

usage applies the term 'political,' not only to groups which are the direct agents of the legitimate use of force itself, but also to other, often wholly peaceful groups, which attempt to influence politically corporate action. It seems best for present purposes to distinguish this type of social action, 'politically oriented' action, from political action as such, the actual corporate action of political groups.

3. Since the concept of the state has only in modern times reached its full development, it is best to define it in terms appropriate to the modern type of state, but at the same time, in terms which abstract from the values of the present day, since these are particularly subject to change. The primary formal characteristics of the modern state are as follows: It possesses an administrative and legal order subject to change by legislation, to which the organized corporate activity of the administrative staff, which is also regulated by legislation, is oriented. This system of order claims binding authority, not only over the members of the state, the citizens, most of whom have obtained membership by birth, but also to a very large extent, over all action taking place in the area of its jurisdiction. It is thus a compulsory association with a territorial basis. Furthermore, to-day the use of force is regarded as legitimate only so far as it is either permitted by the state or prescribed by it. Thus the right of a father to discipline his children is recognized—a survival of the former independent authority of the head of a household, which in the right to use force has sometimes extended to a power of life and death over children and slaves. The claim of the modern state to monopolize the use of force is as essential for it as its character of compulsory jurisdiction and of continuous organization.

4. In formulating the concept of a hierocratic corporate group, it is not possible to use the character of the religious sanctions it commands, whether worldly or other-worldly, material or spiritual, as the decisive criterion. What is important is rather the fact that its control over these sanctions can form the basis of a system of spiritual imperative control over human beings. What is most characteristic of the church, even in the common usage of the term, is the fact that it is a rational, compulsory association with continuous organization and that it claims a monopolistic authority. It is normal for a church to strive for complete imperative control on a territorial basis and to attempt to set up the corresponding territorial or parochial organization. So far as this takes place, the means by which this claim to monopoly is upheld, will vary from case to case. But historically, its control over territorial areas has not been

Appendix A

Ernest McGill, *amicus curiae*

Parker et al. v. DC Government

US Court of Appeals, DC Circuit. Case no. 04-7041

In the original passage that is the source for the phrase the state's "monopoly on violence," the exercise of force was authorized **or permitted** by the state which means by law. It did not mean as the contemporary political cynicism would have it that an absolutist state confiscates all the guns and oppresses a disarmed populace.

neary so essential to the church as to political corporations; and this is particularly true to-day. It is its character as a compulsory association, particularly the fact that one becomes a member of the church by birth, which distinguishes a church from a 'sect.' It is characteristic of the latter that it is a voluntary association and admits only persons with specific religious qualifications. This subject will be further discussed in the Sociology of Religion.⁸⁷

⁸⁷ This reference is presumably to the section entitled *Religionssoziologie* which is published as part II, chap. IV of *Wirtschafts und Gesellschaft*, but is not included in the present translation. In it Weber attempted a systematic typological analysis of the social aspects of religious phenomena. This chapter should not be confused with the three volumes of the *Gesammelte Aufsätze zur Religionssoziologie* which consist of a series of comparative empirical studies of particular religious systems in terms of their bearing on the development of modern capitalism. In the section of *Wirtschafts und Gesellschaft* which he refers to Weber has attempted a more connected and complete typological analysis than is to be found in the comparative study.—Eh.

Page 156.

Max Weber: *The Theory of Social and Economic Organization*.

Translated by A.M. Henderson and

Talcott Parsons; edited with introduction

by Talcott Parsons,

Oxford University Press, 1947