its internal integration (Dirks 1932; Lepsius 1993, endnote 44). All interests of Catholic parts of the population were shrouded by the interests of the milieu, which focused on the internal autonomy of Catholic subculture against the overall society's influence. As a consequence, claims of equality and participation that were otherwise targeted directly at the overall society (as the frame of reference, at the nation) were broken and mediated by the peculiar structuring idea of Catholic autonomy (Sontheimer 1963).

In principle, Catholic farmers were in the same economic situation as Protestant farmers, but in times of economic and social need, they were not equally burdened by their representative bodies. Supported by the Catholic milieu with its religious, political, and corporate pillars, these bodies maintained the legitimacy to represent their interests in the eyes of their members. The relationship between nationalism and the breakdown of class-specific representation bodies explained above did not take place.

But why did the Catholic middle-class not show the same nationalistic tendencies as the Protestants? To answer this question we have to come back to the first thesis about class-specific nationalism of the middle-class. In case of the Catholics, was the loyalty to the Church and the respective image of society of greater importance than the identification with the middle-class concept of society? Or did ties to the Church only moderate or freeze class-specific nationalism that could be found among Catholics as well?

As early as in 1931, Walter Dirks came to the prophetic conclusion that there was a clear contradiction between the world views of Nationalism and Catholicism, but if this contradiction were to be reduced, there would be an acute danger that Catholics would defect to National Socialism as a political-social movement (Dirks 1931). "As a community of faith, the Zentrum is not accessible to conflicting ideologies. If the ideological struggle ends, however, the consequences of its bourgeois class-basis could be fatal, and it would be as fragile in social terms as protected Catholicism is in religious terms" (Dirks 1931: 206). This thesis was fulfilled only few years later. "The consequence of this sensitivity," Dirks (1931: 206) continued, "is not necessarily a major shift of voters towards the NSDAP but could also be an internal development of political Catholicism towards Fascism." The two possible consequences are therefore the collapse of the milieu's political organizations and the milieu's shift towards Fascism. Both possibilities have the same meaning: The bourgeois middle-class Catholic milieu would act like the Protestant one as soon as the Church-based religious front was neutralized. This was exactly the consequence of the Reich Concordat.

As a consequence of the Reich Concordat, the former Church-based, politically, and socially integrated milieu collapsed, and its claim to autonomy was reduced to ecclesiastic issues. As soon as the Catholic milieu lost its clerical basis, the Zentrum could no longer provide any orientation and practiced tactical opportunism (Morsey 1960). Politically organized Catholicism collapsed as soon as the Catholic population was promised equality at the national level by a confessional-indifferent "folkish" movement and as soon as it was no longer necessary to fight for equal rights as "Catholics." As long as Catholics had to fight for equal rights "as Catholics" at the national level, they could only become indirectly nationalistic, and their nationalism had to be mediated by the Catholic milieu. When they were promised equal rights at the national level as "tribe companions," they became prone to extreme nationalism. Representatives of the traditional milieu remained focused on the confessional claim of equal rights, and in the month following the National Socialist seizure of power, they wasted their influence on the unworthy struggle to save civil servants' positions that were staffed by Catholics. To them,

these civil servants' positions symbolized national equal rights (Morsey 1960: 444) but were meaningless for the majority of Catholics, particularly since the new regime seemed to be unaffiliated with any religion and could not be considered to represent Protestant supremacy (van Norden 1963).

Catholicism turned out to be a barrier that could restrain but not fully stop extreme nationalism as practiced by the Protestants. What were these barriers? They cannot be reduced to differences of the denomination's substance. For Protestants, there were insurmountable dogmatic, ideological, and moral differences to National Socialism that were conquerable in the end for most Protestants. Did Catholics have less national feelings? There is hardly any evidence for this assumption. Again and again, party-leaders of the Zentrum confirmed national loyalty. "Nobody shall outmatch our patriotism," the party leader stated on July 25, 1922, after the murder of Rathenau, and added, "If in later years someone accuses us of rating the party higher than the nation, he is a misguided and conscienceless defamer" (quoted from Deuerlein 1963). There is no reason to doubt this statement of the party leader. Still, the politically organized Catholics did not follow the fascination of extreme nationalism in the years before the seizure of power. Their nationalism was ambivalent and, in contrast to the Protestant one, had a dual point of reference. The politically organized Catholicism was not only a confessional, organized part of the population but it also had the character of a national minority with a complicated national consciousness. In this respect, there was a structural similarity to socialists. However, for Catholics, the national minority position was not identical with a lack of representation of class interests but was related to a class-specific underprivileged position that was independent of a claim of representation. Due to their minority position, discrimination, and subcultural isolation, Catholics in the German Reich developed a particular dimension regarding their image of a social order. For Catholics, the ecclesiastic-religious claim of autonomy was the third concept of an order between the concept of social stratification and the resulting inequality, and the concept of the nation and the related postulate of equal rights. Between the universal category of the nation and the particulate category of stratification, there was a complex of intermediate perceptions of an order that existed in an unsolvable conflict in relation to the other two categories. This was the difference to Protestantism which religious identification was directly linked to its national identification. This difference was expressed by the diverse institutionalization of the two denominations, namely the established regional Church of the Protestants on the one hand and the autonomous Catholic Church organizations on the other. Specific social institutions that were carriers of the manifold organized Catholic milieu were linked to the structuring category "Catholicism." In this milieu, the structuring categories of stratification were confined as far as possible to allow political-social behavior to orientate itself towards categories of religious denominations first of all. At the same time, this most universal category had a dignity similar to the category of the nation. Orientations towards the nation, therefore, became ambivalent because the nation was in competition with orientations of religious denominations in certain situations. Whenever competition between two frames of reference becomes relevant

for orientation processes and social behavior, the result is an ambivalent nationalism that protects against extreme nationalistic outbreaks. The sudden change of orientation from class-specific to national perceptions of an order, which was characteristic for Protestants, was mediated, delayed, and constrained for Catholics by criteria of religious denominations.

10.6 Structural Conflicts and Nationalistic Consequences

In this essay, the phenomenon of extreme nationalism has been analyzed by taking into account the complexity of structural relationships as well as different orientations towards an order. Four different dimensions of analytical differentiation have been identified, and we have distinguished between class-specific, substitutive, reference-heterogeneous, and reference-ambivalent nationalism. We do not claim any systematic completeness with these four configurations. They have been developed on the basis of historical constellations in German society before the seizure of power by National Socialism. It was not our intention to explain the voting behavior of the middle-class, farmers, socialists, or Catholics, but rather to analyze the importance of different structural situations of extreme nationalism. The relationship between four social categories and National Socialism was chosen to exemplify theoretical considerations. The proposed structural relationships of nationalism cannot fully explain the four empirical types of social action; however, they contribute to a theoretical differentiation of sociological analysis. Any social phenomenon is far more complex than the chosen sociological categories since it is the task of sociology to translate social phenomena that are incomparable due to their unique complexity into comparable configurations of structural elements constituting these social phenomena.

The nation state disposes of the most severe and universal means of sanctioning within a society and also constitutes the most universal frame of reference for the social orientation of the society's members. In this respect, all parts of the society are nationalistic unless they have the chance to withdraw from the validity of sanctioning power. This is the case with regard to national minorities who want to withdraw from this sanction context as well as with regard to marginal parts of the population for which sanctions are practically meaningless. Sanctions become complicated when there is no agreement about participation in norm-setting or about equal rights regarding the execution of sanctions that are claimed by single parts of the society. In the fight for the legitimacy of an individual claim, the national loyalty of other groups is denied in the name of national security, honor, and welfare. In such a situation, social conflicts develop into national conflicts (Bendix 1964). Structural tensions have nationalistic effects, particularly if a national frame of reference that is formally equal for everyone is linked to values that are different in form and content. In such a situation, the coincidence of various social conflicts may easily result in a strengthening of nationalism in vast parts of the population, even if the causes of single conflicts are not related. However, they

are interpreted and integrated when projected onto overall-societal perceptions of an order. An unexpected accumulation of conflicts may have nationalistic effects. Extreme nationalistic developments are particularly dangerous when referring to ultimate values that cannot be specified. The less the self-concept of a nation is defined, the more people identify with empty symbols in an unoriented and blinded manner.

An example for the lack of content of extreme nationalism can be found in the diary entries of a German middle-class intellectual, a 44-year-old woman, who, after March 1933, had serious doubts about her former orientations and changed her attitudes in the course of the political development considerably: "In particular, I miss the lack of a guiding idea for which one sacrifices him- or herself and which helps to stand upright. Without such a guiding idea, everything is senseless and useless. Hitler is the only one who can be and give something to 15 million people, whatever it is" (4.2.1932). He is the "only one who really fascinates me politically because he wants, without any program(!!), exactly what I want, without any program! Germany!" (1.3.1933). "We were all standing as if awakening. It was like 1914, anybody could go behind anyone else's back in the name of Hitler. Drunkenness without wine" (3.3.1933) (quoted from Jochmann 1963: 401, 427, 429).

The lack of content of the National Socialist orientation corresponds with the programmatic amorphism of the National Socialist movement as well as with its activist vitality, which is connected to the great emotionality of extreme nationalism. The more social and political orientations are reduced from complex references to an order of a society to abstract categories of "the nation," "the people," or "the Reich," the more differentiations with regard to content and possible political specification are reduced. The fact that extreme nationalism became anti-liberal, anti-democratic, and anti-Semitic after 1928 is related to the Zeitgeist that was full of resentment and related to traditional ways of thinking in the German bourgeois cultural criticism (Sontheimer 1962; Stern 1963; König 1961). In addition, the German nation had been insufficiently defined since the foundation of the German Reich (Schieder 1961; Plessner 1959, 1962). The war and how it ended, the social and political situation in the Weimar Republic, and the future relationship of Germany to its neighbors needed to be interpreted. There was no consensus about any of these questions, and many aspects remained undefined. Suddenly, in the shadow of the crisis, all open needs for interpretation were merged: The wartime experience was projected onto the national community, the war guilt onto Germany's historical special fate, internal conflicts onto external independence, and resentments against the victors onto democratic institutions. The demagogic activism of National Socialists mobilized nationalistic emotions that had been released from structural conflicts and, at the same time, fulfilled the national need for interpretation. It was the result of a rare but not unique coincidence of structural and cultural factors. Nationalistic mass movements may break out suddenly; however, they are based on complex and relatively heterogeneous social and cultural conflicts that can be restricted and controlled. Only the coincidence of social and cultural conflicts is dangerous since this can be unlimited and uncontrollable. The

lack of manifest great nationalistic flows, parties, and associations is no guarantee against extreme nationalism. Only continuous attention to and control of various latent nationalistic structural effects, which are present in any society, protects against a sudden coincidence of cultural and structural conflicts.

References

Amery C (1963) Die Kapitulation oder Deutscher Katholizismus heute. Rowohlt, Reinbek
Bendix R (1964) Nation-building and citizenship. Wiley, New York
Böckenförde EW (1961) Der deutsche Katholizismus im Jahre 1933. Hochland 53:215–239
Bracher KD (1957) Die Auflösung der Weimarer Republik, 2nd edn. Ring Verlag, Stuttgart
Bracher KD (1964) Probleme der Wahlentwicklung in der Weimarer Republik. In: Bracher KD (ed) Deutschland zwischen Demokratie und Diktatur. Scherz Verlag, Bern, pp 50–82
Bracher KD, Sauer W, Schulz G (1960) Die nationalsozialistische Machtergreifung. Westdeutscher Verlag, Opladen
Conze W (1954) Die Krise des Parteienstaates in Deutschland 1929/30. Hist Z 178:47–83
Daheim H (1960) Die Vorstellungen vom Mittelstand. Z Soziol Sozialpsychol 12:237–277
Deuerlein E (1963) Der Reichstag. Bonn
Dirks W (1931) Katholizismus und Nationalsozialismus. Die Arbeit 8:201–209
Dirks W (1932) Zur theoretischen Situation der christlichen Arbeitnehmer. Die Arbeit 9:695ff
Domarus M (1962) Hitler. Reden und Proklamationen 1932–1945. Würzburg, vol 1
Fetscher I (1962) Faschismus und Nationalsozialismus. Polit Vierteljahresschr 3:42–63
Franz G (1951) Die Entwicklung der politischen Parteien in Niedersachsen im Spiegel der Wahlen 1867–1949. Bremen
Geiger T (1930) Panik im Mittelstand. Die Arbeit 7:637–654
Geiger T (1931) Die Mittelschichten und die Sozialdemokratie. Die Arbeit 8:619–635
Geiger T (1932) Die soziale Schichtung des deutschen Volkes. Enke, Stuttgart
Grebing H (1962) Geschichte der deutschen Parteien. Steiner, Wiesbaden
Gusfield JR (1962) Mass society an extremist politics. Am Social Rev 27:19–30
Gusfield JR (1963) Symbolic crusade: status politics and the American temperance movement. University of Illinois Press, Urbana
Heberle R (1951) Social movements. Appleton, New York
Heberle R (1963) Landbevölkerung und Nationalsozialismus. DVA, Stuttgart
Hoffmann S (1956) Le mouvement poujade. Paris
Hunt RN (1964) German social democracy 1918–1933. Quadrangle Books, New Haven
Isbary G (1960) Problemgebiete im Spiegel politischer Wahlen am Beispiel Schleswigs. Mitteilungen aus dem Institut für Raumforschung, Bad Godesberg
Jochmann W (1963) Nationalsozialismus und Revolution: Ursprung und Geschichte der NSDAP in Hamburg 1922–1933. Europäische Verlagsanstalt, Frankfurt
König R (1961) Zur Soziologie der zwanziger Jahre. In: Reinisch L (ed) Die Zeit ohne Eigenschaften. Kohlhammer, Stuttgart, pp 82–118
Kornhauser W (1959) The politics of mass society. Free Press, New York
Lederer E (1940) State of the masses. Norton, New York
Lepsius MR (1993) Extremer Nationalismus. Strukturbedingungen vor der nationalsozialistischen Machtergreifung. In: Lepsius MR (ed) Demokratie in Deutschland. Vandenhoeck & Ruprecht, Göttingen, pp 51–79
Lipset SM (1959) Democracy and working-class authoritarianism. Am Sociol Rev 24(4):482–501
Lipset SM (1960) Political man. The social bases of politics. Doubleday, New York
Massing PW (1959) Vorgeschichte des politischen Antisemitismus. Europäische Verlagsanstalt, Frankfurt a.M

Matthias E (1957) Kautsky und der Kautskyanismus. In: Fetscher I (ed) Marxismus-Studien, vol 2. J. C. B. Mohr, Tübingen, pp 151–197
Matthias E (1960) Die Sozialdemokratische Partei Deutschlands. In: Matthias E, Morsey R (eds) Das Ende der Parteien 1933. Droste, Düsseldorf, pp 101–278
Matthias E, Morsey R (eds) (1960) Das Ende der Parteien 1933. Droste, Düsseldorf
Milatz A (1960) Das Ende der Parteien im Spiegel der Wahlen 1930–1933. In: Matthias E, Morsey R (eds) Das Ende der Parteien 1933. Droste, Düsseldorf, pp 743–793
Miller S (1964) Das Problem der Freiheit im Sozialismus. Europäische Verlagsanstalt, Frankfurt a. M
Nilson SS (1954) Wahlsoziologische Probleme des Nationalsozialismus. Z gesamte Staatswissenschaft 110:279–311
Parsons T (1960) Social strains in America. In: Parsons T (ed) Structure and process in modern societies. Free Press, Glencoe, pp 226–247
Pirker T (1965) Komintern und Faschismus. Deutsche Verlagsanstalt, Stuttgart
Plessner H (1959) Die verspätete Nation. Kohlhammer, Stuttgart
Plessner H (1962) Die Legende von den zwanziger Jahren. In: Hesse K, Reicke S, Scheuner U (eds) Staatsverfassung und Kirchenordnung. Tübingen, pp 209–223
Polsby NW (1963) Toward an explanation of McCarthyism. In: Polsby NW, Dentler RA, Smith PA (eds) Politics and social life. Houghton Mifflin, Boston, pp 809–824
Ranulf S (1964) Moral indignation and middle class psychology. Schocken Books, New York
Riemer S (1932) Zur Soziologie des Nationalsozialismus. Die Arbeit 9:101–118
Ritter GA (1963) Die Arbeiterbewegung im Wilhelminischen Reich. Colloquium Verlag, Berlin
Roloff EA (1961) Bürgertum und Nationalsozialismus 1930–1933. Verlag für Literatur und Zeitgeschehen, Hannover
Roth G (1963) The social democrats in imperial Germany. Bedminster Press, Totowa
Schieder T (1961) Das deutsche Kaiserreich von 1871 als Nationalstaat. Westdeutscher Verlag, Opladen
Simon WB (1962) Integration and apartness of minority groups as reflected in election results. Sociol Q 3(2):123–134
Sontheimer K (1962) Anitdemokratisches Denken in der Weimarer Republik. Nymphenburger Verlags-Handlung, Munich
Sontheimer K (1963) Einleitung. In: Müller H (ed) Katholische Kirche und Nationalsozialismus. Dokumente 1930–1935. Nymphenburger Verlags-Handlung, Munich
Stephan W (1932a) Grenzen des nationalsozialistischen Vormarsches. Z Polit 21:110–118
Stephan W (1932b) Die Reichstagswahlen vom 31. Juli 1932. Z Polit 21
Stephan W (1933) Die Parteien nach den großen Frühjahrswahlkämpfen. Z Polit 22
Stern F (1963) Kulturpessimismus als politische Gefahr. Scherz-Verlag, Stuttgart
Stoltenberg G (1962) Politische Strömungen im schleswig-holsteinischen Landvolk 1918–1933. Droste, Düsseldorf
Stouffer S (1955) Communism, conformity, and civil liberties. Doubleday, New York
Timm H (1952) Die deutsche Sozialpolitik und der Bruch der großen Koalition im März 1930. Droste, Düsseldorf
Tormin W (1960) Die Jahre 1933–1934: “Die Gleichschaltung”. Verlag für Literatur und Zeitgeschehen, Hannover
Trow M (1958) Small businessmen, political tolerance, and support of McCarthy. Am J Sociol 64:270–281
van Norden G (1963) Kirche in der Krise. Die Stellung der evangelischen Kirche zum nationalsozialistischen Staat im Jahre 1933. Presseverband der evangelischen Kirche, Düsseldorf
Varain HJ (1964) Parteien und Verbände. Westdeutscher Verlag, Opladen

Chapter 11
The "Ethics" of Institutions

11.1 Introduction

Institutions structure the context for social action, define behavioral expectations, and sanction non-compliance. Institutionalized social action follows a defined goal by approved means. The individuals orient themselves toward this specifically defined context. He or she conforms to the respective institutional order and believes in its correctness. The legitimacy of the institutional order guarantees the moral integrity of the individual's social action. If the "ethics" of institutions are questioned and these institutions' legitimacy decays, other norms and values come to the fore. Institutionalized social action is reassessed, and the individual's accountability changes. The individual now has to demonstrate his or her moral integrity without being able to refer to the validity of an institutionalized context for social action. The individual responsibility for ethical self-reflection changes. The *breakdown* of an institutional order typically constitutes such a situation.

This is exactly what citizens of former East Germany (and other former Warsaw Pact countries, the editor) had experienced before the fall of the Berlin Wall. They claimed the approval of moral integrity for their individual way of life. The regime's shortcomings and violations of human rights are considered to be characteristics of the institutional order outside the reach of individual responsibility. Institutions only become effective through individual social action. However, the scope of social action and the rules that are valid in this context are considered by the individual to be structured and given by institutions. In individuals' subjective view, they only see their own responsibility for their own actions but not for the

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structuring of institutionalized contexts for social action. After the success of the mass demonstrations in autumn 1989, many people wondered why they had not protested against the regime earlier and why it had not been possible before to translate collective dissatisfaction into political activity.

However, the courage of individuals to break habitual rules of external loyalty to the regime was only able to mobilize the undecided and hesitant and lead them to take part in major demonstrations after the legitimacy of the regime had been shaken. Before, individuals had only been responsible for the part of their behavior they believed they were able to structure according to their primary ethics. Responsibilities outside this context were attributed to the power structures, the prevailing conditions, and the organizational structures; in short, they were attributed to the institutional order. By distinguishing between individual ethics and "institutional ethics," leading officials of party and state bureaucracy also claimed to possess subjective moral integrity. In former East Germany (the German Democratic Republic, GDR), leading officials were under tight control by the party to fulfill objective goals, such as the party's "class mission," peacekeeping, and supplying the population with goods while receiving moderate privileges for what were often very long working hours. This is one reason why the widespread loyalty to the regime and membership in the SED (Socialist Unity Party) were subjectively "de-moralized" after the fall of the Berlin Wall. This, however, was not the case with respect to other behavioral patterns, such as being a confidential informant of the Stasi (secret police in former East Germany) as well as direct and indirect participation in crime, which was also criminally punishable in East Germany and prosecuted after the German unification. Other behavioral patterns were exempted from punishment, although after the German unification, reasons for discrimination were given, such as redundancies and pension cuts. The moralization of behavior under the institutional order of former East Germany varied after the unification according to matters of fact that were not necessarily considered to be an ethical burden in the individuals' self-attribution. Individual ethics and institutionalized structuring of social action maintain a relationship of mutual tension that cannot be resolved by the moralization of individual behavior. To resolve this tension, the moral dimension of the structure of an institutional order has to be considered.

11.2 Isolation of Behavior from the Institutionalized Context of Social Action

Hundreds of victims of the Berlin Wall want the guilty parties to be punished. Since 1989, there have been numerous trials against members of the border troops, generals, and members of the highest political authorities of the GDR. Generally, these individuals were sentenced for manslaughter or complicity in manslaughter.

However, the border troops did not shoot people arbitrarily; rather, they acted in an exact, militarily structured context, and they referred to the orders they received

to defend their behavior. The border troops claimed that they had acted in conformity with the valid norms of the time. None of them was incriminated in the GDR; on the contrary, they were lauded for their mission. They could not be held responsible for the state of command of that time, to which they had not contributed. In their view, the legality of their action guaranteed ethical immunity. In terms of the "class mission," the border troops guarded the inviolability of the national border. The prevention of "border breakthrough" from the territory of the GDR was one of their duties. Refugees who wanted to cross the border were considered not only criminals according to the law against "republic flight," but also enemies who offended the inviolability of the national border and therefore the security of the GDR and were thus to be fought against as ordered. The institutions of the GDR declared their own citizens who wanted to cross the border illegally to be "enemies." The institutional order legitimized the action of the "border guards." Only when these institutions did not exist anymore were the guards placed in a context in which they were considered to be personally responsible for their actions. Then, there was an investigation as to whether the border guards had an individual scope of action when following the orders, if they had to recognize that the order violated human rights, and if they could have refused taking the deadly shots. If these questions could be affirmed, the "border guards" whose shots caused the deaths were sentenced for manslaughter. Abiding by the instructions of the GDR did not protect the "border guards" anymore. The consequences of their actions, i.e., the death of a refugee, was viewed separately from the context of a military regime of border security and attributed to the guards' personal behavior. The "border guards" had to take personal responsibility for the consequences of their actions, for which there had been institutional accountability before.

In a second round of trials, individuals were accused who were considered to be responsible for the decree and implementation of the border security resolutions: members of the Politbureau of the SED, members of the National Defense Council of the GDR, generals of the National People's Army, and officers of the border troops. As long as the DDR's institutional order existed, "victims of the Berlin wall" were considered the consequence of a legitimate order. The institutional order defined a hierarchical "command-and-obey" structure, which defined, restricted, and controlled the scope of competences for individuals, but also provided reasons for the orders; and demanded a moral commitment toward the underlying guiding ideas. Behavioral norms were seen as legitimate due to decrees implementing certain values. The Defense Counsel regularly referred to the strict obedience of regulations that were formulated and issued by higher organizational levels. The responsibility was moved from one decision-making level to the next, from troop commanders to the National Defense Minister and further to the National Defense Council as the highest constitutional body in charge, and finally, to the Politbureau, which always had the final decision-making competence. At the top of the hierarchy, in the Politbureau, the accused referred to the legitimation through ruling and orders of the party conventions and the Central Committee, and in the case of laws, also of the People's Chamber. Since these decision-making bodies only confirmed the unchanged drafts that came from the Politbureau, there was a circle of

reciprocal responsibility and accountability. The government was subordinated to the orders of the Politbureau, and the Politbureau was defined by templates of Secretary General Erich Honecker, who, at the same time, was the leader of the Privy Council and the National Defense Council of the GDR and combined command hierarchies of the party, the state, and the army. Honecker therefore represented the regime as a whole. The higher his authority was, the more independent he became from the organizational network so that members of the government and even of the Politbureau could restrict their responsibility to that of their own department. Only a Secretary General who was no longer omnipresent due to sickness lost his control of the Politbureau's formation of the political will, and only after his increasing loss of authority did the members of the Politbureau intervene. This was the case when Ulbricht (Secretary General from 1960 to 1973) was overthrown as well as when Honecker was deposed.

Furthermore, it was argued that it was the Soviet Union that had the final responsibility for all decisions. Without the Soviet Union, the GDR had no sovereignty with respect to the border regime, and the Politbureau could not have made any decisions. During the Cold War, the Soviet Union had to ensure the security of its own troops and prevent any possibility of border incidents. The internal stability of the regime of the GDR was also based on a hermetic closing of the border. The result was a comprehensive and military-organized border regime as part of the frontier security of the Eastern Block that vastly extended the territory of the GDR. The institutional structure of the GDR governed and legitimized a binding structure in which the border troops could act. However, those who contributed to defining the structure of the GDR were aware of their own restricted accountability within a complex institutionalized scope of action and under the imperative of absolute loyalty to the party and the prohibition of "faction building."

In this perspective, the "victims of the Berlin wall" were not caused by the military border regime, but rather by the GDR's travel restrictions, which were the responsibility of political actors. Moreover, the commander of the border troops, Colonel General Klaus-Dieter Baumgarten, emphasized in a testimony on April 17, 1997, that the border was predominantly secured without the use of arms. Within a period of ten years, 2,905 persons were arrested in the border area, and according to Baumgarten, in "only" 148 cases were firearms used. In his view, the victims had been informed about the illegal border crossing and acted under their own responsibility and the awareness of the existing dangers and the high risk to their lives. The prosecution, however, emphasized that the defendants had freedom of action and that they were aware of the cases of death at the border but had not done anything to change the situation and therefore approved of and hazarded the consequences. According to their position and the length of their membership in the respective decision-making bodies, these border troops were sentenced to jail for different lengths of time for being indirect delinquents due to manslaughter.

Even members of bodies without decision-making competences and who only advised and worked on the drafts were sentenced the same as were members of the council of the Ministry of Defense. They were accused of not objecting to the Minister's Order 101, which was renewed yearly and constituted the basis of the

border regime and therefore contributed to the chain of command, which tightly ruled the border guards. The Minister was in the commanding position and executed the commands based on the decisions of the National Defense Council. Members of the Council provided advice based on their departmental expertise. They were accused of the fact that their approval constituted "psychological aid for the Minister's action" and that their failure to render an objection constituted complicity in manslaughter. They received a suspended jail sentence.

In a criminal case, a certain person is indicted for a crime for which he or she is responsible. The crime is isolated from the institutional context of action so that a scope of action with individual responsibilities can be constructed. In this context, culpability as a result of an individual's own action or omission can be assigned to the individual. The plea to existing norms, organized structures of command, and fragmented responsibilities, as well to institutionalized rationality criteria, lessens but does not abolish individual accountability. This does not protect from assigning the individual unintentional consequences of the action. Even those who did not directly commit a crime could have realized the illegitimacy of their actions.

Such an understanding implies a high degree of self-reflection about the unintentional consequences of the individual's own action or omission and also an ethically sensible personality that experiences an ethical conflict due to the standardization and structuring of scopes of action and that struggles to remove the conflict through the individual's own action. The question remains, however, to what extent and in which context the individual possesses the means to fulfill the expectations with respect to his or her actions? In the context of a totalitarian dictatorship, the individual is subject to an institutional structure that provides only limited protection through general civil rights and therefore allows only a very limited scope for deviant behavior. Under such circumstances, noncompliance with the institutionalized structure of action and the objection to its validity requires a high individual ability of self-reflection and the willingness to expose oneself to considerable social and political sanctions. If ethical integrity can only be maintained against existing institutions, there are high risks for the individual, particularly since there are no possibilities of appeal based on procedural reliability. Furthermore, "political disqualification" resulted in restrictions of the life conduct even beyond the institutional complex in which the individual had practiced the "deviant behavior." This, for instance, was the consequence for people who applied for an emigration permit that was legal according to GDR law. They often lost their job.

The demand for ethical scruple and of dissident action in such a situation can be justified. However, the demand of ethical behavior would be higher regarding former GDR citizens than toward citizens of a democratic constitutional state. The "immorality" of an institution should not be assigned to the members of this institution. The lack of virtue of citizens is not the cause of the nature of an institutional order. Individuals with tasks and responsibilities close to the regime can, in such a context, be discriminated against and ethically strained even after decades without prosecution and without verifiable harm to third parties. This mirrors the legitimate condemnation of a political regime. However, since

institutions are exempt from punishment, the "immorality" of the regime is sanctioned by punishing persons close to the regime. The result is a moralizing process of coming to terms with the past by neglecting institutionalized contexts of action.

In sociological terms, such a perspective remains unsatisfactory. Of course, only individuals can act ethically, and institutions only become effective through the action or non-action of individuals. However, institutions structure the individuals' chances of social action and provide sanctions in the case of non-compliance. They structure social action in a certain context not only in structural terms, but also in cognitive terms. Institutions define the situation and the goal of action, restrict the options, and provide meaning to the situation. The stricter an institution is organized, the smaller the scope for interpretation is when following the norm. The more the scope of action is controlled, the higher its influence on social behavior is. Besides the question of the individual's moral (or criminal) guilt, we also have to ask about the "ethics" of institutions. What behavior is shaped by institutions? What personal accountabilities are established? What are the prospects of criticizing institutions without penalties? How can institutions be controlled? In other words: What ethical liability is created by institutions for those who live in the institutional sphere?

11.3 Externalization of Consequences of Social Action

An institution provides a scope of social action that claims to realize certain guiding ideas. As a result, the individual is released from the ethical consequences that are related to the institutionalized execution of social action. Basically, the institution bails for the ethical integrity of the individual who acts within the institutional context. The individual therefore acts in a moral context that justifies his or her social action, for instance, in the protection of life (medicine), the realization of fairness (justice), the production of knowledge (science), and in defense (the military). Ethical responsibility is generalized by the institutions' value-oriented reasoning in the case of compliant behavior. As long as the guiding idea's validity context and the related behavioral rules are differentiated from other value spheres and normative standards, the individual is only bound to compliance with the existing institutional norms. Alternative guiding ideas and imperatives do not result in direct responsibilities for the individual.

An example is the institutionalization of criteria of profitability for economic behavior. An employer who dismisses workers due to cost-benefit calculations does not act unethically even though there could be severe consequences for the workers and their families. Due to the institutionalization of profitability criteria and severe sanctions through losses and bankruptcy, the employer is forced to follow these rationality criteria and to ignore ethical claims of other normative relationships. Normative pleas toward the entrepreneur to employ more people may have good reasons that are even shared by the entrepreneur him- or herself; however, they do not take the employer's current institutionalized behavioral context into account.

The autonomy of institutions with respect to their internal behavioral structures is defined by the possibility of externalizing consequences from the institutions' validity context. The more homogenous the structuring of social action is and the more specific the goals of action are, the more the validity context needs to be isolated from other norms. This situation applies to all institutionalized contexts of social action. However, the degree of realized externalization of the consequences of social action and therefore also the autonomy of institutions vary. The externalized consequences of social action are supposed to be borne by others, as in the case of unemployment by the institutions of unemployment insurance and social assistance. The employer can be forced by law to contribute to financing via social insurance contributions or taxes. His or her freedom to dismiss, however, remains and is not burdened in ethical terms. A similar situation applies to appeals toward entrepreneurs to carry environmental burdens produced by the company. There are good reasons for such a claim. However, the environmental orientation of the management as voluntary orientation toward respective values is filtered by calculations of profitability, and companies only respond to such a claim if externalized environmental costs need to be entered internally in the balance sheet. Such a change in the company can take place as a result of campaigns damaging the companies' reputation or as a result of legislation forcing companies to bear removal costs according to the polluter-pays principle. As a result, the consequences of social action are internalized and are supposed to be handled and processed within the company. The boundaries of the validity context of institutions are variable and account for consequences of social action to different degrees. Ethical indifference with respect to the externalized values varies accordingly. Institutions tend to isolate the validity context of their rationality criteria toward the environment. The more successful they are, the more autonomous they are in pursuing their goals and in excluding other criteria of action from their validity context. Universities, for instance, issue certificates to students according to academic criteria. These universities may have an influence on their graduates' later career and income, but they are not responsible for the supply-and-demand structures of particular job markets and the respective career opportunities. University lecturers assign marks based on academic criteria in which they believe, regardless of the consequences for their students. When American students with excellent grades were exempted from military service during the Vietnam War, some universities faced consequences of their grading for which they did not want to be responsible. Unequal chances of survival related to military service should not be influenced by academic performance criteria. The universities stopped issuing certificates until the US Department of Defense changed the rules for conscription call. The universities themselves define the scope of validity of academic performance criteria for which they are responsible. These criteria should not be related to a judgement about the value of a human being and his or her life chances.

This example demonstrates that institutions define their "ethical content" through the boundaries of their scope of validity. The narrower the boundaries are and the more consequences are externalized, the more the claimed area of responsibility is restricted. Outside of these borders, there is no institutionalized

attribution of responsibility; therefore there is ethical indifference. However, the intended and unintended externalized consequences may evoke conflicts that could endanger the institutions' legitimacy with respect to their external and internal conception. If the institutions want to survive as a defined scope of action with particular goal orientations, the externalized consequences need to be absorbed and dealt with by other institutions. The ethical indifference results in an ethical difference for others. Depending on the constellation of the institution in which the individual participates, he or she has particular responsibilities and indifferences; the institutional order constructs the pre-conditioning of the individual's moral integrity.

11.4 Mediation and Control of Institutions

Given the selection process of value-oriented guiding ideas, the differentiation of contexts of social action with restricted accountability, and the strong internal disciplining of behavior, the structure of an institutional order is of great relevance for the "moral content" of a society. There are only few "total institutions" with maximal isolation from the environment and with uniform disciplining of their members. Closed psychiatric clinics, prisons, boarding schools, military units, the Stasi in East Germany, as well as sects and fraternities have the basic characteristics of total institutions. In general, however, institutions are syndetic, partly in conflict with each other, and struggle for spheres of authority and claimed validity. Processes of increasing and decreasing institutionalization coexist. Periodically, there are "rebellions" against institutions in the name of religious, ethical, social, and mental-value preferences. The overall institutional order is therefore alterable on a smaller as well on a larger scale. The breakdown of Communist regimes and the continuing deinstitutionalization of the nation state in the European Union are two outstanding examples. Due to the related conditioning of orientations and behavioral structures, intra- and inter-institutional conflicts always have an ethical dimension. Reflections on and the control of institutions form the basis of a normative understanding of a free civil society. For such an understanding, there are two strategically important starting points.

11.4.1 Conflict Skills of Members of Institutions

For an internal self-reflection of an institution, members' potential to criticize is of similar importance as the perception of public external evaluations. This is not trivial when considering, for instance, the party-, state-, and economic bureaucracy of the GDR. The ban on critique within the party, obligations to values that were in line with the "class mission," the organizational principle of hierarchical unitary leadership, and the direct control of behavior and opinions by the party and the Stasi

considerably weakened the potential to criticize GDR institutions. There were no open discussions, even among loyal party leaders. The actual or perceived sanctioning power for securing alignment with the party and the ban on forming political groups immobilized even party leaders and restricted their space for reflection to their immediate area of responsibility. There was no open public reasoning, and the mediation of conflicts of interest took place within the closed circle of the Politbureau. Individuals had no chance to make their voices heard within the tightly organized hierarchical institutions. A sufficient degree of security of their own existence was required, and in the case of conflict, so, too, was support from outside the institution. Such conditions did not exist in the GDR. The individual had no resources of his or her own to successfully express internal criticism of the institution. Furthermore, important documents and decisions were subject to confidentiality. Information about areas and procedures were not accessible for those who were not directly involved, even in the highest decision-making bodies. Without a "voice," "exit" remained the only option (Hirschman 1990), either within a niche inside the GDR or by applying for an exit permit. Subjective moral identity based on public virtues was unlikely under such circumstances.

11.4.2 Self-control of Institutions

Institutions tend to protect cultural guiding ideas that provide legitimation for the institution against critique and to control their own interpretations and concretizations on the basis of specific rationality criteria of their behavioral structures. Guiding ideas are separated from overall cultural ideas, and their validity is maximized against other values. In the process of institutionalization, a selection of cultural ideals is combined with a fragmentation of the context. The resulting cultures with particular institutions generate moral standards along with indifferences toward externalized problems. The institutionalization of a "counter principle" is the most effective strategy to confront and criticize self-selected and self-interpreted guiding ideas with other values. A familiar example is the national objectives of democracy, the social state, and the constitutional state, laid down in the constitution, which are in a permanent state of tension. Legislative and executive authorities have to respond to these obligations and are therefore open to criticism and need to be balanced. Decisions by the Supreme Court bring the national objectives into force. The openness of the state of tension among cultural guiding ideas through the institutionalization of a "counter principle" prevents the predominance of legitimate guiding ideas beyond the validity space of the respective institution. Such a situation did not exist in the GDR. The merging of institutions under the overall competence of the Politbureau of the SED did not allow for an effective institutionalization of "counter principles." The "class mission" was stipulated in historical-philosophical terms, was non-criticizable, and could be used for justifying all kinds of political actions. Civil rights were restricted, the

self-organization of interest-groups was prevented, the legal control of procedures was limited, and the public censored criticism in the name of the "class mission."

11.4.3 Restriction of Rationality Criteria to their Validity Context

The control of the validity context of an institution is important for the targeted homogenization of behavior. As a result, the predominance of an institution over other contexts and the transfer of organizations and behavioral structures toward other contexts is restricted. For instance, the more that democratic organizational forms and behaviors are practiced in firms, schools, clubs, and parties, the lower the probability is that a society is ruled by particular institutions. Public virtues protect the moral integrity of individuals. The battle of validity contexts is not only a conflict of competences, but also of the code of conduct and organizational forms of individual freedom and codetermination. The GDR ruled by a strict bureaucratic organizational system with strict subordination. The rule of the so-called democratic centralism weakened the formation of the political will from the lowest to the highest levels of the hierarchy and strengthened the duty to obey from the lower to the higher levels. This model of a revolutionary cadre party was not modified, even after the party took over and consolidated power. This rule was in force within the party and was considered an ideological obligation that also lay within state bureaucracy. Furthermore, the economic and production processes were also organized according to the model of hierarchy. The bureaucratic centralization of the distribution of resources and enforcing measures paralyzed individuals' own initiative and self-responsibility. The more the model of hierarchy proceeded, the more the means of control were tightened. Increasing control and the declining potential of self-regulation produced a form of behavior that became characteristic of all institutional contexts. All problems where dealt with hierarchically. Leading decision-makers became overburdened, and the internal capacities to adapt to external developments were reduced. Public virtues became dysfunctional for the individual. This model of behavior broke off at the grass-roots level, where nobody could be authorized to execute instructions, obligations, or requirements. At this level, ethical principles that were disconnected from the institutional order applied in the private life-world. There was a strict differentiation between behavior in private and in public. Accordingly, the denunciation by informal Stasi collaborators produced an outcry since this violated the distinction of the public and the private, which was the basis of ethical integrity under the conditions of the GDR.

11.5 General Ethical Standards of a Civil Society

The commitment of institutions to follow universal values and maxims of behavior guarantees the moral integrity of a differentiated institutional structure. In this context, individual enforceable basic rights are of pivotal importance. These basic rights claim validity for all institutions and for the overall institutional order. Even powerful institutions, such as the state, have to adapt to these norms. The definition and chances of implementation of basic rights back the moral self-reflection and identity formation of the individual. Individuals' ethical dilemmas are supposed to be reduced by the universal norms of basic rights. In the case of a conflict, courts take over the responsibility of mediating between values of different institutions and relieve the individual of the responsibility of a specific solution for the conflict. The situation in the GDR was particularly defined by the lack of individual enforceable basic rights. Individuals' courses of action were restricted depending on personal contacts and on public demonstrations of conformity. Inconspicuousness by avoiding conflict and withdrawal to the private sphere were likely strategies. The easiest way out was to forget about the regime's ethical irrationalities. The closure of perception reduced cognitive dissonances for individuals and made them indifferent toward responsibilities that could not have been taken from them anyway. Individual and collective means for objecting were missing, including a legal status based on legal procedures, chances of self-organization of interests, public opinion, open debates in parliaments, decision-making bodies, and assemblies. The preconditions for self-responsible behavior are lacking if these conditions, which are of pivotal importance for the individual's ethical sense of self, are not effectively institutionalized.

11.6 De-institutionalization and Ethical Indifference

In institutional orders that do not represent a wide range of values, where free and open public discourses are not possible, and in which political institutions are overly powerful, an ethical indifference to the community arises. Restrictions of social action are even anticipated in situations in which they do not exist or are not enforced by political authorities. The sociologist Rene König described this situation impressively in a letter to the philosopher Karl Löwith in Berlin in June 1937: "It is scary how Germany has changed. The state of overall marasmus has increased up to a level that one has to wonder how it is possible at all for people to live here. Dejection, aversion, and resignation have become so general that people have the feeling of suffocating. Moreover, there is an overall maceration that has grown to a general character trait due to the permanent need to seek compromises. Eventually, compromises are looked for even in situations in which they would not be necessary, and a state of foul dishonesty develops that captures even the best individuals if they do not have the courage to isolate themselves. Incidentally, it is not possible

to judge this situation in ethical terms since real dishonesty always includes positive acts as well. This, however, cannot be sensed at the moment. People are just letting themselves go. It is sinfulness through omission of the good. Economically, people are doing everything to lead a reasonably pleasant life. All ethics, however, are being ignored while drinking coffee and playing tarot and listening to all this political cant, which sounds hopeless dreary. Everything and everybody seem to be moving in circular courses" [letter from Rene König in: Löwith (1986: 129)].

This citation is from 1937, a time when the National Socialist regime had not yet reached the peak of its repression and indoctrination power. Ethical self-reflection and sensibility had dwindled to the privately structured space. Under conditions of tyranny, heroic behavior was needed to maintain ethical integrity. One needed to be ready to bear all consequences of his or her behavior, including risking one's life. The institutional order provided neither personal protection nor legal action. Objection and moral protest were considered illegal. The remaining options for social action were also ethically precarious. After hesitating for a long time, the conspirators of July 20, 1944, considered the assassination of Hitler to be the final option. Private value beliefs were the motivation for the heroic intervention in public affairs. The bridge between private and public virtues was not accessible through institutions but had to be accessed through violence. Social action was targeted at the killing of individuals who were responsible for the crimes of the regime. The assassination attempt was the necessary consequence of the de-institutionalization of ethically less problematic and risky interventions. The decision to commit the assassination attempt required the handling of cognitive dissonances that only few opponents of the regime were willing to bear ethically. Furthermore, there were barriers to committing the assassination, such as inducing an opportunity, providing the explosive substance, and organizing support. Great efforts were required based on a strong ethical motivation. The assassination attempt failed, and almost all conspirators were executed. Heroic behavior is extraordinary behavior that is self-chosen but cannot be requested. A political order that can only be influenced by heroic action has already lost its morality. Appeals to civil-value beliefs and to advocate them require an institutionalized basis for rights and courses of action. If such an institutional basis does not exist, it is too late for all ethical appeals.

Such an escalation of the situation did not develop in the GDR. However, the institutional basis for public opposition in the GDR also eroded. Individual courage was required at a higher level than in a civil society. The problem was not the citizens' lack of ethics, but rather the existing institutional order, which demoralized the support of alternative values and restricted the legal options of action. The fusion of institutions through the omni-competence of the party and the de-institutionalization of civil rights formed the basis of ethical indifference and the retreat to private life-spheres. The ethics of the individual and the "ethics of the institution" fell apart. After the fall of the Berlin Wall, former GDR citizens claimed moral integrity for a conduct of life under "unethical" institutions.

References

Hirschman AO (1990) Exit, voice and loyalty: responses to decline in firms, organizations and states. Harvard University Press, Cambridge
Löwith K (1986) Mein Leben in Deutschland vor und nach 1933. Metzler, Stuttgart

Chapter 12
The Legacy of Two Dictatorships for the Political Culture of a United Germany

12.1 Introduction

The federal election in 1994 demonstrated considerable differences within the political culture in East and West Germany that continued to exist. This is most obvious when considering the number of votes for the Party of Democratic Socialism (PDS) in Berlin. The PDS earned 34.7 % of the votes in East Berlin but only 2.6 % in West Berlin. State elections in Mecklenburg-Western Pomerania and Thuringia showed similar results, demonstrating the unique cultural-political character of East Germany. The PDS achieved 22.7 and 16.6 % of the votes in Mecklenburg-Western Pomerania and Thuringia, respectively, and had been able to increase its votes in East Germany by 9 % points since 1990.

These developments are noteworthy in many respects. In the "old" Federal Republic of Germany, no other party besides the Christian Democratic Party/Christian Social Union (CDU/CSU) and the Social-Democratic Party (SPD) ever earned such a high number of votes. There was also no party of this size that was considered to be non-conducive to coalition-building. The consequences of government formation in Mecklenburg-Western Pomerania and also in Saxony-Anhalt were evident: The larger the parties non-conducive to coalition-building were, the greater the need to form "great coalitions" between the CDU and SPD was. Taking into account the principle of parliamentary democracy as the smallest majority-forming coalition and representing a strong opposition, however, "great coalitions" do not correspond to this principle. The problem of the PDS is the heritage of the SED ruling (Socialist Unity Party of Germany) in the GDR, ascribed to and

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represented by the PDS. In the mid-1990s, the GDR was still the main point of reference for the forming of political judgements for the party and its voters.

The voters certainly did not have the GDR as a dictatorship with methods of suppression and the restriction of individual freedoms of its citizens in mind, nor were they thinking of inferior economic products. Instead, the focus was on the GDR as a socialist welfare state with obedient and hierarchical decision-making. Many East Germans still complain that there is too much discussion and too little action and decision-making to this day. A civil society with a plurality and diversity of interests and decision-making that is structured by different procedures and with a solution of conflicts executed by a judiciary has always been alien to many East Germans. The PDS represents the continuous articulation of reservation (if not rejection) regarding the basic order of Germany. This representation is in part related to the feeling of paternalism and of inequality with respect to the social living conditions, as well as to the perceived distance to the political culture of the Federal Republic of Germany. Representatives of the PDS are obviously apologists of the GDR without considering its structural shortcomings while criticizing the state order, the socio-economic order, and the rule of law of the Federal Republic of Germany.

The often-discussed "wall in the minds," the claimed need for understanding East Germans, and the demand for "parity" with West Germany grew in the first half of the 1990s not only in older age groups, but also in younger ones when taking the PDS's success at elections into account. Many in the West felt obligated not to exclude the PDS (particularly not its voters) but to include and integrate them. This seems to be plausible. We have to keep in mind, however, that the democratic principles of Germany should not be weakened and that their rationales should not become blurred. Considerations of forming minority governments that depend on changing majorities and may even depend on permanent support by the PDS are part of such integration attempts. At the same time, however, they may change and weaken basic principles of the political culture.

As long as the PDS is a part of the tradition of the SED, its political involvement in governments is problematic because in this case, the political culture of the GDR dictatorship is not explicitly taken as the opposite of the political culture of the Federal Republic of Germany. The pleading for "reconciliation" and "respect for the voters' will," and therefore also for including the PDS in governments, mixes the necessary integration of citizens of the former GDR on the one hand and questions of the institutional order and the inclusion of political organizations that are in the tradition of the SED dictatorship in democratic processes of the formation of political will and decision-making on the other hand. The latter is not a question of sympathy for individuals, but instead concerns decisions about unambiguous institutionalized value relationships.

Today, all former GDR citizens, irrespective of their political past and present attitudes, are protected by Article 3 of German Basic Law as citizens of the Federal Republic of Germany: "No person shall be favored or disfavored because of sex, parentage, race, language, homeland or origin, faith, or religious or political opinion." The consequence of sympathy for East German individuals and respect

for his or her biography should not be that the political, social, and economic system of the GDR is also treated with overindulgence or could even claim validity in united Germany.

Even the idea of setting up "round tables" (a form of direct democracy at the dawn of the GDR, the editor) in which the "best" argument should win (even if not stated by the majority) goes against the principles of parliamentary democracy. A parliamentary democracy is based on procedures of formal rationality that should not be broken by selective material consent. Such an understanding is not easy to accept. However, it forms the basis of the legitimacy of a majority decision.

Changes in East Germany have consequences for West Germany not only economically, but also with regard to political self-conception and political practice. The resulting task is not a mutual "give and take," but rather an "acceptance of differences" and the adaption of the organizing principles of the "old" Federal Republic of Germany to the special conditions in East Germany for coping with the crisis in this region. For the political culture of united Germany, it is critical to clarify the basic principles of the political, social, and economic orders in terms of their institutionalized value relationships and their coalescence in specific procedures.

12.2 The Political Culture of a Democracy and the Political Culture of a Dictatorship

The political culture of a democracy stands in stark contrast to the political culture of a dictatorship. Therefore, assessing the history and the consequences of the SED dictatorship in Germany is of great importance. The German parliament appointed a committee of enquiry with the mission of analyzing the "totalitarian power structures of the GDR dictatorship," offering "historical justice to the victims," "contribut[ing] to the integration of Germans," and "assur[ing] a fundamental democratic consensus in united Germany." Numerous other investigations, the publication of documents and biographical memoirs, and the assessment of personal Stasi-files (Ministry for State Security, commonly known as the Stasi) followed the same principles. These processes were driven by a personalization of system characteristics and a resulting moralization of individual behavior. The policy spy system, blackmail, and opportunity calculations were not the reasons, but rather the consequences of the SED dictatorship. Moral judgements need to take into account the contexts that were relevant for individual behavior and that were determined by characteristics of the political, economic, and social order of the GDR. The identification of system characteristics and their consequences for the individuals' conduct of life and their sense of self help are necessary to better understand the functioning of a non-democratic order compared to a democratic order.

The assessment of the SED dictatorship is of high but asymmetric importance for the formation of an all-German political culture. It refers to a power structure that represented an "iron cage" for those who lived under the conditions defined by the SED dictatorship. These individuals, however, represent only 20 % of the current population of united Germany. They may have an interest in learning how the system they experienced but did not fully understand worked. For them, it is important to learn about the power instruments they were subject to and that were kept secret by the SED as far as possible. They need to critically reflect on the ideology of the GDR in which they were systematically socialized. It may also possibly be helpful for them to recognize the structural basis of their own conformity. The shortage of goods and services, the restriction of the individual scope of action, and the pathos of ritualized appeals for compliance were easy to recognize. The deeper problem of a dictatorship is the cognitive imprint of categories it creates for observing reality and developing criteria to form opinions. This, however, is not always obvious to the individual. Ideology and experiences in everyday-life in the GDR determined the perception of rules and judgements that were even relevant for those without any emotional or normative relationship with the GDR regime.

The political culture was more strongly defined and controlled by the SED dictatorship than by everyday culture. The demarcation against the political order of the Federal Republic was combined with an acceptance of elements of everyday Western culture that were transferred to the GDR via the media. Western fashion, music, consumer standards, and movies were also known in the GDR. The political culture, however, remained alien, and information GDR citizens learned from West German television was virtually meaningless, abstract, and incomprehensible. Only a small minority of synodic members of the Protestant Church were familiar with the processes and content of democratic decision-making. Many civil-rights activists who after the fall of the "Berlin wall" participated in "round table" negotiations were part of this minority.

The transformation from an authoritarian to a democratic political culture is particularly difficult because value relationships of a political culture are relatively abstract, and their institutionalization in plural organizations is highly complex. The difficult change from one regime to another even for those who were in opposition to the GDR is expressed by the notion of civil-rights activist Bärbel Bohley: "We asked for justice and received the constitutional state." After World War II, West Germany started also a "democracy without democrats." This does not mean that the people were against democracy, but rather that a political culture that corresponded to the values and functioning of a democracy only developed gradually.

As important as the assessment of the past is to those East Germans who are open to a different opinion of the GDR, for West Germans, this assessment is not existential and has no normative consequences. West Germans can hardly learn anything from dealing with the history of the GDR or the SED. They already knew that the GDR had democratic shortcomings, restricted civil rights, no public sphere, and was economically inefficient. Any border crossing or transit traffic to West Berlin made this obvious. Details on the functioning of the GDR system would not

add substantial information to this basic perception. However, an improved knowledge of the conditions of the conduct of life in the GDR may enhance the understanding of East German biographies and sensitivities. This, however, would not change the perceived "coldness" and "distance" that many West Germans maintained with respect to the East Germans. West Germans lack actual concern, the experience of the determination of the conduct of life by the party- and state structure, and the existential handling of such a life situation in their own biography, as well as a construction and reconstruction. Of course, East Germans can claim interest and attention, but only as individuals. West Germans cannot learn anything for the political culture of united Germany from East Germans' collective experience and concern, which cannot be separated from the system of the GDR. Therefore, we can agree with the former president of the German parliament, Wolfgang Thierse, who emphasized that the reappraisal of the past is a form of "political-moral self-discipline and self-renewal" in which West Germans do not need to take part [quoted from Sühl (1984: 30f)]. For Thierse's request to be "ready to change the status-quo of the old Federal Republic," however, the assessment of the GDR dictatorship does not offer any constructive argument, example, or model. Self-criticism of the Federal Republic follows other criteria. The assessment of the GDR dictatorship is therefore of asymmetric relevance to the political culture of united Germany. It may reinforce an East German self-awareness as well as differences between the East and the West, but it does not help to unite these two parts of Germany.

12.3 The Legacy of a Dictatorship for a Democratic Political Culture

German history is complicated, and its continuity has been broken many times. Germans are the only people in Europe who actively participated in the two great movements of the twentieth century, namely the fascist and the Communist movement, which went against parliamentary democracy and against the project of civil society. The fact that Germany was reunited at the end of the twentieth century and is now part of the world of civil rights, institutionalized conflicts, protections of individual freedom, and legal security is not a result of its own efforts. These feats would not have been achieved without the United States. Europe's self-destructive breakdown in World War I constituted the century of the United States. The determination and internal strength of the United States repelled all attacks on the "Western spirit." German history, therefore, is also a history of the survival of democracy in the United States and in Western and Northern Europe.

The democratic culture in Germany also has German roots. However, in the German Empire and the Weimar Republic, this was a minority culture that was persecuted during the time of National Socialism and not revitalized in the GDR. National Socialism, World War II, and occupation were the last common historical

points of reference for the two German post-war states. Both states developed the identity of being an answer to National Socialism—the GDR as a new anti-Fascist foundation and the Federal Republic as a restoration of democracy for the continuity of German history. Formally, both German states were "post-Fascist;" however, with regard to their structure, they arrived at completely different results.

From a Communist perspective, Fascism was the necessary result of capitalism, whose crisis resulted in "open class struggle" in the form of a Nationalist mass mobilization to an imperialistic dictatorship. The consequence was a "system change" in society, which shifted from capitalism to socialism combined with a belief in the developing Communist society. Fascism was supposed to be overcome structurally and principally through the abolition of private property by means of production. Fascism had represented the history of the GDR, and the memories of its victims served as an idealization of the Communist movement and its self-sacrificing combatants. The new dictatorship justified itself by referring to the old one, and the regime remained undemocratic and authoritarian, bound to the Soviet regime.

For the Federal Republic of Germany, National Socialism was the result of the breakdown of the Weimar Republic and of the democracy's internal weakness during the Depression. The new institutional order and the development of democratic value relationships and behavioral norms were supposed to support the development of a community that satisfied the model of Western civil society with lessons from the experience of National Socialism. National Socialism and political dictatorship, war, and the Holocaust became the legacy of the development of criteria for reflections on the state of West German society.

The reference of both German post-war states to the last common period in German history, namely National Socialism, had different consequences. For the GDR, the "dictatorship of the proletariat" under the leadership of the Marxist-Leninist party represented an "accomplishment of the past." For the Federal Republic, National Socialism and its consequences remained the main criteria for the permanent proof of the functioning of democracy, the constitutional state, and social order. For West Germans, the second German dictatorship was taken as a point of reference for another affirmation of democratic value relationships but did not constitute them. For East Germans, the situation is the opposite. The second dictatorship is the legacy that constitutes East Germany's self-conception and value relationships. For East Germans, National Socialism is too far back in the past and was interpreted in the GDR in a very particular way—it was "consumed" for the GDR's own legitimation.

Therefore, it is not possible to conclude that it is possible to establish a common basis of experience for East and West Germans to achieve a democratic political culture. However, it is possible to ask about a functional equivalence between the two dictatorships. Such a comparison cannot be conducted directly. Too many characteristics of the two regimes are different with respect to their justification of values, construction of legitimacy, institutional order, and particularly their degrees of crime. A comparison is only possible on the basis of criteria that allow for assessing important characteristics of the two dictatorships without failing

because of their differences. The principle of democracy offers such a dimension, and both dictatorships can be analyzed and compared on the basis of this principle. When compared with principles of democracy, both dictatorships can be characterized as negations of organizational concepts of democracy, the rule of law, civil rights, the public, and particularly of civil society. Due to the breakdown of National Socialism after 12 years by defeat from the outside and of Communism after 70 years by internal collapse, both regimes lost their claim to and belief in legitimacy. Democracy, however, cannot be positively constituted with reference to dictatorships. Only if these different and partly contradictory regimes are understood as explicit negations of a democratic order are the consequences of a totalitarian non-democratic order realized. The legacy of both German dictatorships for the democratic culture in united Germany is represented by the sharpened perception and conscious attention toward the validity of principles of a democratic state and social order.

12.4 Institutionalization of a Democratic Order

Democracy is based on value judgements that institutionally influence organizational forms and social behavior. Democratic ideas become relevant for social action through procedures and the acceptance of arenas for dealing with conflicting interests. The belief in legitimacy is proven in conflicts among different interests and is strengthened by the method of conflict resolution, compromises, and public debates.

At the beginning of the "old" Federal Republic of Germany, political institutions were replaced. The institutional change was accepted due to the expectation of a material and moral renewal after the breakdown of National Socialism. Only over the course of the years did the majority of citizens develop trust in the system and practiced democratic behavior. Until the 1960s, there was a great resistance to seeing democracy as part of the political culture. Germany was considered a "fair weather democracy" that could not cope with serious problems. East Germany also experienced a sudden and drastic change of institutions. It would have been unhistorical and sociologically unfounded to have expected East Germany to catch up with the democratic development in West Germany and to develop a similar political culture within a few years. When East Germany joined the scope of German Basic Law in 1990, this came with high material and ideological expectations. These expectations were much higher than in West Germany in 1948/1949, where the situation was completely different: The emergency of the war and postwar periods in the West was much higher compared to the economy of scarcity of the socialist welfare state 40 years later. The criteria for individual expectations, the readiness to postpone the satisfaction of individual needs, and the demand for the performance of the new order were different compared with the post-war years. In East Germany, expectations were therefore much higher and even increased

through the currency reform in 1990 and the related yet incorrect view of the speed of economic reconstruction.

The transfer of institutions to East Germany was subject to an extraordinary practical test. The new institution not only had to fulfill the expected improvements of living conditions, but also the normative claim of civic equity and the realization of the "uniformity of living standards throughout the federal territory" (German Basic Law, Art. 106, 3, 2). These expectations were confronted with high unemployment, the breakdown of industrial production, and the reform of property rights. As long as the memory of political restrictions and the scarcity of provision in the GDR constituted the standard of comparison, there was sufficient flexibility for adaptation with respect to the transfer of institutions. The more these criteria for comparison became weaker or were only relevant for particular areas of life, such as universal childcare and non-existing unemployment in the GDR, the more disappointment with the new system increased if the overall situation did not improve. In East Germany, the legitimacy of the new order depended on higher criteria of efficiency than in West Germany in 1949.

When asked if their life situation is in general better or worse today compared with the period before the German unification, about 54 % of East Germans responded with "better," and about 18 % responded with "worse," with hardly any change from March 1992 to September 1994 (Forschungsgruppe Wahlen, Politbarometer 04/93, 09/94).

Even if their own economic situation has become more stable and is now considered "good" by the majority, the general situation has been perceived as highly critical. Most East Germans were strongly dissatisfied with the adjustment of living conditions in the East and West: 74 % in November 1992, 71 % in April 1993, and 67 % in November 1993 (Forschungsgruppe Wahlen, Politbarometer 09/93).

The expectations with respect to German unification were extremely high, yet it was blatantly obvious that the actual development could not meet the expectations. In May 1992, 49 % of individuals responded that the process of unification was worse than expected, and in May and June 1993, the numbers were at 59 % and 49 %, respectively (Forschungsgruppe Wahlen, Politbarometer 10/94).

Overall, public-opinion studies showed a slow yet increasingly positive perception of the new order without individual expectations being fulfilled. The more the conditions in the GDR were not at all or only selectively remembered, the more the situation in the West became the standard of comparison, and the considerable differences between East and West Germany therefore became more obvious. As a result, East Germans, even if they did not feel individually underprivileged, perceived that they were collectively underprivileged. The tremendous pressure of adaptation for East Germans after the transfer of institutions seemed to decrease at a more technical level with respect to the rules relevant for everyday life. The institutional system as a whole, however, seemed to be imposed upon and monopolized by West Germans (possibly to their advantage), and procedures were not always convincing. People were dissatisfied despite the considerable improvements in living conditions, infrastructure, freedom of travel, freedom of opinion, and

transfer of purchasing power of more than 150 billion Deutsche Mark per year. The result was an activation of a collective consciousness of East Germans, the retreat to homogenous spheres, and a distancing towards the state and economic order of the Federal Republic. This becomes evident when considering the low voter turnout at regional elections in 1994, which was at 55 % in Saxony-Anhalt, 56 % in Brandenburg, and 58 % in Saxony. Only a few people were willing to participate in political parties, action groups, or the municipality. An awareness of being a minority against West Germans developed. There are good reasons for such a perception, which was possibly influenced by the sense of lower chances of participation and decision-making in the German system of forming a political will and arriving at political decisions, which was perceived as unjust and discriminatory.

This was not a favorable situation for the development of a common democratic political culture in united Germany. An institutional order requires the approval of its value relationships as well as a positive evaluation of its functioning. Experiences in everyday life, satisfaction with expectations, the acceptance of non-fulfilled interests, and the self-legitimation of inequality through equal chances of participation contribute to a system trust that forms part of a shared political culture. Such a system trust grows steadily through continued and verifying experiences in everyday life. In a continuing process of transformation, however, these experiences are different and result in repeated cognitive dissonances. The breakup of many constants of the former conduct of life, such as employment guaranteed by the state, career planning, allotment of apartments, and universal childcare, enforced a very high mobility, adaptability, and abandoning of familiar conducts of life. The result was a growing feeling of insecurity instead of system trust, distance toward the West German institutional order, and indifference toward the value relationships of the democratic order.

The GDR developed a public political culture that did not offer any basis for a democratic institutional order. Neither a part of the political culture nor of the institutional order could have been transferred to united Germany. The GDR was not a democracy and not a constitutional state. Being a constitutional state not only means that there are legal norms and courts, but also that executive and legislative authorities are bound to and controlled by law and justice and that the legislation furthermore takes place within the framework of a democratic constitutional order (German Basic Law, Art. 20). In the GDR, autonomous intermediate institutions, a free collectivization of interests, and a general public did not exist. Experiences with a functioning democratic order and their preconditions were therefore lacking. Part of the criticism of the new order by East Germans was hence related to a traditional political culture with a paternalistic service-state as the addressee for their expectations and focused on the distribution of goods that were not influenced by the terms of a market economy or by competing interests. In the early 1990s, the infrastructure for a representation of interests was only in its early stages. This was the case for public bodies (reforms of municipalities and districts were only completed in 1993/1994, and the courts were only fully functioning from the mid-1990s onward) as well as for non-governmental associations and organizations (local party-structures, trade unions, and interest associations). The development of

system trust is not easy in a time of change, and particularly not after a phase of initial system trust followed by disappointment with the system. The more that the efficiency of the system is considered to be satisfactory, the less time is needed for the development of trust.

12.5 Discussion

In times of an economic structural crisis, low growth, or even the decline of national income, conflicts regarding the distribution of goods increase, and it becomes more difficult to agree on distributional justice. This is the case for West Germany, as well. The wealth of West Germany as perceived by East Germans by no means exists for all private, public, and industrial households. The political culture of the Federal Republic is therefore on greater probation today than it had been before the German unification. "Disenchantments with politics," decreasing voter participation, and increasing distributional conflicts are characteristic of the current situation. However, the system loyalty to democracy remains unbroken despite all these criticisms. If we focus only on West Germany when analyzing the federal elections in 1994, voter participation had increased by 2 % points since 1990 up to a level of 80.6 %. The parties' share of votes remained relatively stable, with fluctuations between 2 and 3 %, and with splinter parties (including the PDS and the right-wing Republicans) receiving less than 5 % of the votes. Despite high unemployment and significant structural and budgetary difficulties, the political system remained stable when focusing on the parties as the primary organizations. In West Germany, democracy seems to be not only a "fair weather democracy," but also to be capable of coping with considerable burdens.

Democracy is based on a self-legitimation of its structuring principles for those who are subject to these principles. Such a process of continuously renewed self-legitimation is always precarious and can only be achieved if system trust and—beyond that—system loyalty exist. System trust is not the same as system loyalty. The latter is based on compliance with the value relationships of the institutional order, which does not merely refer to the result of cost-benefit calculations of the allocation conflict. These values are related to individual civil rights and to their realization in the framework of solidarity in the sharing of burdens and binding general legal norms. Democratic system loyalty cannot be compensated for or even substituted by a belief in "common destiny." If collectives and values and characteristics ascribed to them are given great importance, individual civil rights are always of secondary importance and are repressed or even abolished. A democratic political culture, therefore, cannot be based on guiding ideas such as nation, race, or class. This would jeopardize the culture's own value relationships. All appeals of a German "national consciousness and pride" are therefore alien to democracy.

No new community emerged out of German unification that requires different institutions and a different political culture than those that were necessary in the "old" Federal Republic. Both German post-war states were, as a result of their

division, "post-national" communities with an identity not as keepers of "national importance," but rather as self-constitutions of civil rights on the one hand and realizations of Communism on the other. The unification of East and West Germany did not result in a new nation. A "self-confident" nation is not required; rather, a self-reliant democracy is needed in Germany. A political strategy that believes in Germany's internal integration and external demarcation through propagating a new "national consciousness" does not solve any conflicts, but instead produces new ones. The more abstract and undefinable the value relations that are used for the integration of different interests and conflicting claims are, the more the potential for democratic conflict solution is reduced, integration through compromise becomes more difficult, and a direct value execution not controlled by procedures is considered the political ideal. However, democratic political orders require no additional national interpretation beyond the democratic process.

United Germany is part of the European Union, and in this respect, its sovereignty is limited. This has not changed because of the growth of the population or the country's changed position in Europe through the breakdown of Communism. The unification has not resulted in a principally different quality of Germany through the process of Europeanization. The responsibility for this process, however, may have increased.

Both German dictatorships show similarities in their attacks on the democratic constitutional state in the name of different ideologies. Both ideologies have roots in German mentalities that opposed the Weimar Republic and contributed to its downfall. These German mentalities operated for an authoritarian regime and against the institutionalized process of conflict mediation, against the acceptance of the ambivalence of value relationships, for a strong executive and against agreements on compromises, for a homogenization of interests and against pluralism, and for collectives such as nation and class and against individual rights. In a nutshell, they operated against the idea of a Western civil society. Memories of the two German dictatorships and their consequences and the underlying cognitive structures of thinking and ethical judgement reinforce in post-war Germany the majority beliefs in a Western democratic constitutional state.

References

Forschungsgruppe Wahlen, Politbarometer 04/93
Forschungsgruppe Wahlen, Politbarometer 09/93
Forschungsgruppe Wahlen, Politbarometer 09/94
Forschungsgruppe Wahlen, Politbarometer 10/94
Sühl K (ed) (1994) Vergangenheitsbewältigung 1945 und 1989. Ein unmöglicher Vergleich? Volk und Welt, Berlin

Chapter 13
The Formation of the German Political Culture by Institutional Orders

13.1 Introduction

Political culture is, as any prevailing orientation for social action, the result of socialization processes through which people learn certain patterns of beliefs, value relationships, and perceptions of social order. Value orientations for political behavior are specified by a general framework of institutions and are developed by experiencing the consequences of institutions. Political culture and political institutions strongly influence each other: Without legitimizing values, institutions cannot prevail, and without institutions, value orientations cannot gain validity.

In the early years of the Federal Republic of Germany, the establishment of new political institutions preceded the development of a political culture. Therefore, it is possible to analytically isolate distinct institutional effects from the network of mutual relationships between political institutions and political culture. The foundation of the Federal Republic could not and was not based on a political culture that could legitimize democratic institutions on the basis of values. In the German Reich, a democratic political culture only existed among minorities, particularly among Social Democrats and left-wing Liberals. A democratic political culture could also not prevail in the Weimar Republic and was fought against and suppressed by all means during National Socialism. Therefore, after World War II, a democracy was founded with the political elite being bent on democracy but with citizens who had not been socialized within a democratic political culture.

Political culture needs more time to develop than is necessary for the construction of an institutional order. The construction of democratic institutions would

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have been much delayed if Denazification and re-education had been completed before. The foundation of new institutions therefore preceded the development of a new political culture. The principle of equal rights of all citizens, furthermore, did not allow for classifying citizens into a first group with a democratic political culture and into other groups with citizens who continued to support National Socialist ideas of a political order.

The Federal Republic of Germany began as a "democracy without democrats." The model of an authoritarian political culture had dominated the Weimar Republic, was poisoned by National Socialism, and delegitimized by the consequences of war. However, even the conservative opposition against Hitler could not imagine a parliamentary democracy organized in form of a party-state. After World War II, the second alternative to a parliamentary democracy, the model of Communism, received no credibility either and had low persuasiveness due to the knowledge of the living conditions in the Soviet occupation zone and later in the German Democratic Republic (GDR). As a consequence and in contrast to the Weimar Republic, the Western model of democracy lacked any serious opposition. Many democrats of the first hour could be considered as "rational democrats." We should not forget, however, that the occupying powers would not have allowed any alternative to Western democracy and would have used their instruments of power and influence to achieve that "rationality" opt for democracy and that democratic minorities received, in contrast to the Weimar period, the necessary time and freedom to develop.

The precedence of institution building shaped the character of the political culture in the Federal Republic of Germany. In the following, we advance this thesis and discuss certain characteristics of the influence of political institutions on the political culture.

13.2 Party-System and Competitive Centrism

Compared with other Western European countries, the German party-system is highly aggregated and consists of a few well-organized parties. The characteristic three-party-system with the Christian Democratic Union/Christian Social Union (CDU/CSU), the Social Democratic Party (SPD), and the FDP (Liberal Party), covering more than 90 % of voters from 1957 onwards, had already developed during the first legislative period. Only in 1983 did a fourth party, the Green Party, enter the German parliament. If we take non-voters into consideration, the cohesiveness of the three "classic" parties reached 80 % of eligible voters at that time. These data indicate the high stability as well as the high level of aggregation of political interests within the three-party-system in contrast to the Weimar period, during which the party-system was multilayered, instable, and less aggregated.

The second important characteristic of the German party-system is that there is no system opposition. Parties of the authoritarian right and of the Communist left could not permanently win seats in parliament. In principle, therefore, all parties are

able to form coalitions and to form changing but stable government majorities. This was not the case in Weimar. If system-opposing parties are strong so that system-conform parties cannot form changing government majorities, a change of government is not possible (as in Italy in the 1990s), and any change of government might threaten the stability of the political order (as in Weimar). Of course, the electoral threshold of 5 % is of great importance, and the mode of funding political parties also favors established parties. However, the Green Party has demonstrated that it is possible to overcome this threshold if the political organization of interest formation is strong enough. For the stability of the party-system, the new foundation of the CDU, and to a lesser extent also of the CSU, was of utmost importance. The party successfully integrated a number of former Catholic, Protestant-conservative, regional, and more-or-less liberal middle-class parties of the Weimar Republic. In the early years of West Germany, furthermore, regional and right-wing parties such as the Deutsche Partei, the Zentrum party, the Federation of Expellees, and, through the CSU, the Bavarian Party were absorbed by both the CDU and the CSU. The result has been a large middle-class integration party, mantling the old religious cleavages of the German party-system. The high level of aggregation of the German party-system before 1953 was the result of its integration power. Between 1953 and 1990, the CDU/CSU always won around 45 % of the votes, and only once did they win the absolute majority (in 1957); however, four times, only about 1 % of votes were missing to achieve the absolute majority (in 1965, 1969, 1976, and 1983). As the potential majority party, the CDU/CSU has been forced to develop a political program that covers different interests and interest groups of the population.

This development contributed to a third characteristic of the German party-system, namely the principle of competitive centrism. Both major parties, the CDU/CSU and the SPD, competed for the majority and were at the same time forced to be capable of forming a coalition with the Liberal party, the FDP. The result was a centralistic orientation towards the concept of a People's Party. The Social Democrats first hesitated to orientate themselves towards the model of competitive centrism but later formed a coalition with the FDP and led the German Government for more than a decade. Tight majorities and the FDP's willingness to change the coalition partner modified the German political culture compared with the Weimar Republic considerably. While each party had previously tried to recruit its own socio-cultural milieu in strict demarcation against other parties and to emphasize the milieu's borders by referring to particular political values, the parties of the Federal Republic of Germany focused on voters beyond their traditional electoral basis as well. The old party-system of so-called "Weltanschauung parties" had the tendency to intensify social tensions between classes, strata, and denominations, to reinforce the borders symbolically, and to reproduce them over time. The result was a fragmented party-system that was not able to compromise with respect to objectives and value-orientations. The new party-system of so called People's Parties has the tendency to mobilize socio-structural heterogeneous groups and to form cooperative relationships with value-formative organizations such as trade unions, professional organizations, and Churches while dealing pragmatically with possible value-conflicts. A change of government at the national and regional

level is, in principle, always possible, resulting in a behavior of political parties that is rather similar with respect to the main economic and social policy fields. To mobilize voters, differences are emphasized and dramatized in selected policy fields. Since even minor changes in voting behavior may reduce chances of winning elections, the main parties have to integrate political minorities. Sometimes minorities seem to receive greater attention than is justified on the basis of their number of voters. These minorities are at the "right" margin for the CDU/CSU and at the "left" for the SPD. As a consequence, radical political parties did for many years not develop at the margins of the political spectrum. The major parties seek to absorb radical margin-parties internally for having greater room to maneuver than would have been possible in competition with independent radical parties at the margins. The political culture in Germany is today therefore centralistic, non-polarizing, non-ideological, and pragmatic. This is the case for the CDU/CSU and the SPD, the parties that seek to win the majority. This is also the case for the FDP, a party that focuses only on a minority but needs to mobilize this minority over and over again. Only the Green Party (now: Bündnis 90/Die Grünen) was able to escape from this orientation but has now reached the limits of its socio-cultural milieu that it initially mobilized and represented and is losing its mobilizing power the longer the party remains rooted in the original milieu. The voting behavior indicates declining party identification and growing instrumental-pragmatic political behavior as a result of the development of parties oriented towards the People's Party type. Such political behavior corresponds with the principle of competitive democracy to a higher degree than would a voting behavior practiced as a kind of avowal of attitudes without taking the party's governmental action into account.

All political parties take part in decision-making processes not only at the regional but also at the national level due to their inclusion in the federal system and the Bundesrat (the second chamber). A political zero-sum situation does not exist, particularly if the opposition in the national parliament has the majority in the Bundesrat. All political parties are forced to cooperate with each other in administration, legislation, and in the executive at the regional level, and there are therefore never total winners and losers. Consequently, no party can afford total opposition or to withdraw from political responsibility when in opposition. Political elites who use conflict-rhetoric with the outside have to collaborate in legislation and administration at the same time. Therefore, conflict-rhetoric does not lead to a permanent polarization of closed "camps." The political system is based on political parties, not on a government "above the parties," not by "experts," and not by a personality legitimized by plebiscites. The political parties are responsible for integrating political interests into their political programs and cannot transfer this task to other "authorities." They need to develop political programs that take into account and coordinate the interests of their voters and of various organized groups within the party, a program with a chance of winning the majority and that can be financed at the same time. Their orientation is directed towards the responsibility for the functioning of the overall political system, and they cannot limit their political action to the representation of individual interests. If they win the governmental majority on their own or in coalition with another party, they also have to

take accountability for the overall results of governmental action and cannot distance themselves from the results. The ascription of accountability does not allow for "irresponsible" political action of political parties.

The effects of such a party-state democracy on the political culture can be clearly demonstrated in comparison with the Weimar period. At that time, governments were not based on stable coalitions with governmental parties taking responsibility for them, but on short-term agreements of party leaders for solving a particular political problem. When the problem was solved, party leaders dealt with other tasks and made agreements with other political forces. The correspondingly high number of changes in government, resolutions of the Reichstag, and the use of presidential decrees resulted in a political system in which parties did not take accountability for the government but had a self-conception of being veto-groups against the government even if they were in government. The result was a perception among the population that parties were "irresponsible" representatives of minority interests and that only a strong institution or, rather, a strong personality could realize the interests of the overall population. The consequence was a rapid decline of the legitimacy of parliamentary democracy during the crisis from 1929 to 1932 and a resigning self-abandonment of parties in 1933. The orientation towards authoritarian and charismatic models of leadership dominated, and parliamentary democracy and supportive parties were condemned as untrustworthy.

In Post-War Germany, in contrast, traditional socio-cultural cleavages between Protestants and Catholics and between the labor movement and the middle-class were bridged, resulting in a political culture that could infuse different socio-cultural milieus. The substance of this political culture is strongly influenced by the Basic Law, its material value guidelines, and its formalized procedures for settling conflicts. Since all parties are "constitutional parties," the political culture supported by the parties is characterized by consistent normative value-references. The political culture has been labeled as "constitutional patriotism" to distinguish it from nationalism, which used to be all-important for the German political culture. Given the constitutional reference of the political culture, there is no need for an integrative authority "above the parties" or for referring to an integrating ideology that transcends the constitution, be it German nationalism or international Socialism. Political objectives of external and internal security, economic stability, and fair balance of social policy can be realized within the institutional context of the constitution. A center of reference of pretended German national interests beyond the constitution, but institutionally empty, became needless. Distributional conflicts no longer result in constitutional conflicts. Value conflicts are mediated by basic rights, and a supra-constitutional substantiation of values and a supra-constitutional decision-making authority is no longer necessary and is not claimed by political parties. Nationalism has lost its function of legitimizing claims of authority and allocation. The success of extreme nationalistic propaganda by National Socialists after 1930 was based on the decline of the constitutional system and the increased orientation of the party-system at particular clientele interests. National Socialism could develop into a politically integrative center of reference, providing orientation for different interests and, on this basis, could intrude into different socio-

cultural milieus. A change from "constitutional patriotism" to nationalism can only take place if constitutional institutions decay and if the carriers of the political process, namely elites and parties, withdraw from responsibility for the overall system.

13.3 Federalism and Cooperative Differentiation

The Federal Republic of Germany is one of few federally organized European countries. German history is the history of entities of a federal order. However, the idea of a centralized state has had many supporters since the foundation of the German Reich. Prussia, covering two-thirds of the territory of the Reich, was organized as a centralized state, and the question of a reform of the Reich was defined by a dualism between a federal system of individual states and a centralism of a unitary Reich. Since World War I, there has been no final solution to this problem. A fusion of Prussia with the Reich would have resulted in an organization as a central state; however, the maintenance of Prussia prevented an equal federalism and prolonged the difficult relationship between the Reich and Prussia. After World War II, the Allied forces took essential steps for the introduction of a federal system: First, they disposed Prussia as a state, and second, they introduced Länder as the first supra-regional entities of self-government in Germany. Based on these preliminary decisions, a federal state was founded in Germany through the introduction of the Basic Law, with a strong and manifold influence on the political culture. The Länder, partly founded as artificial entities on the basis of Prussian provinces, have since developed an independent existence and have been accepted by the population. They have become an important governmental level in the political process and for the organization of parties and interest organizations. Federalism developed from a structuring principle of the state towards a general organizational principle of societal interests and institutional orders. Most importantly, the Länder have become authorities with their own competences and budgets, they participate via their governments in national legislation, and they are (with few exceptions, i.e., Foreign Service, Military, and customs) independent in running their administration. They have become independent political entities for interest mediation and in decision-making competences. The importance of the Länder's independence can be exemplified by the CSU. With respect to its function, the CSU is a regional association of the CDU. However, the CSU as an independent party is a veto group with much higher assertiveness compared with a regional association of a national party. The special role of the CSU is not based on a particular Bavarian regionalism but on its organizational independence and its control of state self-competence, making it effective at the national level. In an extenuated form, this is also the case for other parties' regional associations as far as they follow their own political objectives as Länder governments. Parliaments and governments of the Länder have developed decision-making and administrative

competences with the result that the otherwise strong and centralized aggregation of interests at the national level have become intermediately differentiated.

The federal model of the state structure has become a general model of organizational differentiation and regional political participation. Interest organizations such as broadcasting corporations, Protestant regional churches, trade unions, as well as the composition of the central bank council have adapted to this model. The boundaries of these organizations do not always correspond with the Länder borders. The crucial point, however, is that below the national level, there are relatively autonomous units with their own basis of legitimacy, decision-making competences, and fiscal autonomy. As a consequence, representation- and participation bodies multiply, the dependency of the periphery from the center declines, and regional economic, cultural, and political interests gain an independent scope of action. This is expressed by the fact that until 1991, Germany had no national center, no dominant metropolis such as London or Paris, and no "double capital" as Italy with Rome and Milan or Spain with Madrid and Barcelona. Federal institutions such as the High Courts, the Federal Bank, and the Federal Employment Agency are regionally distributed. Cities like Frankfurt, Hamburg, Düsseldorf, Munich, Stuttgart, Berlin, and Cologne have received functions of "partial capitals." The regionally differentiated distribution of power and influence of federative institutions had the consequence that an asymmetric and antagonist relationship between the center and periphery did not develop. Furthermore, federalism contributed to relatively equal living conditions in the single regions. Germany is the only large Western European country without considerable regional disparities of the infrastructure, living conditions, and possibilities to develop. Competition among the Länder and the low aggregation of interests at the Länder level improves the reactive capacity of political bodies and regionally differentiated chances of participation.

In Germany, the peculiar integrative effect of federalism is supported by certain institutional characteristics, such as financial equalization among the Länder, mixed financing by Federal and Länder governments for "joint tasks," participation of Länder in national legislation through the Bundesrat, and, more symbolically, the composition of the Federal Convention for electing the Federal President. The integration of the Federal Government and Länder has been labeled "cooperative federalism." Political competences of the Länder have been preserved despite a centralization of financial resources, planning competences, and regulatory tasks. Numerous planning and coordinating bodies and Bund-Länder commissions have been developed, providing administrative bodies with considerable influence- and practical decision-making responsibilities while Länder-parliament competences for decision-making have been weakened. However, even with a lower level of parliamentary control, a federative bureaucracy is more complex, is bounded to needs to a greater extent, and can be better politically controlled compared with centralized bureaucracy.

"Competitive centrism" and "cooperative federalism" interact. Both have contradictory effects and are often in conflict with each other. On the one hand, interest groups in Germany are highly centralized and aggregated, with few (partly

monopolistic) organizations being responsible for the formation, representation, and implementation of interests. There are only a few political parties, one National Farmers' Union, a few industrial unions with organizational monopolies for particular industrial sectors, and a few corresponding employers' associations. As a consequence, there is an abundance of frozen bureaucratic associations and a tendency to neglect interests that are not supported in the associations' internal selection process. However, the differentiation of decision-making levels and the distribution of decision-making competences countervail the bureaucratic self-reference of organizational structures. The fragmentation of implementation complements the aggregation of interests as a counteracting structural characteristic, of which federalism is the main institutional pillar.

The federative principle is part of the democratic division of power and highly relevant for strengthening participation. Democratic legitimation of the political system is widened, and citizens have more access options regarding the political decision-making process. Länder are decentralized entities controlled by different majorities, thereby contributing to a plurality of political elites and offering participation chances for national minorities. Federalism therefore not only takes particular regional needs and interest into account but is also an objective of democracy in and of itself. The institutionalization of three political levels (including municipalities) and the correspondingly higher chances of participation in democratic processes accelerated the development of a democratic political culture.

The federative structure of the German political system has been challenged by the integration process of the European Union. An aggregation of interests and a centralization of decision-making has increased as part of this process. However, while competences at the national level are reduced, Länder competences remain largely unaffected. In contrast to other European regions, the German Länder have their own decision-making and financial competences at their disposal and are therefore more effective when competing with other European regions. As part of the process of European integration, the functional importance of the Länder is not only preserved but has presumably even increased.

13.4 Industrial Relations and the Multiple Institutionalization of Conflicts

In Germany, a characteristic system for regulating industrial relations has been developed. There are three levels at which conflicts between the actors take place: first, the level of labor agreements of the overall branches of the economy; second, the level of business management; and third, the level of operational decision-making processes. The autonomy of labor agreements, workers' participation, and shop stewards are the institutional pillars of this regulatory system.

For employees, labor management regulations offer the possibility of representing their collective interests against the management, with shop stewards

being their main representative body. This body has veto rights regarding staff and social questions as well as participation and information rights but leaves economic and technical freedom of disposition largely to the management. Its legitimacy is based on the active and passive voting rights of employees, irrespective of trade-union membership. Labor conflicts have been separated from the workplace and shifted to the level of the firm. As a consequence, direct work relations have been relieved from conflicts that are to be regulated supra-individually, and the elasticity regarding arrangements of the work process as well as the willingness to cooperate with the management have been increased. Such an institution of conflict regulation is different to a system in which the substance of conflicts is part of cooperative relationships at the lowest level of the firm, as in the case of British shop stewards. Concentrating conflict resolution at the level of the works council makes the management of the firm responsible for the content of conflicts, and their economic and technical scope of action becomes the scope of action for solving conflicts. Neither occupational qualifications nor functional key positions can be used as means of sanctioning to enforce special demands. In large enterprises, a dual personnel administration develops with work-council members who are exempted from work and develop a high degree of professional competence, even if the management and its administration remain superior with regard to the level of information, special knowledge, and administrative instruments. Nevertheless, veto rights and competences to participate provide the works council with effective means to exercise influence. The works council does not have freedom to strike. To enforce its claims, the works council relies on peaceful means and on sanctions that are part of collective agreements. The works council's strategy is negotiation with the objective of consensual agreement.

A second model of interest mediation has been institutionalized at the level of employee participation. In this model, employee- and trade-union representatives are delegated to a unitary supervisory body according to certain quotas. Its task is to control the economic management of the company in cooperation with the share-holders. Due to the integration of different interest groups in the supervisory board as a unitary decision-making body, questions such as the parity of capital and labor, procedures regarding the quorum, and the definition of quotas for certain groups of employees are decisive for majority formation. As a consequence, the respective regulations are rather complicated. The result is an increased legitimacy of the management by explicitly integrating employees' and trade unions' representatives without devitalizing decision-making. Since the quotas for single groups are legally defined, there are no possibilities to change majorities in the decision-making body; however, employee representatives have information- and participation rights on all subjects.

Labor agreements represent the third level of the institutionalization of conflicts in industrial relations. They are characterized by different patterns compared with the other two levels. Governance competences cover the wage- and work conditions of overall branches of the economy as well as the public service. Although labor agreements are negotiated and contracted at the level of collecting bargaining areas, the first labor agreement defines the level and focus of all other agreements at the

national level for the respective branch. The bargaining partners basically execute "federal responsibilities" at a decentralized level. Only a few associations, such as trade unions and employer associations, have so-called collective bargaining capacities and are therefore symmetrically bargaining partners. They seek to represent the interests of their members on the basis of their respective means to sanction and by taking the economic situation into account. The objective is to close a contract for a defined period. It is crucial that there is no political or legal compulsory arbitration. Bargaining partners are obligated to autonomously close a binding contract they have to justify to their members. They are therefore directly responsible for the wage agreement and cannot transfer this responsibility to the government or the courts as a compulsory arbitrator. The collective agreement autonomy, which is supported by both bargaining partners, represents the strongest institutionalized self-binding of trade unions and employer associations on mutual recognition and on a behavior that takes the state of the economy of the country or at least of the respective branch into account. The high level of "responsiveness" that is often ascribed to German trade unions and the low number of strikes (in international comparison) is the result of this institutional order. Strike and lockouts are, under contemporary conditions of conflict resolution, rather atavistic forces, particularly since uninvolved third-parties can be strongly negatively affected and may be directly involved through income losses. However, these actions not only represent the main sanctions in the struggle for enforcing the respective interests but are also a means for increasing the willingness to compromise due to the related high internal costs. When analyzing this institutional order, the democratic character of strike ballots before a strike has begun and before the labor contract is accepted must be taken into account. Trade unions are tied to the participation of their members and receive internal legitimacy that goes beyond the participation of their members in elections of delegates and board members. To mobilize their members, trade unions use "class struggle" rhetoric to an even higher extent than political parties and operate within the framework of macroeconomic objectives at the same time. The struggle against the "capitalist" social order coexists with the self-legitimization of precisely this economic order. As part of the German political culture, the anti-capitalistic rhetoric is preserved and, at the same time, people have more and more insight into macroeconomic functional relationships. Profits are justified on the basis of capital investment, and wages are justified on the basis of mass consumption and sales. Wages and profits, higher income on the one hand and higher costs on the other, are not a zero-sum game, and their functional interdependence is recognized. Through the autonomy of collective agreement, trade unions are integrated in the state and economic order, and employer associations are obligated to the social constitutional state. "State-free" collective agreements relieve the government from direct intervention in wage and prize policy and increase its legitimacy against both bargaining partners. Furthermore, for both bargaining partners, the contract offers chances of innovation without having to wait for new legislation, such as with continuous payment in the case of sickness, which was first introduced as part of collective agreements.

When focusing on all three levels of the institutionalization of conflicts in this field, namely the works council, codetermination, and collective agreement, we see a complex pattern of multiple interest mediation based on different organizational models, such as self-regulated veto power, quota-setting for participation, autonomous contracting under the use of market power, and (in special cases) the use of an institution's own means to sanction. There is a corresponding separation of competences in each of the three arenas concerning, for instance, the operational specification of social working conditions, working hours, wage levels, management control, the macroeconomic definition of income policy, and the structuring of labor markets. Through these processes, the contents of industrial conflicts are channeled and fragmented into particular competence arenas. Accordingly, the level of aggregation (and thereby the level of ideological exaggeration) decreases while the chances for flexible procedures and implementation increase. A pragmatic and compromise-orientated political culture has been developed in industrial relations with a responsibility of justification towards society as a whole. The main representative and official bodies of trade unions and employers are directly part of this political culture. The specific system of multiple-interest mediation in the field of industrial relations is directly linked to labor organization and labor law.

Trade unions, reorganized after World War II, followed two organizational principles, the single-union principle and the industrial-union principle. The single-union principle requires a unitary organization that integrates different political orientations. The industrial-union principle implies interest representation for overall branches, not for single occupations. In combination, both principles resulted in a high interest aggregation and in the development of few and (regarding organizational strength and conflict resolution skills) strong trade unions, with organizational monopolies for employee interests in typical branches. The strict application of both principles has been an institutional innovation, with considerable consequences for German trade unions. The first consequence is the separation of trade unions and political parties. Although there have been numerous overlaps of members, officials, and interests between trade unions and Social Democrats, trade unions act independently of parties. The development towards People's Parties corresponds with the party-political neutrality of trade unions. Second, trade unions did not compete with each other for members in one company. They were therefore released from struggles over responsibilities and were able to execute a uniform policy oriented towards the overall branch. The National Union of Employees used to be the only exception and competed with unions of the German Trade Union Federation for members within one company. Although industrial unions are rather heterogeneous regarding members and financial strength, the most important industrial sectors have been organized as independent unions with conflict resolution skills under the roof of the Industrial Union of Metal Workers. The trade union system therefore concentrates the interests of employees that differ with respect to occupation, qualification, and income. It achieves an internal mutual mediation and integration of interests, whereas a system with professional unions produces higher intra-union conflicts and a greater number of strikes. German trade unions also make an effort for lower-qualified groups, try to

achieve a reasonable income level for these groups, and prevent these groups from being left behind, as is often the case with professional unions for highly-qualified employees. Labor agreements that are binding for overall branches therefore structure not only the labor conditions but also the employment markets and income structure of the mass of employed persons. When considering the high aggregation of interests in industrial unions and the necessary bureaucratization and professionalization of officials, the self-governing rights of employees through the representation of their interests is of particular importance for the frequency of participation and for the local elasticity of basic conditions defined in labor agreements. Since works councils are institutionally independent from trade unions, there is always a possibility of opposition towards trade unions within companies, forcing trade unions to focus on their basis. They cannot back out and concentrate on their labor agreement monopoly, even if they become less important for the individual employee due to the more-and-more extended labor law.

When considering the institutional regulations regarding industrial relations, the labor law is of high importance. It basically represents the second arena of conflict institutionalization in addition to the direct mediation of interests of "capital" and "labor." The labor law protects individual employees directly on the basis of the labor contract law and defines on the basis of the Works Constitutions Act, the collective bargaining law, and the labor dispute law the context for collective employment rights. The juridification of industrial relations neutralizes many conflict issues and separates them from the direct confrontation between social partners. Labor-law disputes are predictable and revisable via the levels of jurisdiction and are therefore open for development. Judge-made law is of high importance, particularly in the field of labor law, and has a distinction to values and behavior of the social partners and of employees and employers more generally, particularly in the early phase of the Federal Republic. The heterogonous institutionalization of industrial conflicts with multiple interest mediation in different arenas of conflict resolution has had a critical influence on the political culture as a whole. The structuring ideas of the social market economy, the welfare state, and social partnership provide guidance for social action. However, this does not occur in the sense of a harmonizing ideology of a "business community" or of a state-managed social order, but in the sense of a coexistence of different procedures of interest mediation.

The existing system strengthens individual rights of employees in correspondence with their individual rights as citizens. Trade unions have received a preferential position, just like the political parties' position in the area of forming the political will. The separation of different decision-making levels provides an internal elasticity similar to the concept of federalism and relates individual interests to functional relationships of the overall society similar to the party-system. The majority rule as a principle of the democratic political system, however, is excluded from this field. The social partners are in opposition to each other without being able to change majorities and therefore their influence chances.

The basic patterns of this institutional order were introduced in the first legislative period of the German national parliament, providing orientations that could

prevail only in a slow process. The decision of principle of the founding congress of the Confederation of German Trade Unions in 1949, however, aimed in a different direction, and the threat of a national strike for enforcing employee participation in 1951 showed a different political orientation. Today, the political culture in industrial relations and between bargaining partners is influenced to a higher degree by the regulatory elasticity of the system of multiple interest mediation and by instrumental skills when using the existing procedures instead of by the dramatization of values and the threat of collective instruments of power.

13.5 Juridification and Normative Integration

The constitutional state was of particular importance for the renewal of political institutions after the experience of National Socialist despotism. The development of individual basic rights, binding administration and jurisdiction to the law, and the verifiability of public administration by administrative jurisdiction were in the foreground. The main institutional innovations were the binding of the legislator to the basic rights that were withdrawn from the legislator's disposal as well as the establishment of Constitutional Justice to safeguard the constitutional law.

As a consequence, the constitution has gained a core function in the political process. Political parties that are involved in legislation are bounded by the material determination of basic rights that precede the legislative process as direct rights. Majority decisions as part of the political process have to recognize this material boundary for political action that also influences political elites in the definition of their objectives. In cases in which this self-bonding to the constitution by conformity is not sufficient, the sanctional power of the Federal Constitutional Court and its decisions can directly repeal legislation that is considered as not being in line with the constitution. The constitution has taken priority over the parliament's democratic majority decisions. This material juridification of the political process through basic rights and the procedural protection of constitutional rights by the Federal Constitutional Court has its institutional basis in the idea that "constitutional patriotism" has replaced nationalism in Germany. The normative integration of the political process is not based on materially undefined values or interests of the collective of the nation but rather on materially defined and procedurally controllable individual basic rights. As a consequence, the political culture has changed considerably and is no longer based on undefined collective values but rather on specific individual rights. Values related to collectives such as nation, class, and ethnic groups are not dominant; rather, values that are realized by individuals are. The political culture has been individualized and de-collectivized, which is of particular importance when taking into account the tradition of the German political culture, with its strong emphasis on the collective attribution of values.

The constitutional relatedness of the German political culture that originally focused on the re-constitution of democracy and on organizational principles of the

political process has changed over time (with influence from the jurisdiction of the Federal Constitutional Court) towards obligations of the political process to follow the rule-of-law in a narrow sense. This process was supported by the option of individual constitutional complaints, providing citizens with direct means to sanction via the Constitutional Court in order to enforce their individual interests. Most importantly, the legislative process anticipated more and more possible judgements of the courts and developed a strong orientation towards the constitution. Since any federal body can request that the compatibility of legislation with the Basic Law be constitutionally controlled, in contestable cases, the likely jurisdiction of the court is taken into account in the legislative process. The possibility to request the control of the compatibility of legislation with the Basic Law provides parliamentary minorities with the prospect to overthrow legislation of the majority that, on the other hand, seeks to make the law auditable. The consequence is a circular process in which constitutional criteria obtain increasing importance. The constitution therefore provides a normative orientation for the political process and the political culture.

Constitutional justice has gained an integrative political function to the extent to which political disputes have been transferred to the arena of constitutional justice. Political parties were obligated to follow the decisions of the Constitutional Court, and since defeated parties also bowed to this judgment, political disputes were neutralized through juridification. This was the case, for instance, regarding the Basic Treaty between the Federal Republic of Germany and the German Democratic Republic, the legislation on abortion, co-determination of employees, the university reform, and in many other areas. In all these cases, legal criteria of court rulings made political consensus possible. The old formula "locuta causa finita" applies here as well. Generally, the political dispute ends when the Federal Court of Justice cases judgement. Different political value judgements are subject to norm-control when the political arena is exchanged with the legal arena. They lose part of their ideological substance and become consensual through the shift from political struggle to legal decisions. Compliance with constitutional justice increases the political processes bond to the constitution as well as its legitimacy. The Federal Court of Justice adopted an integrative function, namely the authoritative decision of value conflicts, which was the responsibility of the monarch in constitutional states, the responsibility of the "leader" in the charismatic state, and the responsibility of the politburo in the socialist state. However, the Federal Court of Justice does not rule as it does in other regimes. The court can repeal laws but does not legislate. The legislator remains autonomous regarding its legislative competence. The principle of a democratic majority decision by a freely elected parliament has not been undermined. Its creative power, however, is legally controlled by the interpretation of the constitution. The institutionalized cooperation of different organizing principles, of political majority decision and juridical rendition, created an area of tension that intensifies the perception of a plurality of value relationships within the political culture. The introduction of the Constitutional Court in 1951 therefore strongly influenced the political culture of the Federal Republic of Germany.

The process of juridification had further consequences for the political culture. In addition to the state of law, an "appeal state" was developed. In this respect, the development of administrative jurisdiction is of particular importance. The possibility of legal control of governmental administrative decisions strengthens the position of citizens against the state, which has been of utmost importance in a political culture in which compliance with the authoritarian state action has a long tradition. Control of administrative action on the basis of administrative jurisdiction is restricted to the legal assessment of the administrative act. Therefore, justiciability is increasingly taken into account in the field of governmental action. The consequences for the political culture are complex and can only be briefly exemplified:

The first example is the so-called "radicals degree," by which "enemies of the constitution" should be prevented from being employed in the public administration. Since the refusal of employment requires considerable legal matters to be provided to withstand an assessment on the basis of administrative law, the term "enemy of the constitution" had to be formalized by memberships in certain radical organizations as well as (with reference to the principle of equality) by extending the prohibition of employing individuals in all public service positions, even for those not involved in sovereign acts. In practice, the result was an extensive system of exploring and documenting political activities of candidates for positions in public administration as well as the hardly convincing release of postmen and train drivers who were members of the Communist Party. The extension and perfecting of the "radicals decree," with its highly negative consequences for the political culture in Germany, namely the attribution of attitudes on the basis of membership in an organization, can only be explained by unintended consequences of the "appeal state." An assessment of public administrative action on the basis of administrative law requires a legal basis with universal validity without taking individual particularities into account. For assessing administrative discretion, criteria are to be defined that allow for demonstrating the commensurability of administrative action. The consequence is a particularly high legal regulatory density on the grounds of justiciability.

A second example of consequences for the political culture is the restriction of admission to university by numerus clausus for a particular subject of study. Again, criteria are to be defined on the basis of which admission can be restricted. As a consequence, capacity limits for the subject of study are to be defined that require a number of additional regulations. Study hours, the content and size of courses, and the teaching load and hours of teaching are to be defined. The unintended consequence of the process of juridification is the increased density of regulation and the related bureaucratization and restriction of individual freedom of action. The greater the importance of justiciability of administrative action, the more legalistic public administration becomes.

A third example demonstrates the increased chances of individual influence on administrative jurisdiction. In Germany, the strong movement against nuclear power stations was initiated by an instrumentalization of administrative jurisdiction for realizing general political objectives. Minorities who could demonstrate that

they were directly affected had access to administration courts and could take up a policy field that had not been politicized within the party-system before. As a consequence, the environmental awareness has presumably developed faster than in other countries. Minorities did not have to take the long way via political parties and win parliamentary majorities but could gain direct political influence by activating the courts. Local protest contributed to increased public attention and politicization. Opponents of nuclear power therefore developed an organizational model that focused primarily on winning a basis of people who were directly concerned and therefore had access to administrative courts. Coalitions of local basis groups resulted in the foundation of the Green Party, which fluctuated for many years between basis groups and party formation. The state of law and the "appeal state" opened up a second arena for political mobilization that promised a more direct effectiveness than did winning political majorities in the democratic process.

Material legal and procedural characteristics of the state of law had a strong and comprehensive influence on the German political culture and gave juridical criteria great importance in the political process. These criteria, in addition to economic criteria, determine the rationality of political behavior of organizations and individuals to a large extent. The German political culture is therefore highly legally bounded.

13.6 Value Criticism and Generational Change

Institutional innovations between 1945 and 1953 that were related to the construction of a democratic order had a strong influence on the German political culture. These innovations were the party-system, federalism, the system of industrial relations, and constitutional justice. However, these developments received little attention compared with the economic growth after 1948. The "economic miracle" was certainly of great importance for legitimating the new democratic order but did not result in new political value orientations and behavior. The new institutional order was essential for integrating all political elites in a process of complex interest mediation and for providing orientation for the population as a whole in the form of a value relationship that is legally sanctionable on the basis of the constitution. This institutional context facilitated instrumental attitudes and a consensus on procedural patterns of conflict formation and interest mediation, defused value conflicts, and legitimized necessary compromises between contradictory value beliefs. Such an institutionally embedded political culture, however, does not absorb all value conflicts. Value criticism and cultural protest are always part of a democratic political culture and have occurred many times with great passion throughout German history.

Conflict-rhetoric does not disapprove this assessment. Such a rhetoric refers partly to old value orientations, particularly prior to elections and in the course of industrial conflicts, it breaks out systematically and is softened again as soon as the

objective of mobilization is achieved. Examples of such a rhetoric are "freedom, not socialism" and "redistribution from the rich to the poor." However, conflict-rhetoric does not question the institutional context, even if opponents are accused of wanting "a different republic." Since political possibilities of implementing major change are restricted and since the economic and social problem pressure is often not particularly large, the struggle over voters and loyalties by members of associations concentrates on value positions with high symbolic power, which can easily be used to mobilize and to polarize. Furthermore, political parties try to absorb radical political tendencies, and the symbolic expression of radical value positions is part of this concept. The CDU and CSU were able to integrate radical groups in the 1950s and other national and right-wing groups in later years, and the SPD successfully absorbed the "extra-parliamentary left" in the 1970s. Conflict-rhetoric is a (sometimes extreme) expression of political competition, just as flash advertising is an expression of market competition.

Radical value-criticism, in contrast, focuses on belief-systems and argues that the national political order is based on major value-shortcomings that cannot be mediated through compromises. This form of criticism is not expressed by political elites, who are part of the political system, but rather by intellectuals who do not directly participate in the political process and are therefore not confronted with constraints to implement the proposed values. The release from the constraints of implementation allows for a more radical support of beliefs that remain at a level of abstraction of pure-mindedness.

There are three different sources of radical value-criticism that have a long tradition and emphasize highly respectable values that are dramatized and controlled for whether these values have been realized. First, the postulate of social equality, with high political importance, particularly in the tradition of socialism, has become part of our everyday-life perception through the criticism of capitalism. On this basis, the neo-Marxism of the late 1960s has developed a general system-criticism that has become highly relevant for parts of the labor movement as well as for more recent emancipation movements. Second, the postulate of anti-institutional individual freedom, which is more related to the tradition of fundamentalist Protestantism than to anarchism in Germany, has become part of our everyday-life perception through the criticism of bureaucracy. On this basis, the anti-authoritarian movement has developed a system criticism as a matter of principle that demands increasing participation in decision-making for the persons concerned and at the same time for the release of individuals from political and moral regulations and accountability. Third, the postulate of collective and individual moral identity, which rests in the tradition of conservative convictions, has become part of our everyday-life perception through moral and cultural criticism. On this basis, the claims of validity of traditional social-moral guiding ideas are emphasized, particularly when they seem to be threatened by sub-cultural differentiation and by a softening of state pressure to conform.

The organizational forms which effectively represent these postulates change over time just like the coalitions between them. Regular waves of radical value criticism are part of German history. In the beginning of the Federal Republic, the

debate was about who was guilty of National Socialism, followed by protests against the suppression of war guilt and against the material orientation towards the "economic miracle." The next wave of criticism was targeted at Western integration and the acceptance of the separation of Germany, followed by the fight against rearmament and, in the form of the Easter March campaign, against nuclear weapons. At the end of the 1960s, campaigns against emergency legislation as well as the anti-authoritarian student movement followed. In more recent times, radical value criticism and protests against the political system have been part of environment-, peace-, and women's movements. Furthermore, there are periodically nationalistic tendencies as well as protests against a liberalization of everyday-life morality.

In Germany, National Socialism as a point of reference is of particular importance. In the beginning, it was used to fight against persons who had supported the National Socialist regime, in particular. Later, reference to National Socialism was used to argue that the political order, by implementing capitalism and "only formal" democracy, had not learned its lessons from the experience of Fascism so that in the end, the Federal Republic itself was under suspicion of supporting Fascism. The reference to National Socialism has also been used as a form of collective self-examination of the public ethics within the German political order, and its dramatization has been used to demonstrate a particular obligation regarding human rights. The historical deflation of references to National Socialism as a basis for the value criticism of the German political order increases while and because more and more people had no primary experiences from this period. However, even if the historical analogy is fading, the principle value criticism remains justified due to the German guilt of the murder of the European Jews.

If we take into account that people have their first basic political experiences around age 15 and develop more specific ideas about value content and functionalities of the political order in the following years, sequences of generational relationships can be constructed to map typical socialization experiences. When considering the several breaks in German history, the historical caesuras of 1918/1919, 1932/1933, 1945/1951, and 1967/1969 can be used for the analysis of such generational relationships. Considering the possibility of formative experiences of the political context in these years and the fact that the political attitudes of the population have actually been influenced by these "thresholds," a political-social generation-structure of the German population can be constructed. Table 13.1 provides an attempt to demonstrate the changing quantitative importance of different

Table 13.1 Share of the population socialized in different periods (in percent)

Generational relationship	1950	1968	1984
Socialized...			
Before 1918	34	17	3
Between 1918 and 1932	31	22	12
Between 1933 and 1950	35	25	23
Between 1951 and 1966	–	34	28
After 1967	–	2	34

socialization periods for the German population, whereby the population above 15 years of age is schematically assigned to the respective socialization periods. One has to take into account, however, that collective experiences of earlier political socialization may have produced contradictory attitudes and that political attitudes may have changed due to later experiences. A generational relationship does not result in a homogenous political birth cohort, even if historically definable experiences may have formative power.

Political experiences and historical comparisons that became part of the political culture have changed dramatically in the sequence of generations. The generation that was socialized between 1933 and 1950 connected the founding period of the Federal Republic of Germany with the 1980s but only represented a minority in 2000, with only a few individuals remaining in leadership positions.

In the beginning, the Federal Republic was strongly influenced by the context of the historical experiences of the Weimar Republic and of National Socialism as comparative regimes. The founder elite personally new Weimar, and vast parts of the population, even younger individuals, had directly experienced National Socialism. The saying "Bonn is not Weimar" (with Bonn being the former German Capital, the editor) referred to a comparison with the Weimar Republic. Around 1968, Weimar was of lesser importance, and for the younger generations, National Socialism only represented a learned point of reference. For elites and for the population as a whole, the political order became increasingly self-referential, i.e., the order had to be legitimized on the basis of individuals' own value propositions and no longer by comparison with other German political orders. For the extra-parliamentary opposition and for the student movement of the late 1960s, Fascism could be taken as a point of reference for critique but not on the basis of individuals' own life experiences. For the political order of the 1980s, however, this reference-system was no longer relevant. Today, the Federal Republic of Germany is assessed according to future responsibilities and not on the basis of history. Criticism of the political order is now directed at the state of tensions of the existing institutional order, at the values that are promised to be realized by this order, and at the order's capability of solving future problems. On the basis of individuals' own experiences with the institutional order, a political culture has been formed with relevance for the socialization of new generations. Institution-building in a form that preceded socialization processes in a political culture have come to an end, and Germany has become a country with its own characteristics of a basic democratic political culture.