Introduction

Scope of the book

The aim of the present work is to develop a concept of value rationality that helps explain why people hold on doggedly to their convictions; to balance this with observations on how values nonetheless do change; to bring out the interdependence of instrumental and value rationality; to discredit special association of formal rationality with 'modernity'; and to show how value-driven instrumental reasoning draws lines between formal and substantive legal rationality. These concepts of rationality represent ways of thinking which are virtually never found in a 'pure' form in history but which one may distinguish analytically, not for the sake of classification as an end in itself, but to explain their mutual relations.

The book is aimed at both social scientists and historians, from intellectually ambitious undergraduates upwards. Historians may wonder if they need so much social theory. Those historians who persevere into the second third of the book should find that the theory pulls its empirical weight; and in some parts of the last third of the book the concepts are put to work on unpublished and unstudied documents generated by the institution established to implement the Council of Trent. Gluttons for punishment with an appetite for more concentrated applications of the concepts may turn to the sister volume on the rationalities of medieval religion.[1] The medieval volume should be seen in the comparative perspective that the present book tries to provide.

Here the starting point will be a brief explanation of the kind of Weberian sociology or comparative history which will serve as a method. The form of Weberian thought permeating the current investigations will be distinguished from others, especially from the 'developmental' reading of Weber which concentrates on the origins of 'modernity'. Along the way, working definitions of rationality and irrationality[2] are sketched out. After

[1] d'Avray, *Medieval Religious Rationalities*.
[2] For a fuller though still inadequate treatment of irrationality, or rather 'diminished rationality', see *ibid.*, ch. 1(a).

this introduction to the key concepts, the approach adopted is situated within the spectrum of theories about rationality, starting with Rational Choice Theory or 'RCT', hugely influential in the social sciences though hardly at all on historians, who ought to substitute informed reservations for blissful ignorance. This section may be useful in a subsidiary way as a rapid 'Teach Yourself RCT'. But RCT is important as a limiting case: it concentrates almost exclusively on instrumental rationality and conceals value rationality in a box marked 'preferences'. The rest of the book shows how instrumental rationality is transformed by being filtered through value systems. RCT and some other theories of universal rationality are then contrasted with the other end of the spectrum, the theories of some anthropologists and philosophers that there is no universal human rationality at all.

After surveying the theoretical fields the argument proper begins. The symbiosis of instrumental and value rationality is the key component of it. Instrumental reasoning is a human universal, but this is not obvious to careful students of societies distant in time or culturally because it tends to take its first principles from value rationalities, which are exceedingly diverse. These value rationalities are the plural sort that anthropologists call 'cultures', though subcultures and individuals have them too. Their ability to shrug off intellectual objections is remarkable, and often mistaken for pig-headed resistance to the truth or plain stupidity. Such immunity to empirical falsification transcends secular–religious[3] and the dubious 'primitive'–'modern' divides. There are at least two (complementary) explanations. Firstly, value rationalities consist of many convictions each of which is antecedently probable, granted the rest. Refutation of any one conviction has to surmount this high probability bar; yet to attack all of them simultaneously presents practical difficulties, running counter to the normal method of focusing on one point of dispute at a time. Secondly, value systems are cemented by experience or simulacra thereof. This makes them more tenacious than purely abstract and verbal convictions. Still they do sometimes change, and the book examines the 'dynamics' of value systems: the factors explaining their advances and retreats. In this ebb and flow, value and instrumental rationality constantly interact, as they do with formal and substantive rationality. Formal rationality (e.g., in the USA, 'evidence illegally obtained is inadmissible in court') and substantive rationality (e.g., also in the USA,

[3] As starkly argued by Gray, *Black Mass*. Cf. Cohen's 'Paradoxes of Conviction', in *If You're an Egalitarian*, 7; note also 16–18, his thought-provoking extension of the argument to convictions neither religious nor political, such as the philosophical distinction between 'analytical' and 'synthetic' propositions.

Michigan judges refusing to give a 20-year sentence for selling a reefer, or an English jury acquitting Clive Ponting) are then drawn into the argument. This pair of concepts is sometimes lined up with instrumental and value rationality respectively, so as to equate substantive reasoning with value rationality and formal rationality with instrumentality. Any such alignment is a source of confusion: e.g. the substantive reasons for cutting through formal rules can be purely instrumental (political, for example: cash for honours). The instrumental–value and formal–substantive distinctions are most usefully treated as cross-cutting. The most helpful ideal-type is that values guide instrumental decisions about when to do things by the book, and when to suspend the formal rules. The archive of the 'Congregation of the Council' (of Trent) is mined for material illustrating this process, the reasoning behind the dissolution of marriages unconsummated for reasons other than impotence being very apposite. These are the main theses of the book, highly compressed.

This is an 'essay' rather than a survey. The number of publications dealing with rationality in one way or another is extraordinary.[4] People interested in rationality come to the topic from a variety of different directions and with quite different quiverfuls of bibliographical expertise. Any claim to have surveyed all the literature, even in a decade of research, would be spurious and I apologise in advance to all the scholars whose favourite book or article I have failed to cite. On the other hand, the essay tries to make connections between different sectors of modern academic 'rationality' research which seem hardly to communicate with each other. Its framework is designed to bring together research from different disciplines; if it succeeds, the credit should go to some seminal ideas of Max Weber.

The essay is 'Weberian' in that his ideal-types of rationality were the starting point, but some disclaimers must be made from the start. The book is not an explication of Weber's texts. In particular, the key concept of 'value rationality' is defined in a way which might or might not have met his approval. Weber discusses 'values' (*Werte*) in two different kinds

[4] A search on 17 March 2006 in JSTOR, the electronic database containing many English-language academic journals, yielded 58,147 hits for 'rationality'. A search on the same date in the British Library online catalogue flushed out 859 titles with 'rationality' (in the nature of the catalogue these must be predominantly whole monographs). In consequence, almost anyone interested in rationality will find that I have neglected a publication that they consider fundamental. By way of introductions: Wilson, *Rationality* and Hollis and Lukes, *Rationality and Relativism* are major collections of essays on the side of the spectrum nearer to cultural relativism; Tambiah, *Magic, Science, Religion, and the Scope of Rationality*, Chapter 6, gives an account of the rationality debate. Coleman, *Foundations of Social Theory*, is a sociologist's *summa* of rationality theory situated on the rational choice, universal reason, end of the spectrum.

of contexts: (i) as a rational force in history,[5] and (ii) in connection with scholarly method and the possibility of 'value freedom',[6] but in neither context does he spell out very explicitly what he means by the word. I go beyond him in what I think is his spirit, but if I am wrong in tracing my thoughts back to a Weberian source, all that follows is that I am more independent than I think I am. The book's core arguments would be unaffected. Similarly the discussion of 'formal' and 'substantive' (or 'material') rationality draws proximately on a later clearer study, in a Weberian tradition though not consciously so, it would seem.[7]

Again, Weber's ideal-types are applied here to fresh historical material. His ideal-types are clear-cut concepts and causal schemata designed to facilitate investigation of the infinite complexity of the past;[8] one could think of them as a questionnaire, one to which simple 'yes/no' answers should never be expected. Precisely formulated concepts are needed for these questions because the meanings and concepts at work in history (History as lived, the History historians study as opposed to their own writings) are often confused, imprecise, inconsistent and socially constructed[9] in different ways – so that we cannot restrict ourselves to 'the concepts of the time' when formulating research questions, though the research questions, concepts and explanatory schemata will have been formulated to fit and make sense of the 'concepts of the time'. Weber tried to form clear, custom-built scholarly concepts to get a grip on the messy, tangled concepts at work in social life. His ideal-types were like a vast set of made-to-measure suits: the wide range increased the chance of a good fit to the individual case but even so he knew that alterations

[5] See below p. 61 at n. 84.
[6] See d'Avray, *Medieval Religious Rationalities*, index, *s.v.* 'value-freedom'.
[7] Atiyah and Summers, *Form and Substance in Anglo-American Law*.
[8] 'The ideal-type is a mental construct, which is not to be identified with historical reality, let alone with the "essence" of reality and whose purpose is still less to serve as a framework to which reality should be orientated as to an ideal, but whose meaning is that of a purely theoretical limiting case against which reality is measured, or with which it is compared, to clarify certain important components of its empirical content.' (Passage beginning 'ist ein Gedankenbild' and ending 'mit dem sie verglichen wird' in Weber, 'Die "Objektifität sozialwissenschaftlicher und sozialpolitischer Erkenntnis', in *Gesammelte Aufsätze zur Wissenschaftslehre*, 194.) The reference to the 'essence' of reality may be an allusion to Hegelianism. Some other phrases could be read differently but I interpret in the light of Weber's thought generally. Cf. the passage beginning 'Nichts aber ist allerdings gefährlicher' and ending 'oder daß man sie als ein Prokrustesbett benutzt' (*ibid.*, 195).
[9] For an example of an intelligent 'social constructionist' approach to religion see Beckford, *Social Theory and Religion*, e.g. 100–1 on 'pluralism': a muddy concept which needs to be analysed in terms of the much clearer concepts he formulates. An example (not from Beckford): 'continents' can be called social constructs because they are a living force as concepts without corresponding to anything that can be defined exactly by geologists, which does not mean that 'continents' are 'just discourse' or have no relation to reality.

would normally be required. These ideal-types or questions were distilled in a pragmatic way from his own vast knowledge of world history and were intended to be applied back to history to increase empirical understanding – a helical process rather than a circular one.

Varieties of comparative history

Comparative history in a specifically Weberian sense is the empirical work to which these ideal-types are set here. In comparative history[10] there are often only two comparanda, often social systems contemporary with one another, say religious life in England and Italy in the same century;[11] sometimes of a specific and precisely delimited phenomenon, such as funeral preaching in two different periods,[12] and sometimes of two larger constructs, such as medieval and Buddhist monasticism.[13] This two-term type of comparison works in various ways but one of the most effective is the simplest: each side of the comparison generates questions about the other, and draws attention to significant absences in the other that might otherwise have gone unnoticed. The historian or social scientist may then go on to suggest explanations for the differences, which of course presuppose a good deal of underlying similarity. A more ambitious kind of comparative history may take a larger number of regions from the same period, as with Chris Wickham's study of the early medieval West.[14] Weber's most distinctive style of comparative history is more ambitious still, however: his opus magnum, *Wirtschaft und Gesellschaft*, is in effect a world history on analytical principles.

Max Weber and analytical world history

Analytical history is taken for granted within the framework of individual periods; it became so dominant that in the 1970s narrative history could be presented as a justified revisionist reaction against a dominant trend.[15] World history is a different matter; on this scale an overall analytical structure has seldom been chosen. The overarching principle of organisation remains narrative with allowance for regional differences. Thus in the remarkable volume by John Roberts chronology and geography, time and place, are interwoven to tell a coherent story from pre-history to

[10] For a thoughtful recent discussion, see Wickham, *Problems in Doing Comparative History*; for the practice of it on a massive scale, his *Framing the Middle Ages*.
[11] Brentano, *Two Churches*.
[12] e.g. d'Avray, 'Comparative History of Memorial Preaching'.
[13] Friedrich-Silber, *Virtuosity, Charisma, and Social Order*.
[14] Wickham, *Framing*. [15] Stone, 'The Revival of Narrative'.

the present.[16] Or again, to quote the 'manifesto' article of the recently founded *Journal of Global History*, 'the needs of a globalizing world' are leading to

> a reordering of classical and established historiographies from all cultures to make space for histories that are attempting to disengage from national, regional, ethnic and religious traditions. Such histories would become involved with the construction of meta-narratives that might, at one and the same time, deepen our understanding of diversities and scale up our consciousness of a human condition that has for millennia included global influences, and intermingled with local elements in all its essential dimensions.[17]

This is a crucially important emphasis; and of course a central meta-narrative is the story of how the West subsequently came to dominate the rest.

Meta-narrative can nonetheless be complemented by meta-analysis. In the latter world history is treated thematically rather than chronologically – just as historians are used to doing within particular periods, but on a larger scale. To the objection that this is impossibly ambitious, the answer is that, if so, global history is presumably impossible also in a meta-narrative form. Either the canvas is too large or it is not. If it is not, a grand narrative is not the only thing one can paint on it.

Many people think of Weber as presenting a grand narrative of the rise to domination of Western rationality, but this is to miss two features of his oeuvre. First, he clearly came to find other civilisations interesting and important in their own right. Probably his work on China and India was originally inspired by a desire to explain why industrial capitalism developed in the West only, but his investigations clearly took on a life of their own. Secondly, the mature form in which he presented his results was not narrative but analytical. His opus magnum, *Wirtschaft und Gesellschaft*, is structured not by chronology and periodisation, but by themes or topics.

Weber's *Wirtschaft und Gesellschaft* must stand almost alone as an example of analytical world history. His original intention was probably more modest: to provide ideal-types for historians working on more specific periods.[18] Possibly that remained his formal remit in his own mind. It

[16] Roberts, *The New Penguin History of the World*.
[17] O'Brien, 'Historiographical Traditions and Modern Imperatives', 38.
[18] 'We have already in several places taken it for granted as self-evident that sociology constructs concepts representing the typical, and tries to find general rules for how things happen. This is in contrast with history, which tries to analyse causally and account for individual actions, structures and personalities of cultural significance. The material, in the form of representative cases, for sociological conceptualisation is to a substantial extent, if not exclusively, borrowed from the realities of action that are relevant from the point of view of history too. Furthermore sociology forms its concepts and attempts

seems unlikely. The answer depends on reconstructions of the genesis of the book,[19] which was compiled after his death in its final form thanks to his wife Marianne Weber.[20] The editors of the modern critical edition of Weber's works deny the unity of *Wirtschaft und Gesellschaft* and have broken it up into sub-volumes (not all of which have appeared).[21] Their judgement has not gone unchallenged,[22] and even if it they were right, one could still regard the final product as a sort of collaboration between Weber and his remarkable wife, who understood his key ideas with great penetration, as well as anyone before or since,[23] and (I would argue) much better than the senior editor of the critical edition, who was led astray by his assumption that one could read Weber's political views into his later writings.[24] So let us regard the final version as a unity, whether the author was Max Weber or Max with Marianne.

It does indeed begin with very abstract ideal-types. Then the rest of Part I works through Economic Life, Authority and Power (= *Herrschaft*) and 'Status Groups and Classes'. Already the degree of specificity is greater. In Part II, however, the concreteness and specificity is so great that, whether or not we call it Sociology (and there is no reason why we should not) it is History too: just as much as (say) John Roberts's *History of the World* is history, though with a quite different structure, narrative where Weber's is analytical. The structure of this second part is not too different from that of Part I. The principal analytical categories[25] start once again with the Economy, Communities and Organisations in relation to the Economy, Ethnicity and Nationalism, Religious Communities, Law, Political Communities and Power in its various forms, and the City. The section on the City is typical of the general approach he surveys the world history of towns, and then points out what was distinctive about the history of the Western city: its relative cohesiveness. (So here his original preoccupation with the distinctiveness of the West admittedly still comes through very clearly.) Or again, to take an example

to establish its rules above all also in the light of the question of whether doing so can assist with the task of accounting in terms of historical causation for culturally significant phenomena' (*Wirtschaft und Gesellschaft*, vol. 1, p. 9, passage beginning 'Die Soziologie bildet' and ending 'einen Dienst leisten kann'.

19 Cf. Whimster, *Understanding Max Weber*, 137–47, 247–8. 20 *Ibid.*, 140. 21 *Ibid.*

22 *Ibid.*, on the criticism of the *Gesamtaufgabe* plan by Hiroshi Orihara.

23 I regard the analyses of his thought in her biography of him (in other respects rather stilted) as outstandingly perceptive, and perhaps unsurpassed as a short summary: see Marianne Weber, *Max Weber: Ein Lebensbild* (Tübingen, 1984), ch. 10, 'Die neue Phase der Produktion', and ch. 20, 'Der Lehrer und Denker', 689–94.

24 See Mommsen, *Max Weber and German Politics*.

25 My comments can be checked against the 'Inhaltsübersicht' at the start of *Wirtschaft und Gesellschaft*, though I do not follow the chapter headings slavishly.

from below the chapter level: in some remarkable pages on sacred law[26] he works through Hindu law, Islamic law, Sunni and Shi-ite law, Jewish law, and Christian canon law, bringing out common and individuating features. This is Weberian comparative history, and also his sociology, at its virtuoso best.[27] The underlying question seems to be: how unique is *x* or *y* (say Hindu law or canon law) in world history? The answer is equally interesting whether or not it brings out a general pattern or a historical specificity. The very grouping of certain systems under the category of sacred law implies a common pattern, ultimately deriving from the divine underpinnings deposited in sacred texts of all the laws he collects in this section (except for Chinese classical law, to which he gives only a few lines at that point). On the other hand, he brings out the legal formality of Catholic canon law as a feature marking it off from the other systems discussed in the section.

Limitations and remit of the present work

Weber's (or the Webers') sociological comparative history is a massive *Summa*. The present work imitates the method but not the genre. It is only an essay and it concentrates on just one set of Weberian questions, though they are central in his thought. It takes as its starting point his brief, crucial and rather neglected comments on the interdependence or symbiosis (my word) of values and instrumental rationality,[28] then extends this approach to the relation of both to formal and substantive rationality, and to the mutual relation between these last two ideal-types of rationality. Thus four key concepts will dominate the book: instrumental, value, formal and substantive rationality. They do not exhaust the conceptual field of rationality but this study aims to open the subject out – empirically for social scientists, conceptually for historians – and not to wrap it up.

Each of the four ideal-types has a distinct analytical role. As will be argued below, conceptual confusion must arise from any equation of substantive rationality with values, or of formal and instrumental rationality. To anticipate, without escaping the risk of over-compression: a recurrent pattern is for value rationality to shape instrumental technique,

[26] *Wirtschaft und Gesellschaft*, 472–82.

[27] Not a universal consensus, as I know from combative discussion in the Bloomsbury Sacred Law Group that I run with colleagues from University College London, School of Oriental and African Studies, Birkbeck College and Queen Mary, University of London. This is a good place to thank Werner Menski, Sami Subaida, Yossi Rapaport, Ido Shahar, Lynn Welchman, Caroline Humfress and Andrew Lewis.

[28] *Wirtschaft und Gesellschaft*, 13: discussed in detail below.

which in turn, among other things, reinforces the values through rituals, mental imagery, mass meetings, processions, education, etc. Formal and substantive rationalities are also in a symbiotic relationship, the nature of which tends to be shaped by instrumental calculation within value parameters.

These ideal-types are used to generate questions for comparative history. The patterns that emerge are for the most part quite general features in the history of civilisations, but Weber's comments on the distinctiveness of canon law are reinforced by new data of which he could not have been aware, from the post-Tridentine 'Congregation of the Council'. This data responds particularly well to the questions about formal and substantive rationality, especially if we streamline his own very complex formulation of them.

Weber undoubtedly wanted later scholars to modify and develop his ideal-types and to use them on fresh material, rather than treating his writings like sacred texts. Similarly, as a thinker with the power to synthesise the apparently contrasting tendencies of his predecessors – the hermeneutics of Dilthey, classical economics, Marxist class analysis – he would have been interested to see how such apparently polar opposites as Rational Choice Theory and 'everything is culture and nothing is nature' anthropology can after all be reconciled with relative comfort within his framework.

As a Weberian study rather than a study of Weber, and an essay rather than a comprehensive survey, this book disclaims any attempt at a rounded presentation of his thought,[29] or its relation to his own psychology[30] or personal political,[31] or religious[32] convictions, or of his academic sociological treatment of religion,[33] even though religious rationalities are a particular focus of the present study.[34] It does not try to

[29] For good recent books see Ringer, *Max Weber* and Whimster, *Understanding Max Weber*.
[30] Radkau, *Max Weber*. [31] Mommsen, *Max Weber*.
[32] Cf. Carroll, *Protestant Modernity*, 259, who claims that 'the architecture of Weber's theory of action has been shown [by Carroll himself] to be Protestant'. Weber drew ideas from all sorts of writers, and in German universities *c.* 1900 a high proportion of scholars were Protestants, but the level of value neutrality achieved in (above all) *Wirtschaft und Gesellschaft* strikes me as so high that I find Carroll's conclusion quite unconvincing, though his book is lively and stimulating.
[33] Recent works covering some of the ground that I pass by are Sharot, *A Comparative Sociology of World Religions* (very Weberian); Kippenberg and Riesebrodt (eds.), *Max Webers 'Religionssystematik'* (important collection of essays).
[34] Note, however, that religious rationalities are not segregated here from other kinds of firmly held world-view, and a subsidiary aim of the book is to bring out some common characteristics of the ways of thinking in world religions, non-literate world-views, and secular ideologies.

enter the 'Protestantism and Capitalism' debate.[35] On the rationalisation of the West as a developmental schema[36] it has little to say (except it shows how useful his concepts of rationality can be away from debates about the nature of 'modernity'[37]).

Theory wars

The book makes no attempt, furthermore, to enter into the 'theory wars' between Weberian and other kinds of social theorist. It can be surprisingly difficult to attain a state of mutual comprehension, let alone consensus, between theoretical approaches with different 'forms of reasoning'.[38] This may be because each tends to try first to fit the others into the framework of its own conceptual scheme – as if someone approached the oeuvre of Aristotle by asking not 'what did he mean?' but 'how can Aristotle's ideas be fitted within a Wittgensteinian framework'? – a worthwhile question, no doubt, but far harder to answer than the (hard enough) straightforward one.[39] In particular, a Durkheimian framework seems to complicate the task of understanding Weber.[40] As with 'waves' and 'particles' as alternative ways of thinking about physics, it may be that two different frameworks are ultimately complementary but hard to synthesise or even think about usefully at the same time. In principle, though, the Weberian line adopted here should be compatible with Durkheimian Functionalism[41] or with cultural evolutionary models.[42]

[35] For recent studies with further references to earlier work see Barbalet, *Weber, Passion and Profits*; Swatos and Kaelber, *The Protestant Ethic Turns 100*; and *The Protestant Ethic Debate*, ed. Chalcraft and Harrington.

[36] Schluchter, *The Rise of Western Rationalism*.

[37] See below pp. 19–21, and *passim*.

[38] Cf. a recent comment by a leading sociologist of religion: 'The meaning that social scientists and social theorists attribute to secularisation, for example, varies with their assumptions about whether it [i.e. religion] is a constitutive feature of social life, a contingent product of certain forms of social life, an anthropological constant or a psychological property. A characteristic logic or form of reasoning runs through each position making them virtually indifferent to arguments rooted in different positions.' (Beckford, *Social Theory and Religion*, 194.)

[39] A paradoxical result is that I have always found it easy to explain Weber's ideas about rationality to undergraduate and masters students, but not to other colleagues who are either suspicious of theory as such or so committed to a different one that the latter provides the categories for understanding Weber.

[40] See notably the Durkheim expert Steven Lukes's comment that 'The use of the word "rational" and its cognates has caused untold confusion and obscurity, especially in the writings of sociological theorists'; he adds that 'I think Max Weber is largely responsible for this. His uses of these terms is irredeemably opaque and shifting' (Lukes, 'Some Problems about Rationality', 207). It is remarkable how little (if anything?) Durkheim and Weber said about each other in print. The likely explanation is that neither could dismiss the other, nor yet see how the other's ideas could be integrated with his own.

[41] Thus see below, Chapter 2, p. 91; cf. 94–5.

[42] For one of the most important syntheses in this kind of framework see Runciman, *A Treatise on Social Theory*.