intersections

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Beyond Weber

Table of Contents

ARTICLES

BOOK REVIEW

Pedro Jorge da Costa Caetano,* Stefánia Toma,**
Thomas Kemple*** & Maria Manuela Mendes****

Beyond Weber: Social change between disenchantment and rationalization processes in plural communities

* [pedrocaetano@fcsh.unl.pt] (CICS.NOVA, New University of Lisbon)
** [stefania.toma@ubbcluj.ro] (Romanian Institute for Research on National Minorities; Babeș-Bolyai University)
*** [thomas.kemple@ubc.ca] (University of British Columbia)
**** [manuela_mendes@iscte-iul.pt] (ISCSP, Universidade de Lisboa; Centro de Investigação e Estudos de Sociologia do Iscte-Instituto Universitário de Lisboa)

1 A Weberian approach to social action

More than a century after Max Weber, the issue of axiological neutrality, or in Weber's terms 'value-freedom' in the social sciences, is once again being raised with exceptional acuteness in the realm of education. The freedom to research, publish, teach, and learn a variety of subjects stemming from different and sometimes conflicting value spheres is being hotly contested. For instance, in Palm Beach, Florida, a teacher's contract was suspended 'after complaints that he was indoctrinating students during his lectures on racial justice' (Pelletier et al., 2023). Consequently, 'Gov. Ron DeSantis signed legislation ordering Florida state colleges to publicly share the textbooks and instructional materials required for "at least 95 percent of courses" offered in an academic term' (Pelletier et al., 2023). This measure, in practice supported by the Individual Freedom Act, also known as the 'Stop WOKE Act', amounts to 'unconstitutional classroom censorship that restricts teachers and students from learning about and discussing race and gender' (Woodward, 2022). Politicians like DeSantis not only try to dictate which among countless thematic subjects should be open to critical reflection and regarded as socially relevant for students' academic development; they also decide which perspectives should be privileged for discussion in the classroom. Indeed, 'he accused the university of betraying its values-based mission by being "complacent" on an important topic like race' (Marcus, 2023) under the pretext that it was politically motivated by woke culture (Marcus, 2023).

This stance decidedly contradicts Max Weber's staunch support for 'ethical passion for academic freedom' (Shields, 1949, p. v; Wessely, 2011), which he understood as value-freedom (*Wertfreiheit*) in research and the freedom to teach and learn (*Lehrfreiheit* and *Lernfreiheit*) in the classroom; it also runs counter to his emphasis on preserving intellectual integrity and objectivity in the social sciences (Kemple, 2023). In fact, as Shields points out (1949, p. ix), Weber contributed to clarifying the problem of conflating 'the false identification of an apolitical attitude with scientific integrity,' and his arguments should help us 'to refute the unfounded charge that the social sciences are ethically relativistic or nihilistic in either their logical implications or their empirical consequences.'

However, Weber would not be surprised by these positions. He believed that 'the "points of view," which are orientated towards "values," from which we consider cultural

objects and from which they become "objects" of historical research, change' over time (Weber et al., 1949, p. 158), and thus acquire distinct and novel characteristics in different historical periods. Consequently, 'every significant value judgement about the aspirations of others must be a critique from the point of view of their own *Weltanschauung*; it must be a struggle against the ideals of others from the point of view of their own ideals' (Weber et al., 1949, p. 60). In the current context of university teaching and research, the struggle to achieve the greatest possible objectivity is integral to the vocation of scholarship, which, in Weber's view, 'might also be lived as the art of understanding the mutuality of meanings, and the vigilance needed for either keeping watch over or engaging in the conflict between values' (Kemple, 2014, p. 199). In Weberian terminology, this approach, which lies at the heart of a comprehensive sociology of phenomena or 'science of reality' (*Wirklichkeitswissenschaft*), represents 'the "value-analytical" interpretation which enables us to "understand" [our] relations to values [*Wertbeziehungen*]' (Weber et al., 1949, p. 147).

From a Weberian perspective, it is not enough for the researcher merely to rely on source materials and technical tools; instead, a careful selection of topics and a rigorous interpretation of events must also be made. For Weber, the methodical gathering of facts, although indispensable, is only a prerequisite for interpretation and a stage in the explanation of such data within the social sciences (Weber et al., 1949, p. 146). This stage must be complemented with an analysis of the values that guide judgments and opinions, and therefore 'involves my "taking an attitude" in a certain concrete way to the object in its concrete individuality; the subjective sources of this attitude of mine, of my "value-standpoints"' (Weber et al., 1949, p. 150). That is, it involves examining and acknowledging the researcher's (or teacher's) own ethical, intellectual, and political commitments. By highlighting shifts in socially acceptable perspectives on a particular subject, which stem from changes in associated values and preferences, and underscoring how these align with one's stance towards a given subject, Weber introduced the study of values and rationalities into the realm of social sciences. This pioneering move inaugurated the field of investigation into the meanings and motives of social action.

According to Weber, the claim to understand a given historical period presupposes the theoretical-interpretative task of recognizing the way in which '"ideas" are "incorporated" into or "work themselves out" in the political structures in question' (Weber et al., 1949, p. 150). Given the current resurgence of divisions and conflicts between various groups and cultures in today's world, it is imperative to adopt a Weberian theoretical-methodological approach for a value analysis of contemporary societies. This approach can aid in reflecting on our actions, as 'we are at an inflection point in our collective understanding of the intersections of race, gender, class, and colonialism, and how they have shaped our world today' (Cayley, 2021), amidst rising nationalism, growing inequalities, the difficulties of coexisting in urban areas, and threats from the fourth industrial revolution, including artificial intelligence, climate change, and disinformation. By incorporating Weber's analytical framework into our investigations of these issues, we can gain valuable insights into how individuals incorporate socially available logics of action while being influenced by their own aspirations and collective expectations as they become objectified within available grammars of action. Examining these repertoires or grammars of actions contributes to social scientific knowledge, which Weber defines as 'knowledge which has been derived from our own experience and our knowledge of the conduct of others' (Weber et al., 1949, p. 174).

The primary objective of this special issue is to showcase articles that align with this Weberian objective. We begin by highlighting the articles by Manuela Mendes and Frank Eckardt. Their work explores the potential and limitations of using Weberian conceptual tools in studying collective identities. Specifically, both authors aim to evaluate the value-relevance of two concepts – the European city and ethnic relations – which are still relatively underexplored by Weber, although they are now considered standard topics of social scientific investigation. Following Weber, the articles by Mendes and Eckardt demonstrate how these concepts originate from political communities, representing a possible historical solution to a recurring problem of social organization (Mommsen, 1980, p. 171). They draw on Weber's heuristic approach of 'disclosing facts' (Weber et al., 1949, p. 147) in order to unveil, beyond the abstraction of concepts and categories, 'a thoroughly concrete, highly individually structured and constituted "feeling" and "preference"' (Weber et al., 1949, p. 147). Like the other articles in this Special Issue, each adheres to Weber's assertion that establishing the adequacy of an ideal construction to empirical reality is paramount in social scientific research (Weber et al., 1949, p. 147).

Mendes tests the applicability of Weberian ideal types such as 'ethnicity' and 'race' on one of Europe's most vulnerable communities, the Roma/Ciganos living in Portugal. The notion of 'race' within this community differs from the conventional scientific definition that has now fallen into disuse. At a time where political factions are actively attempting to promote racialization and ethnicization with regard to social inequalities (Bello, 2023), the author explores whether group action based on specific ethnic values and conduct is subjectivized by the Roma/Ciganos themselves. In this sense, the Weberian urge to look for and understand plurality and diversity (Weber, 1978) is still timely.

Eckardt delves into the potentialities of the European city model, building on the assumption of community civic values, which Weber treats as a priori conditions for the development of urban socio-spatial rationalization processes, and which currently operate according to a multi-scalar logic: from global to local.

A second set of articles explores the exercise of a value-interpretative approach in two different spheres of rationalization: art and science. Guerra revisits Max Weber's writings on the sociology of music and extends his insights to examine recent developments in computer-generated compositions, while Delaunay conducts a sociological interpretation based on empirical research involving medical specialists and embryologists operating in the field of assisted reproductive techniques (ART). Both articles reflect on the potential as well as the limits of technical-instrumental rationality (*Zweckrationalität*), at the same time taking up the 'old' Weberian theme of the disenchantment of the world and the anthropological conditions of the possibility for liberation from rationalized processes of socialization. They emphasize the threat of irrationality caused by rationalization processes, which run the risk of escaping human control, and each questions the aesthetic, scientific, and ethical limits of technical-instrumental rationality.

With regard to the field of art, Guerra's article extends Weber's (Weber et al., 1949, p. 38) argument that the 'creation of new techniques means above all increasing differentiation and offers only the possibility of increasing the "richness" of a work of art in the sense of intensifying its value.' Rationalization in art renders neither aesthetic judgment nor 'the value-interpretative approach' useless, Weber argues, unless it is considered apart from 'the purely empirical-causal approach' (Weber et al., 1949, p. 38). The rationalization of art – including today's digital recording technologies and artificial intelligence compo-

sitional programs – does not inherently denote a route to its ultimate refinement, given that 'the various technically rational principles conflict with each other, and a compromise can never be reached from an "objective" point of view, but only from the concrete interests involved at the time' (Weber et al., 1949, p. 38). Consequently, Weber insists that 'whenever one wishes to affirm a value judgement, it is necessary to take into account the subjective and objective social influence of technical rationalisation' (Weber et al., 1949, p. 38).

In the realm of science, besides the perils presented by artificial intelligence mentioned above, novel areas of rationalization are also becoming evident. Delaunay examines one such area: assisted reproductive techniques (ART). In response to a challenge initiated over 25 years ago by Albrow (1987), Delaunay demonstrates how scientists utilize an array of rationalities of action, including the traditional and affective sub-types. Reflection and ethical judgment regarding the regulation of scientific production and its applications in areas such as reproductive technologies are paramount. Furthermore, as Delaunay shows, the significance of considering human emotions lies in their ability to engender novel modes of social engagement that serve as alternatives to instrumental rationality. Hope, for instance, has the power to give plural meanings to the rationalization processes of ART (Gouveia & Delaunay, 2023). It is also capable of producing new ways of thinking for people insofar as it 'creates the route to attain their goals and to have confidence towards the fulfilment of their goals' (Baciu et al., 2016). In this regard, as Baciu et al. (2016) have noted: 'Hope predicts achievement better than intelligence, grades or personality traits. Therefore, hopefulness is a must-have ability for today's digital natives'.

2 A Weberian approach to social change

Understanding the cultural and historical frameworks that shape social action is crucial to a more objective understanding of our actual experience as a way to make explicit the circumstances that contribute to meaningful social change. It is also essential to comprehend how forms of domination and structures of oppression operate, hindering social change and limiting the scope of social action. To this end, neo-colonialism – the materialized manifestation of colonialism and neoliberalism's joint effects – makes use of patrimonialism, communism, and racism as political forms of oppression by forming reified structures that impede aspirations for social change.

Castellano-Durán and Laurano's articles delve into the persistence of colonialism and patrimonialism as forms of domination in Bolivia, the Middle East, and North African (MENA) countries. These entrenched 'systems' have proven resistant to change despite efforts to dismantle them. In contrast, articles by Nazarska and by Caetano and Mendes examine a related theme that was especially close to Weber's heart: the role of religious congregations in driving social transformation. Nazarska conducts a historical analysis of Bulgaria's political regime shift, specifically highlighting the transition from Communism to more democratic forms of governance. Caetano and Mendes examine the evolving mindsets of Portugal's Roma/Cigano ethnic minority, with an emphasis on their gradual embrace of education against the longstanding tradition for decades within this community, which encourages adolescents to abandon schooling.

Castellano-Durán's and Laurano's articles analyze the intricacies of political rationalization in 'sensitive' geopolitical regions, namely Latin America and the MENA region. Their work openly scrutinizes the shortcomings of recent political reforms implemented within these areas in recent years. These unsuccessful reforms represent a hammer blow to the moral and political aspirations of the peoples of these regions. The authors' reflection on neo-patrimonialism is relevant also to the older or newer authoritarian or soon-to-be authoritarian political systems of the Eastern European regimes (see, for example, Szombati, 2021; Ferenc et al., 1983). It can also bring a fresh understanding of or put into a new light the Cuban revolution or the socio-political changes in the countries of the South American continent (Cumbrera et al., 2020; Holbraad, 2018).

In the case of Bolivia, the state's impotence in translating the traditional indigenous ethos of 'Vivir Bien' into concrete and inclusive public policies has caused discontent among the most vulnerable social groups. There was a well-documented tension between the development of the legal framework of the 'Vivir Bien,' a political and social project that can be regarded as innovative, and its implementation in and impact on society. Also, this movement raises questions regarding the ethical relationship between development and the natural environment, which can become a contested political project, partly due to the activation of clientelism (Ranta, 2022; we may also think of the Roșia Montana and Sweighofer cases in Romania or the cyanide pollution of the Tisza River in Hungary).

Meanwhile, in the MENA countries, authoritarian and militaristic practices are suppressing democratic ideals among the younger generations who seek change amidst the increasing influence of ethnic and religious radicalism.[1] In Bolivia, 'Vivir Bien' (Living Well) clashes head-on with bureaucratic practices rooted in the colonial past in the form of 'Raison d'État' (Reason of State); in MENA, democratic impulses clash with the neo-patrimonialist legacy characteristic of these political regimes.

The relevance of Weber's theoretical insights to these cases is unquestionable. Indeed, in *Economy and Society,* Weber was cautious about 'The Technical Superiority of Bureaucratic Organisation over Administration by Notables.' Laurano follows Weber's argument that demands from the masses for 'substantive justice, oriented towards some concrete instance and person, will inevitably clash with the formalism and cold, rule-bound "matter of fact" of bureaucratic administration' (Weber, 1978, p. 980). Weber goes on to demonstrate that 'the material destiny of the masses depends on the continuous and correct functioning of the increasingly bureaucratic organizations of private capitalism, and the idea of eliminating them becomes more and more utopian' (Weber, 1978, p. 987). In a similar way, the Weberian idea regarding the challenging transformation of a traditional and informal ethos that represents the aspirations of the most susceptible groups within the domain of formal-instrumental rationality informs Castellano-Durán's approach to the operational methods employed by non-governmental organizations (NGOs) in developing nations like Bolivia. These NGOs have inadvertently adopted management strategies and solutions that prioritize development cooperation through a formal-instrumental

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[1] Like the historical regime changes in Eastern Europe, the 'Arab Spring,' which started in 2011, was also an outcome of a longer, more or less evident, resistance to development against the local authoritarian regimes (Tripp, 2013, p. 17).

rationality lens, resulting in unintended consequences despite their good intentions. On the one hand, this inevitably created friction between the population and the political and institutional sphere. On the other hand, it reminds us of what Habermas said about communicative rationality when social rationality exerts its power behind the actions of a system (Habermas, 1994).

Laurano examines the 2011 uprisings in the MENA countries, commonly referred to as the 'Arab Spring,' with a focus on exploring the feasibility of these movements toppling seemingly impregnable regimes that have held political sway over the region for numerous decades. The movements ultimately proved unsuccessful in nearly all of these nations, as they were unable to effect a reversal of the entrenched hierarchical power dynamics perpetuated by neo-patrimonialism. A significant body of literature discusses these movements in different types of authoritarian regimes in the Middle East and their success in securing both long-term survival and legitimacy and the Arab uprisings (Schlumberger, 2006; Levine, 2013; Seeberg, 2015). These studies raise a legitimate question: How can we explain some long-lasting social forms and their continuous reproduction in society in the context of social change? (See also Böröcz, 1997). Lack of economic development and political crises, or on the contrary, the adoption of neoliberal policies and the commitment to the so-called processes of modernization do not explain entirely the present-day outcomes of processes in the MENA region. There is a need to take into account the colonial past and the relationship between occupier and occupied and to consider the variety of leaders and types of support they receive in legitimating their authority and positions. Acknowledging the use of the Weberian ideal types in understanding such political developments, Szelényi and Mihályi (2021) propose another typology to analyze systems of domination in the twenty-first century. They claim that since these systems are hybrid and because social changes, in fact, pendulate between these types, there is no singular direction of change. Their argument might offer an answer to the questions that Laurano's article raises. Furthermore, the transition to democracy, a Western concept, remains elusive in the MENA region due to political administrations that often maintain connections with judicial and military power-holders – a characteristic of patrimonialism in the modern context. Western countries remain concerned with the quality of democracy in the region and specifically worry about dysfunctional effects stemming from bureaucratic rationalization and its instrumental structures.

The last set of articles, grouped here according to their elective affinities with one another, deals with another theme close to Weber's heart: the possibility of promoting social change through the action of charismatic movements or personalities. Religion serves as a pivotal agent of transformation, providing an ideal platform for the emergence of charisma and the activation of a calling. Both Nazarska's article and the one by Caetano and Mendes emphasize the role of charismatic religious congregations in changing mentalities and practices. In Nazarska's analysis, religion played a crucial role during Bulgaria's political transition from Communism to democracy, while in the scenario examined by Caetano and Mendes, it facilitated subjective changes in schooling investment among young Portuguese Roma/Ciganos residing in Lisbon and Porto metropolitan areas. These articles aim to analyze social transformation through the lens of the Weberian prism (Kemple, 2014, p. 129), constructing specific 'historical individuals' and investigating the significance of values, particularly religious tenets, in potential correlations with scrutinized

phenomena. The authors report on the emergence of a sense of community capable of being transformed into a spontaneous belief and a kind of solidarity, thus participating in a 'spirit' capable of changing individual behavior.

One of the main challenges confronting the European Union is precisely the role and functioning of public administrations in democratic systems. In an era of profound uncertainty, marked by technological and environmental perils on a global level compounded by successive political, economic, and social upheavals, governments are increasingly called upon 'to develop better public policy outcomes and high-quality public services that respond to the needs of their citizens, and to transform their internal operations on the go, creating modern and innovative public administrations' (EC, 2023). As Weber had anticipated, state bureaucratic machines are often hindrances to the openness of public procedures and decisions, impeding citizens' widespread participation in promoting the common good. This creates an insurmountable gap between individuals and the state, emphasizing the importance of comprehending past events in order to envision and realize future possibilities.

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Maria Manuela Mendes

Revisiting the Weberian conceptual framework and its relevance for analysing ethnic and racial relations in contemporary times

[mamendesster@gmail.com] (ISCSP, Universidade de Lisboa; CIES-Iscte, Lisboa)

Abstract

Max Weber was a forerunner and one of the most innovative sociologists of his time. Among the many and diverse contributions to his extensive work, this article aims to highlight his importance and pioneering spirit in the analysis of ethnic and racial relations. Based on the fact that Romani people (known as Ciganos in Portugal) comprise the most numerous minority in Europe (10–12 million), we aim to discuss the relevance and limits of certain conceptual tools and forms of (self) categorization of Ciganos/Roma, namely those based on racial and ethnic phenomena, revisiting Max Weber's writings. Based on a qualitative study carried out on Portuguese Ciganos/Roma, using in-depth interviews of women and men resident in the Lisbon Metropolitan Area, we seek to question the pertinence of these forms of categorization when applied in operative and empirical ways to Ciganos/Roma persons in contemporaneity.

Keywords: Max Weber; ethnic and racial relations; Ciganos/Roma; Portugal

1 Introduction

Weber's perspective still offers some of the most important insights concerning issues related to race and ethnic relations and his influence is still significant among contemporary authors (Stone, 1995; Banton, 2007; 2008; Winter, 2000; 2020) and in the sociology of ethnic and racial phenomena. Nevertheless, Max Weber is less known for his contribution to the analysis of ethnic and racial relations (e.g. Brubaker, 2009; Banton, 2014). It is against this background that this article seeks to discuss the relevance of some of his concepts and forms of categorization of and by Ciganos/Roma, namely those based on racial and ethnic belongings, especially the Weberian concepts of ethnic group, race and community.

In an exploratory discussion, we look at the limits and potentialities of these conceptual tools for the study of collective identities, in addition to the analysis of racial and ethnic relations, and the racial and ethnic boundaries of Ciganos/Roma in contemporary societies. Although Weber's references to Roma are rather rare, not explored in depth and somewhat unnoticed by many Weberian scholars, we are particularly interested in ad-

dressing the theorising and operationalization of these concepts, empirically based on Portuguese Ciganos/Roma. This article is organized into four sections: in the first, we revisit some of the relevant concepts for the analysis of ethnic and racial relations; in the second, we present a diachronic and synchronic overview of Ciganos/Roma in Portugal; this is followed by an explanation of the research methodology, data collection and analysis techniques; the fourth section, is centred on an investigation and discussion of the two main axes of analysis: the categories which are used and preferred in naming Ciganos/Roma and the meaning of 'being Cigano/Roma.' Finally, we reflect in an analytical and comprehensive manner on the operativity of Max Weber's conceptual framework when transposed to empirical research regarding the examination of Portuguese Ciganos/Roma, and about Weber's legacy in the analysis of racial and ethnic relations in contemporaneity.

2 Max Weber's legacy: Some contributions to the analysis of ethnic and racial relations

Weber was a pioneer and innovator of his time by discussing the subject of ethnic and racial relations, contributing in an unavoidable way towards the definition and consolidation of sociology in relation to ethnic and racial phenomena. It must be said however that certain sections of his book *Economy and Society* which was published posthumously, specifically those focused on these themes, are subject to translation controversies in the versions translated from German to English and Brazilian Portuguese.

According to Max Weber a 'much more problematic source of social action' is race (Weber, [1920] 1978, p. 385), which in turn, creates a *group* only when it is 'subjectively perceived as a common trait: this happens only when a neighbourhood or the mere proximity of racially different persons is the basis of joint (mostly political) action, or conversely, when some common experiences of members of the same race are linked to some antagonism against members of an obviously different group' (ibid.). For Max Weber the most important 'is the belief in' and not the common past. Moreover, a shared ethnic origin does not constitute a group (Banton, 2008). In this context Max Weber goes beyond and defines ethnic groups as 'human groups that entertain a subjective belief in their common descent because of similarities of physical type or of customs or both, or because of memories of colonization and migration; this belief must be important for the propagation of group formation; conversely, it does not matter whether or not an objective blood relationship exists' (Weber, [1920] 1978, p. 389). This concept is thus little related to biology as Elke Winter (2000; 2020) clearly demonstrates that Weber progressively shifted from a biological conception of race towards a sociological conception (Meyran, 2005).

For M. Banton, Weber speaks of *ethnic communities* and not ethnic groups (Banton, 2007), defining them as a human group who believe they have common ancestors which provides a basis for the creation of a community. Essentially, they have a presumed common past and a 'presumed identity'. In other words, for Weber, ethnic belonging does not in itself constitute a group, but facilitates the formation of a group in the political sphere, with ethnicity operating as a mechanism maintaining monopolies (Weber, [1920] 1978) and social closure, in addition to being a form of political mobilization (Weber, [1920] 1978;

Malesevic, 2004; Banton, 2008). The belief does not create the group, but it can be important for the maintenance of the group, and the group's goal is to monopolise power and status. It was primarily the political community that inspired belief in shared ethnicity (Banton, 2008). However, the existence of a political community is a precondition for ethnic group action (Malesevic, 2004). The shared descent presumably facilitated the maintenance of a distinctive religion.

Race, caste or culture are equally important in generating the belief in common ethnicity. It is presumed identity among social actors which represents a potential for group formation, communal relations and social action. This potential for social action implies a belief of social actors in common descent based on racial and cultural differences.

In *Economy and Society*, Weber ([1920] 1978) declared that a racial group was constituted only when people perceive themselves and others as possessing common inheritable traits derived from common descent (an idea of racial belonging). For Weber, membership of a race was a source of communal action. Weber did not agree that race was to be determined solely by physical characteristics. The author refers to a tendency towards 'the monopolization of social power and honor' and a 'tendency which in this case happens to be linked to race' (Weber, [1920] 1978, p. 386).

The idea of group closure is also a key concept in this context: for Weber 'any cultural trait, no matter how superficial, can serve as a starting point for the familiar tendency to monopolistic closure' (Weber, [1920] 1978, p. 388); in this regard, its importance manifests itself particularly in order to grasp the origin, dynamics and consolidation of ethnic and racial groups, namely the tendency towards the monopolization of economic, social and political benefits, as the intention of this monopolization is to close the social and economic opportunities to outsiders.

It can be considered that even today the Ciganos/Roma occupy liminal and interstitial spaces between traditional communities and modern societies. A social relationship is open to 'outsiders if and insofar as its system of order does not deny participation to anyone who wishes to join and is actually in a position to do so.' In turn, it is closed 'against outsiders so far as, according to its subjective meaning and its binding rules, participation of certain persons is excluded, limited, or subjected to conditions. Whether a relationship is open or closed may be determined traditionally, through affect, or rationally in terms of values or of expediency' (Weber, [1920] 1978), p. 43).

While this text does not claim to be exhaustive, it seems relevant to explore one other concept of Weber's sociology. Thus, in the early years of the 20th century, Weber described Gypsies (Ciganos/Roma) as well as Jews, as pariah people. In his view 'the purest form of this type is found when the people in question have totally lost their residential anchorage and hence are completely occupied economically in meeting demands of other settled peoples – the gypsies, for instance, or, in another manner, the Jews of the Middle Age' (Weber, [1916] 1958, p. 13).

His concept of pariah people is connoted with communities characterized by a loss of 'residential anchorage', characterized as a distinctive hereditary social group, by 'political and social disprivilege'; by 'a far-reaching distinctiveness in economic functioning' and by ritual separation from mainstream society (Weber, [1916] 1958). In Ancient Judaism, Max Weber adds other identifying traits, such as the segregation, they 'were ritually separated, formally or de facto, from their social surroundings' (Weber, [1916] 1958, pp. 3–4).

Other aspects should be highlighted, namely the importance of ritual separation characterized by prohibitions against commensality and intermarriage. Weber perceived Jews as a race and as a pariah group without residential anchorage and hence completely occupied economically in meeting demands of other settled peoples (Weber, [1916] 1958), a category applied also to 'impure' Hindu castes and Gypsies (Barbalet, 2022). Some authors criticized Weber for the apparently pejorative connotation of the term people, which constituted yet another controversial issue.

Despite over a hundred years having passed since the publication of *Economy and Society*, it remains that as Roger Brubaker (2009, p. 22) states 'The literature on ethnicity, race, and nations and nationalism was long fragmented and compartmentalized' in different and separate fields of study. Loïc Wacquant (2023, p. 127) is also very critical and in a neo-Bourdieusian spirit proposes to 'historicize the notion of "race"' on the one hand and on the other to 'disaggregate the ethno-racial phenomena into its "elementary forms" of racial domination, categorization, discrimination, segregation, reclusion and violence.'

3 The case of Ciganos/Roma in Portugal: an overview

Ciganos have always been attributed a condition of strangeness and difference (contrast), despite being part of the largest ethnic minority in Europe (10–12 million), rooted in most European countries for over five centuries (Liégeois, 1994). In Portugal, this population, perhaps underestimated, stands at 50 to 60 thousand people (ACIDI, 2013). While certain Cigano academics, mediators, association leaders and activists, recognise themselves and mobilise under the term Roma[1] (Kóczé, 2015; Kokora, 2022), the majority of Portuguese Ciganos do not identify themselves or even recognise themselves in the labels 'Roma'/ 'Rom'/'Romani'; instead, they use the term 'Cigano', which takes on a mostly derogatory meaning for the majority society and for many Ciganos. This is one of the reasons that we believe that it still currently makes sense to use the term Ciganos in its emic sense. Portuguese Ciganos belong to one of the dominant subgroups in Europe and the Americas, the Caló/Calé. In Portugal, the collection of ethnic statistics is not allowed; as such, the only recent study which presents a more complete, quantifiable and reliable picture was produced in 2014 (Mendes et al., 2014). Portuguese Ciganos present a certain heterogeneity and different forms of social and spatial insertion with various nuances in terms of lifestyle and even cases of reconciliation of different lifestyles (Magano, 2010). In fact, we tend to forget that there is enormous diversity and cultural heterogeneity among Portuguese Ciganos and various forms of social and spatial incorporation (Magano, 2010; Mendes et al., 2014).

There is differentiation between those who say they live a traditional Cigano life (Magano, 2010) and others who follow a lifestyle closer to that of 'gentlefolk/master of the non-Ciganos'. The Ciganos themselves consider that there are regional and social differences between the 'Beirões' (from the interior-centre of the country), the Galicians, the 'Alentejanos' (from the more southern centre), among other factors of differentiation, with

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[1] Adopted from 1971 onwards, following the World Roma Congress in London.

frequent self-distinctions among the Ciganos themselves, sometimes within the same geographic territories. Although a large part of the Ciganos is currently settled, where this is not the case, the choice of a 'nomad' lifestyle arises from a complex web of relations whose agents are not only Cigano families and persons, but also institutions, local authorities and other Cigano and non-Cigano persons, often with practices of forced nomadism. However, the social representation of what being a Cigano is still continues to be marked by a certain Eurocentric stereotyping linked to the image of a 'nomad', free of all and any social commitments and ties. In some Portuguese local territories, Ciganos continue to be subject to constant expulsions, with an 'ancient category' having been reinvented, that of the compulsively nomadic Cigano population (Nievas, 2023; Assunção, 2019). This term is a social and even political category which serves purposes of racial domination and classification, describing what is perceived as a racialized and deviant way of life deeply embedded in the nature and culture of the Ciganos by institutional actors.

More recently, the Report of the European Union Agency for Fundamental Rights (FRA, 2022) highlighted some indicators of structural inequality between the Ciganos and the population in general in various countries. Accordingly, in 2021, 80 per cent of the Cigano population lived below the poverty threshold in their country of residence,[2] with the most adverse situations having been found in Spain, Italy (98 per cent) and Portugal (96 per cent). Moreover, the inequalities at this level between Ciganos and the population in general are among the highest in our country, reaching 16 per cent of the population in Portugal, 21 per cent in Spain and 20 per cent in Italy (FRA, 2022).[3]

4 Methodological strategy

A qualitative methodological strategy was used in this research, as we were interested in accessing the interior world, socially constructed by its subjects, where we were tasked with the interpretation of its 'social meaning through mapping and "re-presenting" the social world of research participants' (Ritchie & Lewis, 2004, p. 5). The main advantages of this approach being: 'qualitative research is an interdisciplinary, and sometimes counterdisciplinary field. It crosscuts the humanities and the social and physical sciences [...]. It is multiparadigmatic in focus. Its practitioners are sensitive to the value of the multimethod approach' (Denzin & Lincoln, 2000, pp. 3–4).

In addition to the use of documental analysis, our empirical analysis included semi-structured and in-depth interviews as its primary technique, which played a key role in the context of this research. The aim is to follow the Weberian interpretative understanding, insofar as interviews are the technique par excellence that allows us to capture the extent to which the individual who acts attributes a subjective meaning to their behaviour of social action and thereby with a causal explanation of its course (Weber, [1920] 1978, p. 4). This instrumental resource gave us a better understanding of the 'I' as well as its past, generally aimed at gaining a better grasp of subjective data (ideas, beliefs,

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[2] Bulgaria, Czechia, Greece, Spain, Croatia, Hungary, Italy, North Macedonia, Portugal, Romania, Serbia, Slovakia.
[3] A total of 8461 interviews were conducted, with 568 having been in Portugal.

opinions, attitudes, emotions, conduct), as well as aspects of reality not always directly observable or even measurable (Foddy, 1996), offering the researcher in-depth and rich information on matters sometimes of delicate, complex and sensitive nature. A total of 40 interviews were held with Cigano women and men, resident in Lisbon Metropolitan Area, on average lasting 90–130 minutes. In the selection of interviews, we considered various criteria, such as gender, age, marital endogamic and/or exogamic relations, and occupations in different sectors of activity, given that the objective was to present a range of social protagonists and learn about their contrasting social trajectories and life conditions. In an initial phase, the contact with the interviewees was regular, personal and without any institutional networks; rarely was there ever any institutional mediation; in one or two situations, the initial approach required the researcher to visit residential spaces where they could meet the target population with greater ease, and they generally showed openness and willingness for an interview. The majority of interviews were then held in the interviewee's home and only rarely were they in public spaces (cafés, parks, etc).

The methods of analysis of the qualitative data entailed a thematic analysis and a typological analysis, using NVivo qualitative data treatment software. It was possible to identify emerging categories, based on the available information, rather than imposing categories and ideas *a priori*. The main topic involved issues related to the history of the family of origin and the current family; residential, school and professional trajectories; representations in relation to the majority; categorizations; prejudice; self-identification; perceptions about fields of discrimination and associated feelings, among other aspects.

5 Analysis and discussion

This section is divided into four components: starting with a brief description of the study's participants; followed by an analysis and discussion of the results of the interviews, centred on the evolution of the use and meaning of the categories mobilized to name the Ciganos/Roma; a third part focuses this discussion on the two categories of race and ethnicity; and fourthly explores the social meaning of belonging to Ciganos/Roma.

5.1 Some socio-demographic characteristics of the study's participants

The interviews were held with 22 men and 18 women of which: around half were younger than 29 years old, the majority were married (29) – in mostly endogamic relationships (only three were in exogamic relationships, with a further three being separated/divorced from non-Cigano people); 12 interviewees had passed primary education; eight had passed higher secondary education; six had passed lower secondary education; and two held university level degrees. In relation to the pattern of their social and professional integration, over half are unskilled workers (21), followed by administrative, commercial and service industry employees (nine). There are some limited cases of men who are technicians, mid-range intellectuals and scientists (three). Furthermore, it is important to highlight that the majority of those active are independent workers (26). There is a higher proportion of interviewees in Lisbon council (14), followed by other councils in the metropolitan area of

Lisbon (AML), such as Amadora, Seixal, Sintra, Cascais, (each with three people, respectively). Only 15 revealed a consolidated geographic rootedness (living in the council in which they were born), while 25 interviewees were born in a council where they do not currently live, with ten originating in a council of the metropolitan area of Lisbon and ten were outside this area mostly from councils in the Alentejo region.

5.2 Categorization and classificatory categories

Among them, it is above all the men with higher schooling levels and more diversified social experiences define the Ciganos as an ethnic group (eight interviewees). Even so, the term 'race' still continues to be the most used. However, some of the Cigano interviewees state that it does not make sense to use labels to name the different minority groups. Hence, the need to name and categorize the Others and those who are different is understood as a feature revealing the reinforcement and perpetuation of prejudice in relation to those who are different. For some of the interviewees, designations that demarcate Ciganos from non-Ciganos should be abolished. Henrique[4] draws attention to the fact that his national identity card only stipulates that he is Portuguese and nothing more. He thus makes it very clear that the fact that Ciganos are designated as such, is nothing more than a form of discrimination, emphasizing that: 'I think that it serves no purpose; on my identity card it doesn't say… whether I am of Cigano race or whether I am white or something else, why should it be said in any other manner' (Man, 38 years old, six years of schooling).

But there are also those who argue that Ciganos do not care, they do not even think about the categories attributed to them, as the daily constraints and deprivations facing them are so pressing that this is an issue that does not concern them. The name by which they are designated by the Others may simultaneously generate feelings of belonging, or on the other hand, it may possibly incite positions and strategies of resistance. Indeed, the Ciganos themselves are active in the construction of their self and hetero representation, manipulating codes and routines, according to the situation and context. When persons self-categorize themselves as a member of a social group – the Ciganos –, their emotional responses may be grounded to a large extent in their identification and feeling of belonging to that same group. Following Mackie and Smith (2002), the stronger the identification with a group, the greater the tendency for that belonging to the group to be incorporated in one's self-concept. The labels with which they identify may be perceived as mechanisms of recognition of belonging and collective identification, but also and simultaneously of recognition of differences and marking of distances. The name is not only used to designate but also to classify and declassify.

Banton (2014, p. 330) argues that 'real groups (as opposed to categories) are multidimensional' and above all, those interviewed like to be called by their own name, without any reference to their ethnic belonging (Weber, [1920] 1978). For Arlindo, the word 'Ciganos' in the plural, and as a collective, is nothing more than a mere name given to a certain group of people, just as it could have been any other. This interviewee says that, in times

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[4] The following names are those used for the interviewees: Henrique, Arlindo, Daniel, David and João.

gone by, these people who are currently known as Ciganos, were designated and known by another name. Arlindo states: 'they call it that, it's the name they gave, in the past it wasn't a Cigano, it was "ruçada" (blond), it's there in the 3 volumes, I don't know if it's in the 3 volumes of the history of Portugal. Do you know what a Cigano was called in the past? He was a Cuban' (Man, 60 years old, four years of schooling). This interviewee appears to reveal some discomfort and annoyance with the negative meaning that the majority associates with the word Cigano.

The Cigano label can thus have numerous meanings and despite the pride and honour (Weber, [1920] 1978) shown by the interviewees in their ethnic belonging, there is a notion that the invocation of the word Cigano refers to other meanings that do not correspond to those that Ciganos attribute to themselves, taking on a depreciative nature. Daniel points to other qualifiers that are immediately conjured up in the collective imaginary:

> Look, you talked about the most difficult word. I am proud to be a Cigano, I am not ashamed to show myself and say 'I am Cigano,' my children are Ciganos, I am proud to be what I am... But it's different when someone approaches me [saying] 'you are Cigano, you are a liar,' because the word Cigano means many things, it means liar, conman, thief, there you are (Man, 37 years old, four years of schooling).

João also considers that the term Cigano is pejorative as it refers to a person who engages in certain 'business deals', meaning someone involved in swindling. The interviewee clarifies that: 'The word "Cigano" means crook. And hence, the word "Cigano"' (Man, 45 years old).

5.3 What are Ciganos/Roma: a race or/and an ethnicity?

Some of the interviewees who attended the information and training sessions under the Social Insertion Income (RSI) social policy measure (low-income benefit), or those who attended literacy or vocational training sessions, learnt in these formal education contexts that the Ciganos are an *ethnic group*. However, it is not always easy to draw a clear line between race and ethnicity, especially as Ciganos give the word 'race' a double meaning, which varies according to the object. Hence, on the one hand, 'race' is used in common language as a category identifying social groups, applicable both to minorities and the majority; on the other hand, *race* serves to internally designate family groups, as explained in the footnote below, where Ciganos avoid talking about and evoking the *race* of others, as this is something endowed with a certain sacredness.[5]

Over time, the interviewees have shown a significant shift in the processes of being labelled by others, as the designation 'Cigano race' no longer tends to be heard as fre-

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[5] Race refers to family members, whether they are alive or already deceased. This is the central element of the Cigano social structure, based on patrilineal descent. Race is thus the social group to which the persons belong by birth, encompassing all the descendants on the paternal side of a Cigano who has already died and given his name to a particular family group. The founder of the lineage is someone who lived two or three generations before the oldest contemporary person and belongs to an extended family (Presencia Gitana, 1990, p. 98).

quently, apparently being shunned in favour of the term 'Cigano ethnicity'. This linguistic change seems to have been envisioned more sharply in the mid-1990s. The Ciganos themselves appear to have already incorporated this designation in their everyday language.

Some also consider that, for Ciganos, it is irrelevant being self-classified or labelled by others as a race or an ethnicity. For Tiago, there is a variety of possible forms of classification, stating that 'race and ethnicity or clan… but… I think it always sounds better to say ethnicity rather than race' (Man, 29 years old, nine years of schooling). This interviewee argued that, nowadays, the term 'race' is rarely used, even by the Ciganos themselves, to describe and name themselves, claiming that this term is better suited to non-rational animals than to human beings. The interviewee added that: 'now, at the moment, in order to show a little more respect… for the people, ethnicity should be said, race should not be said. Race is for dogs. It's more for animals.'

Other interviewees who prefer to be classified as an ethnicity, put forward other arguments. Jorge emphasized the belief in a common ethnicity (Weber, [1920] 1978), arguing that Ciganos show 'some identity, some feeling, even if it's only a memory of ancestors, for the ethnicity in itself' (Man, 47 years old, higher education). Nelson denies that the Ciganos are a 'race', claiming that they are in fact an ethnic group, expressing that 'Ciganos are a group that entered into Portugal… that entered into Andalusia in 1510; therefore, it's no race, but rather a group' (Man, 30 years old, six years of schooling). Elsa also rejects the idea of belonging to a different 'race', arguing that 'we are an ethnicity, but we are inserted in your race, we have different customs, I don't identify myself as being of another race' (Woman, 28 years old, six years of schooling).

Júlio advocates the idea that the human race is simply one and, therefore, what could differentiate the Ciganos from the Others is ethnic belonging, stressing that Ciganos are '[…] an ethnicity. It's heavy talking about a Cigano race, the word race is for dogs. I think that we are all of the same race, but I can't really explain it properly' (Man, 33 years old, illiterate).

In an intragroup context, and as noted above, naming someone's 'race' is a form of identification and affirmation of belonging within the Cigano group, and its invocation is not something that should be done lightly, as showing a lack of respect, even if verbally, for someone else's 'race' could give rise to violent acts. The invocation of a person's race is strictly associated with the utmost respect devoted to the dead in the in-group, where verbal or any other insults to ancestors are inadmissible. Should this happen, Clara made it perfectly clear that the reaction to restore the 'good name' of the race can only be violent:

> But, if a Cigano says 'your race'… Oof, if someone says, 'your race', oh, there will be a brawl immediately. Because then I am forced to say his race as well, straight away. So that mine is not… dishonoured. Because if he touches on race, he's picking on people who are already dead, you see? Understood… It really upsets us… It really churns our stomach. It causes a brawl immediately… Dead certain. No-one stays there. (Woman, 29 years old, illiterate)

In the in-group, the term 'race' thus has a very peculiar meaning, it is a word that is never uttered in vain. Accordingly, among themselves, Ciganos avoid talking recurrently about 'races' because, as Filipe states: 'saying "race" could be taken amiss, because race affects everything, it involves relatives who have already died, it entangles a lot of things' (Man, 29 years old, three years of schooling). The affective component is profoundly

enmeshed in the person's 'race', in a nutshell. It serves to identify the person in relation to the in-group's members, thus rapidly indicating that person's network of family relationships and even relationships with 'contrary' families.[6]

The use of the term race is more common among women, who classify their in-group and out-groups as 'races'. Dolores categorically states that Ciganos are 'a race all united together' (Woman, 32 years old, four years of schooling). Sara conceives Ciganos as a race, which is ruled by its own laws autonomously of the surrounding society, arguing that:

> The Ciganos are a race who only know their own law. It's a law. For example, this is hypothetical... there's a Cigano who treated the other badly. The oldest goes over to him 'have you no shame? Aren't you ashamed of treating so-and-such badly? He's such a good man, he's so humane, he doesn't deserve that. Please go and apologize to that man immediately.' They all accompany him and he does that. They shake hands, 'I am sorry for having offended you.' They hug one another. (Woman, 68 years old, four years of schooling)

Juliana staunchly states that all people are the same, as all 'are living souls'; however, in her perspective, humanity is still divided into two races: the Ciganos and non-Ciganos (Woman, 54 years old, three years of schooling). Race emerges as a form of identification and knowledge among people, Mónica stresses that '[e]veryone must have their race, they must have a name, and I can't take that away' (Woman, 34 years old, two years of schooling).

Another perspective that was found in some testimonials is that the Ciganos are a very ancient race, which is characterized by a globalized dispersion. Rui notes 'therefore, there are Ciganos worldwide, it's a millennial race' (Man, 32 years old, seven years of schooling).

The classification of Ciganos as a 'community' is practically absent from the interviewees' discourse. In addition, a minority of interviewees thought that the Ciganos are an autonomous 'people' living in a kind of society separately from the majority. Cristiana shares this position, highlighting:

> I see them as a people who don't allow themselves to be integrated into society but I also see them with a lot of discrimination. Many of them want to integrate and they aren't allowed, and I also see them as a people starved of affection, kindness, understanding. (Woman, 43 years old, nine years of schooling)

This idea that the Ciganos are a 'people' is associated with other perspectives, in particular that the Ciganos constitute a 'survivor people' which, despite its long history of persecutions, has managed to keep some of its main traditions intact. On this issue, Daniel concludes that it is a people with very strong and consistent traditions 'otherwise they probably wouldn't exist' (Man, 38 years old, higher education).

The proposition that the Ciganos are a 'people' is underpinned by the argument that this group's reality overpasses and goes far beyond the concept of ethnicity. In this context, Francisco demonstrates that there are 'various ethnicities' within the Cigano group, by stating:

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[6] Ciganos with whom they have conflicts that have resulted in deaths and the injured family can respond in the same way.

Those of the Iberian Peninsula are the Calons, the Manouche are just of France, those of Eastern Europe are the Rom, those of Southern Europe, Greece, Turkey, Albania, Bulgaria are the Kalderash. Therefore, this is a minority of an immense confusion, which is much easier to discriminate generically positively than actually specify, because if we try to specify, we will enter into the domain of the social sciences and then easily lose ourselves because it is still all very poorly studied. (Man, 29 years old, 12 years of schooling)

However, it is considered that what is referred to as 'ethnicities' corresponds to sub-groups that are located within the Cigano ethnic group. Indeed, the *Rom* (the most numerous and which include the *Kalderash*, *Lovara* and *Tchourara*) are essentially present in Central and Eastern Europe, and in some Scandinavian countries; the *Manouches* or *Sinti* are especially concentrated in Germany, Austria, Switzerland and France, and are also dispersed throughout various Central European countries. The *Caló* or *Gitanos* are the Ciganos of the Iberian Peninsula[7] (Moutouh, 2000). Fraser (1995) adds that Southern France has some groups of *Gitans*, and also distinguishes the *Calé* of Spain from the *Ciganos* of Portugal.

5.4 Social meaning of 'being Cigano'

For the majority of the interviewees, being Cigano is something that is acquired almost innately, it is a kind of primordial affinity. Sofia expresses the nature of being Cigano as something acquired at birth. Nevertheless, she is also careful to stress that it is in the interaction that the similarities and differences with respect to the Other are perceptible, making the ethnic identity stand out more. Thus, internally and subjectively, the interviewee feels that she is Cigana because

One is already born Cigana and I really consider myself Cigana. And you [the lady interviewer] consider yourself a lady. You think that you're different from me, don't you? I think so. I think that I am different from you, and you think that you're different from me. It's not because I am Cigana, but I guess I am already from this race, from birth, already everything. (Woman, 17 years old, four years of schooling)

This primordial affinity which 'comes from inside' and is born with the person, must be nurtured and polished via family socialization, as well as through the lifelong experience acquired within the midst of the Cigano group. Clara stresses that: 'Being Cigano… It's something that's born with us. I think I was born like this; I have got used to this' (Woman, 29 years old, knows how to read and write). Regarding the importance of the person's moulding via the family network anchored in the intragroup social circles, Jorge states that 'being Cigano' arises from the 'family relationship and greatly from liking to be Cigano…' (47 years old, higher education).

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[7] But there are also specific groups within the *Gitanos,* particularly in Spain, such as the *Béticos* of Andalusia, the *Kalé* of Catalonia, among others (Moutouh, 2000, p. 49).

Daniel experienced an 'in-between' (Mendes et al., 2023) life trajectory with a dual belonging having attended higher education and even married a non-Cigana and lived with his parents in council housing among Cigano relatives and neighbours. Nonetheless, he acknowledged that since his parents' deaths, his affinities with the Cigano group have become restricted to certain moments, limited 'to a few relatives and little more...' (Man, 38 years old, higher education). This interviewee identifies himself as Cigano. Being Cigano is part of this personal identity, and he confesses that he never questioned his ethnic identity, saying that 'I was born as such, I accept that I am [...]. I know the rules and I try to comply with them. Not comply with them, I try not to surpass them.'

The affective component associated with ethnic belonging is an aspect that is also highlighted by João, who stated that 'for me, it's a feeling. It is, it's a very real feeling. It's born with the person' (Man, 45 years old). This personal feeling from within is generally associated with another form of emotional manifestation which is frequently reiterated by the interviewees, expressed in an almost boundless sort of pride in their ethnic belonging. This pride of their collective and ethnic belonging and a sense of ethnic honour (Weber, [1920] 1978, p. 391) is embodied in positive feelings which strengthen personal and even group self-esteem. About this dimension, David emphasizes that he feels happiness, stating: 'I think that it gives me great happiness, the bliss of being Cigano and living as a Cigano and having my traditions as a Cigano' (Man, 37 years old, four years of schooling).

In view of the processes of structural and historical stigmatization and marginalization to which the Ciganos have been submitted since time immemorial, we can suppose that these persons have incorporated feelings of grief, shame and modesty in assuming their Cigano identity. But, in fact, rare are the cases in which this happens. Filipe denies that the positivity associated with his ethnic belonging coexists with feelings of humiliation and shame, by stating that: 'I don't feel ashamed to show what I am, I feel proud' (Man, 29 years old, three years of schooling).

Being Cigano is incorporating, in the 'I', emotions apprehended and experienced in intergroup contexts, and which are incorporated and felt very intensely. The exacerbated acceptance of emotions, even contradictory and extreme, is one of the aspects that, for Rui, best defines the Ciganos. In this view, 'being Cigano is in fact the culture, in my case it's music. [...] it's joy when there is joy, the Cigano is very joyful. And then he weeps bitterly for his dead, in that sense I am Cigano with absolute certainty' (Man, 32 years old, seven years of schooling).

The interrelationship between the social and biological (Weber, [1920] 1978) is also present in the interviewees' perceptions about the meaning of what it is to be Cigano. For Marisa, being Cigano is something that 'is in your blood.' However, it is the upbringing in a family and community context that appears to exert a determinant modelling pressure on the individual. One interviewee highlights the relevance of family upbringing, when stating:

> If we were to take two babies and one were brought up in a non-Cigano family, that baby being Cigano, and the other, a non-Cigano baby, were brought up in a Cigano family, the latter will be Cigano while the former will certainly be white. I am Cigana via my father, mother, grandparents. My entire family is Cigana. (Woman, 29 years old, nine years of schooling)

Being Cigano is also perceived as a 'tradition' left by the ancestors which is re-updated on a daily basis. For Romana, it is 'a tradition which has many years' (Woman, 34 years old, does not know how to read and write).

'Being Cigano' is also regarded as a kind of 'genetic-social' heritage which is transmitted from parents to their children, and which is self-perpetuated intergenerationally in family and community contexts. Hélder is one of the interviewees who perceives the social meaning of being Cigano as something rather inextricable from a peculiar lifestyle, which can be characterized as follows:

> It's having a normal, calm life, without major stress, selling in the fair, being an itinerant trader, bringing up my children the same way that I was brought up, and always trying to live better... already integrated into society. I think that I should convey that if my life is good like this, I should convey that to my children and to the people surrounding me, that this is my lifestyle. (Man, 28 years old, nine years of schooling)

This is a lifestyle in which the primacy of the collective over the individual is clearly observed. The centrality of collective experiences is rather structural in the daily interactions of the individuals. In this context, Carlos demonstrates that the individual is of little or no relevance, in stating that: 'It's the parties... the friends... There's a lot of friendship, huge friendship, people are really... well, I don't have a life, a Cigano, if a Cigano or a cousin or whoever arrives and helps, they are very united' (Man, 18 years old, knows how to read and write). The density and intensity of social relations, particularly of Cigano intragroup sociabilities, conviviality and friendship, are essential in the structuring of the subject's personal and social identity.

For Tiago, 'being Cigano' is synonymous with belonging to a people who are proud to possess a very specific culture and who have not been assimilated. But what is most intriguing and fascinating is the aura of mystery enshrouding the Cigano group. Hence, he confesses:

> I also find it really amusing... for example, being Cigano because it's a people steeped in mystery because... they want to know more about the Cigano, beyond what he may speak of, but they can't achieve that because nothing has been written down, there's nothing... papers have been produced, books have been written about the Ciganos, very frequently they ask me, 'but where does the Cigano come from?' (Man, 29 years old, nine years of schooling)

The sense of ethnic honour is linked to the 'conviction of the excellence of one's own customs and the inferiority of alien ones, a conviction which sustains the sense of ethnic honor, is actually quite analogous to the sense of honor of distinctive status groups' (Weber, [1920] 1978, p. 391). Is being Cigano perhaps also a question of personal desire and choice? Jorge argues that it is not enough to 'want to be so,' as it is necessary not only to respect the traditions, but also to identify cognitively and affectively with the family and group memories accumulated over generations. The interviewee stresses that 'it's wanting to be, wanting to be and respecting an ethnicity and showing some identity, some feeling, even if it's only a memory of ancestors, for the ethnicity in itself' (Man, 47 years old, Portuguese, higher education). Jorge considers that it would be positive and desirable for there to be an evolution towards 'being Cigano' becoming an 'identifying reference', of a more neutral nature, thus no longer being an essentially ethnic reference.

For some of the interviewees, the assumption of their Cigano identity is reconciled with the performance of professional activities that are different from the traditional ways of life associated with itinerant trade. Accordingly, the fact that the person is self-employed or works in a sector in which Ciganos are not traditionally inserted does not mean that she or he is no longer Cigano. Alexandrino states that he manages to reconcile his belonging to the Cigano group, participating in group activities and honouring Cigano traditions, with his professional activity as a carpentry teacher in a private social solidarity institution (IPSS) which administers vocational training actions for young people who have dropped out of the education system. The interviewee clarifies that employment in a professional activity outside the in-group does not repress or annul his ethnic identity:

> Well, some people ask me 'how to you manage to do the two things?' because it's like this, I am able to be with them, there's a party, a wedding, I am precisely what I am, I am Cigano, I do the same things they do, I respect the same things, the same traditions, I also wore black for my dear father, I also spent 2 years wearing black, and what I did is what they do, I didn't watch television either, I didn't drink, I didn't do anything else, neither more nor less, just the same. It wasn't because I had a job that those things were going to change. (Man, 32 years old, six years of schooling)

For Francisco, 'being Cigano' only becomes meaningful when compared to the Others. Its existence and meaning only makes sense as a result of the ostracism experienced by Ciganos dealt by the majority; if this were not the case, the Ciganos would already have been assimilated:

> [A]ll Ciganos want to have a house, like any other Portuguese person has, all Ciganos want their children to have their own professions, at the end of the day, all Ciganos want what any other person, of any other non-Cigano Portuguese class or social group wants to have. But due to the ostracism… they have endogamous behaviours; this strengthens their group status and gives them a vitality that they would not otherwise have. (Man, 29 years old, 12 years of schooling)

For some interviewees, self-identification as Cigano is not free from inner tensions and even conflicting emotions that are difficult to handle at a personal level. Although only in occasional cases, some of the interviewed women expressed ambivalent answers to this question, with the manifest existence of inner tensions and a kind of 'fractured self' – revisiting one of the terms coined by Giddens (1994) on the issue of personal identity. Thus, some verbalize a critical and negative self-identification in relation to their ethnic self-affiliation, which is the case of Cristiana who emphasises that being Cigana is 'not having culture, not respecting anyone and following traditions that, in my opinion, are insane' (Woman, 43 years old, nine years of schooling). The interviewee criticizes the fact that there is a tendency to re-update traditions that are honoured more as a result of custom, censure and social pressure which, in her perspective, is incomprehensible and unjustifiable. The manifestation of a somewhat schizophrenic identity is a singular phenomenon among the interviewees. Marta reveals some ambiguity in her self-identification as Cigana, contesting the rigidity of various tenets of 'Cigano law', saying:

> In some ways… I like being Cigana, some days I enjoy being Cigana, other days I don't like it, and I don't like it because that's the way it is. There are aspects of the Cigano race I prize dearly… but Cigano law, for me, certain specific conditions they have don't make much sense, don't work for my temperament. (Woman, 34 years old, two years of schooling).

Juliana confesses that being a Cigano in our contemporary times does not 'mean anything.' The interviewee reveals that she only seeks to follow the tradition of mourning, 'but, as for the rest, for me, the Ciganos no longer exist…' (Woman, 54 years old, three years of schooling). In turn, Lúcia remarks that 'all the traditions have already ended,' only marriage is kept according to tradition, which is expected to perpetuate, emphasizing that:

> The only one that I hope will never end and it never will end, is that women marry as virgins; now, the rest has already all gone. From what I have seen, it's all gone. Women have male friends who are not Ciganos, men have female friends who are not Ciganas, everything has finished, for me, it's all gone. (Woman, 21 years old, four years of schooling)

For these interviewees, the Cigano ethnic identity is increasingly devoid of content, as the traditions that are still kept to are progressively rarer and are increasingly less used as specific identity markers of differentiation between Ciganos and non-Ciganos.

5 Concluding remarks

Beyond the political and academic controversial debates surrounding the use of the Weberian conceptual framework and considering the socio-historical transformations which have taken place for over 100 years, the applicability in today's society of some of the concepts defined by Weber reveals several difficulties. Firstly, in the case of Ciganos/Roma, while the category of ethnic group seemed to be meaningful to members of the community under study (Banton, 2014), we note that the belief in ancestry, in the affinity of origin and primordiality continue to be important in self-identification. However, their classification as a race and/or ethnicity brings out some ambiguities surrounding processes of growth, diversity and complexity of Ciganos/Roma identities and considering their cultural heterogeneity. Moreover, the identification and characterization of Ciganos/Roma as an ethnic and/or racial identity engenders dynamics of ethnicization and racialization which lead to processes of reification and homogenization, and this in turn could contribute to the reinforcement and reproduction of the most severe inequalities and phenomena of increasing anti-Gypsyism, especially in the European territory. As has become clear, self and hetero identification as a race and ethnic group is somewhat procedural, dynamic and contextual, with the interrelations between the cognitive, affective, social and biological dimensions standing out. These categories and their meaning are mobilized in a strategic manner with agency for self and hetero-knowledge and to situate themselves in the complex game of chess which is social space.

Secondly, the idea of Ciganos as pariahs also shows some gaps. Ciganos/Roma people did not have a single homeland in the conventional sense (non-territorial Roma nation) (Goodwin, 2004); in general terms, they were forced to settle and assimilate and are incorporated in some sectors of the regular economy, some keep to a few traditional practices of ritual separation in face-to-face interaction in relation to non-Ciganos/Roma, despite the segregation and socio-spatial marginalization they suffer. With regard to other aspects, a lesser rigidity towards social closure, a growing fluidity of borders, the rise of social permeability and exogamy, among others, are increasingly recurring practices today.

Finally, concerning the coeval topics of race and ethnicity, they still embody a semantic core, around which identity (individual, group, national) and social organization systems are interwoven. They persist as structuring ideas of the social and political life of human communities. Social groups still self-define themselves in terms of identity around these categories, sometimes perceived as 'natural', 'essential' and a-historical. These categories, among others, are mobilized both in the processes of construction of identities and in those of differentiation. Their use and re-updating show mechanisms and logics of inclusion (the members) and exclusion (the non-members). In this regard, it is important to highlight that the actual racial and ethnic classifications continue to be activated and re-updated for the purpose of defending privileges, limiting access to power and regulating the competition in access to socially and politically scarce positions and resources (Banton, 1991), to demarcate borders and reify processes of racialization, ethnicization and social inequalities. L. Wacquant (2013) speaks of the emergence, in a clearly Bourdieusian perspective, of a sociology of ethno-racial domination, and for whom Max Weber's writings were essential, attributing to these the functions of 'dismantling those ethno-racial articulations on paper, thus helping to forge better tools to possibly dismantle reality' (Wacquant, 2013, p. 141). In this line of research, it is important to better explore the applicability of the conceptual framework of Max Weber to real and current studies, as Weberian concepts evidently continue contain potential explanatory relevance in contemporary times.

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Frank Eckardt

Weber and the European City in the 21st century: Still reality or just a concept?

[frank.eckardt@uni-weimar.de] (Bauhaus University Weimar)

Abstract

Max Weber has left a 100-page long text that played a main role in his argumentation on the particular development of Europe in contrast to especially Asia. Main difference, according to Weber, is the development of a 'local society' where freedom and the association of free citizens laid the ground for a democratic society. In the reception of this text, a critical view on main assumptions on the 'European city' has been dominant. In particular, the notions of conflict and inequality have not been integrated into his argumentation. Nevertheless, some sociologists even today, see Weber and his text as a kind of starting point to understand the social and political construction of urban societies in Europe. Firstly, a critical introduction into the core ideas of Weber on the city will be presented. Subsequently, the article discusses whether the 'European city' can still be regarded as a meaningful term to explain the process of urban restructuring taking place today. Although not rejecting the Weberian notion of the city, it will be highlighted that his understanding of 'urban society' leaves out recent processes of the post-Fordist restructuring of space.

Keywords: Max Weber; city; urban sociology; post-Fordism; conflict; European city

1 Introduction

The future of the city appears today again as the key to achieving social goals and for the vitality of democracy. The United Nations have declared the city's sustainability as one of twenty 'Social Development Goals' and the issue of climate change adaptation is seen as an important challenge for urban planning. Confronted with such demanding issues, the question of possible role models and concepts arises. In many discussions, the model of the European city has therefore been making a comeback since the 2000s, as this type of city that has grown over the centuries is expected to withstand the storms of the future.

However, is there such a thing as a European city at all and how would you define it? On closer inspection, it turns out to be difficult to name cities that can be considered 'typically' European. Of course, this has to do with the difficulty that the definition of 'Europe' is also not without problems and has historically varied greatly, and the diversity

of European societies may be greater than what they have in common. The same applies to the cities. Gelsenkirchen (Eckardt & Voregger, 2023) for example, as an industrial city of the 19th century in the Ruhr area and today part of the economic periphery, may have more in common with the Rustbelt cities of the USA, while the metropolises like Frankfurt or London are more like those that are becoming centralized everywhere in the context of globalization where global flows of goods, services and people compete.

This raises the question of whether the 'European city', as Max Weber prominently introduced it into the discourse about the city, still reflects today's social development of cities or whether it is only understood as a normative, orientation-providing concept that can serve as a starting point for urban sociology and that describes a desirable state of local socialization.

The topicality of Weber's thinking about the city is discussed again and again in urban sociology. While critical analyses (Kemper, 2012; Eckardt, 2004) often come to a rather negative conclusion on the relevance of Max Weber's text on the city and which highlight the empirical weaknesses of the Weberian perspective, sociologists such as Patrick Le Galès (2002) and Walter Siebel (2004; 2012) however have tried to explain the current development of cities in Europe with Weber's basic concepts. Other authors have tried to emphasize that general aspects of Weber's understanding of the city, such as urban autonomy, might still be important. (Smiley & Emerson, 2020; Stasavage, 2014).

Max Weber's concept of cities is usually linked to a 100-page text (Weber, 1921), which Weber originally wanted to integrate into his main work 'Economy and Society' (1922/1980). The most important aspects of this text will therefore initially be recaptured to work out the essence of Weber's approach (section 2) and to relate it to the author's further sociological work (section 3). With reference to Le Galès and Siebel, two updates of the Weberian text shall be introduced and critically discussed (section 4). It should then be reflected on whether, in the light on the current post-Fordist geography with its tendency to polarize into peripheral and central spaces, still allows a critical analysis of the city within the Weberian tradition (section 5).

2 'The City' (1921)

The form of the text and the history of the edition of 'Die Stadt' (The city, 1921/2000), to which most of Max Weber's interpretations and his understanding of the European city refer, represent difficult conditions in many regards. It is not at all obvious, what the status of this text was and what meaning it had for Weber, as it has not been included formally into the 'Economy and Society' (Weber 1922/1980) and its classification as a key text for an (urban) sociological research agenda has not been proposed by the author himself. The posthumously published text is considered unfinished, and it can be questioned whether it can even be seen as a coherent text in its handed down form (Bruhns & Nippel, 2000). The probable period of origin might be estimated as the years between 1911 and 1914. It was first published in 1921 as an essay entitled 'The city: A sociological investigation' ('Die Stadt. Eine soziologische Untersuchung') in *Archiv für Sozialwissenschaft und Sozialpolitik*. The following year, the text was included as a chapter in *Economy and Society* (1922/1980).

In terms of content, 'the city' was initially assigned to the section 'Types of communalization and socialization', but in later editions it was included as a chapter in its own

right with the title 'The non-legitimate rule (typology of cities)'. It seemed important to Weber, also in terms of his idea of 'Idealtypus' (ideal types), to think of cities in categories. This is in line with his typology of cities which he worked out as occidental, patrician, plebeian, and ancient versus medieval democratic cities. A large part of the discussion on his understanding of the city therefore revolves around the question of whether the categories he conceived of – in particular the European city – are still adequate for the description of different cities. It is mainly discussed how important these differences are. It is questioned whether the European city should be distinguished from cities of other cultural traditions or whether this would in fact overemphasize the differences in comparison, for example. to the cities of Russia (Murvar, 1967) or China (Zhao, 2015). It should be borne in mind that Max Weber was mainly able to draw on European sources in his conception of the city and that he was able to use significantly less knowledge with regard to non-European cities (Monnet, 2005). All in all, his reflection is mainly limited to historical sources only (Schott, 1996), whereby he primarily takes medieval towns into account. This is striking since Max Weber lived at a time, when Germany was experiencing a massive surge in urbanization (Reulecke, 1985), which, due to the belated industrialization, was affecting cities like Berlin, where Max Weber spent most of his younger years. He could have observed that the population had not only changed massively, but also that the social coexistence of the people in the overcrowded neighbourhoods took on a different quality. While his contemporary Georg Simmel vividly described and analysed this in his famous essay on 'The Big Cities and Spiritual Life' (1903), the current events that were taking place before Max Weber's eyes had no significant influence on his reflections on the city, despite the fact that he was deeply impressed by his visits to New York and Chicago.

Nevertheless, there is a thematic overlap with Simmel because, like Weber, he reflects intensively on the process of rationalization. This is conveyed via an analysis of the economic transformation of society, in which the role of money as an anonymous form of exchange plays a central role for both sociologists. Closely related to this anonymity, the possibility of entering into impersonal relationships in urban life is generated, and thus a rationalization of the social world for Simmel and Weber is intrinsically linked to the city. This rationalization means an increase in freedom and individuality (Pohlmann, 1987). But unlike Simmel, who recognized these connections on his walks in contemporary Berlin, Weber saw the process of rationalization already coincide with the emergence of the medieval city (Boone, 2012).

It is crucial for Weber not to see the city as a territorial entity that can be defined by size, density or other statistical measures. Instead, his sociological understanding of the subject is based on a universal historical definition of the city as the connection of the central local market and power functions. It is therefore also essential for his understanding of the city that the city is to be conceived as a 'municipal community'.

This emphasizes that a city is understood in its social function as an association of 'urban citizens' and in its 'associative character'. The city as a social structure can thus also be analysed in terms of the sociology of action and with the individual social groups being identifiable in their social structure and dynamics. For Weber, the 'municipal community' and not 'the city' is his actual theme. The historical development of the bourgeoisie, as the carrier of modern capitalism, and the modern, rational and bureaucratic state that developed from it, as well as going further: European democracy, are placed in a causal relationship to one another (Ringer, 1994). For Weber, this connection arises with the me-

dieval city, in which a specific legal order with the corporate citizenship law results in a levelling of corporate differences between the citizens, which in turn enables the rationalization of legal relationships among them (Domingues, 2000). This rationalization institutionalizes itself in a new social order in which an administrative staff of the 'city association' (Weber, 2000, p. 26) receives legitimacy and enables continuity of the established urban rule. This also requires a normative safeguard, which Weber sees emerging through a mental community of urban citizens. This ties in with the tradition of Christian conjurationes, which enabled solidarity among citizens. In particular, the self-organizing merchants and craftsmen illustrate the transition from a feudal to a rational and modern urban society for Weber. They set up bourgeois rule against the established, feudal ruling powers, dominate the decision-making processes in the institutions of civic self-government and determine municipal policy towards the non-civic estates or classes inside and outside the cities. For Weber, six factors are characteristic of the European city: Political autonomy, autonomous legislation, its own judiciary and its own administrative apparatus, tax power over the citizens, the right and ability to conduct their own economic policy and the means to control inclusion and exclusion in the 'city association' (Weber 2000, p. 72).

In the sense of Weber's sociology of social action (cf. Sprondel, 1981), social order is based on the perpetuation of social interactions and accordingly the dynamics that result from the encounters of people in the city are decisive for the emergence of the municipal community. For Weber, urbanity begins with strangers sitting down together at a table, which results in long-term relationships that then turn out to be a 'communal sworn relationships brotherhood' (*conjurationes*) which then continues and perpetuates its rules. Equality before the law and acts of consent are based on these relationships, which translate into power and can function as a 'revolutionary usurpation' (Weber 2000, p. 26) of the previously legitimate city order. Weber does not claim that this development can necessarily be observed everywhere, since it depends on the respective local actors and on a number of other conditions. Strong territorial powers, administrations and military inferiority can stand in the way of this. Usurpations have more chance when they occur in a competitive field of different powers. Following Weber's views on spiritual and mental forces, such as religions or caste systems, he ultimately also sees the normative level of social orders as crucial for a rationalization of the municipality. This is the main reason why he regards the European city as the place for the emergence of modern society, because only here, through the assertion of Christianity, already an agreement for the encounter of people who were not related to family members was established: 'It was decisive for the development of the medieval city […] that the citizens at a time when their economic interests pushed towards institutional socialization were not prevented by magical or religious barriers on the one hand and that on the other hand there was no rational administration of a political association above them' (Weber, 2000, p. 26).

3 'The City' in the sociological reception

In the introductory and overview literature on urban sociology, Max Weber has meanwhile taken on the role of a 'classic', in which, however, the text mentioned above is almost exclusively taken up (cf. e.g. Eckardt, 2004, pp. 11–14; Häußermann & Siebel, 2004, pp. 92–93). In order to actually make the meaning of Weber's approach fruitful for an analysis

of contemporary society, it is necessary to classify this text in the theoretically oriented discussion about Max Weber as a classic of sociology in general. As mentioned, his theoretical focus on 'social action', his methodical construction of ideal types and his overall approach to the *verstehende Soziologie* ('understanding sociology') with which the process of rationalization is to be analysed must be taken into account. In terms of the history of ideas, Weber can be classified in such a way that his political opposition to feudal dominance and the socialist labour movement is not lost sight of as an important driving force in his work (Lichtblau, 2020). It is controversial whether a kind of all-pervading 'Weber paradigm' (Albert, 2009) can be identified with which the text 'The City' must also be read. In any case, it must be critically stated that such a historical and socio-political contextualization does not usually occur in the discussions about the relevance and correctness of Weber's statements about the city.

The most important contextualization of Max Weber's study of the city has to be made in terms of its focus and reduction to the Middle Ages. The decisive factor here is that this restriction is justified by a demarcation from the ancient polis and in a cultural comparison from the city in 'Asia' and as an epochal transition from traditional to modern society. The text is therefore by no means representing what Weber would have intended by his statement that sociology needs to be a *Wirklichkeitswissenschaft* ('reality science') and regarding sociology a discipline of empirical research. The reconstruction of social reality is not the aim of his study, but Weber is concerned with a historically arguing genesis of occidental rationalism and why it first developed in the 'Occident' (Müller 2007, pp. 241–247). Consequently, urban sociologists in particular who are committed to empirically oriented research on the city, especially in current contexts of social development, found little use in Max Weber's study, so far. This critical perspective on the lack of connectivity to an empirically oriented urban sociology is also confirmed by historical reviews on Max Weber's considerations on the city (Bruhns & Nippel, 2000).

Nevertheless, Max Weber's city study remained and remains a reference for interpretation and orientation in the field of urban sociology. Above all, an interest in urban sociology seems to be expressed here, in order to be able to conceptually grasp a certain urban lifestyle and to be able to describe 'urban' living conditions. Core elements of this discussion about 'urbanity' (Wüst, 2004) include assumptions about opportunities for individual freedom and the solidary community. Such a reading is based on the fact that Weber understands the medieval European city as a unit of political sovereignty, religious morality and a money-based barter economy, which overall results in a stable social structure. By establishing an urban lifestyle, a kind of reconciliation between the political and religious order with the commercial and economic innovations that have put trade and crafts on an equal footing. The city becomes the place where political agreement coincides harmoniously with private economic interests and which is allowing for a political definition of citizenship (Schwartz, 1985).

With the assertion that political emancipation, political self-organization and economic prosperity occurred historically at the same time and that a causal relationship can therefore be assumed, Weber has probably created a figure of thought that has been largely detached from his text and that has a life of its own in the debates about the city of the future. The work by Bastian Lange, Gottfried Prasenc and Harald Saiko, 'Local Drafts: Urbanity in the 21st Century; Urbanity in the 21st Century' (2013) might give an example for this. The figurative urbanity is vividly described in their view of today's and tomorrow's cities:

Urban places are the dynamic and contested terrain of the urbanized 21st century. Public space, from Tahrir Square in Cairo to Zuccotti Park in New York, has advanced to become a culmination point for new social designs; in 'New Downtowns', for example in HafenCity Hamburg, new functional mixes are being tested; the boom in assemblies and similar forms of participation expresses citizens' aspirations to actually help shape their living space; Temporary cultural and district projects such as the annual Lendwirbel Festival in Graz are efforts by self-organized initiatives to temporarily reprogramme urban space into a zone of cultural interventions and thereby help new practices of cultural production and city life to become visible. Using exemplary geographies of urban places, this book analyses the new formations of urbanity in the 21st century under completely new social, political, cultural and economic conditions. (Lange et al., 2013, p. 4)

With the terminology of urbanity, the definition of the city referring to places which represent the cooperative dimensions of socialization and thereby rejects theoretical concepts of city highlighting conflicts and above all Marxist city theories, which are based above all on the work of Friedrich Engels on the situation of the English working class prominently established in urban sociology (May, 2008). In the discourse on urbanity, the topic of the contradictions between individual and general interests is defused and channelled as citizens' willingness to participate. A resolution of this contradiction is possible through participation and the urban society presents itself as a politically collectively acting social organization.

Formulated primarily by Richard Sennett (1990; 1994), the reception of Max Weber's text moves from an interpretation that is sociological in the strict sense and rather seeks connection with the sociological theory in a more philosophical direction, For Sennett, the ideal type of the medieval European city seems particularly suitable as a comparative image, in order to hold up a mirror image of contemporary society and the city. Accordingly, his texts, especially on the city (Eckardt, 2021), can be understood as a kind of narrative in which the loss of order and the endangerment of individual socio-political commitment are the main concerns. Material prosperity, socio-political passivity, statism, paternalism and conformism are the results of a modern city in which the characteristics of an urban society (emphasized by Weber), its ability to exchange, to agree and to reconcile individual with general interests, can no longer to be found. Sennett (2008) also states that today, with capitalism becoming more flexible, people are deeply unsettled that the certainties (and constraints) described by Weber no longer function. Weber remains interesting for Sennett because his European city shows how 'economic individualism and community can be combined' (Sennett, 2008, p. 202). As he emphasizes, especially in his later works, the city dweller is now faced with the task of taking care of his immediate surroundings himself. However, as T. J. Jackson (1985) analysed, Sennett's first books deal with a basic narrative of 'disorder' and 'decline' in the city, in which individual strength of character then matters. In this way, Sennett reproduces an American imagination that he cannot prove empirically and which, as with Weber, does not derive on the basis of a sociological reconstruction of social reality.

Rather, the anarchy of American cities described in 'The Uses of Disorder' (Sennett, 1970) ties in with a constant perception of cities by the white middle class, which is omnipresent in US culture and cultivates the natural fear of Afro-Americans (Row, 2019). The

fact that Sennett here follows a narrative that seemed to be particularly topical due to the civil rights movement and the riots at the end of the 1960s should therefore not be seen in retrospect as his individual and empirically confirmed assessment. Sennett's first books on the city 'revealed more about the author's attitude than about their subjects' (Jackson, 1985, p. 85). They are an expression of a new conservatism that was emerging at the time, which Kevin M. Kruse (2007) was able to convincingly reconstruct in his analysis of White Flight using extensive studies on Atlanta. According to Kruse, the conservatism of those years occupied topoi such as the perception of a decline in the city and society in general and the moral return to the individual and his glorification.

4 Updating Weber: Walter Siebel and Patrick Le Galès

In German as well as in parts of European urban sociology, the preoccupation with the 'European city' has increasingly shifted to a comparison with the American instead of the Asian city since the 1990s. This includes the assumption that European cities have become more similar to the cities of the United States in terms of urban planning and social life. In particular, the German urban sociologist Walter Siebel (2004; 2012) has pointed out that this is accompanied by a loss that affects the settlement and social type of European cities. As a result, comparisons were made that deal with urban phenomena such as suburbanization, gentrification and segregation. The basic idea of urbanity, which represents the special feature of the European city, is recapitulated in constant adaptation. The core idea is the synergetic combination of economy, lifestyle and political self-determination. Accordingly, the city of Europe provides the social and spatial basis for conflicts of interest to be negotiated and for social and cultural differences to be reconciled with one another, so that social 'integration without denial of difference' (Siebel, 2004, p. 15) can be reached. For Siebel, the European city is a historical reality that can also be considered as a normative model for the present and the future, on which current urban politics and planning in Europe should be based. This is the only way to ensure that Europe as a whole and at the local level has a systemic and socially integrative effect and remains politically capable of acting.

In Siebel's reading, Max Weber's focus on the emerging urban bourgeoisie is particularly emphasized. For Siebel, therefore, Weber's 'Die Stadt' is a story of emancipation (Siebel, 2004, p. 13). In this way, Siebel adopts Max Weber's claim that the independence of citizens created the basis for people to behave in solidarity with others, since they no longer felt like dependent subjects and could now behave responsibly. Siebel does not deepen into the ongoing process of rationalization and the associated bureaucratic need for charismatic leadership, which is addressed by Weber in later works. It becomes clear that the connection with Weber's more far-reaching socio-political ideas is not addressed. Instead, Weber's argument is followed that the European city is a specific form of urban society that can be characterized as a special social relationship and in which the integration into supra-local processes and structures is not decisive. At the centre of this interpretation of Siebel is the aspect of local independence emphasized by Weber and the specific effects that occur as a result in relation to urban society. In essence, Weber offers

Siebel a socio-political perspective in which Americanization is threatening the European city to be determined from outside. Siebel underlines the potential of local action, which has an impact on the ethos (and the alleged reality) of bourgeois behaviour – in solidarity and democracy (cf. Giersig, 2008).

In his book about 'European Cities: Social Conflicts and Governance' (2002), the French sociologist Patrick Le Galès follows Siebel's interpretation of Weber in many respects. For Le Galès, however, the most important issue is that the European cities, which once emancipated themselves from feudal power and personal dependency, now have to deal with the challenges and economic constraints of the world market and globalization.

For Le Galès, this poses the problem that these processes do not necessarily have a direct impact on the cities, but are also mediated through the restructuring of the state, through a new form of government. The starting point of his analysis is the transformation of the economy by the establishment of the free world market, which has prevailed globally since the 1970s and is inscribed in the local economic structure as a consequence of national deregulation. Following research on the 'global city' (cf. Murray, 2020), which states social polarization and the dissolution of the middle class, Le Galès also sees an increase in social conflicts in the cities of Europe as likely. For him, however, the establishment of a social consensus and state-organized solidarity are based far more on the achievements of the welfare state than on bourgeois solidarity. For this reason, Le Galès also problematizes the transformation of state power that accompanies globalization, in which 'governance gives the state indirect possibilities of control in addition to the classic means of control such as law and finance' (Lascoumes & Le Galès, 2004). These instruments have an effect on the social modes of socialization and lead to intra-urban competition also occurring between the individual cities through systems of support and incentives and through regional and local support. In this way, Le Galès distances himself from a purely local and urban possibility of shaping society politically and does not follow the emphasis on the citizen-based model of Weber and Siebel. This is also made clear by the fact that Le Galès is rather sceptical about the distinction between public and private, which is so important for both authors and for which the constitution of the socio-spatial order of the city is regarded to be decisive. Rather, with reference to the work of Michel Foucault, Le Galès problematizes the logic of governance with which such a distinction is rudimentarily abolished. In doing so, he follows a critical discourse about rationality that pursues a political-logical analysis of the *régime de rationalité* (Foucault, 1994, p. 30). The political practice of governing (*gouverner*) enters into a semantic symbiosis with the political and paradigmatic discourses (*mentalité*), which produces power-knowledge complexes. In Foucault's sense, a genealogical discourse analysis needs to be carried out (Foucault, 2000), in which political rationalities are not to be understood as a discrepancy between reality and plan, but as already necessarily fragile and contradictory in the respective discourse politics. In this regard, Le Galès shows that he is well aware that also the discourse on the 'European city' is a product of power-knowledge complex that comes to new life under political circumstances where governance also needs the soft instruments of steering by for example influencing understandings of the city as a place of active participation.

5 The European city in the post-Fordist geography

The update of Max Weber's study by Patrick Le Galès makes it possible to maintain the emphasis on local peculiarities with regard to the social and political design of the European city, without ignoring the current developments that take place beyond local processes. This includes not only economic developments such as globalization, but also the effects of the corona pandemic and its effects on social inequalities (Eckardt, 2020). The pandemic has changed the multiple processes that make up the social order of cities. They and the associated state interventions have further deepened the dynamics of social divisions in European societies. Since the 1980s, it has been observed that the social mix in many urban districts is decreasing and the segregation between the various social groups is increasing (Häußermann & Kapphan, 2000).

The loss of social cohesion is not only due to the consequences of market globalization and the neoliberalization of the state analysed by Le Galès, but also results from a long-lasting and sustainable restructuring of social space, which is hierarchically divided into central and peripheral spaces. Central spaces are the places of control that are important for the global order, the 'global cities', and the places of value-added production in the market-leading branches. Beyond this, a peripheralization can be observed, which is mainly concerned with pacifying the spaces that are not necessary for the global production chain. For this purpose, the so-called 'area-based approaches' were created, such as the German funding program 'Social City' and which are dedicated to districts with an above-average concentration of unemployed and poor residents. However, as studies from the 2010s (Helbig & Jähnen, 2018) show, the impoverishment processes have continued and only pacification of these peripheral spaces has been practiced without producing the solidarity among citizens that these programmes – in the spirit of Weber and the urbanity-theorem – promised. At the same time, there was a concentration of residential areas for wealthier citizens in citadels of prosperity. These are primarily found in central locations such as global cities. Nevertheless, the principle of centre and periphery has also inscribed itself in all other urban contexts, so that there are now rich quarters in formerly poor districts and disadvantaged neighbourhoods in the rich metropolises. It is to be expected that these social inequalities will continue to cement themselves as separate residential and living spaces in the social geography of cities due to the increase in poverty observed in times of pandemics, inflation, energy crises and scarcity of resources.

Since living space is scarce and land prices in better locations have become unaffordable for many from the middle class, residential islands are being created, which are furnished according to their own norms and values and are located next to structurally and socially disadvantaged residential areas. The vast majority of the poor in European cities do not live in ghettos based on the American model, but in streets in which predominantly people live who also receive below-average incomes or state transfers. The rich, on the other hand, have not built gated communities like in the US and elsewhere either, but have retreated to the streets, where 86 per cent of them keep to themselves (Goebel & Hoppe, 2018).

In cities where the growth industries are located, this works out as a process of displacement of the former working class (gentrification). The economic geography with its

focus on exportable high-end production produces a dual social landscape in the growth metropolises in which the economic added value has to be ensured by urban society and planning through a high degree of control and exclusivity. However, many places in this post-Fordist economic geography are losing their importance or are only integrated as parking lots for logistics companies. This economic peripheralization means a social de-classification, which is partly reflected in the emergence of dependent regions – in Germany for example especially the Ruhr area with a million poor residents – but also partly on a small scale through the juxtaposition of lighthouse cities like Jena in a shrinking eastern region of former East Germany.

However, social fragmentation and peripheralization have not only inscribed themselves spatially in the social, but also in the political culture of Germany. Repression, social disadvantage and poverty are only addressed incidentally and are not understood as a task for society as a whole. This is promoted by a media, party-political and institutional exclusivity of the elites, which is less and less concerned with the living conditions of the periphery (Hartmann, 2018). In peripheral areas not only the economic consequences of de-industrialization can be observed, but also the political economy of re-industrialization through low wages, the loss of union organization and skilled workers and the acceptance of a permanent precariat despite the availability of work. The rise of populist parties, right-wing protest and violence and a racist everyday culture that can be found in many places and can be understood as a reaction to this deliberate devaluation of work and workers. As the example of Gera (Schmalz et al., 2021), a former mining town, shows, the East German periphery is characterized by a social dynamic in which the demographic, political, cultural and economic processes mutually fuel the downward spiral because a social intervention with an overall strategy is missing and instead sectoral approaches, mostly without reference to the other areas of life, prevail.

The absence of a change in socio-political course is manifested politically not only in the strengthening of right-wing movements, but above all in the withdrawal to one's own living environment and accordingly in the abstinence from elections. The ten electoral districts with the lowest turnout in the 2021 federal election in Germany were all in eastern Germany and the Ruhr area, with Duisburg (63.3 per cent) at the top. The lack of social representation among the poorer electorate also reinforces the effect of the above-average voter turnout among the high-income milieus (Vehrkamp, 2013).

Empirically, it can be shown that the socio-spatial divergences are closely related to different resource endowments. This is about the provision of economic and social capital, understood as individual integration into networks. As Stefanie Lütters (2022) was able to show using in the two Cologne districts of Hahnwald and Chorweiler, which show considerable socio-structural inequalities, social and political ties converge in the respective individual socio-spatial environment, which forms the relevant frame of reference for social exchange and learning processes. This means that the interactions with people in the immediate environment can be more or less politically relevant depending on the situation. The social condition for political participation is therefore based on the extent to which individuals can acquire social resources that are relevant for political participation through integration into social networks. To put it bluntly, one could say that encounters and interactions with neighbours from a disadvantaged district cannot be converted into

political capital, while politically relevant social capital is produced in the places where higher status households live. 'In summary, people with more resources are embedded in more favourable network constellations that noticeably stimulate political activity, with informal relationships having a particular potential for politicization. Political participation is thus largely determined by individual social capital' (Lütters, 2022, p. 271).

6 Discussion

Weber's urban study can serve to emphasize the attention of urban sociology for the connection between social situations, social orientations and processes of political power formation in urban development. It is however based on the medieval European city and thereby applies a perspective of investigation, with which the actor-bound orientations, the translation of social into political power as well as the institutionalization and legitimacy of political rule are emphasized. This requires a critical reconstruction of the historical relevance and correctness of the conception of the European city. It is striking that Weber underlined the importance of the consensual nature of cities and paid little attention to the processes and conflicts that stand in the way of such a perspective. Whether the cities of the Middle Ages were really shaped primarily by consensus and integration can still be doubted. There is much to suggest that social conflicts were more formative and that where they could be resolved, this was often at the expense of minorities. The expulsion of Jews from German cities for centuries is an important example that should be considered conceptually in the discussion on the European city. It is obvious that the 'success' of European city must be viewed much more critically today because the connection with racism and colonization is historically evident (Ha & Picker, 2022).

Whether it makes sense to retain the European city as a category remains questionable. In particular, because the different historical experiences after the Second World War are still having an impact today. The anti-bourgeois policies in the states of Eastern European socialism mark an important difference that is reflected in the socio-economic structure of the cities until today (Tammaru, 2016). If one assumes that globalization will have a levelling effect on the cities of Eastern Europe, one can object to this assumption of convergence that the transformation of the state can turn out differently. Significant differences in the financial crisis of the 2000s and the different application of austerity principles, particularly with regard to southern European countries such as Greece, Spain, Italy and Portugal have also shown that cities in the north and south of Europe have to be framed differently (Eckardt & Sanchez, 2015). It remains to be seen whether, in view of these macro-societal differences between Eastern and Western, Northern and Southern European countries, this still can be fruitfully described with the social imagination of the 'European city'.

The updates to Weber's conception of the city can be summarized in two important interpretations. First, prominently represented by Walter Siebel, a consensus-oriented urbanity is asserted as a historical and normative essence that must be protected against non-local processes of destabilization. Above all, the urbanity paradigm is intended to establish a civic conception of politics generated by the vicinity of the city dwellers. Inher-

ent in this approach is a humanistic position which, in a broader sense, can certainly find a kindred spirit in Max Weber. The problem with this is that Weber's interpretation does not follows empirically based research about current urban development, but instead absolutizes the medieval city as a successful example of urban society.

This contrasts with a second reading, which is also represented above all by Patrick Le Galès, who uses the European city as a kind of analysis scheme – as an 'ideal type' – in order to be able to measure the existing social integration capacity of current cities in Europe. Although this analytical approach can be maintained by a historicizing concept of the European city in the context of globalization (Dilcher, 2015), it is conceptually open and therefore allows the inclusion of new observations of society, which are particularly affected by the emergence of new social conflicts and of the political changes that Le Galès addresses in the analysis of governance and in the context of neoliberalization. Twenty years after his update, it would be necessary to ask again how the question about the state of the European city is shaped today. In this article, the obvious processes of the new economic and social geography that bring about a centralization and peripheralization of society were taken up. The question of the urban lifestyle, which was emphasized by Weber and subsequently Siebel, and the idea of local understanding and cohesion that goes with it, was fundamentally questioned, as shown above. Since this socio-spatial transformation is taking place over a long period of time and has been deepened by the Corona crisis, the original idea of reconciling economy and politics through forms of civic socialization is difficult to support in the reality of present-day Europe.

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Paula Guerra

[pguerra@letras.up.pt] (University of Porto – Institute of Sociology and Faculty of Arts and Humanities, Griffith Centre for Social and Cultural Research)

Max Weber played the piano more than a hundred years ago: Contributions for a contemporary revisiting of Weber's sociology (of music)

Abstract

Music has always been a concern for sociology, and its classic authors attest to this. We begin this article – which is essayistic in nature – with a substantive analysis of this tradition that continues to (re)shape the sociology of music today. Amongst these classics, we would like to highlight its greatest name: Max Weber. In fact, this author developed a long-term analysis of Western music, especially with the advance of rationalisation, somewhat similar to his analyses of the spirit of capitalism and the genesis of bureaucracy in Europe in his study *The Rational and Social Foundations of Music* – written between 1912–1913 and published posthumously in 1921. We then establish a link between Weber's thesis and the sociology of music today, centring our analysis on contemporary music production through the use of Artificial Intelligence (AI), but also the digital universe more broadly. Weber's theoretical contributions are explored in relation to this, focusing on the interconnection between his concept of rationalisation and the emerging digitalisation of music – in particular, streaming services.

Keywords: Max Weber; sociology of music; rationalisation; artificial intelligence (AI); digital creation

1 A prelude to Weber's 'sound'

Sociology training often ignores the creative side or specificity of sociologists, who are considered creative social agents. Max Weber is often presented as a German sociologist, jurist and economist with a body of theoretical and intellectual work directed toward the topic of capitalism. *The Protestant Ethics and the Spirit of Capitalism* (Weber, 2015) is his best-known book, in which Weber analyses Calvinist and Lutheran Protestant societies, associating religious views with financial prosperity. However, few know that Weber was a passionate lover of music – a fascinating and relevant aspect of our analysis of his trajectory.

Braun (1999) calls Weber's position into question: How could a lawyer, historian, economist and cultural analyst end up focusing on a subject as remote as music? Before answering this question, we should note that it was not his interest in music that caused

the disciplinary upheaval but the fact that he had been appointed as a professor of economics at Freiburg. A second relevant point was his mental weaknesses, which should have put an end to his theoretical production but instead contributed to his productivity. In this context, Weber published two essays, 'Objectivity' and 'Protestantism', in 1904 and 1905 respectively. With these theoretical productions, concepts begin to emerge that are crucial to the reading and analysis of his work, but also to the understanding of his sociology of music: the 'sense' of social action and the idea of an 'ideal type'. Both can be interpreted as the basis of a cultural and scientific objectivity that is linked to the framework of social values. In this way, Weber tried to diffidence himself from the sociology of the humanities and allied himself with the sociology of the social sciences (Weber, 2022).

Jaspers (1965) described Weber as a man who lived between two worlds and in two different times; he portrayed him as the most relevant personality of his historical moment. Jaspers even compares Weber to Michelangelo, as did Marianne Weber (1988), who described him as a genius. According to García (2011), Marianne Weber saw Weber as a genius who carried the weight of his historical time in a period of social transition. Like García (2011), Marianne Weber saw a change in Weber's musical preferences during his period of mental fragility, pointing out his receptiveness to music to poetry; it is important to highlight his interest in poets such as Rainer Maria Rilke and Stefan George. Marianne Weber (1988) says Weber described Rilke as a true mystic, believing that he did not write poetry but rather poetry was written within him. A similar statement can be made about Weber and music: he did not write about music but had music and art inscribed in him.

The relevance of the theory of disenchantment with the world *(Entzauberung der Welt)*[1] will be highlighted. Although this theory emerged from Weber's studies of the German rural exodus, inspired by the aesthetic reflections of the German poet Friedrich Von Schiller (1750–1805), this theory can also be linked with his contributions to the sociology of music, mainly because it presupposes a connection with a historical context marked by freedom. Music, in Weber's thesis and the theory of the disenchantment of the world, possesses a powerful sense of psychological and sociological 'enchantment' that is linked to freedom because it is understood to activate sensibilities that Weber feared would be undermined by rationalisation. In this sense, music takes the subject away from the oppressions of hierarchies and dominant social structures (García, 2011). The topic of disenchantment of the world is central to the universe of Weberian thought, which is behind Western rationalisation.

Collected Essays on the Sociology of Religion (1921), a posthumous work edited and published by Marianne Weber, includes a dedication to Mina Tobler, a family friend whose work deeply influenced Weber by providing him with human depth and musical enrichment (Radkau, 2011). Mina was a pianist, and several claims are made about her influence on Weber's sociology of music:

First, she appears at the beginning of Max Weber's withdrawal from ascetic rationalism, maintained until 1907, as an absolute virtue. In fact, Mina took part in discussions in

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[1] In Weber's theory, this expression does not mean loss, disenchantment or disillusionment. Etymologically, the word 'disenchantment' in German is *Entzauberung* and its literal meaning is demythologization (Weber, 2022).

Heidelberg about the 'ascent of Eros'. Max Weber gradually revises his position concerning the complete subordination of the erotic, stemming from a highly repressive puritanical sexual ethic. Second, and linked with this, he presents a new assessment of erotic and aesthetic aspects of human existence as a form of escaping from an obsessively organized and rationalized world to a more authentic and vital world connected to the lost sources of life (García, 2011, p. 286).

We begin the article with a substantive analysis of the tradition begun by Weber – which continues today – regarding the sociology of music. Other authors, such as Becker, Adorno and Simmel, are discussed in relation to Weber. We then look at his perspective and scientific work within the scope of this scientific discipline before establishing a connection between Weber's thesis and the sociology of music in contemporary times, focused on the digital universe and music created with Artificial Intelligence (AI). Weber's theoretical contributions are explored in relation to this, focusing on the interconnection of his concept of rationalisation and the emerging digitalisation of music – particularly streaming services. The article takes a socio-historical approach, referring to Weber's life and trajectory, along with a content analysis combined with a qualitative methodology (Drisko & Maschi, 2016). The article will focus mainly on historical works and textual references, complemented by an empirical note on the digital universe of music production, consumption, and musical production using AI software.

2 Perspectives about a sociology of music: Reading a capella

Music has always been the target of sociological inquiry, and here we examine concerns raised by other sociologists who, like Weber, had a critical perspective in relation to music as an artistic and social expression. De Carvalho (1991) describes a concern to separate European musical history from general history, with musical analysis occurring only at a formal-syntactic level. This paradigm assumes the existence of an 'absolute music', with society extra-musical – a paradigm that emerged in nineteenth-century Germany as a reaction to social changes such as the Industrial Revolution, and industry and technology penetrating every dimension of social lives, including music. This context underpins many sociological works with artistic-musical creation as a focus. However, a preservationist perspective on music instead takes it as an external dimension of the experiential process (Benjamin, 1994).

Discussions of the music–society connection have a long history and are imbricated socially. We can go back to Plato's golden age, when he discussed the importance of music in constituting a citizen and a republic. Socrates saw music as moulding the soul, and in turn the body – never the other way around. Music had a pedagogical and moral component since it smoothed out the negative aspects and highlighted the positive features of youth. In this utopia, music had a central role: to mould citizens, their *ethos*, the moral character. So, it is unsurprising that the sociology of music analyses music as an activity that people do together. These considerations have provoked indignation in artistic and musical circles, given that there is always a mystification of culture, where styles and artistic options are understood as natural and not as the result of a group of practices and social struggles – closer to a religious or esoteric reality than a social activity (Bourdieu, 1996).

For many years, music suffered from a 'paradoxical silence' due to postmodern iconocentrism – a privileging of the visual over the auditory (Guerra, 2023b). As Small's (1998) concept of 'musicking' displays, the object of study is not music but the people who make it, listen to it and dance to it. Becker (2010) analyses the production field through a focus on the agents of cultural production and on the collaborative and conflictive relations they generate among themselves, an approach continued and extended in studies of local, translocal and virtual scenes (Bennett & Peterson, 2004), music worlds (Crossley, 2015; 2019) and circuits of do-it-yourself (DIY) production (Guerra, 2020; 2021). Back (2021) questions what sociologists learn from music. Concomitantly, many sociologists who were either musicians or passionate about music – from Weber and DuBois (Rabaka, 2023) to H.S. Becker and Paul Gilroy – were influenced by this passion, including in their writing (Guerra, 2022a). Previous work (Guerra, 2022b; 2023a) departed from the premise that music is a valuable tool for thinking about the world because music serves the imagining of sociological utopias (Brown, 2010).[2]

Before we continue with our analysis of Weber, a look at Karl Marx and Friedrich Engels (2021) is necessary to show how individuals and societies were organized at the levels of production, distribution and consumption. This supports an analysis through the lens of music sociology, given that we are dealing with macro-sociological theories. In parallel, a focus on the economic dimension of social reality can also be transposed to studies about music. Engels was passionate about music, as seen in the musical analogies that abound in his letters. Marx, despite his proletarian internationalism, was proud that most renowned composers in London were Germans (Lindley, 2010). Marx admitted that 'certain epochs of artistic flowering are not at all in conformity with the general development of society, nor [...] with [...] its material base [...] the bones of its organization' (Marx, 2022, p. 228). For Marx, music was an example of human potential, which would only be fully harnessed through a humanization of labour and production relations. Although Marxist theory does not expand on music, it did influence Adorno and Horkheimer (2012), who developed concepts such as cultural industry and mass society, and Attali (1985), who postulates a political economy of music. Both approaches are based on a materialistic approach to history, and each develops concepts to answer to the limitations of the Marxist economistic approach.

Émile Durkheim (2002) includes music in his studies of religion, considering that the best way to maintain social cohesion is through rituals. It is here that we observe the importance of music, which plays a fundamental role in the processes of collective effervescence, as a kind of social energy transmitted among those who participate in the ritual. If Durkheim assigns four social functions to the ritual, we find that music is is relevant in the reproduction of each ritual (Friedmann, 2012). As for Plato, Durkheim (2011) sees music as an educational tool, an instrument to shape the body and a way to transmit a message that can be assimilated; this led church officials to put biblical teachings into lyrics[3]

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[2] Here, we can introduce the contributions of Molotch (1994), who said sociologists must accept and consider their hobbies to extend their vision beyond the thin slice of human experience circumscribed to them in the academy.

[3] In the Jewish context, Friedmann (2012) speaks of the importance of certain songs, such as the Misinai, which are attributed to Moses and still sung today by Jews all over the world, serving to emphasize the importance of something greater than themselves. Music is thus a sonorous expression of an objectified collective past (Bennett & Peterson, 2004).

(Durkheim, 2002). Rituals have a social cohesion function, and music contributes greatly to the reciprocity of emotions that is fundamental to this experience. In addition, rituals have a revitalising function, highlighting – in communities – their shared history and culture. Here, music is the sound expression of a collective past. Finally, rituals have a euphoric function, giving believers a sense of well-being. And this well-being is routinely enhanced by music. It's enough to remember the popular aphorism 'he who sings, his evils scatter.'

Simmel (2003) had an idiosyncratic perspective and writing style, which was not appreciated at the time but is now undergoing a renaissance (Cantó-Milà, 2020; Frisby, 2000; Helle, 2014). He was one of the first to view music as a sociological object worthy of analysis (Etzkorn, 1964). Music was a mechanism of interaction between individuals, and his concern was to analyse the place of music in metropolitan life (Simmel, 2003). Simmel analysed the origins of music, which is born out of an individual's need to express their feelings as a means of communicating emotions between people. While there are other means of communicating these feelings, for Simmel music is the least mediated of all the arts, so is particularly suited to such communication. In Simmel's view, all individuals are potential musicians (Kemple, 2009; 2020; Simmel, 2019).

Adorno's first essays on music, in which he tries to understand the role of music in capitalist societies, were written in the 1930s – some before he fled Nazi Germany. Adorno (2002a) addresses a concern mentioned by Weber: rationalisation in Western culture has led to a progressive diminution of the capacity to hear, which for the author implies a regression of hearing with psychological consequences, such as the infantilisation of listeners[4] (Adorno, 2002a; Nealon & Irr, 2002). For Adorno (2002b), music was a distraction, at least for the masses. However, like Weber, Adorno also saw the critical and emancipatory potential of 'serious music'.

3 *Crescendo, decrescendo:* Unravelling Weber's artistic-sociological path

Weber was a music lover: he loved to sing, a taste that began in his youth when he sang German patriotic songs with his brother (Back, 2021). Waizbort (1995) sees music as also present in Weber's writings, where each analysis should be understood as a musical composition developed through his sociological trajectory.[5]

It is noteworthy that Weber was born in a context of artistic wealth, with *kultur* central to the new German national identity and composers, writers and painters at the forefront of artistic innovation. He was exposed to music and art at an early age, always with a nationalist dimension (Pollak, 1996). His study *The Rational and Social Foundations of*

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[4] When Adorno refers to an infantilized music without critical and aesthetic value, he is referring to the last of the two musical spheres he postulates: popular music. The other sphere is serious music, namely European classical music (Adorno, 2002b; Adorno & Horkheimer, 1985; 2012).

[5] It is no coincidence that in a statement Weber made about Wagner's score of Tristan and Isolde, he lamented that, unlike the composer, he could not express the various sociological and intellectual concerns he had at the same time in a score.

Music (Weber, 1995), begun in 1912–1913 and published posthumously in 1921, emerged as an appendix to *Economy and Society* (Weber, 2022). It is the result of a broader study that focuses on the concept of the rationalisation of Western society and the specificity of European socio-historical development (Fleury, 2019; Weber, 2015). Weber was the precursor of an analysis that Bourdieu would undertake years later – this refers to the introduction of crucial concepts such as rationalisation. From Cohn's (2003) understanding, this reflects the conceptual process of an author who is concerned with characterising the object of research rather than defining it.

The process of rationalisation is a central theme in all his work; he is concerned with the modernity emerging in his environment, and this was a preoccupation that motivated all sociological classics to deal with this reality – each in their own way. For Weber, rationalisation – or the diffusion of rationality – penetrated more and more social dimensions, especially in a social world increasingly marked by the disenchantment generated by the application of rational modes of action in the different social dimensions, such as art or religion (Weber, 2017). Weber was to observe this rationalisation in many dimensions as the emergence of an internal logic, separate from the other dimensions – what Bourdieu (1996; 2010), in a fruitful dialogue with Weber's theory, would term 'the field.'

One dimension affected by the process of rationalisation was the artistic or aesthetic sphere, which is where the sociology of music comes in. As Pierucci (2003) points out, Weber's sociology of music should always be analysed in relation to his sociology of religion because the rationalisation of the various spheres, such as the artistic sphere, always occurs in parallel with the rationalisation of the religious sphere. Rationalisation refers to the technical specialisation of European civilisation, which serves to reduce the gap between tradition and religion. Moreover, for Weber, the process of rationalisation implies the substitution of tradition or faith by rationality, which considers the need for individuals to rely on themselves when making decisions, thus driving society towards atomism (Freund, 2003; Parkin, 2000). Weber's sociology of music should be seen in the context of this long-term process, in which even art suffers from rationalisation and bureaucratisation. This was materialised along two axes: first, in musical rationalisation as a consequence of the democratisation of access to musical instruments and the standardisation of musical scales, and second, in the increasing separation of the musical dimension from the religious experience (Weber, 1995). We are faced with a paradoxical thesis since Weber explains that the increasing access to instruments, especially the piano (the instrument *par excellence* of a dominant bourgeoisie), as well as technological progress and the standardisation of the twelve-tone scale (Wierzbicki, 2010), have all led to a progressive diminution of the listening capacity of Western culture, especially compared with other cultures:

> The specific sound effects of the instrument [piano], played by means of tangents that both delimited the sounding part of the strings and silenced them, at the height of its perfection, and above all the 'vibratos' of the sounds, characteristic and full of expression, only let it fall victim to competition from the Hammerklavier [...] when the demand of a restricted group of musicians and dilettantes with a delicate ear no longer decided the fate of musical instruments, but [this] was decided by the market conditions of instrument production turned capitalist. (Weber, 1995, p. 145)

Weber did not subscribe to a one-dimensional approach to the phenomenon of music. The process of cultural rationalisation meant looking at how the spheres of production, dissemination and reception were affected. This is evident in his analysis of the genesis of the piano, and more specifically of the modern pianoforte, whose triumph depended on the pooling of the interests of music businesspeople and publishers to meet the emerging commercial demand and competition. As the modern sociology of music defends, Weber saw the world of music as a sphere intimately related to the other dimensions of social life; with this premise in mind, he used comparative studies to try to explain why musical (and artistic) practice had been embodied in a rational way only in the West. In addition, it is also possible to question the existence of a 'oneness' of rationalisation in Weber's theory (1995). Moreover, this is often a misreading of his work. In fact, the author defends the existence of several modalities of rationalisation, which operate in a logic of coexistence and presuppose a principle of differentiation rather than sameness (Weber, 2022).

From very early times, music was used in religious services due to the high level of illiteracy, which made music the main theological vehicle available to the Catholic Church. With the Protestant Reformation, this scenario worsened, and some religious leaders, such as John Calvin, began to ban profane music (Blanning, 2011; Weber, 2007). It was a reality that deeply affected the European artistic field, and we can see this in the case of Mozart, who, despite his will to become autonomous, never stopped composing religious works (Elias, 1995). Nevertheless, due to the infiltration of rationalisation into the artistic sphere, there was a gradual movement towards the independence of music from the religious dimension, which led Weber to affirm that music replaced religion. Art – in this case, music – began to compete with religion as a means of redemption. According to Weber, music does not save the individual from sin but rather from the bureaucratic and rationalising routine of everyday life, which leads to a disenchantment with the world. Once again, the relevance of the Weberian *Entzauberung der Welt* emerges in the sense of the importance of music in the search for meaning, in the design of utopias, in the nourishment of dreams, in short, in the belief in a better world.

For Weber (1995), music would be the way to enchant the world, and listening to music would be a substitute for religious experience. In an analysis of modernity, there are many paths that lead us to Max Weber. Western music emerged at the centre of a historical battleground between 'purposely rational', 'affective' and 'traditionally rational' actions. Reminding us of the composite Weberian perspective of social action with regard to the affirmation of Western music and so well reflected in his words about the daily use of the piano in Europe.

When developing his theory about the process of rationalisation, Weber linked this process to capitalism in the West by analysing the standardisation and growth of Western music (Turley, 2001). In fact, the core of Weber's approach is not to be found in this object of study because, as we know, societies and other social contexts are mutable and constantly changing. What is still considered to be profoundly relevant in Weber's theory concerns his methodological and historical *apparatus*, which is still significant in the contemporary research landscape (Weber, 2009). Thus, to take up the previous idea, we can assess that Weber saw the rationalisation of Western cultures as an element promoting the rise of capitalism.

With the advent of capitalism and the rationalisation of societies, the processes of bureaucratisation and division of labour, which were particularly evident in the Roman Catholic Church, spread to music. The standardisation or rationalisation of music was mainly based on the change in the typology of instruments, the execution of which became standardised, giving rise to a unique European musical style that is still recognised today (Turley, 2001). To this end, Weber applied a research methodology based on the study of ecclesiastical notation (Eisenstadt, 1992), proving that there was a standardisation of music by monks for the transmission of liturgical music. Weber was committed to musical documentation as a source of empirical data but failed to establish a transcultural comparison, which led him to conclude that it was the process of rationalisation – coupled with capitalism – that led to the rationality of music.

Weber analysed music from two perspectives: music as an artefact and product of a historical rationalisation and music as a significant element of society and culture. From another perspective, the identification of cultural influences in music production materialises the sociological interest in the study of music: the society–music relation. In this sense, many sociological studies can be associated with those of Weber because they adopt a macro-sociological approach. Frith (1989) studied the English education system and tried to find out why England produced so many pop musicians in the 1960s and 1970s (Turley, 2001). His focus was music institutions, in line with Weber's studies. Other authors, such as Straw (1991), analysed the modern music industry as a global aggregation of transnational interests, while sociologists, such as Shepherd (1993), analysed the cultural value and power of music. These authors can be associated with Weber, as they are all concerned with the dimensions of meaning, structure and social action. Authors such as Martin (1995) note the existence of a unique element that guides the artistic field and Western music; in this way, Weber's statements are crucial to studying contemporary times (Weber, 1983).

Even if we recognize the impact of Weber's theoretical contributions to the sociology of music, contemporaneity provides tools capable of analysing his contributions from other perspectives. The first criticism of his work, especially from the standpoint of the rationalization of music through the emergence of capitalism in the West, is the fact that Weber started from a relatively Eurocentric perspective – in other words, he was a German whose focus was characteristics such as harmony and notation (Turley, 2001). Thus, the bureaucratic production of music in other non-European countries was excluded from his investigations (Salmen, 1983).

4 Cyclic compositions: Musical ensemble about freedom, rationalisation and emotion

In this essay, we want to emphasise Weber's contributions to the establishment of a contemporary sociology of music. This relates to music and the rationalization of musical instruments. Weber argued that a hypothesized calculability of a structure of sounds is created by a set of harmonic tones (1995), which gives rise to the rationalization of Western music (see Segady, 2010). This harmonization, which from Weber's perspective came to guide Western music, is based on a set of rules; later, this standard became capable of

being reproduced by any instrument. For musicians and non-musicians alike, this may seem a minor observation. For Weber, it presupposes a wavering between rationality and irrationality, with the latter present in cases without harmony. Thus, the link between the rational and the irrational guides Western music's tonal structure (Weber, 1995).

We cannot help but notice that Weber's study is based on the important work of Helmholtz – which would have been impossible without musical recordings that were beginning at the time. Thus, musical notation (which dates back to the late Middle Ages) and musical recordings are key components that explain why Weber is so relevant to our understanding of the standardisation and mechanisation of music that we can observe today through publishing and digitisation. In this empirical context, the rationalisation of music is associated with a standardisation closely related to the 'explosion' of possibilities for the creation and enjoyment of digital platforms. For Lambèr and Est (2020), rationalization implies an acceptance of efficiency, predictability, calculability and control through the replacement of human judgement by technology. When Weber enunciated this concept, the belief in efficiency led to the remodelling of administrative processes, not least because practices came to be defined in terms of flows that could (or could not) be mechanized, giving rise to a more broadly efficient machine. As stated, rationalization was considered by Weber to be a double-edged sword in the sense that it would bring benefits, such as access to products and services, in a democratic way, but on the other hand, systems that became rationally based could be marked by various types of irrationalities, such as a loss of control. In short, Weber was concerned that rationality – or an excess of rationality – could reduce the freedom and choice of social agents, leading to a loss of autonomy and dehumanization. This premise can be applied to contemporary music production and its emerging digitalization.

In terms of musical rationalization, Weber applies a long-term analysis of Western music, somewhat like his analyses of the spirit of capitalism and the genesis of bureaucracy in European states (Parkin, 2000). In the same way that bureaucracy eventually became an iron cage, musical rationalization restricted the faculty of playing and listening to music. It narrowed the universe of the possible. In the wake of Lambèr and Est (2020), it becomes possible to affirm that rationalization is currently patent in various aspects of the life of social actors, in the sense that life – including music – has become an expanded information system. Like Lambèr and Est (2020), we also assume that digitalization and rationalization go hand in hand. We can even talk about a 'digital cage of rationality'– that is, if the concern was previously that rationalization could undermine the freedom of choices of social agents, the same premise could now be applied to digitalization, so a focus on music production is latent.

Rationalization always entails specialisation; for Weber, the creation of modern musical notation allowed the transmission and reproduction of contemporary musical art but also gave greater legitimacy to the professional artist and the musical education system (Weber, 1995, p. 119). The current musical field had just been born, and it is a short way from here to Bourdieu's (1996) theories about the artistic field. As we have seen, music secularised itself from the religious sphere, becoming the 'triumph of the musician' (Blanning, 2011), which implies the constitution of its legality in this sphere at various levels: first, the form of a public; second, the emergence of a circuit of producers and cultural entrepreneurs; and third, the emergence of multiple instances of consecration and

legitimation, together with the diffusion of cultural goods. For Weber, it is the consequence of the rationalization of Western society. For Blanning (2011), it is the triumph of the musician and the victory of bourgeois life. For Bourdieu (1996), it is the autonomy of the artistic field.

Weber's theory conjectured the passage of a paradigm from traditional to modern music (Weber, 1995, p. 123). This passage would gradually eliminate music's irrational and mystical qualities as an artistic practice, replacing them with rational attributes. With the advent of digital platforms and the standardization of sounds and instruments, an organized and standardized sequences of chords started to be built – for example, musical genres such as pop, rock and funk. Thus, we are in the presence of another type of musical notation. For Turley (2001), two critical moments in the rationalization of music for Weber were the development of modern instruments and the invention of modern musical notation. At the time, Weber referred to the emergence of a professional and professionalizing group of artisans responsible for the execution of instruments; subsequently, the musicians he called performers came into action (Weber, 2009). With the emergence of today's digital platforms and considering the specific case of electronic music as an example, these roles are mixed, mainly because it becomes possible to produce music from the intimate spaces of the artists and musicians, creating a symbiotic relationship between the processes of musical construction and musical production. As in Weber's *teoria* (1983), this question of the digital has a significant impact, but this is where relevant structures become significant. During the COVID-19 pandemic, many musicians used streaming as a way to deal with the closing of cultural spaces (Guerra, 2022a; 2023a; Green et al., 2021) but did not manage to obtain a significant income from this.

Malhotra (1979), in approaching electronic music, adopts Weber's vision regarding the degree to which these digital programs are based on a mathematical formula. The growing importance of digital media today transports us to a post-Weberian period but also brings up some issues regarding the theory of rationalization and disenchantment of the world. Still, for Malhotra (1979), the sense with which an individual hears music is always based on the cultural context in which the piece is created. To understand music nowadays, it is necessary to understand the cultural and social context that massifies access to digital media and democratizes musical instruments when these were previously only destined for the middle and high classes as a symbol of power and economic status. Weber's main question was whether the emerging rationalization of societies would inhibit emotional responses to music, so we can similarly question whether music has become different today due to the role of digital media. We can further examine whether the emotional response to physical instruments has been rationalized due to the affirmation of the digital field of music production, consumption and dissemination.

Focusing on virtual instruments – for example, MIDI instruments[6] – and their relationship to the rationalization proposed by Weber, it is essential to note the existence of a formal distinction between musical elements and musical forms:

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[6] Musical Instrument of Digital Interface is a technical standard that describes a communications protocol, digital interface, and electrical connectors that connect a wide variety of electronic musical instruments, computers, and related audio devices for playing, editing, and recording music.

Musical elements include the tonal and harmonic system which involves scales, overtones, chord structures keys, and rhythm. Musical forms are the structural patterns such as fugues, sonatas, song, canon, dance, symphonic structure, concerto, etc. (Malhotra, 1979, p. 105)

This distinction is essential to understanding why Weber mentioned that the rationalization of Western music limited expressivity (Weber, 1995). Weber said the traditional music system had undermined the sensibility of social agents, causing chords and the musical progression of each composition to be anticipated. However, in our reading of the digitally produced music scene, while chaining individuals together, rationalization also sets them free. There is greater freedom for experimentation and musical creation, which in turn gives rise to new sensibilities that are not undermined by the rationalization of the music production process (Levine, 1977), not least because '[v]irtually any type of sound wave may be produced. This means the composer is liberated from the restricting timbres possible on existing instruments' (Malhotra, 1979, p. 109). The artist becomes free to create; even the instruments are recreated by the computer and the digital universe, and this field of possibilities starts to enhance the freedom of artistic creation but also the independence and sensibility of those who listen to this musical production. As Etzkorn (1977) points out, for Weber, music begins when technique ends. As Malhotra (1979, p. 116) tells us:

Perhaps we are in a new era of enchantment whereby the very knowledge that a musical form involves advanced technology and science produces a magical appeal for the masses of people who are as mystified by science today as persons of previous cultures were mystified by various rites and rituals.

Weber associated economic, cultural, social, technical and also climatic factors[7] with the rationalism of an instrument, namely the piano (Weber, 1995, p. 131). If, at the time of his theoretical and empirical incursions, Weber (1995) mentioned that the piano had become a piece of furniture of the middle-class family, today, the same can be said about digital musical production equipment.

The construction of the piano is conditioned by mass sales, because the piano is also, according to its musical essence, a bourgeois domestic instrument. If the organ requires a gigantic space to develop its best qualities, the piano requires a moderate space. All the virtuosic successes of modern pianists in no way alter the fact that the instrument, when performing alone in the large concert hall, is involuntarily compared to the orchestra, and is then undoubtedly very much at home. It is therefore no coincidence that the peoples of the north, whose lives are linked to the house because of the climate, have become the mainstays of pianistic culture, as opposed to the peoples of the south. Because the cult of bourgeois domestic comfort was very underdeveloped in the South, for climatic and historical reasons, and the piano, invented there, did not spread – as we have seen – as quickly as it did among us, and to this day it has not obtained, to the same extent, the position that has been natural among us for some time, of bourgeois 'furniture'. (Weber, 1995, p. 150)

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[7] Some authors claim that the piano spread more rapidly in Northern Europe than in Southern Europe (Turley, 2001, p. 638) due to the colder climate, as the Northern European population spent more time indoors.

Moreover, access to the internet is virtually ubiquitous, almost regardless of the social class of individuals. Hence, the ability to undertake processes of musical rationalization from digital platforms is commonplace. Thus, in contemporary societies, starting from the digital universe, Weber's comments about rational capitalism having fed musical consumption and production (Weber, 1995) can be transposed to the advent of the internet and the installation of digital streaming platforms such as Spotify. These historical and economic advances provided by the digital universe are symptomatic of the (still) emerging process of rationalization in force in capitalist societies. Furthermore, from the point of view of the applicability of his theory, we can also see his contribution to the sociology of music, as these theoretical contributions have led to the identification of a process with multiple dimensions, including gender, social class, age group and economic value, which in their essence are used to explain a phenomenon: digitalization of musical production and consumption.

We can also mention some more recent and emerging examples related to music creation and production through Artificial Intelligence (AI). Let us highlight, as an example of the concept of rationalization proposed by Weber, the emerging human–machine relationship that guides AI. In 2018, Taryn Southern released the album *I am AI*,[8] a musical project that was composed and produced using four digital programs (AIVA, Watson Beat, Amper Music and Google Magenta). Another case is that of Holly Herndon, noted as the 'godfather' of AI music. In the music 'Baby AI Spawn', voices and sounds based on data and algorithms were used. By being produced from databases and algorithms whose focus is on processes of rationalization, digitalisation and automation, these productions demonstrate the basic principle of Weber's theory (2017).

5 Epilogue

Fuente (2004) states that one of the recurrent topics in sociological discussions of cultural modernism is the emergence of the artist as a figure of rebellion against the bourgeois norms of society. This interpretation of modernism draws heavily on Weber's contributions to culture and art because, as we have seen, he tends to portray artistic movements as an aesthetic of escape from rational activity (Scaff, 1989). Although the concept of rationalization lacks a deep and broader definition, the empirical exemplification and presentation of the social phenomenon that Weber provides are assumed as a framework that allows reflection around it, as well as entering the problematic of the importance of social, historical and geographical contexts in the analysis of a social phenomenon – not least because Weber's theory was developed through a German lens. As we have seen, various criticisms can be levelled at his work, ranging from the lack of conceptualization regarding rationalization to adopting a Eurocentric perspective. However, his study is remarkable for its comparative consideration of musical traditions far removed from the Western canon (see Konoval, 2019). The contributions made by Weber about music have mainly

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[8] More information at: https://www.thomann.de/blog/en/the-rise-of-ai-in-music-2

contributed to the advancement of the discipline of sociology of music not only because they have influenced several critical contemporary thinkers but also because they have had a major influence on contemporary research (Frith, 1989; Shepherd, 1993; Straw, 1991).

Here, in an abbreviated way, we have sought to relate the definition of rationalisation, promoting an interpretation of it from the reading of statistical data related to music streaming, another form of consumption and musical notation. Weber's contributions conclude that rationalisation has deeply penetrated the most diverse social dimensions – for example, highlighting music consumption related to digital platforms. This high-level consumption of streaming is, in our view, a recent materialization of the phenomenon of disenchantment of the world, which Weber associated with the emerging process of rationalization of social action *vis-à-vis* art or religion (Weber, 2017). Freedom, associated with encountering the world, can be seen through another prism in this approach, especially because musical and artistic consumption has become more accessible, as have the modes of artistic-musical production and dissemination. Suppose the world's disenchantment was associated with a loss of individual freedom. In that case, the digital mode potentiates an enchantment of the world, starting from space for artistic and musical creation. In brief, Weber's theory proposes the provision of a broad theoretical apparatus of macro-sociological character about art, society and various spheres that make up social experience; therefore, his contributions are still highly relevant in an analysis of the cultural and musical panorama of a community, including from the perspective of its impacts. At the same time, his methodological options and involvement as a sociologist in research – currently called 'action research' – are among his central legacies to sociology as a science.

Acknowledgements

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Catarina Delaunay* & Luís Gouveia**

Acknowledging the plural Weberian rationalities in clinical embryology: When moral values, habits, and/or affection prevail beyond efficiency

* [catarinadelaunay@fcsh.unl.pt] (CICS.NOVA, Universidade Nova de Lisboa)
** [lcgouveia86@gmail.com] (CICS.NOVA, Universidade Nova de Lisboa)

Abstract

This paper addresses the plural forms of reasoning used by clinical embryologists when deciding the fate of the human embryos they create and manipulate in the laboratory through assisted reproductive technologies (ART). Our analysis draws on empirical material from semi-directive interviews with 20 clinical embryologists working at public and private fertility units/clinics in Portugal. Within bureaucratic organizations based on a high level of functional specialization, embryologists display multiple perspectives about the criteria they use to evaluate and classify embryos' quality, potential, and viability. Taxonomies, international guidelines, and statistical data are primarily used by embryologists to qualify the embryos, basing their action on *instrumental rationality* (efficient means and calculated ends recognized inductively). However, beyond technical-scientific facts and theories employed as intellectual tools for action, some of them also mobilize alternative ethical rationalities, specifically, *value-rational action* based on moral valuations and legitimate rules/ends. *Affectual sub-rationality* governed by emotions, affects, and feeling states (such as empathy with the beneficiaries), and *traditional sub-rationality* based on habits and routines (embryologists' *feelings* gained by experience) intervene too. Therefore, Weber's distinctive ideal types, namely his foundational four *types of social action* and *rationality* – but also combinations of them – are relevant for rethinking professional practices within ART, especially clinical embryology.

Keywords: Weberian rationalities; clinical embryology; embryo assessment; decision-making processes; professional jurisdiction

1 Introduction

Human reproduction has been increasingly subject to biomedical and technological intervention (and innovation), as fertilization can now occur outside the female body, in a laboratory setting, through the manipulation and control of life and nature. These biomedicalization processes that have altered contemporary medicine's formal organization and

correlated practices (Clarke et al., 2003; 2010) have also transformed reproductive bodies and produced new technoscientific entities, such as the embryo *in vitro*. Within what has been called 'biopolitics' (Foucault, 2008) or the 'politics of life' (Rose, 2001; Fassin, 2009), disciplinary technologies of the governmentality of the population as a whole and also of the self and individual body are increasingly pervading more aspects of our daily lives, including reproductive rights and decisions, despite also being associated with new forms of resistance (agency, autonomy, and choice). Moreover, the application of biotechnology in reproduction, commonly known as assisted reproductive technology (ART), is associated with the 'technologization of life itself' and conceptualized as 'a new genomic governmentally' (Franklin, 2000, p. 188). ART comes with uncertainty (Machtinger & Racowsky, 2013) and is increasingly subject to specific regulations translated into good practice recommendations (Vermeulen et al., 2020).

The work of embryology has relied on material/visual representations of the embryo's development (drawings, photographs, videos, specimens, etc.) and the production of manipulable objects/models (Hopwood, 2000). Due to the rise of micromanipulation imagery in the staging of the mechanization of the human embryo, the latter has become both a tool and a lens, besides being a reproductive substance (Franklin, 2013). At the beginning of the twentieth century, the systematization of embryonic staging (Carnegie Stages) contributed to this mechanization of embryonic development stages in close articulation with temporal attention; the subsequent move to the genetic scale introduced a sense of perfectly planned biological life in terms of the presumed path of the embryo and its unfolding vital potentialities (Dicaglio, 2017). Biomedicine and new technologies induce decision-making based on this anticipation (ibid.). However, the creation of the embryo *in vitro* enhances and complexifies the issue of the fragility of the frontiers regarding the human condition since it constitutes a scientific object likely to generate dilemmas and controversies arising from its different categorical, moral and legal representations (Boltanski, 2013; ESHRE, 2001; Delaunay et al., 2021). Simultaneously, the existence of non-viable embryos created, selected, and discarded out of sight of would-be parents by the embryologists in the laboratory introduces a 'necropolitics of reproduction' (de Wiel, 2018; see also Mbembe, 2019).

Moreover, the processes of regulating scientific knowledge and practice within clinical embryology are related to the standardization of parameters, instruments, and protocols, which can be described as the government of life by standards (Thévenot, 2009). In Portugal, the forms of control, regulation, and certification of the professional practices of embryologists (e.g., scientific and laboratory-based procedures) refer to certain normative systems arising from higher regulatory instances such as the National Council for Medically Assisted Procreation (CNPMA) and the European Society of Human Reproduction and Embryology (ESHRE).

Information and conformity, as 'investments in forms' (i.e., the establishment of procedures, indicators, and benchmarks that define the standard by scientific committees), generate different 'forms of the probable' according to what is used as relevant evidence – for example, a statistical probability or proximity to a prototype (Thévenot, 1984; 2002; 2009). The way an embryo is classified – which refers to standardization as a necessary

precondition for assessment and comparability – constitutes a 'literary inscription' (Latour & Woolgar, 1986), i.e., a narrative constructed within a sociocultural environment or framework according to the laboratory's own mythology, including habits, beliefs, knowledge, and experience, among other aspects. Nevertheless, it is important to acknowledge that the embryologists' work is not limited to compliance with binding norms and standards as devices to support laboratory procedures; these professionals can also question internationally established rules, conventions, and guidelines (Delaunay & Gouveia, 2021) – intended to be neutral and objective – that were built through a work of 'investment in forms' by scientific committees (Thévenot, 1984; 2009).

Specifically, the objectivity and factual status of the standard norm confers it indisputability (not requiring any explanation or justification) in relation to the reality it seeks to account for, and dissociated from its creation process and previously existing scientific controversies (Latour & Woolgar; 1986). Standardization thus assigns measurable properties to independent objects and entities, which are mistaken for factual statements based on an objective state. Thus, standards threaten to overwhelm the dynamics of familiarisation (more localized and personalized judgments), imposing a fixed set of regulated routines – favouring, thus, a 'substantialist reduction' (Thévenot, 2010). However, besides this confident adherence to conventions, another facet or dynamic of engagement of the embryologists in their daily work is 'opening the eyes', associated with moments of inquietude, concern, and/or enduring doubt regarding standards (Thévenot, 2019). In fact, the consolidated criteria for assessing and qualifying the human embryo in its diverse stages can be differently interpreted, adapted, and incorporated into concrete practice by the professionals themselves (Delaunay & Gouveia, 2021). In sum, there seems to be either blind conforming to standards or, on the contrary, criticism and the recognition of the legitimacy of other forms of knowledge (such as that derived from experience) or complementary criteria (e.g., contextual factors and/or moral values) as a basis for decision-making (ibid.). Within the biomedical development of health, the standardizing conventions of the living have such short cycles that one could say that social actors 'blink', adhering to conventions while also expressing their doubt (Thévenot, 2009).

The social construction of scientific knowledge about embryonic development and the way laboratory work is carried out on embryos involves processes of inscription and translation, as well as the development of networks of relations between human and non-human actants (Latour & Woolgar, 1986; Latour, 2005), i.e., embryologists, ART users, gametes, embryos, bodies, taxonomies, laws, scientific articles, laboratory objects, and high-precision technologies, among others. These complex assemblages of heterogeneous elements (i.e., '*dispositifs*') produce and transform normativity in their interaction with and constraints on professionals (Dodier & Barbot, 2016).

It is against this backcloth at the crossroads of science and technology studies (STS), actor-network theory (ANT), and pragmatic sociology that we examine, through renewed Weberian lenses, the plural forms of reasoning used by clinical embryologists when deciding the fate of the human embryos they create and manipulate through laboratory procedures. These new technoscientific entities result from the application of second-line fertility treatments, such as conventional *in vitro* fertilization (IVF) or intracytoplasmic sperm

injection (ICSI).[1] Decisions include transferring the 'best' embryo to the woman's uterus, cryopreserving spare ones for later use, or discarding those of poor quality or that shall no longer be used. Embryologists display multiple perspectives concerning the criteria they use to assess and classify the quality, potential, and viability of the human embryo produced *in vitro* (i.e., its capacity to develop into a foetus and eventually become a take-home baby).[2] And these different positionings and standpoints are related to the diversity and fluidity of the embryos' meanings and statuses among those experts. In fact, within the decision-making processes of this professional group, there are differences in terms of cognitive schemes and target-based conduct, normative standards and personal values (cultural, moral-ethical, religious, etc.), experiential knowledge, and emotional labour when dealing with 'feelings' (theirs or others).

Weber's distinctive ideal types and theoretical contributions, namely his foundational four 'types of social action' (Weber, 1978) and his typology of rationality, seem epistemologically relevant for analyzing biomedical transformations and practices. As we will demonstrate, his sociological approach to social action is fruitful for rethinking professional practices within ART, and clinical embryology in particular, since it is oriented to the 'subjective meaning' attached to behaviour and 'interpretive understanding' in terms of causal explanations of a course of action and its consequences (Weber, 1978, p. 4). Weber does this by acknowledging the variety of motives or meaningful orientations for human action, whether as *instrumentally rational*, *value-rational*, *traditional*, or *affectual* (1978, pp. 24–25). This broad array of patterned action-orientations stems from a multi-causal and multi-dimensional analysis made by the author that takes into account 'the dynamic-conjunctural interaction of multiple patterns of action' (Kalberg, 2016).

By further developing Weber's four-fold typology of social action – as well as their tensions and articulations – researchers can gain insights into how the respective orientations and rationalities (practical, theoretical, formal, and substantive)[3] shape the choices and decisions made by healthcare professionals and institutions in the field of biomedicine. Therefore, the main aim of this paper goes beyond a simplistic application of Weber's four ideal types (1978, pp. 24–25) by discussing the relationship between the three alternative types other than *instrumental rationality* (where actions are determined by ex-

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[1] After ovary stimulation through hormonal therapy, oocytes/eggs are aspirated from follicles using a needle suction device. Subsequent fertilization is carried out where male and female gametes fuse: in IVF, the retrieved eggs and the motile sperm are placed together in a Petri dish which contains a nutrient liquid, also known as culture media, which creates an environment that helps embryos grow; in ICSI, the procedure consists of extracting a spermatozoon from a semen sample or by testicular biopsy to select the most appropriate sperm, and involves the direct insertion of a sperm into the ovule to facilitate fertilization. Embryos will be cultured for two to five days and closely monitored by an embryologist. Viable ones will be transferred into the uterine cavity or will be frozen, as opposed to those that do not develop or are of poor quality, which are discarded.

[2] Embryologists are responsible for all the laboratory activities that involve the manipulation of gametes and embryos in their different stages. Their professional duties include performing the inaugural treatment procedures such as follicular puncture and sperm preparation for intrauterine insemination (IUI), fertilization techniques such as IVF or ICSI, monitoring embryonic development to select the more viable embryos that could generate a pregnancy, and transfer procedures.

[3] Given that Weber's analysis of the four types of rationality and respective multivalent embodiments are dispersed throughout his vast work, we rely on the inventory of their general features and interrelationships made by Kalberg (2016, pp. 13–42).

pectations regarding the choice of means or conditions to achieve certain ends) and also the relationship of the latter with them. We address these three alternatives, that is, *value-rational action* (where actions are driven by the belief in ultimate values and absolute convictions), *traditional-oriented action* (where actions are guided by deep-rooted habits such as customs and established practices), and *affectual behaviour* (where actions are motivated by strong emotions, affects, or feeling states), but also the in-between types resulting from possible combinations thereof. Instead of emphasizing their analytical distinctions based on means-ends considerations (Schluchter, 1981), we prefer a classification that refers to categories of value and conscious decisions (Etzrodt, 2005). In sum, based on our empirical data, we contest the opposition between rational and non-rational actions and discuss their dynamically changing nature.

Moreover, Weber's emphasis on the sociocultural context of human action is crucial when studying biomedical practices since different societies and cultures have varying attitudes, guiding beliefs, and norms regarding ART treatments, laboratory conduct, and ethical considerations about the use and manipulation of the embryo. Weber's framework allows us to assess and explore how these cultural and social factors interact with rationalities to shape the adoption – or partial circumvention – of certain legal and technical orientations for action.

Finally, Weber's work on rationalization and bureaucratization (1978, pp. 998–1002) is particularly relevant for understanding the current functioning of healthcare systems and the role of institutions since biomedicine is often subject to complex regulatory structures, organizational hierarchies, and administrative processes. The Weberian concept of 'rational-legal authority' (Weber, 1978, pp. 217–221) can help analyze how these late modern institutions – in the present case, ART units/clinics along with ethics committees and health authorities – are structured on and governed by a system of established legal norms and abstract rules, and how they influence the embryologist's decision-making on embryos and potential parents' health trajectories. Additionally, Weber's analysis of professions and their rational-legal authority can be applied to the field of biomedicine. The emergence and professionalization of reproductive doctors and clinical embryologists are influenced by factors such as functional specialization, scientific expertise, technical knowledge, and institutional recognition. Studying biomedical practices through the lenses of Weber's theoretical framework can shed light on the changing roles, jurisdictional negotiations, and power dynamics within health professions.

2 Methods

This paper stems from concluded research (2018–2022) on plural lay and expert meaning-making about human embryos created *in vitro*, that is, in the laboratory, within ART. This project was based on a mixed-methods approach, combining quantitative and qualitative methods, including semi-structured in-depth interviews with ART beneficiaries and health professionals and an online survey aimed solely at the former. The initial methodological protocol also integrated ethnography in ART centres, which unfortunately was not possible due to the restrictions imposed by the SARS-CoV-2 epidemic and some professionals' concerns. Ethnographic observation would be essential for witnessing and describing

the processes allowing the implementation of routines (Latour & Woolgar, 1986), such as the manipulation of embryos and the use of advanced technological equipment to record the classification of embryos at their various stages.[4]

For this article, we focus on the discourses of the clinical embryologists who were interviewed, as they are in charge of the technical-scientific manipulation of the embryo *in vitro*. The interviews with 20 embryologists – working at private and public fertility clinics/units in Portugal – were conducted by the same researcher between September 25, 2020, and January 28, 2022. The recruitment of interviewees was based on non-probabilistic convenience and snowball sampling: all public and private units/clinics integrating the ART medical care network in Portugal were contacted via their management bodies or appointed intermediaries (e.g., clinical director or laboratory coordinator). The e-mails of potential interviewees were obtained, and an invitation to participate in the study was sent. After each interview, the email addresses of other professionals suggested by the interviewee were also obtained.

The interview script covered a wide range of topics: description of the professional career (motivations for choosing the ART field, number and type of ART clinics/units, etc.); preconceptions, doubts and concerns about ART techniques expressed by the beneficiaries (and how they are addressed); work dynamics between professional groups within the respective ART clinic/unit (issues discussed, decision-making processes, disagreements, etc.); beneficiaries' doubts and concerns about the generated embryos (and how professionals deal with them); patients' conceptions and forms of attachment to the embryos thereby generated (meanings and statuses attributed, moments of emotional bonding, etc.); perspectives on bioethics (the moral status of the embryo, public controversies about embryo manipulation in clinical or research settings, personal ethical limits on the use of embryos, etc.).

Compared to a standardized data collection technique, such as a survey, semi-directive interviews allow interviewees to freely mobilize their own analytical categories, in this case, about the decision-making process concerning embryos created and manipulated in the laboratory, and thus capture the plurality of – and oscillation between – different ways of reasoning and acting according to each situation. In fact, during interviewing, what initially appeared to be patterned responses regarding embryo decision-making (i.e., references to technoscientific standards as guiding laboratory activities) gradually gave rise to several contextual nuances.

Ethical approval and informed consent were obtained prior to data collection. The confidentiality of the data and the anonymity of the participants through codification were guaranteed. The assurance of anonymity coupled with interviewing taking place via videoconference at the embryologist's home (due to Covid-19 pandemic constraints) may also have favoured an environment of greater informality and ease and consequently encouraged the open disclosure of individual perspectives and personal views, thus precluding social desirability bias. Moreover, pair interviews – especially those involving a hier-

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[4] From a scientific point of view, the development of the embryo as a cell structure can be divided into three major stages: zygote (a cell that results from the fertilization of gametes), morula (an intermediate stage in which the embryo has between 16 and 32 cells) and blastocyst (a more complex level of cell organization).

archical relationship between interviewees (e.g., clinical embryologist and laboratory team coordinator) – were avoided so that any potential clash of perspectives would not inhibit certain viewpoints. When an issue seemed more uncomfortable due to its strong moral or political dimension (e.g., embryo moral status or beneficiaries' access to ART), the role of the interviewer was essential in ensuring an ethical stance consistent with scientific research aiming at mapping the plurality of perspectives without making normative judgments.

All interviews were recorded and transcribed verbatim. Thematic analysis followed inductive category formation (Bradley et al., 2007), where an open coding procedure was used to generate a preliminary list of themes, i.e., categories that emerged based on patterns derived from the raw data rather than on preconceived theories. The code structure, which aimed to reflect the key ideas expressed by the interviewees, was developed with the support of the MaxQDA software (version 2018) and was continually fine-tuned until theoretical saturation was reached, i.e., when no further codes could be derived from the interviews. Subsequently, the authors revisited the themes emerging from the professionals' discourses on their engagement in laboratory activity, namely the plural criteria for embryo decision-making, mobilizing Weber's theoretical approach. Our aim was to highlight both similarities and variations concerning how technical guidelines support embryologists' formal judgments and how they are combined with – or shift to – other Weberian rationalities (such as practical or ethical valuations). Moreover, the use of a non-probabilistic, convenience and snowball sample precluded performing a more systematic analysis (such as a quantitative/statistical one) with regard to comparing different ways of reasoning in relation, for example, to certain socio-demographic variables associated with the interviewees (age, gender, socioeconomic profile, etc.) or types of fertility units/clinics (public *versus* private, north *versus* south of Portugal, big metropolis *versus* small town, etc.).

3 Results

3.1 Fertility centres: A bureaucratic organization within the rationalization process

One of the main topics in Weber's sociological endeavours is the spirit of capitalism, that is, the distinctive character of highly urban and industrial Western societies and their singular pathway of economic development to modern capitalism (Weber, 2005). Capitalism is characterized by a focus on values such as technical efficiency, rational calculation, and profit maximisation, which are central to the rationalization process. According to this author, a fundamental feature of modern society is rationalization, conceived as a complex and multifaceted process with profound implications for the way people live their lives. Traditional modes of thinking and behaviour are succeeded by rational, calculated, and efficient ones; traditional, mystical, or religious explanations of the world are replaced with scientifically grounded ones. Therefore, a crucial driver of the rationalization process was the development of science and technology: science allowed people to understand the world in a systematic, rational way, while technology enabled them to control nature and achieve their goals efficiently.

According to the author, one key component of the rationalization process is the growth of formal, large-scale bureaucratic organizations, characterized by 'jurisdictional areas' ordered by general rules, with highly specialized and clearly defined 'duties' and 'spheres of competence', thus involving hierarchies of authority, 'technical expertise' acquired by training and qualifications, formal-rational procedures, as well as 'impersonal and functional' relationships (Weber, 1978, pp. 217–221 and 956–958).

Professional responsibilities and specialized tasks associated with expert knowledge are fixed by a firm hierarchy, with demarcated positions, formal statutes, and specified job descriptions. This scenario in terms of social organization, power, and authority occurs in certain fertility units/clinics, where there is a clear demarcation between physicians and embryologists in terms of professional dynamics and the type of relationships they establish with ART beneficiaries. In fact, within these organizations, the negotiation and establishment of borders and areas of jurisdiction between professional groups are noteworthy (Abbott, 1988).

As people began to rely more on science, technology, and bureaucracy to organize their lives, they became less reliant on traditional sources of authority and meaning, thus causing a decline in traditional values, such as those associated with religion or community. Decision-making occurs by reference to 'objective' criteria and prescribed procedures. In the subject under analysis, these processes of 'calculability of results' and the 'estimated quantifications of relative chances' (Weber, 1978, pp. 108, 975) underlie the development of standardized metrics used to evaluate and compare the quality and potential of each embryo, coupled with the use of statistical data (success rates) to measure and predict outcomes (a full-term pregnancy).

Moreover, the institutionalization of formal knowledge is articulated with professional powers (Freidson, 1986); within ART clinics/units, this knowledge circulates, and these powers have specific dynamics among professionals and within each professional group along with their interactions with the patients themselves. Technocracies, that is, the legitimation of applied knowledge and technical expertise as a source of authority, are used by these clinical specialties to define their borders, boundaries, and fields of action in a certain way, thus also stating their power in a very differentiated and specific context.

In the context of reproductive medicine, there is a division of roles and tasks between embryologists and physicians that is much more pronounced in some fertility centres:

> At [name of hospital], and it's not like that in many places, we are very much on the same level as the doctors in terms of decision-making and respect, too. Because unfortunately, you [often] hear [...], 'The doctor is the one in charge,' and there are many centres where that's the case. I'm in charge of the lab; I decide what I'm going to do, the technique. Normally, we talk amongst the four of us, but we decide what's best for that couple at that time. We don't go to the doctor to see if I should do this or that. Nor does he give us indications 'You should do a microinjection' or 'You should do fertilization.' (B7.1-M)

Issues relating to the medical records or therapeutic trajectory of beneficiaries fall within the competence of physicians, while embryologists focus their attention on the assessment of the embryo's cellular structure. This occurs in the context of new – and increasingly complex and specialized – technological and medical-scientific procedures commonly known as biomedicalization (Clarke et al., 2003; 2010). Other organizational en-

vironments incorporate much greater contact and involvement with patients on the part of embryologists. Such differentiation is reflected both in the type and frequency of communication between embryologists and patients regarding all the processes involving gametes and embryos. Embryologists can contact the couples on a daily basis or just occasionally, in person or by telephone. They can provide just quantitative and generic facts or, on the contrary, give qualitative and detailed information: 'As long as there is life [associated with] that couple in the laboratory, we contact the couple on a daily basis. And the lab does that' (B4-F).

This variability in the modalities of communication between embryologists and beneficiaries may help explain the differences in the way these professionals (re)appropriate guidelines and whether they are open to other criteria for decision-making. Both the co-shaping/negotiation of state regulatory instruments and the exercise of experience-based/embodied learning judgment are equally significant in establishing and justifying expert-professional authority (Blok, 2021). Some of these professionals perform 'normative work', i.e., evaluative and reflexive orientation directed both to the dispositif itself (e.g., embryonic taxonomies) and the behaviour of their colleagues within the context of these 'dispositifs' (Dodier & Barbot, 2016). Moreover, the divergences regarding the embryologists' adherence to the international recommendations and rules are also attributed by one interviewee to their use of standards as an instrument of affirmation of an occupational group in relation to medical knowledge, from a logic of safeguarding and legitimizing their area of professional jurisdiction (Abbot, 1988):

> I think most embryologist biologists cannot free themselves from their situation of competition or [inferiority] complex. Usually, in clinics, the owners are the medical doctors, right? Let's say, the ultimate decision belongs to the physician, and so maybe that's a way [the embryologists' way] of holding on to very strict criteria so as to make their position stronger. (B9-M)

As we will discuss hereinafter, standards appear as normative and evaluative devices (Thévenot, 2009; 2012) applied to laboratory procedures on embryos created *in vitro*, as in Weber's *instrumental rationality* (1978). Factuality, indisputability, neutrality, and objectivity characterize the embryologist's work. In fact, designedly universal standardization procedures and criteria constitute features of the forms of regulation of scientific knowledge and practice.

3.2 Instrumental rationality: the prevalence of scientific standards and guidelines

In the context of reproductive medicine, a standardization process has gradually taken place by means of the creation of several grading systems and the production of a set of normative guidelines and evaluative standards about the human embryo. Embryonic taxonomies and classifications, as indicators of a greater or lesser probability of implantation in the uterus (and subsequent successful pregnancy), are diverse. In Portugal, the two most used grading systems are those from a professional organization (the Alpha Scientists in Reproductive Medicine and the ESHRE Special Interest Group of Embryology, 2011) and a

specific country (the Spanish Society for Professionals working in the IVF laboratory-ASE-BIR), with correspondence in terms of degrees: 1, 2, 3, 4…, or A, B, C, D… (Machtinger & Racowsky, 2013).

When questioned about the quality assessment and viability evaluation of the embryo, as well as the criteria for transferring to the uterine cavity, some interviewees emphasized a technical-scientific dimension, referring to taxonomies, international guidelines, and statistical data (e.g., success rates) that guide their professional practice, showing a relative standardization of procedures. Especially the youngest embryologists base their actions on *instrumental rationality* (Weber, 1978) – using technically efficient means in a calculated pursuit of ends recognized inductively – when qualifying and evaluating the embryos they manipulate.

Some professionals describe their decisions about the fate of embryos (to transfer, cryopreserve or discard) only based on a technical assessment according to morphological (degree of fragmentation, cell structure, quality of division, etc.) and kinetic (division timings) criteria with a strict link to standardized guidelines as a support device for laboratory procedures. The evaluation of the number and appearance of the cells (morphokinetic quality), as well as the development of the embryo in its various stages (developmental potential), is done through observation under a microscope or using more sophisticated equipment, such as an incubator with a time-lapse (TL) system. The latter allows for monitoring of the embryo's development on a daily basis and in real-time through images and videos and analyzing the cell division timings through an algorithm, thus facilitating the evaluation of the embryos.

Time-lapse imaging technologies in embryology – enabling observing and evaluating the development patterns of human embryos – involve datafication (Van de Wiel, 2019) and algorithmic knowledge production aimed at improving embryo grading and the selection of the 'best' one (Geampana & Perrota, 2021). These can even be shared with fertility patients as a way to involve them in their treatment (Hamper & Perrota, 2022). However, as we will show later, the lack of standardization of laboratory practices and epistemologies demonstrates the local embeddedness of TL technologies (Geampana & Perrota, 2021; Perrota & Geampana, 2021).

Concerning this relation with technical guidelines, we can also refer to one of the three types of authority identified by Weber, namely the one whose foundation of legitimacy rests upon 'rational grounds', i.e., that is anchored in 'a belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands' (Weber, 1978, p. 215). For certain embryologists, the dominant cognitive and evaluative orientation is following international norms, established rules, and standardized protocols used in assessing the morphokinetic quality of the embryo and subsequent decision-making about its fate.

Strictly utilitarian orientations and pragmatic calculations characterize a 'practical rationalism' (Weber, 1946) in clinical embryology. In fact, some of these professionals consider that in order to be able to work in this area, they 'have to be very pragmatic' (B7.1-M), sticking to the technical-scientific evaluation criteria and standardized procedures for scoring, selecting, and/or discarding embryos – perceived as multi-cellular entities – without these decisions raising any kind of concern. In this case, the embryologist's technological means, instrumental calculation, effective control, and methodical planning of laboratory activities and objects may be categorized as intellectualization and *rationalization*

processes (Weber, 1978; 2005) instead of more traditional forms of thought and conduct, thus creating a knowledge and belief about being able to master everything in life technically (Weber, 1946).

The techno-scientific development of ART was followed by specific national regulatory frameworks that delimit the use of different procedures (e.g., the maximum number of embryos per transfer) and access criteria (e.g., the age limit for women, maximum number of publicly funded treatment cycles per couple/beneficiary[5]) (IFFS, 2019; Calhaz-Jorge et al., 2020). However, there are situations when greater flexibility in observing the standardized assessment norms and rules can occur when some information relating to the clinical condition or trajectory of the beneficiary couple can exceptionally be taken into account by the embryologist. For instance, when the beneficiary couple is in their last publicly funded IVF cycle according to Portuguese law, the embryologist can expand the interpretation of the guidelines and allow one last opportunity for that couple – provided that such embryo or embryos have a minimum quality that is still associated with some probability of treatment success: 'We may have a woman who is not able to do any further treatment, the embryos may not exactly meet our criteria, but they are not far below and in these cases, we can sometimes push it a bit, go a little beyond our basic criteria' (B8.2-F). Professionals, by (re)interpreting the dictates of government or other relevant stakeholders (such as ethics committees), introduce new rules and standards that grant – or deny – legitimacy to actors (Suddaby & Viale, 2011) within the ART field.

In Portugal, the National Council for Medically Assisted Procreation (CNPMA) recommends that only one embryo should be transferred, especially in women under 35 years old, in the first treatment cycle, to avoid multiple pregnancies and associated risks, such as prematurity and perinatal mortality: 'The clinical gold standard of transferring one embryo' (B9-M). However, in female patients with a poor prognosis (due to previous failed cycles) and older (around 40 years old), the option may be to transfer two embryos to increase the chances of pregnancy in terms of success rates. Therefore, although the maximum number of embryos to transfer is decided ex-ante at the beginning of treatments when beneficiaries sign their informed consent, it can be renegotiated with the clinician and the embryologist at a later stage, prior to the transfer, according to the embryo quality assessment.

Similarly, when a patient has no embryos that strictly meet the quality assessment standards, the embryologist may reconsider the grading of some of them. Scientific evidence that poorer-quality embryos can result in a pregnancy (even with a very low probability) supports this evaluative reasoning partially disconnected from the guidelines:

> We have ways of assessing embryos. The number of cells, fragmentation. And then we give letters, numbers, whatever is used, "A", "B", "C", "1", "2", "3"... There are also clinics and embryologists who are stricter than others. And then, as time goes by, we realize that sometimes a fragmented embryo that we think we shouldn't bet on ends up [Laughs] producing a child nine months later. Maybe we start our careers as embryologists very much respecting the

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[5] According to the legal and regulatory framework for ART in Portugal, the age limit for women to obtain recourse to publicly funded fertility treatments is 40 years old for IVF and ICSI (being limited to three treatment cycles) and 42 years old in the case of intrauterine insemination (IUI) without treatment limit.

guidelines we are given. And, as time goes by, we also end up sometimes… For example, the blastocysts, let's say the less good ones, I now freeze almost all of them because an article by a colleague from Italy came out […] obviously the probability is very low, but they had babies from those embryos. (B5-F)

Yet the cognitive and moral framework that ideally, according to these professionals, should guide the embryologist's perspective in the quality assessment of each embryo is embodied in the following crucial question: 'Do you think this embryo can or cannot result in a pregnancy? Yes or no?' (B11-M). Their actions are based on logical or scientific grounds (evidence, data, and best practices) and with reference to measured goals; that is, the selection of the best embryo to maximize the chances of successful implantation and full-term pregnancy.

Nevertheless, as we will explain hereinafter, beyond technical facts and scientific knowledge as intellectual tools for action, some embryologists also mobilize alternative ethical rationalities. More specifically, besides standard norms, rules, and procedures, certain professionals develop practical skills of embryo assessment in their different stages according to their own cognitive schemes, experiential knowledge, and normative viewpoints (such as cultural, ethical-moral, and religious values).

3.3 Value-rational action: vitality amidst uncertainty

Healthcare-related uncertainties and their management in a biomedical context – associated with the development of technoscientific entities – have been addressed in the literature (Sulik, 2009; Mackintosh & Armstrong, 2020), inclusive of what concerns embryology (Machtinger & Racowsky, 2013). In our study, regarding the assessment of embryo quality, potential, and viability, even when embryologists claim to stick to the grading systems used as references in the institutions where they work, an element of uncertainty may arise. This stems from the doubt or fears about the reliability of the results of the procedures (e.g., whether a given embryo will survive a freezing/thawing process) and the adequacy of their own decisions (e.g., if a particular embryo is considered non-viable and should be discarded). Biomedical technologies have 'extended choice to the very fabric of vital existence' (Rose, 2001, p. 22), not without some controversies concerning such decisions.

Notwithstanding the standardization of laboratory procedures and compliance with international guidelines, the unpredictability of the results of ART in terms of fertilization and embryonic development *in vitro* and *in utero* characterizes the working environment of these professionals, giving rise to concern, anxiety, and frustration. In fact, unless certain indisputable indicators defined in guidelines are present (anomalies, high level of fragmentation, and weak or no cell development), it is difficult to accurately predict the implantation potential of the embryo after transfer and whether it will result in pregnancy. Nevertheless, embryonic assessment is currently facilitated by the use of high-precision technological instruments, such as the time-lapse incubator.

In the absence of guarantees, embryologists resort to forms of measurement and management of uncertainty despite the critical tensions these generate (Thévenot, 1995). This is the case of trust in reference to (unlikely) successful cases and the relativization of assurances based on statistics (success rates). One way to overcome eventual doubts

and avoid the burden of individual decisions is peer consultation in an attempt to reach a consensus at the decision-making level regarding, for example, borderline embryos:

> We sometimes have doubts about whether or not to transfer that embryo, whether or not to freeze that embryo, and we debate, the team of embryologists. There are some that are obvious, 'this one is for throwing away,' 'this one is for freezing.' But then there is that grey area where we don't really know what we should do, and we debate. (B13-M)

Another option is the assumption of a precautionary principle, either cryopreserving all embryos considered viable or extending the culture to the blastocyst – up to the limit allowed by the norms – of those embryos situated in the 'grey area'.

In fact, especially if they conceive embryos as having a potential for life rather than as a cluster of cells, the moment of deciding which ones to select or discard is disturbing for some of our interviewees, in contrast to embryo transfer, which does not raise this kind of concern since success no longer depends on any human intervention and/or decision. This conception of the embryo dissociated from a more strictly functional perspective is reflected in the way these professionals perform their laboratory work. Several embryologists reported that, before making the decision to discard an embryo, they often prolong the *in vitro* culture for as long as it is scientifically sustainable (until the fifth, sixth or seventh day[6]) so that the observation of cell development leaves no room for doubt that the viability of that specific embryo is weak or null; 'I can't throw away boxes of embryos without seeing them on day seven. Hardly... They [colleagues] ask if I'm waiting for them to grow hair, but I can't. It's hard. It's hard for me... "What if?", "What if?" [...] thinking about the embryo's potential, it's hard for us to throw it away, too. For me. I think it might be eliminating a possibility...' (B7.2-F).

Their moral actions and decisions are determined by a conscious belief in the worth of the embryo due to its potential to generate a new life. This behaviour is rooted in ethical, moral, and religious values, being independent of the prospects for success: the ends are determined by the judgment of the worth of the embryo as life potential; that is, not throwing out what could turn into a baby in the future. These professionals do not discard any embryos until all scientific doubts about the quality of development and implantation potential are removed, although the purpose is always to find the best one, capable of generating a full-term pregnancy and leading to the birth of a healthy child:

> There are embryos that, from the very beginning, are not going to get anywhere, but I don't rule it out until I'm sure. It's obvious that with experience, one can understand certain things, but I always consider the embryo as life potential from the very beginning. [...] As I

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[6] Despite the trend to standardization, there is a diversity among embryologists regarding the stage of embryonic development by which the transfer to the uterine cavity should take place, which results from the difference in schools of thought, as well as from technical constraints. There are ART units/clinics that perform embryo transfer on the third day, others on the fifth day (blastocyst stage) and also cases in which the *in vitro* culture is extended until the sixth or seventh day of embryonic development. The latter, according to some interviewees, are objects of controversy and discussion within the scientific community since these practices can result in the waste or loss of embryos that, if transferred earlier to the uterus, could have had a better chance of surviving and resulting in a successful pregnancy.

often tell couples, what I want is a winner. There has to be a 'special one' that succeeds and generates a healthy child. That's what we always want in every treatment. But we have to assume that all of them can become that. The more there are, the better, right? (B12-M)

However, even when embryologists consider themselves confidently 'optimistic' in their assessment of each embryo, always trying to discard the smallest number possible, this optimism – translated into greater flexibility in interpreting norms – is counterbalanced by what is described as a kind of intellectual and moral integrity: 'As I am very optimistic, [I assume that] it may be an embryo that is not evolving very well, but I will always try, as far as possible, to see its evolution until the end. But I'm also not going to use embryos that I have doubts about, am I? I wouldn't be being honest with the couple' (B12-M). In such cases, embryos of doubtful quality are not used for future transfer, considering the efficiency criterion, but also the additional physical, emotional, and financial costs for beneficiaries associated with pregnancy failure. This type of action is guided by a belief in the intrinsic value of a particular goal: embryologists make decisions based on their deeply held values, such as the importance of creating life, maximizing chances of success, or prioritizing the well-being of the future child and prospective parents.

Notwithstanding, this cognitive and evaluative conception of the embryo as a set of cells (biological matter) with high potential to generate life (a human being) is likely to evolve and be reconfigured throughout the embryologist's professional career. Initially, embryo loss or disposal can have a greater emotional impact on the embryologist and be related to standards of good or bad conduct. In the case of embryologists who conceive the embryo as a 'set of cells with the potential to give rise to a human being' and 'almost as a working tool' (B13-M), no component of the laboratory work involving the embryo manipulation, even its destruction, is likely to raise any kind of moral or ethical concern, as this is considered an inevitability. However, in the course of the activity, some technical doubt (but not moral distress) arises about decisions related to the fate of each embryo in the event of potentially viable embryos being discarded that could have generated a full-term pregnancy: 'We have probably already thrown many babies away' (B13-M).

We acknowledge that moral valuations and legitimate rules/ends that are felt deductively play concomitantly an important role in what can be seen as *value-rational action* (Weber, 1978), especially when the embryo is perceived as a potential life instead of a cluster of cells. These values-anchored positions/choices and forms of individual accountability refer to an ethic of responsibility in opposition to an ethic of absolute ends (Weber, 1946).

3.4 Traditional sub-rationality: the embryologist's feeling

Bureaucracy's apparatus demands a rationally trained, 'personally detached and strictly objective expert' (Weber, 1978, p. 975) who eliminates all things that escape calculation (such as personal, irrational, traditional, and emotional elements). In bureaucratic organizations, 'individual performances are allocated to functionaries who have specialized training and who by constant practice increase their expertise' (Weber, 1978, p. 975).

In vitro fertilization can be described as a 'somatotechnique' that highlights the reproductive know-how at the intersection between the biological, the personal, and the

substance (Merleau-Ponty, 2017). In the absence of exhaustive technical guidance in the form of guidelines, the selection of embryos to transfer, cryopreserve, or discard also depends on a subjective dimension regarding the viability of the embryo: the personal judgment made by the embryologist. This sub-rational *traditional action* (Weber, 1978) is based on the embryologist's 'feeling', that is, the practicable knowledge, skills, and expertise gained through professional embodied experience in observing and evaluating embryonic development in the laboratory:

> If I want to see now how the embryos are developing in the clinic, I can see it, and I have a video of the embryo development in real-time [time-lapse technology]. But then, in case of doubt – because sometimes there are doubts – we decide. Our eye decides, and the embryologist's 'feeling' comes in. So, there are A, B, C, and D classifications, and then there is the 'feeling'. (B4-F)

The *traditional character* used in the quality assessment and scoring of embryos is rooted in a belief in habits and daily-life routines and their anchoring in the sanctity of forever valid traditions. In other words, action and decision-making are driven by ingrained habituation and long-standing customs, which then become deep-rooted skills. This occurs especially in the case of embryos that, in terms of quality, can be classified as borderline:

> Then there are those grey cases, so to speak, in which the embryo doesn't develop as expected but hasn't stopped developing either. There are no specific guidelines for these cases. It must therefore be analyzed on a case-by-case basis. And sometimes opinions do not always agree. [...] Sometimes it is complicated, and the decision has to be made according to the person who had more time with and who is at that moment taking care of the embryos. (B10-M)

Among the surveyed embryologists, we identified those who establish a duality between what they call the human factor and the algorithm, that is, a parallel between the evaluation of the embryo supported by routine or by standards as distinct grounds for decision-making:

> We look at the embryonic development of another one that has a lower grading, and we wonder [that] 'this one looks prettier to me, but that one has a better grading.' Then it can also happen that we play a little bit with our 'feeling' and our experience of looking at embryonic development and assuming which ones will have a higher probability [of success]. (B10-M)

In this case, 'feelings' are integrated pragmatically into the daily routines and habits of the embryologists instead of referring to an instance of 'affective action'. In other words, this relates to a vague and sub-rational opinion or belief about the potentiality of each embryo that is incorporated in – but also derives from – the repetitive and embedded technical gestures of the professional: 'Sometimes I have to equip myself with a certain "feeling" that comes from the knowledge and experience I already have in order to select the embryos. Because, over these three years of experience, I've seen that often what is described in the literature, in this static classification, doesn't apply to morphokinetics' (B16-F). Biological scientists may also have a 'feeling for the organism', an 'intimate knowledge' about it (Keller, 1984, p. 198), and this emotional investment runs counter to the scientific method.

These critical understandings show a structural tension between the two sides of the convention – between adherence to and blind trust in conventional forms of qualification/ assessment and, on the other hand, the doubt and uneasiness regarding conformity with the standard and the contestation of its validity (because of its disciplinary uniformity), making room for other normative perspectives (Thévenot, 2009).

In these cases, the decision-making of the embryologist is co-supported by a routine composed of know-how acquired by learning and accumulating professional experiences (Breviglieri, 2006) through a familiarity with the laboratory setting that goes beyond an action only mediated by institutionalized standards (Thévenot, 2006). Moreover, this mode of acting is reinforced by the existence of studies that show a non-linearity between, on the one hand, the scorings and approved criteria for grading the embryos and, on the other hand, real embryonic development in a laboratory setting. In other words, it refers to the existence of scientific evidence on the development possibilities (albeit weaker) of embryos with a lower grading. Thus, besides knowledge based on personal experience, the evaluative operation is also supported by the consultation of other scientific sources (such as published papers) with recommendations that go beyond what is already officially incorporated in the guidelines; that is to say, scientific knowledge that has not yet been the subject of 'investment in forms' (Thévenot, 1984).

In sum, scientific evidence and personal experience thus suggest greater caution in having absolute confidence and more flexibility in the interpretation of standard norms of embryonic development. However, depending on whether trust is placed in public conventions (guarantees), functional properties (planning), or familiar usages (habits or routines), so these three situations differ in the possibility of being generalizable, communicable, or communalized (Thévenot, 2009) among embryologists or between them and others (doctors, beneficiaries, etc.).

3.5 Affectual sub-rationality: an ethics of care

Just as Weber (2005 [1930]) highlights the ways in which emotions vary in intensity across a diversity of religious groups, likewise, the same can be said regarding embryologists in terms of actions and decision-making regarding embryos. Affect-based action is 'determined by the actor's specific affectual and feeling states', and it may involve 'an uncontrolled reaction to some exceptional stimulus', serving the purpose of working off emotional tensions (Weber, 1978, p. 25). Affectual action and emotion-based action thus overlap as in Weber's foundational definition (Kalberg, 2016): social action may be affectually determined, particularly by emotions; in other words, it is influenced by situations of affect and feeling (Weber, 1978).

In fact, some of our interviewees demonstrate an *affectual sub-rationality* when making decisions and choices about embryos, which is governed by emotions, affects, and subjective feeling states, such as personal conceptions about potential personhood (and child-likeness) or empathy with the beneficiaries' expectations and health trajectories: 'I suffer a bit with couples, I put myself in the other person's shoes, it's a bit empathetic' (B7.2-F).

Besides the international standards, guidelines, and norms for assessing the quality, potential and viability of each embryo, for some embryologists, the selection of those to

transfer, freeze and discard is not totally dissociated from the personalization of the clini-cal file (Merleau-Ponty, 2018), that is, the specificities of the patient's medical records, ther-apeutic paths and related emotional states. For example, a couple with a long and emotion-ally charged clinical history of failed treatments or a scenario of a couple in their final treatment cycle in the public sector and hence their last opportunity to achieve a pregnancy: 'The prognosis was terrible. I carried out the transfer. I spoke to the couple; it wasn't a fan-tastic embryo; it wasn't one of those that we classify as excellent. It was intermediate, not bad. But it was their last chance, we weren't going to do it any other way. And the couple got pregnant and had a baby girl' (B7.2-F).

Therefore, an embryo of average quality is likely to be evaluated differently in the case of a couple at the end of the legally prescribed age for publicly funded treatment than with a beneficiary couple with the possibility of further treatment cycles and/or where the woman is of more favourable age:

> It also depends on the story of the couple. For example, we have couples with some suffering, where sometimes the best you can get is a B-C embryo, which is a medium-low classification. In our area, this is the major difficulty, even when we look at embryos. Each case is unique and has this emotional part. For example, we write in our file – we have the process [docu-mented] on paper – we have notes on whether the couple has children or not, how many years they've been trying... Notes written by us, embryologists. So, I look at the embryo [Laughs], but when the time comes to transfer, it's not only the embryo. It's the embryo and the whole story of the couple that's there, right? (B4-F)

Some interviewees even describe how their practice has evolved since the beginning of their professional activity in the sense of greater openness to the inclusion of other vari-ables in decision-making. Even if, according to standards and taxonomies, an embryo is not high quality (a grade below B or C), is considered non-viable and therefore should be discarded, the professional may decide to cryopreserve it for later transfer. This decision is not only based on a probabilistic assessment of the development potential (according to the efficiency criteria) but also takes into account what that spare embryo means for that couple: either *hope* or a *last attempt*: 'I think we have to see the whole picture, namely, the context, what it represents for the couple. We have to realize if it's their last attempt. [...] In the balance is the probability of success of this embryo, which can be very low, and, on the other hand, the hope and view of the couple about the treatment and the embryo' (B3-F).

Embryologists manage the psycho-emotional impact on beneficiaries of a hypotheti-cal failure (such as the suffering arising from the non-implantation of an embryo after transfer) and the anxiety associated with the uncertainty of achieving pregnancy that comes with the couple's engagement in the therapeutic plan (Delaunay, 2017): 'I also have to give them a chance to deal with failure in their own way. And that sometimes involves transferring embryos on day three, with low embryo quality, even after warning them about the low probability of pregnancy with those embryos' (B16-F). Nevertheless, as the interviewees highlight, such inflection in evaluative judgment regarding standardized norms demands a well-balanced capacity of dissociating emotional aspects from the tech-nical-scientific ones on which their professional competence is grounded.

Moreover, biological scientists engage in emotional labour in which, in addition to having to manage their own subjective states and feelings, they consider as objects of care

both the reproductive material of which they view themselves to be custodians – 'We become attached, although it's a cell' (B7.2-F) – and the patients seeking a pregnancy for whom they have empathy and provide meticulous technical care (Fitzgerald, Legge & Frank, 2013): 'It's very rewarding to help couples. Even because... there are very few of them, but there are some couples whom I say are "my favourite couples". We're still connected to some of them, socially, outside the team' (B9-M).

This 'ethics of care' should not be viewed as an example of 'value-rational action', as a first analysis might suggest. Instead, the emphasis here is on empathy and care, as well as on 'affect' as a 'sub-rational' (and not simply 'irrational') character of affective action. It should also be noted that the different types of action often overlap and are in tension with one another, as we will further discuss in our concluding remarks.

Embryologists' work – namely, the observation, manipulation, and assessment of embryos and gametes according to personal expectations and scientific norms – also involves affective practices and emotional expressions, such as humour, joy, sadness, or aesthetic judgments (Kerr & Garforth, 2016; Merleau-Ponty, 2018b). For some of the former, embryos, as manipulable technoscientific entities, are both 'matters of concern' in ethical and political terms (Latour, 2003) and 'matters of care' (Bellacasa, 2010): 'The part that worries me most, undoubtedly, is the elimination of embryos. It is where I have a very big dilemma and troubles me and also sometimes [...] its [morally] belittling' (B3-F).

Regarding concerns about professional activity, there are situations in which the emotional attachment to some couples can impact the laboratory work – for example, becoming translated into the greater uneasiness of the embryologist when performing the technical manoeuvres:

> We are human, and sometimes, without wanting to, we attach ourselves more to a story; we connect more with a couple. We have a day [involving] greater fragility or with greater tiredness in which it is more difficult for us to concentrate because it's our everyday life; we're people, aren't we? And sometimes, the execution of the technique, when it's technically very challenging, is very stressful. So, I don't particularly like to be shaking when I'm injecting or doing a biopsy or freezing and I'm feeling nervous for some reason. (B16-F)

Other studies have shown that for handling this 'performance anxiety', fertility specialists focus their attention not on the patient as a whole person but on their fragmented bodily parts ('embryo', 'follicle') as more controllable objects to which they can apply their expertise (Fedele et al., 2020).

According to Weber, besides the four types of action, social relationships also offer fertile ground for affectual action, namely, which concerns person-oriented and emotion-rooted relationships. This is the case of the relationships embryologists establish with beneficiaries, which differ according to the type of contact that is maintained between parties over time. In these cases, the social relationship between embryologists and beneficiaries throughout the IVF cycle goes beyond means-end rationality (Weber, 1978, p. 1002), that is, the achievement of pregnancy and the birth of a child. Similarly, this type of therapeutic relationship is not initially restricted solely to the technical achievements of each individual, such as a successful embryo transfer and implantation. Local contexts (i.e., how embryologists from different laboratories conceive and select embryos and interact with the beneficiaries) condition the meaning and evolution of sci-

entific naturalism in reproductive biology in what can be called an 'operative relationship', a chain of actions oriented towards an end, that is, the conception and birth of a baby (Merleau-Ponty, 2018a).

4 Discussion and conclusion

As we sought to explore, the Weberian typology of the four 'types of social action' is useful for analyzing how embryologists relate to their work, namely how they organize professional activity and decision-making around embryos created *in vitro* and their prospective parents. Moreover, means-end rational and value rational action are rooted or indirectly derived from different types of rationality employed to master reality (see Kalberg, 2016), which we found in embryologists' reasoning and conduct.

Practical rationality involves decision-making based on pragmatic considerations about personal/self-interest goals, weighing costs and benefits, and calculating the most adequate means. Embryologists, in their daily work, also assess the potential risks and benefits of certain procedures or interventions to determine the best course of action regarding embryos' successful implantation, thus adopting a means-end rational course of action.

Theoretical rationality – which influences action indirectly – revolves around purely cognitive processes and the systematic analysis of data and facts, with individuals often employing abstract logical reasoning and scientific methods. In fact, embryologists use empirical evidence and scientific research to make decisions that are grounded in a thorough knowledge and understanding of reproductive technologies and patterns of embryonic development.

Formal rationality emphasizes precision, calculability, and predictability in decision-making processes, which are driven by a consistent and standardized process. It involves selecting means that are most effective for achieving a specific goal (means-end rational calculations) by reference to universally applied rules and laws. In embryology, this involves following established guidelines, regulations, protocols, and fixed procedures to ensure efficient and reliable outcomes in laboratory work.

Substantive rationality refers to decisions made in alignment with a larger set of values ('value postulates'), principles, or ethical standards. Likewise, embryologists make choices that align with broader societal values, such as the principles of autonomy, beneficence, and social justice in biomedical ethics – without neglecting efficiency in the performance of tasks – thus engaging in value-rational action.

The following tree diagram schematizes the analysis so far (see Figure 1).

Decision-making about embryos takes place in a plural and contested domain linked to general norms issued by professional associations and ethics committees coupled with predictability through algorithms, the empirical knowledge of embryologists, their moral valuations, and personal affects in relation to patients and the respective biological matter. Tension and ambiguity arise from a plurality of non-coherent values and disputable sources of professional authority and expert jurisdictional engagement in clinical embryology; this leads to processes of critique, justification, and/or compromise in-between technocratic environments and democratic endeavours within different organizational scopes (Blok, 2021). Moreover, determining embryo viability involves complex and precarious decisions

and practical and situated achievements, that is, an enactment or combination of the scientific facts on embryo quality, expert knowledge, laboratory practices, and patients' engagement in the process of selection (Helosvuori, 2018).

From our data analysis, we can claim that, in certain situations for some embryologists, there is a connection between the ethic of conviction and the ethic of responsibility outlined by Weber in *Politics as a Vocation* (1946) and the corresponding ideal types of value and instrumental rationality defined by the author in *Economy and Society* (1978). This practical reconciliation of different ethics/action types entails the subordination of an ethic of conviction to an ethic of responsibility (see Gane, 1997, for another analytical context about the irrationality of political leadership). More specifically, instead of prioritizing their own personal and deeply held beliefs and values (conceptions/convictions about the moral status of the embryo), they emphasize the practical consequences and potential outcomes of their individual actions and decisions they are accountable/responsible for, particularly in relation to the common good.
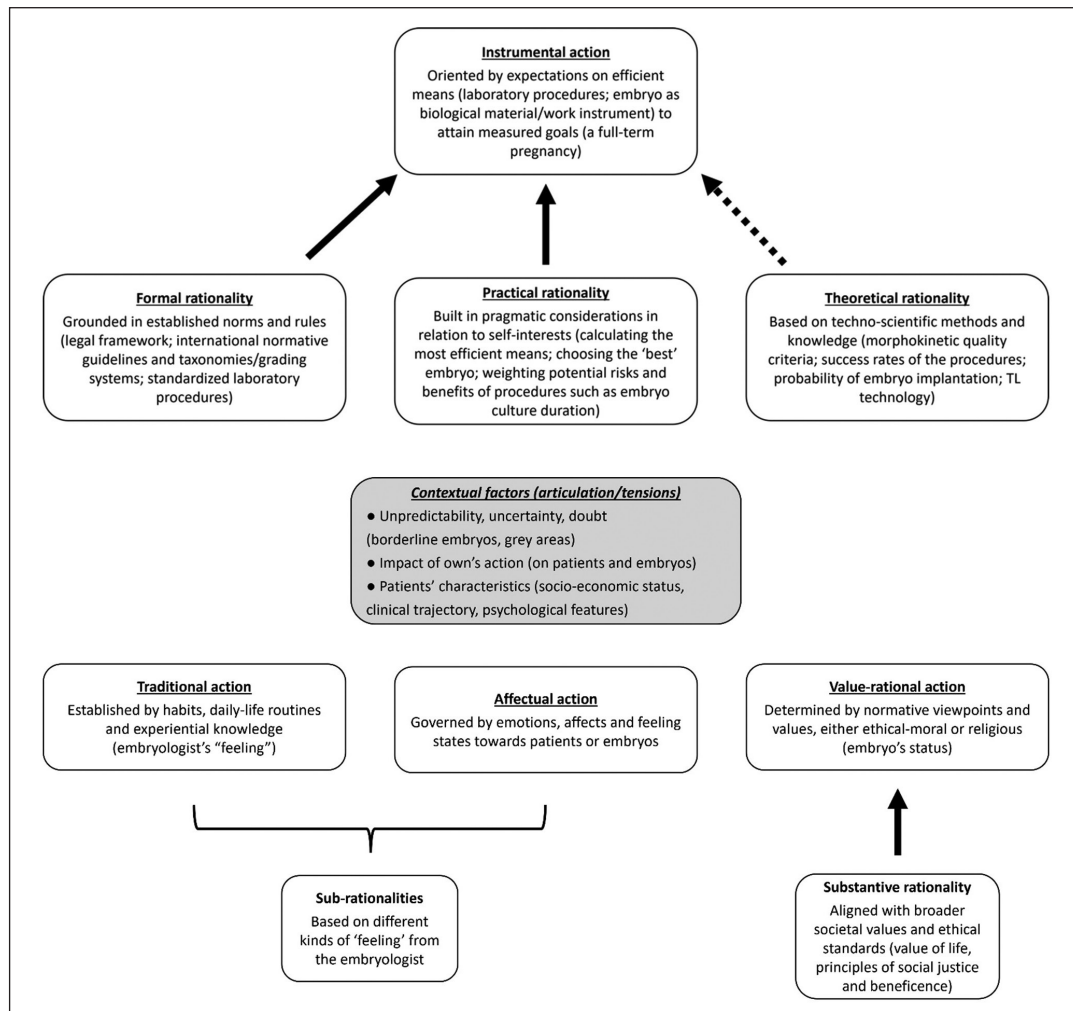

Figure 1 Tree diagram of embryologists' decision-making on embryos

The domain of clinical embryology reveals the disjunction of infinite scientific progress/ rationalization and personal freedom already addressed by Weber. The individual is forced to opt between conflicting and even irreconcilable values while conditioned in their ability to choose according to the advance of instrumental rationality. This results in the perpetual struggle between personal conviction and rational calculation (Gane, 1997, 2002).

Critics of Weber's ideal types focus on 'pure' schematic models, in this case, modes of conduct, overlooking the connections between them and also ignoring the plurality of motivations for action. However, Weber also acknowledges the fluidity, overlapping, and mixed nature of his ideal types in historical reality: 'These ideally constructed pure types' always strive 'for the highest possible degree of logical integration by virtue of their complete adequacy on the level of meaning', although there is probably seldom an exact correspondence with real phenomena (Weber, 1978, p. 20). Therefore, it is important to note that these 'typical' cases, while not claimed to be exhaustive, are just theoretical concepts and analytical tools with heuristic value that help to understand and classify complex social phenomena; in real-world situations, human action is often influenced by multiple – and sometimes opposing and conflicting – types of orientation and the interactions or intersections between them, i.e., 'various complexes of motive' (Weber, 1978, p. 10). Likewise, the modes of conduct of embryologists involve tensions but also combinations of different rationalities and motivational situations.

This is the case of the articulation between *affectual sub-rationality* associated with emotion management and an ethics of care in the relationship with couples and embryos (e.g., assessing the emotional impact of a technical decision on couples), without losing sight of the rationalization derived from *instrumental rationality* based on standardized norms and clinical efficiency criteria. Also, that same *instrumental rationality* can be articulated with evaluations and decisions based on experience knowledge associated with *traditional sub-rationality*.

Moreover, *traditional* and *affectual* orientations to action are 'automatic' or 'uncontrolled' reactions to 'habitual' or 'exceptional' stimuli, respectively (Weber, 1978, p. 25). In addition, in our study, these two orientations to action also address different yet complementary dimensions of 'feeling' on and for things and/or people, either as a sense/intuition or an emotional reaction/response to others. Therefore, we believe both these non- or sub-rational dimensions – since they do not involve rationalization in terms of the calculated choice of means – are thus mutually interrelated and should be regarded conjointly. However, while traditional non-rationality is 'socially learned' through experience, affectual non-rationality is 'innate' and 'latent' until called out (Wallace, 1990, p. 217).

Embryologists' discourses demonstrate a 'double pluralism'. Namely, along with the coexistence of different types of Weberian action, we can identify combinations among these types of action – a fundamental element of acknowledging the plural rationalities in clinical embryology. Analyzing embryologists' decision-making using Weber's framework helps to understand the complex interplay of emotions, ethics, values, knowledge, efficiency, and scientific reasoning in the field of ART. It highlights the diverse factors that influence the choices made by embryologists regarding embryos and how different types of rationality and action come into play and interact.

This analysis is enriched when articulated with a pragmatic sociological approach to the different forms of engagement in action (Thévenot, 2002; 2006) of the embryologists, i.e., regarding how these actors seize a given situation and the other human beings (either

patients or health professionals), objects (biological matter, Petri dishes, time-lapse incubators, etc.) and conventions (laws, guidelines, taxonomies) that comprise it. According to both ANT and STS theoretical perspectives, in these networks of shifting relationships between different types of actants, the introduction of high-precision technology in healthcare settings contributes to and complexifies the shaping of social processes (such as embryo decision-making and disposal) and sociotechnical imageries (embryo meaning-making and the attribution of status). We are here in the field of moral and political actions and cultural interpretations, namely the meaning(s) and values attached to 'life as such' (Fassin, 2009) and the governmentality of 'life itself' at a molecular level (Franklin, 2000; Rose, 2001), i.e., the biomedical interventions affecting living matter (the embryo).

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Rubén D. Castellano-Durán

Rationalizing 'Vivir Bien': The Modern State and the formal limits to transformative rationalism in Bolivia

[r.castellanod@gmail.com] (Territorial Polytechnic University of Mérida, Venezuela; National University of San Martín, Argentina)

Abstract

Drawing on the case of the 2011 march against a highway project through the Isiboro Sécure National Park and Indigenous Territory (TIPNIS) in Bolivia, alongside a discussion of Max Weber's conceptions of rationality, this paper situates that demonstration in the interface between the Bolivian State's modern formal rationality with the substantive rationality proposed as 'Vivir Bien'; an umbrella term for a conglomeration of indigenous proposals for a sustainable relationship between humans and nature that goes beyond neoliberalism, colonialism, and their cultural and environmental consequences. As with *any* modern institution, the Bolivian State performs with modern means-ends calculations, thus subduing the transformative potential of 'Vivir Bien' as a distinct rationalism, with its means-ends framework, knowledge, and patterns of action.

In a Weberian critique of Modernity, two issues will be raised. First is the need to recognize the modern state as the institutional embodiment of modern formal-instrumental rationality bound to Modernity's means-ends framework. Second, an evaluation of the possibility of incorporating other rationalisms into the modern state, allowing other means-ends valuations for state policymaking involving other patterns of action and sociality.

Based on these considerations, this paper recognizes modern rationalism in contrast to other rationalisms, worldviews, and practices in a critical search for alternative approaches and proposals for attending to local and global problems threatening sustainable human existence, from environmental devaluation to social inequality.

Keywords: rationality; modernity; state; alternatives to development; Latin America

1 Building alternatives from the borders

'Buen Vivir' (Living Well), known as 'Vivir Bien' in Bolivia (BV)[1], is a cluster of indigenous, intellectual, and academic conceptions of human and nature relationships, a notion acknowledged as an alternative to Western development models and neoliberal policies in some

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[1] Indigenous intellectuals and scholars translate the Kichwa *sumak kawsay* and the Aymara *suma qamaña* to the Spanish term '*Buen Vivir*.' Despite 'Vivir Bien' being used in Bolivia's Constitution and by some scholars, it is 'Buen Vivir,' commonly used in Ecuador, which has gained global projection. For this paper, both Spanish terms are considered mutually interchangeable (Ranta, 2018).

Latin American countries. During the 1990s, BV became a discourse for social resistance movements in response to the Structural Adjustment Programs (SAPs)[2] applied in line with the Washington Consensus (Ranta, 2018). It gained regional and global relevance as an alternative to 'development' and Eurocentric modernization when it became the political banner of progressive governments formed during elections in Bolivia (2006) and Ecuador (2007) (Ellner & Santos, 2020).

As a decolonial, post-developmental alternative (Radcliffe, 2012; 2015; Costoya, 2013; Acosta, 2017; Ranta, 2018), BV criticizes *development* as a colonial worldview of the human and environment relationship, measured using profit involving objectifying humans and the unsustainable exploitation of Nature, with consequences posing not only a threat to local indigenous communities but also representing a global menace to human survival on the planet. BV emerges as a framework for an ethical relationship between human existence and Nature; a *substantive* means-ends appraisal of social action to achieve plentiful, sustainable living through rescuing Andean and Amazonian indigenous knowledge, values, and worldviews; encouraging ethical, value-laden ends beyond neoliberalism and colonialism and the objectification of humans and Nature as sources of exchange value for global markets (Albó, 2009; Gudynas, 2011; Radcliffe, 2012; Bittencourt-Rodrigues, 2021). From this perspective, BV stands against not only specific development plans; instead, it criticizes the core assumptions through which those policies achieve their legitimacy, the idea of everlasting progress through modernization and development (Estermann, 2012; Vanhulst & Beling, 2014; Acosta, 2017).

Although the 2009 Bolivian Constitution makes only five explicit references to BV, it recognizes Bolivia's ethnic diversity and intercultural background, outlining the *ends* of a multinational state as a political organization (Fernández, 2009; Ranta, 2018), as well as including novel constitutional support for environmental legislation.

BV is not a monolithic philosophy nor a single way of living. Each indigenous community has its own worldview and practice of BV, and several intellectuals and academics have discussed the sense of BV from both indigenous and Western perspectives (Cubillo-Guevara et al., 2014; Cuestas-Caza, 2018; Ranta, 2021). Because of its contested meanings and differing interpretations, those views differ in terms of BV's transformative potential: from a demand for historical justice for indigenous communities in respect of colonialism to declarations against neoliberal agendas and global capitalism through a defense of local agriculture and sustainable production; as an alternative to development; or even as a *new age* movement. And within that diversity, the Bolivian Constitution is not the ultimate word concerning the meaning of BV. But it is the Bolivian State and the *formal* boundaries founded in the Constitution that political actors refer to for transforming BV into a *political project*.

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[2] Structural Adjustment Programs (SAPs) are a set of policy and economic reforms guided by International Financial Institutions such as the International Monetary Fund and the World Bank with the main objective of the reduction of national external debt (Molero-Simarro & Paz-Antolín, 2012). The application of these programs is a requirement for highly indebted countries to obtain debt renegotiation and qualify for new loans from those institutions.

2 Modernity doing its job: 'Vivir Bien' and the 2011 TIPNIS protest

Given diverse interpretations of BV and the different social and environmental demands articulated around them, attempts at institutionalizing BV as state policy have been uneasy endeavors (Fontana, 2013; Fabricant & Postero, 2019). The 2011 Bolivian protests against the construction of 'Road 24 Villa Tunari – San Ignacio de Moxos Highway', a road project announced by the Bolivian Government in 2009 that would run through Isiboro Sécure National Park and Indigenous Territory (*Territorio Indígena Parque Nacional Isiboro Sécure*, TIPNIS) (Guzmán-Torrico, 2012), made visible a conflict between the formal rationality of the Bolivian State as a modern organization and its *raison d'état* (Weber, 1946b, p. 334), thereby confronting the substantive values indigenous peoples, academics and intellectuals propose and defend as BV.

Located between Beni and Cochabamba Departments in Bolivia, the TIPNIS was declared a national park in 1965 and recognized as an Indigenous Territory in 1990, granting the communal land title to three local indigenous Amazonian groups, Tsimane, Yuracarés, and Trinitario-Mojeños (Fabricant & Postero, 2019). In 2010, Evo Morales' government decreed the park an Indigenous Peasant Original Territory, ensuring constitutional local autonomy and the right to the natural resources of the indigenous communities and peasants in the territory.

From the government's perspective, the projected Route 24 was part of a vow to promote economic development and national sovereignty (García-Linera, 2012), an axis for the modernization of Bolivian Amazon lands, allowing access for the Bolivian state-owned oil and gas enterprise and the diversification of productive activities in the park, thus granting new prospects to local indigenous communities. Furthermore, the highway would bind two historically unconnected regions of the country. Other internal political issues were also in play: the projected highway would facilitate access from La Paz, Bolivia's seat of government located in the Andean highlands, to agricultural markets in the northeastern Amazon departments, thence avoiding the traditional but longer supply route through eastern Santa Cruz Department, the country's wealthiest region, but also Morales' political opposition stronghold (Achtenberg, 2011b). In contrast, in relation to the indigenous communities and organizations, Segment II, the longest projected road section (177km), would split the TIPNIS in half, jeopardizing the park's biodiversity and the livelihoods of local communities, easing access to oil and gas industrial extractive activities, while opening new agricultural lands to migrant highland peasants and coca leaf growers – mainly ethnic Andean Aymara (Achtenberg, 2011a).

In May 2010, TIPNIS indigenous organizations initiated a local consultation process on the projected route, stating they 'strongly and irrevocably reject the construction of the highway and any segment that would affect [their] territory' (Achtenberg, 2011a), arguing the government's plan was not formally discussed nor approved by local indigenous organizations, violating the constitutional principle of participative democracy (Fabricant & Postero, 2019), threatening the autonomy of the indigenous communities and organizations in the territory vis-à-vis the state (Ranta, 2018). In June 2011, TIPNIS indigenous organizations proposed a new route that would go round the park, ensure the preservation of its biodiversity and respect local indigenous autonomy (Mendoza, 2011a).

The conflict began in August 2011 when construction squads arrived at the southern outskirts of TIPNIS (Mendoza, 2011c). On August 15, the Indigenous Central of Indigenous Peoples and Communities of Eastern Bolivia (CIDOB) started a 600 km march against Road 24 from Trinidad, in the Beni Department, to La Paz. The march generated national and international debate about the environmental and cultural effects of the road, signaling the inconsistency of the government's development plan as regards both calling for BV and the advancement of indigenous autonomy. The ambassador of Brazil declared that the Brazilian National Development Bank (BNDES), the main financial partner of the project (Fabricant & Postero, 2019), would finance Segment II only if the socio-environmental conditions are met in dialogue with the indigenous communities (Mendoza, 2011b).

After almost two months and intermittent but hard clashes with the police (EFE, 2011), marchers arrived in La Paz on October 19, welcomed in the city with vibrant support, with locals joining the march (Opinión, 2011). The demonstrators gathered in Murillo Square, facing the *Asamblea Legislativa Plurinacional* (Bolivia's Parliament), intending to maintain a vigil until the government canceled the planned highway.

Given the national commotion, pressure from environmental organizations, and increasing tension between the government and indigenous organizations, on October 24, Morales signed Supreme Decree Nº 1146 in front of marchers' representatives, thereby ceasing the construction of the highway through TIPNIS (Los Tiempos, 2011) and accepting the alternative route proposed by indigenous organizations. The next day, protesters lifted their vigil in Plaza Murillo and returned to TIPNIS.

This summary of the central events of the TIPNIS protests in 2011 shows several intertwined processes of social and political change, political discourse, and social aspirations (Fontana, 2013; Fabricant & Postero, 2019) involving coloniality and structural inequality; the challenge to neoliberal policy, human rights and the struggle for identity recognition; the autonomy of indigenous communities and democracy; economic growth, development, and environmental protection. With their national specificities, The *Pink Tide* of democratically elected governments in Latin America during the first decade of the twenty-first century appeared to respond to yearning demands against neoliberalism, coloniality, neo-extractivism, and social injustice on the continent (Ellner & Santos, 2020). Common to all of them was the intention of a new way of doing politics whereby historical, cultural, and ethnic particularities take the stage in front of neoliberal policy and globalization (Fontana, 2013).

Acknowledging this complex background, this broad illustration of the 2011 TIPNIS protest outlines a scenario for observing different means-ends valuations, the *rationality* underlying political decisions, and the social action of the actors involved.

3 Rationality as a Weberian problem

In his essay on *Objectivity,* Weber acknowledges: '[A]ny thoughtful reflection about the ultimate elements of meaningful action is initially bound to the categories "end" and "means"' (Weber, 2004, p. 361). Confronting metaphysical readings of this concept (Levine, 1981), Weber conceives *rationality* as the coherence between behavior and the ends in-

tended by the actor (Weber, 1978, p. 24; Kalberg, 1980). With this conception, the meaning of any social action responds to a unity of means, values, and ends – a *reason*, be this considered objectively and subjectively.

However, the diverse contexts in which Weber uses the concept of *rationality* throughout his work can be considered a theoretical problem in itself (Kalberg, 1980). Brubaker (1991) describes this problem by referring to Weber's usage of the concept without qualification or explanation in an unsystematic and careless way. In response to these claims, Eisen (1978) has illustrated Weber's theoretical consistency by highlighting six related components that can be connoted in Weber's references to 'rationality': the *purpose* of the action; the *calculability* of the action's efficacy regarding the achievement of the intended results; *control*, allowing to measure the action's scope and predictability of the environment; *logical* coherence between ends and means; *universality*, the capacity for abstraction from the empirical case; and the *systematic* organization of 'the parts to whole in the manner most efficacious for the achievement of desired results' (Eisen, 1978, p. 60).

This characterization may appear isolated from the rest of Weber's oeuvre unless it is deployed within Weber's research agenda (Tenbruck & Weber, 1980; Kurthen, 2021): to unveil the roots of 'the specific and peculiar rationalism of Western culture' (Weber, 2013, p. xxxviii).

From this statement, two fundamental postulates can be derived. First, the theorization Weber developed about rationality became the cornerstone of interpreting diverse processes and *elective affinities* (Howe, 1978) underlying the birth and development of Western culture (Tenbruck & Weber, 1980) and one of its finest products, Modernity. Second, Weber's studies of ancient religions of China, India, and ancient Judaism, beyond reading them as the Occident's 'contrast cases' (Kalberg, 2014, p. 206), led to a groundbreaking formulation: *rationality* is not an exclusive product of the Enlightenment, an outcome of Western Modernity. Instead, different civilizations and cultures have developed standalone *rationalization processes* guided by other rationalities (Kalberg, 2014; Risjord, 2021). Therefore, we can ponder the specific *rational* character of BV in the Andes, the *Swaraj* in India, and the concept of *Ubuntu* in South Africa, with their particular means-ends calculations and their ethical valuations for achieving them; *rationalisms* born from other historical, social and cultural contexts. In opposition to evolutionary interpretations that conceptualize Western rationalization as a *necessary* process for *any rational society*, Weber's sociological approach to rationality highlights the contingency of Modernity and its emergence as a *peculiarity* of the constitution of the West, different from other civilizations in which rationalization processes underlying social action are oriented by other rationalisms (Weber, 1946d; Kalberg, 2014).

Despite its centrality, Weber does not offer an explicit typology of rationality. Instead, scattered discussions appear in several sources (Kalberg, 1980, p. 1146) as a scaffold running through, for example, the description of the types of social action (Weber, 1978, p. 24) or ethical conduct and the religious world image (Weber, 1946d, p. 293). To tackle the different meanings and implications of the German term *Rationalität* (rationality) (Schluchter, 1985; Brubaker, 1991), this paper departs from Kalberg's summarizing approach (1980) and relates the different types of rationality and their usage through Weber's *oeuvre*.

Kalberg summarized Weber's fourfold typology of rationality as follows: Formal, Substantive, Theoretical, and Practical, underlining these as quasi-universal, anthropological stances from which individuals render coherence between the action orientation and way of life (Kalberg, 1980, p. 1150). Practical Rationality is the calculation of the most expedient means of dealing with difficulties existing in unquestioned, given realities (Weber, 1946d, p. 293; Kalberg, 1980, p. 1152). Theoretical Rationality is 'an increasing theoretical mastery of reality by means of increasingly precise and abstract concepts' (Weber, 1946d, p. 293). Furthermore, despite Weber's warning about its conceptual ambiguity (Weber, 1978, p. 85), Substantive Rationality refers to humans' 'capacity to value-rational action' (Kalberg, 1980, p. 1155) and to putting action patterns in coherence with a consciously enacted value, allowing the judgment of the empirical world. Last, Formal Rationality is the actually applied calculation of means-ends bounded to technical and legitimate normative prescriptions (Weber, 1978, p. 85). Thus, Formal Rationality assumes its shape interrelated to the cultural framework and the social structure where it unfolds. Therefore, Weber's typology of rationality describes the *condition* for assessing an action as rational.

The term *Rationalität* also appears in two concepts, now from a psychological perspective: instrumental-purposive rationality (*Zweckrationalität*) and value rationality (*Wertrationalität*) (Weber, 1978, p. 24). Here, rationality refers to the individual's *mental process* for appraising the ends guiding action (Weber, 1978, p. 24; Kalberg, 1980, p. 1159). In this sense, and in relation to accusations of modern society's ethical devaluation (Blau, 2021), instrumental-purposive rationality enables actors to logically interrelate their desired ends and the means of achieving them, the reach of their actions and the range of control they have on their environment (Eisen, 1978).

Focusing on the actor, Weber developed his four-item typology of social action (Weber, 1978, p. 24). Distinguishing non-rational types of social action (affectual and traditional), the rational social actions are instrumental-purposive action (*zweckrationales Handeln*) and value-rational action (*wertrationales Handeln*). This typology makes visible to sociological research the subjective motivation of the individual for their action.

While interpreting these typologies as proposed by Weber, here appears a sometimes-overlooked methodological element. Defining social action as purposive-rational or value-rational does not render an understanding of the act that is performed as a meaningful totality. There are myriads of motives for each social action, and typologies are just hermeneutical ideal-type guides to such endeavors. But for individuals, motives and the means to satisfy them are framed within their cultural background in a constant interplay with interests, values, and ideas as well as with macrosocial, structural factors: 'Not ideas, but material and ideal interest govern men's conduct' (Weber, 1946d, p. 280). Therefore, rationality is the synonym of *rationalism* when referring to the cultural, civilizational frame underlying the shared patterns of action related to ends and values guiding social action (Kalberg, 2014, p. 224). Last, Rationalization (*Rationalisierung*) is the historical-social process in which social action patterns within a life order are organized around contingently determined, culturally legitimated means, ends, and values.

Two last conceptions of rationality, Subjective and Objective Rationality, sketch how social action has a meaning not just for the agent but also from the observer's point of view (Brubaker, 1991): an action can be objectively rational for the agent when there exist for the individual logical, legitimate ways to perform in the given circumstances coherent

with the means-ends calculation or valuation, in contrast to a rational but value-laden observer's subjective interpretation of the performed action. The opposite is also true. The observer can judge an action as objectively adjusted to means-end calculation or values supported by a shared rationalism. Meanwhile, the agent can perform an action pursuing other motivations or intending other meanings in given circumstances, in which case the agent's means-end calculation or valuation is subjectively different to the socially shared rationalism in respect of the given situation. Regarding this standpoint, Weber adopted a perspectivist, interpretive stance (Kalberg, 1980) about the judgment of the rationality or irrationality of any social action, even in its institutional, organizational arrangement:

> Each of these [life-spheres] may be rationalized in terms of very different ultimate values and ends, and what is rational from one point of view may well be irrational from another. (Weber, 2013, p. xxxviii)

This theoretical frame allows us to address rationality and rationalization processes in other cultures beyond Modernity. Considering Weber's analysis of the rational character of other civilizations (i.e., in *The Economic Ethic of World Religions*) that is against applying the adjective *rational* to Western culture exclusively, it describes how the former developed their rationalization processes with Reasons different from Enlightenment Reason. From that perspective, BV, as a conglomeration of indigenous and academic discourses and transformative proposals, can be examined as another rationalism with its own rationalization processes, and it can be contrasted with the modern rationalism embodied by Bolivia's modern State.

4 The modern state in Latin America

However, a question remains: How can we talk about Modernity and modern rationality in Latin America? Compared to Modernity's historical and socio-cultural core, the geopolitical West, Latin America appears as an *unfinished* project: Latin America is not modern because it is still tied to pre-modern worldviews, traditions, or even perversions; there are *irrationalities* hindering its process of achieving Modernity (Escobar, 2007; da Silva, 2022). For instance, socio-historical and cultural particularities of the establishment of the nation-state in Latin America, *caudillos*, patrimonialism, and the survival of 'traditional' social structures (Lambert, 1970; González, 2020) are phenomena that have been explained as forms of the 'incomplete modernization' of the continent (Waldmann, 2006; Centeno, 2016), thus conceiving the observed phenomena as the cause of Latin America's 'backwardness' and 'underdevelopment', a hindrance to the modernization of the institutional order and the spreading of *modern* rationality.

In contrast to these conceptions, the constitution of current hegemonic societies in Latin America involved the same historical-cultural process that established the modern societies of the Western hemisphere. And this is not only due to the colonial history and the nineteenth century's Latin American independence movements that followed the core values and formal principles of the Enlightenment (Aracil-Varón & Alemany-Bay, 2009; Bhambra, 2020) – those that shape the geopolitical and cultural map of the West. As the seemingly cohesive set of ideational, material, and symbolic trends in human-nature

relations, historically originated in Western Europe and then expanded globally, shaping action patterns and specific developments in various domains – social, cultural, cognitive, institutional, economic, and territorial (Kolinjivadi et al., 2019, p. 6), Modernity constitutes the horizon of sense to the cultural, social and institutional orders of current hegemonic modern Latin American societies.

Eisenstadt (2013) points out the source of those particularities in Modernity itself: this allowed multiple institutional and ideological patterns to emerge, all with the modern ethos as their foundation. Regarding the nation-state institutionalized in Latin America, it is a full realization of Modernity and diversity itself advocated as a *rational* goal: During its establishment, it was governed by interpretations, biases, and nuances while maintaining the rational coherence provided by Modernity as a *rational* project for its accomplishment.

In America, several indigenous communities, although they were colonized, assimilated, discriminated against, or even exterminated within the nation-states that included them in their territories, preserved their cultural forms and worldviews despite the imposition of Modernity as a *civilizing* project. Ethnic and cultural diversity within Latin American nation-states has been hidden, even denied by the actual implementation of the modern project on the continent, by the same principles on which Modernity was founded (Mignolo, 2007; Escobar, 2007).

Articulated during the nineteenth century as *progress* and during the twentieth century around the idea of *development* (Puentes-Cala, 2021), the modern ethos requires controlling worldviews that have not conformed to Modernity as a *human* historical project: either they were dismantled within the modern cultural framework, or they were *tolerated,* framed within the tradition-modern dualism as *souvenirs* from humanity's historical-evolutionary past (Rouquié, 1994) as long as the possibility of 'civilizing' those remnants was clearly stated: the *necessity* of overcoming them through an inevitable western *modernization.* Nevertheless, alongside the indigenous communities maintaining their worldviews, practices and knowledge (their *rationalisms*), Modernity is the cognitive framework, cultural foundation, and interpretative context for understanding Latin American modern institutions.

Applying this conception, we can refer to Weber's theorization regarding the Latin American state as a modern socio-political organization 'since the concept of the State has only in modern times reached its full development' (Weber, 1978, p. 56). Of course, we can agree that the nation-state in Latin America 'does not correspond' to the ideal type of modern state (Lambach et al., 2015; Centeno, 2016) insofar as we introduce prescriptive postulates concerning the different characteristics with which Weber identifies the modern state (Weber, 1978; Dusza, 1989); thus overlooking a fundamental element of the explanation of the state as a mode of organization of social action, 'a historically and structurally specific organization of the rule of men over men' (Dusza, 1989, p. 74): the *modern rationality* underpinning it.

5 The Modern State and Raison d'etat

Deploying a civilizational approach, Weber points out the peculiarity of Western culture (Weber, 1946d, p. 293; 2013, p. xxxviii) as the specific elective affinity between the contents of rationalization in the modern institutional orders and the disenchantment of the world

(*Entzauberung*), a process in which the meaning of social action has become progressively detached from other-worldly ends and ultimate values legitimated by religious worldviews.

In a disenchanted world, the cognitive totality of religious worldviews granted to social action is fragmented into diverse life spheres – economic, political, intellectual, aesthetic, and erotic – (Weber, 1946b), a differentiation process within social experience in which each life-sphere defines the values guiding action in coherence with the ends.

Once freed from outer-worldly substantive values, instrumental-purposive rationality (*Zweckrationalität*) appears as an 'evil genius' permeating every interstice of the now fragmented modern experience in a disenchanted world due to the continuous retreat of ultimate values as guides for social action through the modern rationalization processes (at different paces) of life-spheres (Kalberg, 1980). In this scenario, the formal-rational routinization of action patterns is both cause and consequence of the dominance of instrumental-purposive rationality in modern societies (Gane, 2002) – the 'iron cage' in which individuals' reflexivity about their actions wanes into a bounded framework involving *possible* means to formal legitimated ends. In other words, this is the modern rationalism imposing calculability in respect of other means-ends assessments (Weber, 1946d, p. 287).

Instrumental-purposive rationality is a cognitive exercise enabling the individual to relate the consequences of action to the means used to achieve a given end (Kalberg, 1980; Blau, 2021). This value-free conception enables the observation of instrumental-purposive rationality and the social actions it supports taking place in other cultural contexts different from Modernity. Counter to evolutionary interpretations conceptualizing Western rationalization as a *necessary* process of *any* modern society, Weber highlights the contingency of its emergence as a peculiarity of the constitution of the West, different from other civilizations in which the rationalization processes underlying social action are guided by other rationalisms (Kalberg, 2014; Weber, 2013, p. xxxix, 1946d, p. 293).

And here is where Weber's critique of Modernity assumes its foundation: the tragedy of Western culture is the growing predominance of *substantively unladen* instrumental rationality 'at the expense of any belief in absolute values' (Weber, 1978, p. 30, 2013, p. 124) and its increasing opportunity to be performed as a consequence of the peculiar elective affinity between the Western disenchantment of the world and rationalization processes within modern life-spheres; a process Weber analyses in *The Protestant Ethic and the Spirit of Capitalism* and, from a civilizational perspective, in *The Economic Ethics of World Religions* (Kalberg, 2014).

However, formal-instrumental rationality and individual methical conduct by themselves could not produce social structural changes and the modern forms of social organization (Kalberg, 1980) since they require the rationalization of life orders and action patterns institutionalized on *substantive* ends (1946d, p. 287): it was *Substantive Rationality* that guided the action of the Calvinists described by Weber, underpinning their methodic behavior and reflexivity (Webel, 2014). The connection between Substantive Rationality and the instrumental action of individuals can be considered a core of Modernity since only *ethical substantive* rationality may introduce methical, formal ways of life (Kalberg, 1980) through the modern formal calculability of behavior and its consequences:

> With the rationalization of culture, and the corresponding disenchantment of religious ideas and beliefs, the modern world is ordered increasingly upon instrumentally rational grounds, and hence organizes itself less and less according to value-rational principles. (Gane, 2002, p. 23)

In this scenario, the modern state, 'the institutional embodiment of instrumental reason' (Gane, 2002, p. 24), structures social organization on impersonal, *rational* principles, in which relations between the state and its citizens are established for formal-instrumental purposes (Weber, 1946d, p. 299); relations that are destined to be in constant conflict given the diversity of interests a modern rationalized society harbors in its midst (Weber, 1946c, p. 147). In this respect, the modern state secures for itself a *beyond-values* status, assuring its instrumental role through the formal legalism that bureaucracy as a type of domination imposes from its institutional order on the rest of rationalized life spheres.

6 A hidden politics of rationality

Besides the involvement of national and international political actors, as well as the rise of interculturalism as an ethical principle supporting 'a political project to mobilize traditionally marginalized sectors of postcolonial societies, in particular, peasant and indigenous groups' (Fontana, 2013, p. 25), the 2011 TIPNIS protest illustrates a clash between the formal means-ends calculation of the Bolivian State as a *modern* political organization with the substantive valuations underlying BV as *other* rationalism. The Bolivian State has a constrained field of action not just because of the formal-legal boundaries of the Constitution. Like *any* modern institution, Modernity imposes the *rational* coordinates around which state policy is circumscribed. On the one hand, the formal organization of modern state bureaucracy; the normative, procedural, and value-free calculation of means to achieve ends, whatever the intended purposes are; with specifically Modern core assumptions underlying those ends – with its universal, logical criteria, its internal consistency, its predictability and control (Eisen, 1978) e.g., the modern category of citizenship, or the state's legitimate authority – the power to enforce rules on its citizens, to point out two of the former. On the other hand, it involves a *substantive* valuation of those ends, the coherence between means and legitimate, explicit claimed ends (Weber, 1946c, p. 151). Undoubtedly, the tension between bureaucratic formal organization and the substantive or instrumental valuation of its ends falls on the actors and their subjective intentions since, in principle, office staff members 'are personally free and subject to authority only with respect to their impersonal official obligations' (Weber, 1978, p. 220). This is, as Levine has described (1981, p. 16), a 'subjective sense of autonomy, the condition in which individual actors choose their own ends of action.'

However, both the formal means-ends calculations of state bureaucracy and staff members' substantive valuations are intertwined because 'a thing of process can ultimately be judged efficient, purposive, or systematic only relative to some end. [...] Considerations of substance are not extraneous to "formal" ones but rather built in unavoidably' (Eisen, 1978, p. 9). Thus, even the formal rationality that constitutes modern bureaucracy (with its universalism, logical criteria, internal consistency, predictability, and control, all of which are considered *ideal-type* characteristics) could only be evaluated based on the *substantivity* with which any modern organization assesses its ends and the *rational* account of the means to achieve them (Weber, 1946d, p. 287).

Therefore, for Bolivia and, by extension, for the Latin American states, their modern bureaucracies, and the modern hegemonic societies they rule (including those indigenous

communities considered 'non-modern'), the assessment of ends is sustained by its modern cultural configuration: the *ends* of bureaucracy as a modern organization in Latin America are the ends of a modern *Weltanschauung*.

Fontana singled out that the political process carried out in Bolivia

> could be read as the latest attempt, from a culturalist viewpoint, to resolve the structural problem arising from the gaps in the process of creation and consolidation of the modern nation-state and of its basic pillars (territorial control, equality of citizens in front of the law, separation of powers, and the creation of a national 'imagined community'), that are themselves rooted in the colonial past. (Fontana, 2013, p. 27)

The modern worldview, even with diverse interpretations and implementations (Eisenstadt, 2000), establishes the cultural coordinates by which the ends of state policy assume their meaning and legitimacy, as well as the means to achieve them: a framework with undeclared presuppositions and hidden preconditions concerning the valuation of means and ends conceived *substantively* as its *raison d'état* (Weber, 1946a, p. 95) – the modern formal rationality.

In the governmental attempts to propose a political and social transformation as a counter to neoliberalism and coloniality, BV challenges those rational coordinates of the modern Bolivian State because it stands as another *rationality*, another rational framework, with a different assessment of means and ends for social action.

For instance, contradicting assessments of the means-ends calculation of the highway project appear in two spheres. First, indigenous communities and organizations saw the highway plan as the continuation of neo-extractivist activities following already denounced neoliberal, technocratic criteria aimed at achieving modernizing, neo-developmental goals envisioned within Modernity and its rationality (Rivera-Cusicanqui, 2015). The distance between the highway project's objectives and the substantive values integrated into BV was insurmountable due to the experience of neoliberalism and its social, cultural, and environmental consequences in the recent history of the country (Ranta, 2018; Ellner & Santos, 2020). Second, although the Bolivian Constitution includes a broad calling for other means-ends valuations from those of the State as a socio-political organization, the Bolivian State championed the highway through TIPNIS as a modernizing, developmentalist plan. Thus, the project is opposed to the enacted constitutional defense of the multicultural background of Bolivian society, the protection of indigenous peoples' autonomy, culture, and way of living, as well as the recognition of the environment and biodiversity as the source of human existence: i.e., substantive ends-and-means valuation foreign to the formal rationality of Bolivia's modern state.

7 The rational interface between 'Vivir Bien' and the Bolivian modern state

Departing from the interpretive context discussed above, the 2011 TIPNIS protest against Road 24 illustrates the confrontation between two rationalities: the modern formal-instrumental rationality of the Bolivian modern state and attempts to introduce a substantive rationalization into the State policy-making processes. From an institutional level, the agency of the State as a modern organization can be examined as *ideally* embedding dif-

ferent types of rationality; the conditions for assessing state actions as *rational*. For example, the calling for more social equality appears as a *substantive* end for any rational, democratic government. A policy directed to solve this issue can appear as a *practical* end; both can be supported by a *theoretical* valuation of the structural and historical conditions that led to the raising of the issue in the first instance. The means assessment for achieving those ends is an exercise of *instrumental-purposive* rationality, i.e., involving the needed political alliances, funding, political opportunity and electoral costs, etc. But all of those ends and means are circumscribed to a specific *formal* rationalization of how they should be considered and treated within the political life-sphere: this formal 'ruling' is inherent to the modern state and its constitution as a modern socio-political organization.

Regarding the acknowledged transformative, decolonial potential of BV discourses (Gudynas, 2011; Chassagne, 2019; Ranta, 2021), BV 'not only aimed to open [such discourses] to previously marginalized peoples through new conceptual thinking, indigenous epistemologies, and alternative knowledge orientations but in doing so, it also challenged the expert technical regimes and the authority of public servants by condemning them as remnants of neoliberal colonialism' (Ranta, 2018, p. 91). This challenge has been responded to by the Bolivian bureaucracy with the tools the modern state has: formal-instrumental rationality, its inherent means-ends calculations, and ends delineated from its institutional order.

The ethnographic account of the translation attempts of BV into state policy in Bolivia made by Ranta provides an insightful exposition:

> On the emergence, meanings, and use of the notion of Vivir Bien, a conglomeration of critical ideas, worldviews, and knowledge deriving from a complex set of social movements, indigenous groups, activist networks, and scholars of indigeneity – in policymaking and state transformation processes in Andean Bolivia. (Ranta, 2018, p. 2)

In the search for an 'alternative to [...] transnational capitalism and [...] neoliberal development thinking' (Ranta, 2018, p. 34) – the translation process into state policy of a conglomeration of indigenous and intellectual worldviews, ethics and practices – Ranta (2018) evinces how the Bolivian bureaucracy *efficiently* wields a power that 'enforces and realizes an order' (Dusza, 1989, p. 76), and that this order is no other than modern formal-instrumental rationality.

Underlying Ranta's depiction (2018), this is the modern formal-instrumental rationality of the Bolivian State and how it imposes the legitimate knowledge that shall be implemented as state policy. The frame of calculability and predictability required by modern bureaucracy built on the means-ends calculation of *any* modern state policy stands in stark contradiction when confronted with BV proposals:

> A conglomeration of knowledges [...] about being and thriving, about learning and thinking, and about relating with one another, [...] constructed based on harmonious relations between the individual, the community, the cosmos, God, the family, and Mother Nature. (Estado Plurinacional de Bolivia, 2015, p. 4)

Therefore, the Bolivian State and its public servants, in their attempts to translate BV substantive rationality to the political sphere 'only do what they do': instrumentally transpose those alien values through their depoliticization, converting them into variables, objectives, processes, and requirements, items to be measured and reflected in daily or weekly

reports. The technicalization of the BV and the subduing of its social, cultural, and ecological transformative potentials is an illustration of the coloniality of knowledge production (Escobar, 2010), showing how Modernity and its institutions impose themselves as colonial mechanisms in Bolivia and, by extension, to the Global South. Furthermore, following a Weberian perspective, this phenomenon could be described as an *ideal type* of formal-legal domination, the *formal rationalization* of a value sphere within the coordinates of Modernity, and from this viewpoint, evidence of the modern condition of the Bolivian State. Therefore, actual attempts to introduce BV into Bolivian policy-making (Gudynas, 2014; Cuestas-Caza, 2018) appear as an effort to *reenchant* the Bolivian political life order with a *substantive ethic* born in that conglomeration of indigenous, intellectual, and academic ideas that BV is: a process of decolonizing the state, removing the discriminating, unequal, unsustainable traces of the modern formal-instrumental rationality and its means-ends calculability and, in its place, positing substantive, ultimate values as sources and guides for state policy and social action. And it is precisely here that lies the issue: between BV and the modern Bolivian State is a conflict between rationalisms.

Regarding Weber's mixed sentiments on modern rationality and rationalization (Levine, 1981; Whimster & Lash, 2006), especially the professionalization of public servants and their imprisonment in the 'iron cage' of bureaucracy, their submission to an impersonal, formal-instrumental rationality as the exercise of their *profession* – while probably founded on Weber's observation of the Prussian culture he experienced (Levine, 1981) – illustrates the relation between bureaucrats and their cultural background. Given the intercultural constitution of Bolivian society, it is expected that officials from indigenous backgrounds would be carriers (*Träger*) of *indigenous* ideas within the state bureaucracy, pursuing indigenous values in the daily activities of their bureaucratic routine. In this sense, regarding the opportunity to act from personal interest, even if assessed from other rational valuations (deeming bureaucratic activity only as a means to achieve such ends), those actions would assume the formal rationality of the bureaucracy they serve. The description of Ranta (2018) of the inner mechanisms of the Bolivian State translating BV into policy portrays this conflict: the situation that the 'alien' rationality is BV, even in a restrained, 'politicized' form. Not because of its 'indigenous' origins, but because it is *another rationalism*.

As already discussed, Weber conceived *rationalism* as the cultural-historical frame underlying social action. The modern state and its bureaucracy are the institutionalized forms of a specific type of social action in a specific historical context (Kalberg, 1980). Moreover, state-building processes in Latin America have a role in the emergence of the contemporary identities of its citizens, even those discriminated against and excluded by the modern state:

> These concepts of collective entities which are found both in common sense and in juristic and other technical forms of thought, have a meaning in the minds of individual persons, partly as of something actually existing, partly as something with normative authority. This is true not only of judges and officials, but of ordinary private individuals as well. (Weber, 1978, p. 14)

As observed in Morales's Bolivia, indigenous and peasant organizations, as well as governmental actors, stress their collective identities following an approach of *strategic essentialism* (Fontana, 2013; Rivera-Cusicanqui, 2015), which, in the search for legitimacy for

their policy-making or political mobilization, appeals to the indigenous, *aboriginal* character of their intentions and demands. However, this instrumental use of identity also illustrates how the state's *formal* rationality shapes those collective demands so they can be understood within the modern political life-sphere. They are to be stated in line with the state's rational formal assessment of means of lending legitimacy to the desired *substantive* ends. But in doing so, those substantive ends then are assessed from the *raison d'état*, the modern rationality that constitutes the Bolivian State, no longer from an alternative means-ends valuation – another rationalism, whether of indigenous roots or otherwise.

By not considering the rational character of BV (as a rationalism distinct from modern rationalism), its proposals are formally and discursively integrated through a 'taming' process of the modern state as a populist, mystical endeavor of the Bolivian State. A risk of that approach is the reification of both the modern state as it appears in the current Latin American historical context and the 'zombification' of alternative proposals – the formal technicalization of other sustainable, substantive worldviews considering the actual human and global ecological issues the modern instrumental rationality supports and facilitates within the heavily contested, though still dominant, myth of formal (Western) progress.

8 Concluding remarks

From a theoretically founded pessimistic standpoint, the insertion of other rationalisms different from the formal instrumental rationality in the modern state appears an unattainable goal. In our global ecological and humanitarian context, from a Weberian stance, there is no possible re-enchantment of our modern world, the unification of the differentiated life spheres around a comprehensive, unique world meaning. Such a longing would be a world-flight (*Weltflucht*), a mystical, irrational rejection of the empirical world. And with it, the sacrifice of the intellect (Weber, 1946c, p. 155).

In response to a mystical attitude to the world, Weber pointed out the existence of realist, responsible, this-worldly committed activity (Weber, 1946a, p. 122): the recognition of the modern world as it is, a disenchanted world, but with the 'ability to clarify the nature of this order, and to delineate the grounds of possible value-choices and future courses of action' (Gane, 2002, p. 153). In our modern culture, we should realize, on the one hand, the modern state is bound to modern means-end calculation and ends valuation framework: it is the institutional embodiment of modern formal-instrumental rationality. On the other hand, modern state policy is bound to substantive ends legitimized and assessed by modern rationalism. Far from reifying the modern state, this paper has highlighted its contingency as a historical product, an outcome of organized human action, and, in a modern cultural context, as action rationalized along modern coordinates.

For instance, from the field of Critical Development Studies it has been questioned the meaning of development and development cooperation by reviewing the concrete results of programs for development in the Global South (Unceta, 2013). Despite those observations, North-South development cooperation largely follows criticized discourses and practices (Buch-Hansen, 2012), maintaining local and global cooperation practices that replicate colonialism, dependency, and inequality (Quijano, 2007). Regarding this concern,

guidelines have been proposed to solve what is considered an *efficiency* issue of North-South development cooperation, such as the Paris Declaration on Aid Effectiveness (2005), which led to the creation of formal mechanisms for evaluating and monitoring international development cooperation policy (Brown, 2020). Despite their scope, both the problem and its solution have been rationalized as an exclusive matter of the *management* of development cooperation (Girei, 2017), i.e., this is observed in relation to modern formal instrumental rationality. Moreover, many North-South development cooperation NGOs have devised bureaucracies to systematize fundraising, train their collaborators, and manage their programs and projects. The ethnography of development cooperation (Lewis & Mosse, 2006) is focused on the functioning of those organizations: their constitution, structure, discourses, and practices; how development cooperation is built and ordered as 'the set of instruments and policies put in place to promote development processes' (Unceta, 2013, p. 16). With regard to the discussion this paper has outlined, one might ask: To what extent do the explicit ends of NGOs as modern organizations correspond to the rationalism of the communities where they are deployed? How is a cooperation project understood, negotiated, and applied in and by the beneficiary communities, mainly those situated in the Global South? This is still a matter for research, but recognizing other rationalisms in the design and implementation of such cooperation projects would lead to an increase in their effectiveness.

This paper has pointed out, from modern coordinates, the bounded formal-instrumental rationality underlying modern state policy, as well as recognized other non-modern *rationalisms*, other Reasons, in opposition to Enlightenment Reason. Modernity has created its opposite, Tradition, the core dualism of the modern project and, with it, the application of the categorial term 'irrational' as a measure of the adjustment of human action to the modern project in its implementation process. Weber critically realized this issue, stating that 'something is not of itself "irrational," but rather becomes so when examined from a specific point of view' (Weber, 2013, p. xxxviii). Of course, this does not mean there is no *irrationality* in our this-worldly experience, but rather, that our judgments about the *rational* quality of action should be assessed from the actor's context, whether this refers to the life order within Modernity or the worldview of the total Otherness.

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Patrizia Laurano

The 'Arab Spring' as a challenge
to the Weberian analysis of Islam

[patrizia.laurano@uniroma1.it] (University of L'Aquila)

Abstract

The purpose of this paper is the application of some Weberian conceptual categories to the contemporary Islamic world. The reconstruction of Weberian thought on the religion of Muhammad seems to retain some heuristic capacity: although modified over time, the organization of Islam gave rise to dynasties with charismatic political leadership who constituted patrimonial-sultanistic forms of power, with their own armies and personal bureaucracy. Characteristics of this type can be traced in the Maghreb and Mashriq countries, where there was an almost exclusive monopoly of power by the state and the prevalence of personal relationships over institutions. A political form that Weber described in terms of neo-patrimonial societies, with a strong role of the charismatic figure of the leader, a society conceived as a collection of groups and not individuals, a centralization of power by the state, and a private and clientelistic management of economic resources by ruling elites. The Arab revolutions of 2010 can be read as a struggle against this neo-patrimonialist model in countries such as Egypt, Tunisia, and Syria. More than a decade after the outbreak of the revolutions, the purpose of this paper is to examine whether indeed these countries have overcome those obstacles to modernization and development identified by the German sociologist in Islamic societies.

Keywords: Weber; patrimonialism; Arab Spring; Islam

1 Introduction

In 2011, what international observers call the 'Arab Spring' broke out in some countries on the southern shore of the Mediterranean. More than a decade after those revolutions that seemed destined to bring democracy and freedom to authoritarian countries, the balance is not positive: experts speak of incompleteness or failure. The purpose of this essay is to analyse the outcomes of those protests through the Weberian conceptual categories. The countries involved, in fact, can be made to fall under the category of patrimonialist regimes, analysed by the German sociologist, and the revolutions of 2011 can be read as an attempt to overthrow these regimes and move towards a real democracy. It is not possible

to consider exclusively the serious socio-economic problems (high unemployment, economic inequality, endemic corruption) that triggered the protests, but also some Weberian reflections on social change, such as the absence of a unified and cohesive leadership within the protest movements, the lack of an entrenched democratic political culture and established democratic institutions.

The protagonists of the protests defined their actions as *'thawra',* i.e. revolution, in the awareness that it was at an important historical moment to change and break with the past. The reaction of foreign observers to the events of 2011 reveals an Orientalist view, of which Weber himself is a victim, which sees a passive and monolithic East in front of a dynamic and rational West, an absence of democratic traditions (the 'Eastern despotism', quoted from Montesquieu) and a people unprepared for freedom (in addition to the dangers of Islamism although Islamists were not the main actors in the revolutions of 2011). These movements were mainly the result of social anger and political and economic failures; however, no political organization was there to turn this social anger into a governing programme. This has impeded a process of renewal of the political class and elites: therefore, the same cycle started again, marginalizing emerging actors and returning control to a limited oligarchy.

2 The concept of patrimonialism in Max Webers's work

It is not easy to reconstruct the genesis of the concept of patrimonialism[1] in Max Weber's work. In the collection of texts prior to 1914, now published as the first systematic core of the *Wirtschaft und Gesellschaft,* the term 'patrimonialism' does not appear, just as it is absent in the three drafts (Weber, 1897; 1898; 1908) of *Agrarverhältnisse im Altertum*, where the use of 'patriarchalism' is widespread. Indeed, the scholar 'derives patrimonial dominion in a genetic-evolutionary key firstly from the domestic or *oikos* community. He then translates this form of domestic domination into a form of political domination' (Editorial Note, 2012, p. 167). Weberian treatment is mainly articulated in the presentation of different historical forms and varieties of patrimonial domination: 'from a formal point of view patrimonialism is as heteromorphic as no other text in the older version of the sociology of domination. It has fragmentary passages and repetitions, but also unfulfilled announcements, discordances in line of thought, and a number of lacunar references' (Editorial Note, 2012, p. 168). It is likely that here too there are several stages of concept elaboration and a desire for an unfinished reorganization of the writings. No doubt Weber's reflection was influenced by Georg von Below's book on the *Staat des Mittelalters* of 1914, as Weber himself attested in a letter of June 21 of that year:

> I now read with joy and find your book on the State very instructive. In the winter I shall begin to have a fairly voluminous contribution printed to the '*Grundriß der Sozialwissenschaften*' (sic!), which deals with the form of political associations in a comparative and systematic

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[1] The basic idea of patrimonialism is '[the] private appropriation of rights that are in principle public' (Breuer, 1996, p. 532), has its roots in the doctrine of the patrimonial state developed during the eighteenth century and then flowed into the German nineteenth- and early twentieth-century public law debate.

way. Terminologically I will have to stick to the concept of 'patrimonialism' also and precisely for certain modes of political domination. But I hope that you will find sufficiently emphasized the absolute distinction between the power of domestic, corporal and landed lordship and political domination – for which there is no other criterion except that it is not this at all (but military and judicial power). (Editorial Note, 2012, p. 171)

Weber's interest, then, shifts from the patriarchal form of domination to patrimonial domination: 'we shall name this special case of the patriarchal structure of domination – domestic power decentralized to the sons of the house or other dependent domestic subordinates by means of cession of land and possibly inventory – a patrimonial domination' (Editorial Note, 2012, p.192–193). If Below, known and taken up by Weber, refers the origin of the concept of patrimonialism back to the formulation of Haller (who interprets patrimonialism as an evolution of patriarchalism), in Aristotle and later in Hobbes a reflection can be found on the nexus between dominion and patrimony: in the former linked to the domestic structure of the *oikos*, which will be taken up directly by Weber; in the latter there is a shift from dominion based on the traditional authority of the patriarch to a realm based on patrimony (*Leviathan, De Cive*), as later conceptualized by Weber.

Patrimonialism, as a variant of patriarchal rule, falls within the traditional type in the well-known Weberian tripartition of *Herrschaft*:

by far the most important type of rule among those based on traditionalist authority [...] is patriarchalism: the dominion of the father of the family, the husband, the family elder or clan elder over his associates, that of the lord and patron over slaves, servants, and freedmen, that of the lord over domestic servants and household officials, that of the prince over household and court officials, ministers, clients, and vassals, that of the patrimonial lord and prince ('father of the fatherland') over 'subjects'. It is peculiar to patriarchal rule (and patrimonial rule, which falls into it as a variant) that alongside a system of inviolable norms, considered absolutely sacred, the violation of which brings magical or religious sanctions, it also knows on the part of the lord a reign of arbitrariness and grace that he disposes freely, that in principle he judges only on the basis of 'personal and not objective relations, and in this sense is irrational.' (cited in Palma, 2014, p. 362)

Thus, two sources of legitimacy are part of this irrationality: tradition and grace, which find their synthesis in the figure of the *dominus*. A figure that, consequently, approaches the type of dominion of a charismatic nature, conceptually antithetical to the idea of tradition. Yet, as Weber warns, charisma also routinizes, becomes quotidianized: 'the process of quotidianization and that is to say, of traditionalization has settled down. [...] As a rule, this meant a patrimonialization of seigniorial powers, as could also be developed from pure patriarchalism with the disintegration of the lord's strict power.' Patrimonialization occurs when charism becomes historicized, and becomes institution: 'after the constituent moment, the institution created by charism reproduces itself as a patrimony imputed to persons. The legitimizing matrix of charismatic and traditional dominions, though antithetical in their temporal development (punctual the former, distended and iterative the latter), is paradoxically the same: the rootedness in (the property of) the person, of which dominion is protestative-authoritative explication' (ibid.).

In the wake of Max Weber's thought, the concept of (neo)patrimonialism has become, especially since the 1970s, particularly relevant in thinking about the state in Africa 'to explain the lack of economic development and political instability, accompanied by a dose of pessimism about democratic transitions considered weak' (Zamponi, 2018, p. 206).[2] According to Christopher Clapham (1985), one of the scholars who most developed the concept of neo-patrimonialism, this political model constitutes 'a form of organization in which relations of an essentially patrimonial nature pervade a political and administrative system that is formally constructed on rational-legal lines. Officials hold positions in bureaucratic organizations with formally defined powers, but exercise those powers, as far as they are able, not as a form of public service but of private property' (Clapham, 1985, p. 48). That is, a modern-rational basis sits alongside an authority that governs privately 'implementing practices of loyalty and reciprocity rooted in tradition and local custom' (Zamponi, 2018, p. 208). In Weberian terms, this is a 'creative meshing' of two types of domain: 'a traditional subtype, the patrimonial domain, and a rational-legal one, the bureaucratic domain' (Erdmann & Engel, 2007, p. 104) that has given rise to a form of power not necessarily viewed exclusively negatively by the German scholar, although the lack of distinction between public and private, the presence of weak institutions, and the reliance on shared customs and traditions rather than formal rules easily lead to forms of corruption, clientelism, all the way 'to a real form of predation' (Zamponi, 2018, p. 209).

3 Weberian analysis of Islam

Reflection on patrimonialism (and sultanism as its historical form[3]) intercepts Weberian analysis of religions, particularly Eastern.[4] Weber's interest is not in the essence of religion, but in understanding it as a form of social action, capable of producing concrete effects and practical impulses. This is clearly demonstrated in *The Protestant Ethic and the Spirit of Capitalism*, in which religious ethics is placed at the basis of an economic attitude, becoming a determining factor in the rationalization process of the modern world. For

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[2] Cf. Bratton & van de Walle (1997).

[3] 'In contemporary times, Weber's patrimonialism has experienced a new fortune through Shmuel N. Eisenstadt and his analysis of modern patrimonial, or neo-patrimonial regimes, which, far from being dissimilar to traditional ones, nevertheless acquire contemporary connotations and tend to change and expand continuously. At the same time, Juan Linz, through many comparative studies of authoritarian regimes in Asia, Latin America, and Eastern European countries, re-actualizes the Weberian concept of "sultanism" (Linz, 1990). What characterizes it is the presence of a leader who exercises his power without restraint and with the presence of a "familialistic" and clientelistic apparatus, whose power derives from support for the leader. Although patrimonialism and sultanism may appear to be completely unconstrained by legal-rational norms, this is never exactly how they present themselves in empirical reality. Regimes that approximate these ideal types can be found in all parts of the world' (Redazione, 2018, p. 200).

[4] Weber used the term East as the opposite of West (i.e. in the meaning of non-West, as two antithetical and separate poles of each other), just as he used interchangeably that of Oriental and Asian: the German scholar usually uses the term Asia to refer to India, China, and the Far East, excluding the Near East, or the Middle East, and Egypt but also uses interchangeably Mesopotamia, Western Asia, Near and Middle East; thus the geographical area he defines as the East begins with Egypt, extends to China and Japan, and includes Russia (Turner, 1978, p. 99).

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this reason, the analysis of the spread of religions becomes explanatory of the different organizational patterns of contemporary societies, and in this sense, Islam constitutes a particularly interesting comparative field both because it 'represented a precondition for Western development, and because of the comparative possibilities that the great value attributed in Islam to predestination offered compared to ascetic Protestantism' (Morrone, 2006, p. 196). As is well known, although Weber intended to devote a monograph to Islam, just as he did to other monotheistic religions (from ancient Judaism to Taoism and Confucianism, from Hinduism to Buddhism), the outbreak of war and then death prevented the fulfilment of his project. The reconstruction of his thought on Islam, therefore, is somewhat difficult and is based on fragments and references found in his various writings.

Weber's reflection on the Islamic religion is linked to the thesis on the development of capitalism and the contrast between the European tradition of Puritan asceticism and the mystical ethics of Asian religions. Only the West – according to Weber – has experienced the process of rationalization and the combination of decisive elements that have given rise to the state, 'in the sense of a political institution with a rationally-stated "constitution", with rationally-stated law, and with an administration entrusted to specialized officials' (Weber, 2002, p. 7) and to the capitalist mode of production, understood as the 'most fatal force in our modern life' (ibid.). Islamic institutions, on the other hand, according to Weber, are incompatible with capitalism because they have long been dominated by a history of patrimonialism. The warrior class that distinguishes the Islamic religion of the Medina period, belonging to powerful tribes and oriented towards holy war, held economic wealth in high regard, requiring that the followers of other subjugated religions pay tribute (*jizyah*) and placing enormous importance on the spoils of war: 'the importance in Islam of war-originated and political possession, and wealth in general, is diametrically opposed to the Puritan stance. Tradition portrays luxury in dress, perfume and the careful treatment of the beard as acceptable to God, thus constituting the extremely opposite pole of any Puritan economic ethic' (Weber, 1995, p. 302). Therefore, according to Weber, Islam was a 'religion of masters', in which 'the ultimate elements of its economic ethics are purely feudal' (ibid.). The combination of a warrior religiosity and a mystical acceptance of the world produced 'all the characteristics of a typically feudal spirit; the obviously unquestioned acceptance of slavery, serfdom, and polygamy [...] the great simplicity of religious requirements and the even greater simplicity of modest ethical requirements' (Weber, 1965, p. 264). The type of feudalism of the Islamic East, however, according to Weber, was sharply distinct from that of the West, where the former was patrimonial in origin and the latter charismatic. The author draws on Becker (1916/2000) to explain the characteristics of Islamic military feudalism, which arose from a hired army and the contracting out of taxes:

> the patrimonial lord who was unable to pay had on the one hand to reward the hired men with allotments on the taxes of his subjects; but on the other hand, he had to transfer to the military official (emir) the office, originally independent of the latter, [...] of the tax official endowed with a fixed salary [...]. On the one hand, the holder of the benefit had to perform military service as a soldier in the first place, and on the other hand he had to pay, theoretically, at least the excess of the taxes collected over his own payment requirements. (Weber, 1995, p. 179)

What this type of feudalism lacked, compared to Western feudalism, was 'everything that flows from the devotion of the retinue and especially the norms of the specific personal allegiance of vassalage' (ibid.). Precisely the relationship between feudal lord and vassal is what divides the two conceptions: in the West it is marked by reciprocity and a division of power that somehow contains *in nuce* 'the principle of contract as the foundation of the division of political power, which will lead to constitutionalism' (Weber, 1995, p. 186), while in the East it is configured as a patrimonialistic relationship, based on duties of reverence.

It seems clear, then, that Weberian theory on Islam is situated within a more general theory of modernity which, for the German author, coincides with rationalization, albeit with religious roots. Islam lacks the ethical rigour, legalism and rational conduct that, as Calvinism shows, can be generated by belief in predestination. Since Islam is essentially a religion of war, spread among the warrior classes, and Muhammad's social policy 'entirely as a function of the intimate unification of believers for the outward struggle, with a view to the outfitting of as many of God's warriors as possible' (Weber, 1995, p. 144), the concept of redemption, which is essential in rationalizing behaviour by directing it towards a particular goal, is completely absent. The aspiration, in fact, for a saving good involves a 'rational arrangement – either only at particular points or as a whole – of the conduct of life' (Weber, 1982, p. 529), which is precisely what happens in Calvinism, in which believers regard ascetic behaviour and the accumulation of wealth in business as signs of salvation. For Muslims, on the other hand, there is no predestination; rather, they believe in predetermination, which concerns one's destiny in this world, not in the next. 'The Islamic concept of predetermination (and not so much predestination) referred to the destinies of the hereafter, not to the salvation of the hereafter, and thus the ethically decisive element, i.e. confirmation as predestined, had no part in it; therefore, only warrior intrepidity (as in the case of μοίρα) could result from it, but no consequences for a methodical life, for which the religious reward was precisely lacking' (Weber, 1982, p. 99, note). Since Islam, according to Weber, is a religion oriented primarily in a warlike sense, and thus towards the extraordinary and the transitory, it lacks the element of continuity and everydayness necessary for the development of a predestination capable of giving rise to a rational conduct of life, 'as Puritanism did, in which predestination concerned precisely the destiny in the beyond, and thus, *certitudo salutis* depended on the daily confirmation of virtue' (Weber, 1995, II, p. 259). In short, Islam lacks a form of intramundane asceticism considered a sufficient and necessary condition for the rise of rational capitalism (Turner, 2010).

The Weberian approach to the analysis of Islamic religion began to be problematized beginning in the 1950s, particularly with the work of Maxime Rodinson, *Islam et capitalisme* (1966), in which the author, through the documentation of Muslim and European scholars, aims to demonstrate the possibility that capitalism also developed within Eastern societies, refuting Weber's main hypothesis that social practices and economic activity can be influenced by an ideology or religion, although Rodinson himself admits that they may be affected by values and traditions. In this vein, other authors challenge the German scholar on the idea that modernization is incompatible with non-Western societies (Eisenstadt, 1997; Ülgener, 2006) and detect in his work a deeply Eurocentric view, influenced by the Orientalism prevalent in his time (Schluchter, 1999; Abdel-Malek, 1963). Bryan Turner distances himself from these, at least in part, as one of the first Western scholars to recon-

struct and analyse Weber's position in a 1974 paper entitled *Islam, capitalism and the Weber theses*[5] and in the later volume *Weber and Islam: A Critical Study* (1974b). Turner takes up the Weberian idea that it was the patrimonial nature of Muslim political institutions that precluded the appearance of those preconditions necessary for the development of rational modern Western capitalism, namely, a rational law, a free labour market, autonomous cities, a monetary economy, and a bourgeois class. Weber showed that Islamic institutions were incompatible with capitalism because they had been dominated by a long history of patrimonialism, the conditioning of which was greater than Islamic beliefs themselves, and while the path identified by Weber is really only one of the possible explanations for the secularization that occurred in the West, Turner (2010) asserts that he nonetheless considers the German sociologist's viewpoint valid as a general framework.

4 The neo-patrimonial regimes of the Maghreb

What remains of the Weberian analysis of Islamic societies? In the awareness of the scholar's non-exhaustive reflection, which, unfortunately, as it was not completed, appears extremely fragmentary and limited, it is possible, however, to observe certain features in modern Arab states that echo Weberian heuristic categories. The policies of countries such as Egypt, Algeria or Tunisia can be considered neo-patrimonial, where by this term is meant 'a mode of exercise of power in which the political and economic resources of the state are not the object of rights, but rather considered an extension of the personal wealth of the leader and granted by the "good father" power – personalized in the supreme leader – to citizens when they are "good children", part of the national "family"' (Pioppi, 2010, p. 57). Power is thus centralized in the hands of a leader (Mubarak in Egypt, Ben Ali in Tunisia) who can possibly delegate in part to members of his close entourage, starting with the family. These subordinate kingpins may in turn delegate part of their power through practices of clientelism and nepotism, typical of neo-patrimonial rule. Although considered traditional forms of power, thus incompatible with modern political institutions, not only do they persist even in democracies, but more importantly they represent the main lens through which the political history of Arab countries has always been read, even in the face of economic and political liberalizations. Liberalizations, however, that have failed to produce an independent and competitive private sector (Hakimian & Moshaver, 2000) precisely because of the neo-patrimonial power system that, instead of fostering a retreat of the state, has actually incorporated new private clients within the public sector (e.g. many civil servants are also private entrepreneurs). In this way, new emerging social groups have been co-opted within a client system and the poorest and most marginalized social groups have been excluded. In short, political space has been found for new elites but not for the people, thus strengthening the power of the leader instead of fostering effective pluralism.

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[5] In this article, Turner outlines four different Weberian theses about the connection between religious beliefs and capitalism, demonstrating the falsity of at least three of them and considering the fourth, which examines the consequences of patrimonial domination, as a possible explanation for some developments in the Islamic world.

According to Bank and Richter (2010), the political regimes of MENA (the Arab states of the Middle East and North Africa) countries are most effectively explained by the concept of neo-patrimonialism rather than authoritarianism, as they are able to accentuate two fundamental characteristics: personalism and informality. While the father of the concept is undoubtedly Eisenstadt (1973), who in the 1970s described neo-patrimonial regimes as systems of government in which the figure of the leader administers thanks to a clientelistic network based on exchanges and favours chosen not for competence but for demonstrated loyalty and trust, it is Pawelka (1985; 2002) who adapts the concept to the Middle East. The German scholar develops a model based on the example of Egypt in which the leader occupies the central position, around which the different social elites revolve, in positions corresponding to personal distance with the leader, as well as the different sectors of society, which, in the case of Egypt, are identified as: the military, the palace, the economy, social organizations, the religious sector and the bureaucracy. The five principles underlying this neo-patrimonial model of government are: 'personalism, emanation, elite pluralism, balance of power, and intersection of institutional authority.' The first refers to the founding logic of patrimonialism, whereby members of the elite are appointed to key positions in the bureaucracy and economy who, in return, show absolute personal loyalty to the leader. The leader maintains his or her power by surrounding himself or herself with family and clan people on the one hand, and by bestowing favours and rewards on the other: 'in this way leadership is legitimized by both a form of "traditional loyalty" (that of family) and "material rewards"' (Pawelka, 1985, p. 24). Emanation means that the decisions of such members have force only because they are direct emanations of the leader and, therefore, reflect the leader's will and not their own. Elite pluralism refers to the logic of competition between different members of the elite to gain the leader's favour. This allows there to be a certain degree of balance of power, while the principle of rotation and intersection of institutional authority guarantee the leader's decision-making autonomy, preventing the formation of possible coalitions and power groups among elite members.

The concept of neo-patrimonialism helps to explain the stability of political regimes in MENA regions (Pawelka, 1985; Tripp, 1995; Brownlee, 2002), which seem particularly adept at absorbing internally any hint of change, although – compared to traditional definitions of neo-patrimonialism – some scholars (Bank, 2004, p. 157) suggest including additional elements that can more specifically and in a more up-to-date way explain these kinds of regimes, such as 'the external influences or the role of identity, political discourse and ideology'. That is, there would exist other elements of legitimation of neo-patrimonialist regimes, such as 'Rent-seeking and Allocation', the 'Politics of Participation' and the 'Politics of Symbolism' (Bank & Richte, 2010, p. 6). The latter, in particular, echoes Weberian analysis as it concerns 'the immaterial aspects of culture, identity and discourse, in this way adding new aspects to the classic Weberian categories of charisma and tradition' (Bank & Richter, 2010, p. 8).[6]

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[6] Included in this dimension, of course, is the use of the media by media owners to impose their narratives and dominate the public sphere.

The political semi-immobility that seems to characterize the MENA region has led to talk of neo-patrimonial states with new 'sultans' in power.[7] In Algeria, the National Liberation Front has led the country since independence in 1962, and Bouteflika was president of the republic from 1999 until 2019. In Libya, Qaddafi was in power continuously from 1969 until a popular uprising – flanked by NATO – led to the overthrow of his regime and his death. In Morocco, King Mohammed VI has ruled since 1999, when he succeeded his father, Hassan II. Similarly in Jordan, the current monarch Abdullah II succeeded on his father's death in 1999, while in Saudi Arabia the current King Salman took the throne after the death of his half-brother Abd Allah (who in turn had inherited the kingdom from his father Fahd, who had been in power for about two decades) and on the very day of his coronation appointed his half-brother Muqrin as crown prince and replaced the prime minister with his son Muhammad. Finally, in the Syrian republic, controversial President Bashar Assad has been at the helm since 2000, having been designated as his successor by his father Hafiz al-Assad.

5 The revolutions of 2011

The question becomes one of explaining how it was possible, during the period of the Arab Spring, to come to overthrow regimes that seemed indestructible and had been administering power for decades. In this sense, the revolutions of 2010–11 can be read as a challenge to Weberian interpretive categories, that is, to those patrimonial regimes already identified by the German scholar and able to explain and describe the politics of those states quite effectively.

As is generally known, what is called the Arab Spring[8] in the West (but which in the countries involved is called tawhra, revolution) came about as a result of the protest by

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[7] Weber himself, in *Economy and Society,* speaks of sultanism as a particular type of traditional power. With the rise of a purely personal administrative and military apparatus of the power holder, all traditional power tilts into patrimonialism and, with the extreme expansion of power, into sultanism: 'In the extreme case, the sultan tends to arise whenever traditional rule develops an administration and military force that are purely instruments of the master. [...] Where domination [...] operates primarily on the basis of discretion, it will be called sultanism. [...] The non-traditional element is not, however, rationalized in impersonal terms, but consists only in the extreme development of the ruler's discretion. This is what distinguishes it from any form of rational authority' (Weber, 1995, pp. 226–231).

[8] The expression 'Arab Spring' was coined by Marc Lynch in Foreign Policy to recall the Western uprisings of 1848 and the Prague Revolution of 1968: i.e. as many historical moments characterized above all by a new generation's 'desire for rebellion, a demand for dignity from the youth' (Castellani Perelli, 2020). The terms used to refer to what happened in Arab countries in early 2011 is the subject of lively debate. According to Paonessa (2013, p. 84) 'in the attitude of Westerners to talk about "uprisings", or even worse, the Arab Spring (or the Arab winter), is not even so latent an attempt to downplay the magnitude of the events taking place and the results of the regimes' remission in order to reduce, implicitly, their intensity and depth'. Campanini also confesses 'a certain discomfort in using the term revolution. That an event is historically revolutionary can only be verified over long periods of time. Certainly, the Arab uprisings disrupted a political framework that had been essentially immobile for many decades, but I find it premature to speak of revolutions since the process is still ongoing, there are strong elements of ambiguity in their unfolding, and furthermore many premises/promises have been betrayed' (Campanini, 2013, pp. 7–23).

young street vendor Mohamed Bouazizi who, on 17 December 2010, set himself on fire in protest after yet another abuse by local police[9] (and who would die after several days in hospital as a result of the burns suffered). It was an episode that sparked revolt in the streets and, less than two weeks later, reached Egypt (where Mubarak 'the Pharaoh' left power after 30 years), and then spread to Libya, Yemen, and Syria.

The protests were the outbreak of widespread discontent that had already been simmering in the populations of these countries in previous years. In the decade leading up to the Arab Spring, the living conditions of large sections of the population had progressively deteriorated, especially for the increasingly numerous and educated young people. Various forms of protests and uprisings had already broken out due to the difficult socioeconomic situation (Paciello, 2011) and harshly suppressed by the government using military force. Indeed, the role of the army has always been a key element in the politics of Arab states: used more as a tool for suppressing local insurgencies than as an organ for defending national borders, it often plays the role of the balance of power. On the one hand, it represents one of the characteristic elements of a patrimonialist regime, both because it is often composed of people close to the leader by family, clan or interest ties (e.g. the core of the Saudi National Guard comes from the same region as all the ruling families in the peninsula), and because the leader establishes an exchange relationship with the army based on benefits, money and protections in order to obtain unconditional loyalty and support. Consistent with the clientelistic logic typical of a neo-patrimonialist regime, there is thus a lack of competence and professionalization in the army (as well as in the administration), which are sacrificed in order to have full loyalty and obedience. On the other hand, however, the army was instrumental precisely during the Arab revolutions of 2010–11 in bringing down the regimes and of Ben Ali in Tunisia and Mubarak in Egypt (and, later, also of President-elect Morsi), as well as playing a decisive role in Libya and Syria. In short, the deployment of the army is central and indispensable in deciding the fate of Arab political systems.

This has been compounded since the early 2000s by a sharp rise in inflation, especially for food items, which has contributed to a worsening lifestyle for the citizens of these countries. Countries that the Tunisian scholar Larbi Sadiki has described as 'bread democracies', since they were based on an exchange between government and citizens whereby the former ensured basic necessities and the latter ensured political quiet: 'the bread agreement, which in the 1960s was in force in the Arab world from Algeria to Jordan, defined the welfare role of the Arab states to cope with the generalized impoverishment of the population. In exchange for political deference, the state pledged to provide citizens with basic goods and commodities' (Sadiki, 2012, p. 331). As grain prices soared however, it became very difficult for the government to maintain this policy of food subsidies, making them dependent on imports (in 2010, almost half of the top 20 grain-importing countries were Middle Eastern countries, Egypt, Algeria, Iraq, Morocco, Yemen, Saudi Arabia, Libya, and Tunisia).

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[9] In fact, analysts have pointed out that these revolutions lack a real leader, a charismatic figure capable, as Weber already pointed out, of initiating change. Rather, we witness a collective hero, who communicates and organizes through social networks. Plenel, for example, emphasizes the democratic and social nature of both revolutions marked by the absence of leaders, parties or vanguard movements (Stora, 2011).

These economic factors have been linked to a very significant structural-demographic element: the high proportion of young people.

> The proportion of young adults aged 15–29, as a fraction of all those over 15, ranges from 38 percent in Bahrain and Tunisia to over 50 percent in Yemen (compared to 26 percent in the United States). Not only is the proportion of young people in the Middle East extraordinarily high, but their numbers have grown rapidly over a short period of time. Since 1990, the youth population aged 15-29 has grown by 50 percent in Libya and Tunisia, 65 percent in Egypt, and 125 percent in Yemen. Thanks to the modernization policies of their sultanistic governments, many of these young people have been able to go to university, especially in recent years. In fact, university enrolment has soared throughout the region in recent decades, more than tripled in Tunisia, quadrupled in Egypt, and increased tenfold in Libya. (Goldstone, 2011)

French sociologist and demographer Emmanuel Todd (2011) points out that the increase in the educational level of young people in their 20s and 30s has occurred in parallel with another important structural factor: the drastic decrease in the fertility rate. According to Todd, in order to understand the political evolution of Arab countries, the three variables to consider are precisely the level of education, the fertility rate and the endogamy rate, which are closely interrelated. Growing literacy, in fact, increases citizens' political participation, while the declining fertility rate reshapes the relationship between men and women by challenging authority relations, both at the private and public levels.

The co-presence of these elements undoubtedly underlies the riots that erupted in 2011. The failure to develop a modern entrepreneurial class has weighed significantly on job opportunities, which have become less and less available and attractive, especially for the great mass of young people who, in recent years, have increased their level of education and, consequently, their job expectations. According to some political scientists (who partly draw on the well-known and controversial *Clash of Civilizations* thesis proposed by Huntington in 1993), the so-called 'youth bulge' (the bulge of the demographic group between the ages of 15 and 24 in a country's age pyramid)[10] may in certain cases be correlated with an increase in political violence, due to the dissatisfaction and frustration of the younger generation with respect to the opportunities for realizing their expectations. According to Jack Goldstone's theory of revolutions (1991), such pressure can lead to regime change. In the 1970s, both the French sociologist Bouthoul (1970) and the scholar Choucri (1974) took up the idea that conflicts are consequent to the alteration of a country's economic-demographic balance, but it is mainly Jack Goldstone who applied it to the Arab world where young people, excluded from the political and economic life of their country, may embrace violent behaviour in order to promote democratic reforms.[11]

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[10] Gary Fuller first used the expression in 1995 in his speech at a CIA conference entitled *The Demographic Backdrop to Ethnic Conflict: A Geographic Overview* (Schomaker, 2013).

[11] After a phase of demographic deceleration that undoubtedly had a major impact in economic and social terms, the Arab world is now witnessing a 'counter-demographic transition' (Courbage, 2020, p. 75).

6 Ten years on

In order to assess what remained of the revolutionary wave of 2011, a few premises are necessary: first, it must be remembered that the uprisings affected different countries, although they shared certain characteristics (as we have tried to show in this paper), consequently, the outcome over the long term also differed depending on the historical and national context. As Emiliani (2020, p. X) warns 'that of the Springs was not a unified movement, but a sequence of different uprisings from country to country that allow for comparative analyses, but only up to a certain point'. Second, the protest did not end in 2011: in 2019, the squares filled again and other decades-old presidencies fell (al-Bashir in Sudan, Bouteflika in Algeria). For the purpose and theoretical hypotheses of this paper, only a few cases will be explored, such as Tunisia and Egypt, which did not degenerate into civil wars but show 'how the economic problems that generated the Springs have not "been solved," nor their matrix, namely the very serious deficit of democracy' (Emiliani, 2020, p. 228). In Libya, the end of Qaddafi's 42-year reign led to civil war and chaos the end of which is not in sight, with heavy foreign interference (primarily Russian and Turkish). Similarly in Syria, the weight of radical Islamism and the proclamation of the Caliphate (as well as again the meddling of Russia and Turkey) led to a civil war that still has Bashar al Assad in place and has triggered a terrible humanitarian crisis. Moreover, as Emiliani notes (2020, p. 128), in Yemen, Bahrain, and Syria the Springs 'were caused by, or resulted from, the intra-Muslim sectarian clash between Sunnis and Shiites.' Moreover, in both Yemen and Bahrain 'Saudi Arabia directly intervened with its own troops to turn their outcome in its favour.' For the purposes of our analysis, the Algerian case seems interesting, where in 2011 the street riots that had begun 'in the typical manner of patrimonial states: with a shower of aid to the poorest strata of the population, the raising of public sector salaries and other similar gratuities' (2020, p. 219). The Algerian population then waited until February 2019, when the 82-year-old Bouteflika intended to run again for the presidential elections for the fifth time (despite a severe stroke that had afflicted him, rendering him nearly mute and paralyzed), to more forcefully express their discontent and demand for democracy and economic justice. Again, the army, which in the early 1990s had been responsible for a coup that plunged the country into a long and bloody civil war (which ended in 1999), did not turn against the protesters but convinced the former president to retire from political life.

In some cases (Tunisia and Egypt) new constitutions were enacted, in others (Morocco) the existing one was amended. But what actually changed? The opinions of analysts and scholars are rather unanimous in branding the Arab revolutions of 2011 as failed, betrayed or otherwise unfinished, even though they undoubtedly represented a major upheaval of established powers.

In Tunisia, for example, as Leila Belhadj Mohamed explains, nepotism run by the family of President Ben Ali's wife, Leila Trabelsi, who controlled the entire economy, was 'eliminated. In practice, nothing could be done unless one had contact with the Trabelsi family'; subsequently, however, 'the elected ruling class was unable to manage the economic resources and reforms that needed to be made' (Marinoni, 2021). Tunisia has long been considered an, at least partial, exception (Mohsen-Finan, 2020) to the failure of the 2011 revolutions, as it seemed to be the country where things had changed the most.

A rather peculiar circumstance given that Tunisia has been ruled in an authoritarian manner since its independence in 1956, first with Habib Bourguiba and later with Zine el-Abidine Ben Ali. The 2011 uprisings succeeded in toppling Ben Ali's regime without much violence, leading to the formation of a coalition government since no party had won an absolute majority in the elections held that year. Two years later, in 2013, a government was born based on a 'historic compromise' between modernist forces and an Islamist party that showed the acceptance of coexistence between forces with opposing ideological visions: a result achieved thanks to a number of elements present in the country. First, the presence – even during the years of Ben Ali's authoritarianism –, of opposition groups, such as the Tunisian General Labour Union (UGTT) and the Tunisian League for Human Rights (LTDH). Second, thanks to some important choices, such as that 'of mass and free education decided in Tunisia from the first day of independence […] which took a new form with digital dissidence and the development of rebel sites […] and remained demanding even after 2011' (Mohsen-Finan, 2020).[12] Moreover, as already recalled in discussing the characteristic elements of neo-patrimonialism, because of the role played by the army and foreign powers (particularly the United States). On 14 January 2011 (the day Ben Ali left the country and flew to Saudi Arabia, where he would die in 2019), in fact, the army, which up to that point had also worked hard to suppress the uprisings, decided not to fire on the crowd. Evidently, the game already seemed to be over: Ben Ali had received no outside support, with the exception of Qaddafi's Libya, and the United States, which did not appreciate the total closure towards moderate Islamic parties, considered strategic in the fight against extremism, had openly sided with the Tunisian people.

The uniqueness of Tunisia lies precisely in the relative 'success' of the revolution compared to other Arab Spring countries. Here, in fact, free elections were held, freedom of expression was restored, and a progressive constitution was approved (2014). At the same time, however, corruption shows no sign of abating, production has declined, citizens experience an enduring sense of insecurity, and tourism (among the main sources of revenue) has plummeted. Moreover, the 2015 ISIS attacks and economic stagnation have led many Tunisians to reconsider the scope of the revolution and attribute to it 'the deterioration of the social climate, the absence of jobs for young people, the lack of security, growing inequalities, and the degradation of public services' (Mohsen-Finan, 2020, p. 20). In fact, while the achievements of the uprising seemed well evidenced by the principles enshrined in the new Constitution, what was lacking was a truly modern and progressive political class capable of transiting the country out of the neo-patrimonialist vision to which it had been condemned for long years. From the start, in fact, the Islamist party (which had won a majority, relatively, in the first free elections) sought to impose itself on its governing allies, using the old strategies of nepotism and cronyism. In the 2014 elections, 'the pre-revolution political scene, dominated by two major formations, was thus re-established, sweeping away all the parties that had emerged in 2011' (Mohsen-Finan, 2020, p. 22). Two formations at the antipodes, modernists and Islamists, were unable to find a compromise for governing the country so that in the end Essebsi (Bourguiba's for-

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[12] The Tunisian people, indeed, took to the streets again in 2013 against the democratically elected government that was considered incompetent.

mer minister who had founded his own party, the *Nidaa Tounes*, in 2012) 'as a man of the past, acted for a return of the latter, rehabilitating Ben Ali's cadres and making ministers and the prime minister mere implementers of a policy he wanted to devise himself' (Mohsen-Finan, 2020, p. 23). With Essebsi dead, the 2019 presidential elections saw Kais Saied, a law professor not supported by any party or association, victorious during an election campaign centred on the 'divide between the promise of the 2011 revolution and a political life that is constantly deteriorating, to the point of generating a sharp divorce between the ruling class and the citizens' (Mohsen-Finan, 2020, p. 24). The difficult economic situation, aggravated by the Covid-19 pandemic, led in July 2021 to the dissolution of the Tunisian parliament by President Saied and the amendment of the Constitution born out of the 2011 revolutions, again in an authoritarian direction. In short, even in the country that seemed to have been the only one where protest really had brought about change in a democratic direction, the revolution lost and the system is returning – a little more than a decade later – to a scenario very similar to that of Ben Ali's presidency.

The case of Egypt is also emblematic, as it has 'represented the thermometer for regional stability, given the decisive role that [...] it has played and continues to play in the area' (Emiliani, 2020, p. 43). Here the role of the army emerges even more overbearingly (after all, Mubarak had been a marshal): first the SCAF (the Supreme Council of the Armed Forces), under pressure from the United States, persuades President Mubarak to leave and then sets out to manage the country's transition to democracy. Although in the 2012 elections, where, as Emiliani (2020, p. 48) points out, 'the turnout figure of only 46.4 percent of the electorate [...] was already a clear indicator of the disaffection of the Egyptian population towards the transition process', the Muslim Brotherhood candidate Mohamed Morsi emerged, the SCAF began a bitter tug-of-war with the new president that would end with a coup in 2013 that put General Abd al-Fattah al-Sisi in charge, who to all intents and purposes restored an authoritarian government.

Reading the events from a Weberian perspective, it does indeed seem that neo-patrimonialism has once again won, that the protest of the youth has failed to undermine the clientelistic system typical of these regimes. Weber's research about Islamic religion, that was intended to be part on his comparative analyses on the economic ethics of the world religions, concerns the relationship between politics and religion and their interconnections. According this scholar, based on the contrast between the European tradition of Puritan asceticism and the mystical ethics of Asian religions, the Islamic religion was incompatible with the development of capitalism, as happened in the West. In Islam, according to Weber, there was little tension between religion and the world and therefore 'Islam did not confront the ultimate problem of the relationship between religious ethics and secular institutions, which is the fundamental problem of the relationship between law and religion' (Weber, 1966, p. 233). This approach sheds some light also on the economic and cultural dimensions of Arab Spring movements. Faced with global economic pressures and public revolts Arab governments have responded by increasing the subsidies on food and fuel. But the Arab Spring demonstrates that the Arab world needs a fundamental rethinking of the social contract, a new development paradigm that is based on a competitive entrepreneurial, on private sector and on its young and educated population, that employing modern media to project their ideas and demands onto a public space that governments struggle to control. According to Turner, currently there is a more general

development in Islam of 'personal piety' (Jung, Petersen & Sparre, 2014; Kersten & Olsson, 2013) that can be consider as consistent with Weber's views on the consequences of religious reform such as Protestantism. Movements of urban piety, or 'post-traditional Islam' or even 'post-Islamism' (Bayat, 2007) – observed in Malaysia, Morocco, Egypt and Turkey – are developed among educated young Muslims (especially young women) and promote self-actualization, individualization, personal discipline and ethical enhancement, in conjunction with success in this world: 'Is this development perhaps the ironic conclusion of Weber's sociology of Islam, namely the Protestantization of Islam?' (Turner, 2016, p. 222).

With the Arab Spring, civil society expressed a clear desire to overcome state authoritarianism and advanced the demand for greater social justice and an adjustment to democratic values but, ten years later, the dynastic idea of power and those characteristics ascribed by Weber to the Islamic world seem to have prevailed. According to Oliver Roy's (Castellani Perelli, 2020) reading, however, the Arab Spring was not futile, 'it has positively transformed political culture. It destroyed the myth of the charismatic leader in the region and also the illusion of the collective we, Arab or Islamic, that was exploited by the regimes. It brought a new individualism'. What was lacking was that the movement could not transform itself into a party, and it did not even have an ideology or a program that was not just 'more democracy'. A political vacuum was created, which was taken advantage of first by radical Islamists and then by the *ancien régime.* As Campanini (2019) points out, the Arab Springs teach 'that civil societies in Arab countries are puny; not immature, but weak'.

The new uprisings, however, of 2019 and 2020 in Algeria, Sudan, Lebanon and Iraq (also abruptly interrupted by the outbreak of the Covid-19 pandemic that provided the pretext for further securitarian tightening) show how the revolutionary wave has not subsided as the economic, political and social problems that generated the Arab Springs have not been adequately addressed: 'These phenomena of demonstrations and anger, resulting in incidents of violence, will be repeated over the years until a democratic form of government and a situation of widespread wealth prosperity arrives in the region. Conditions in the 10 years since the Revolutions have worsened, certainly not improved' (Emiliani, 2021).

7 A Weberian perspective on the Arab Spring

The explosion of revolts was a struggle against the neo-patrimonialist model that developed after the fall of the Ottoman Empire after the end of the colonial period and in crisis in countries such as Egypt, Tunisia and Syria. The revolutions are a challenge to Weber's analyses, because they want to overcome those obstacles to modernization and development identified by the German sociologist in Islamic societies: a non-rational legal system because it is arbitrary and aimed at equity; an administrative apparatus selected on the basis of personal trust and therefore incompetent; an economy dependent on the favour of the holder of power (Solivetti, 1993, p. 57–67). According to Bratton and de Walle (1997), the three typical characteristics of neo-patrimonialism – presidentialism, systematic clientelism and the use of state resources for one's political legitimacy – are present in various Islamic countries: Saddam Hussein's Iraq, Mubarak's Egypt, Gaddafi's Libya, Ben Ali's Tunisia and Assad's Syria.

In part, Weber's reflections arise from the observation of the revolts in Russia in 1905 and 1917. Until this moment, the German sociologist employed the word revolution without defining it specifically but only in a historicist sense, i.e. 'descriptive of the great revolutions of the past' referring to the French Revolution, the July Revolution of 1830, the German Revolution of 1848 and also to the Paris Commune of 1871, or referring in general to the revolution of the propertied classes, to the great technical revolutions, to the industrial revolution, to the ecclesiastical revolutions , that is, those events 'that have decisively changed human life' (Hanke, 2013, p. 15). Observing the events in Russia, Weber (who quickly learned the Russian language to read the local press directly) discusses 'the possibilities for the development of democracy and individualism in the country, i.e. the possibilities for a liberal development, in the Western European sense' (Hanke, 2013, p. 14). As in the case of capitalism, Weber considers even revolution a typically Western phenomenon. Historical-comparative analysis will lead him to consider a change in this direction impossible in a country considered not yet mature for this change since

> there is a lack – he states – of great charismatic leaders able to emotionally involve even foreign observers: the revolutionary leaders were too engaged in wearing themselves out in matters of tactics [...]. The fundamental themes that frequently recur in Russian political writings are: the difficulties of affirmation for liberal values, the social, ideological and political consequences of capitalist development in a very backward context, finally the loss of legitimacy of the tsarist regime and the probability of an authoritarian outcome, right or left, of the political upheavals that had then taken place in Russia. (Carpinelli, 2000, p. 106–108)

Weber's reflection deviates both from the Marxist–Leninist revolutionary theory and from the 'Western and material idea according to which the importation of mature capitalism into Russia would automatically lead to the spread of democracy and freedom' (Hanke, 2013, p. 15).

The concept of revolution is part of Weber's theory of social change, as a result of the mutual 'interaction of technical and spiritual revolutions; it refers to Kantian concept of revolution, as an inner transformation and change of principles, which will later and in an even more evident way be shown in the accentuation of the concept of charisma' (Hanke, 2013, p. 16). Weber inserts the Kantian concept of revolution within his conception of charisma, 'therefore revolution, ethics of intention and charisma merge' (Hanke, 2013, p. 25), and defines charisma as 'the specific force revolutionary creator of history'. Weber does not have a systematic theory of revolution, but an 'anthropological affirmation that men with particular charisma can intervene in the course of history to shape and modify it' (Hanke, 2013, p. 25). Charisma, in fact, is a break with traditional and rational norms, even if it is 'always linked to well-defined limits, imposed by the cage of rationalization and bureaucratization' (Hanke, 2013, p. 26). In analysing the Russian situation, the lack of charismatic leaders is, according to Weber, one of the weak points of the revolution. As Cavalli (1968, p. 337) points out, only the leader possesses those 'capacities capable, thanks to the profound and direct influence he has on the masses, of making so that new principles of behaviour are widely and rapidly internalized – thus producing the only true change, which is the one within man.' According to Weber, the 'freedom fighters' in Russia did not make a 'revolution', but only the 'elimination of an incapable monarch', because 'the power has not passed from the hands of landowners, officials, banks, into those of peasants and industrial workers' (Carpinelli, 2000, p. 109).

Although Collins (2001) considers the German sociologist's reflections on revolution taxonomic and limited, and wonders if they can still be useful, he recognizes that Weber's ideas help us to consider more deeply what the revolution reveals about the character of the state power (Collins, 2001, p.172). Weber, in fact, does not limit himself to considering the classic modern cases (revolution, French, Russian, Chinese) but, taking ancient Rome as an example, he explains that he considers the revolution as a form of un-legitimized change, which consequently produces illegitimate forms of power. For this reason, according to the Erfurt sociologist, the revolution cannot win: it can succeed, but at the price of being incorporated into the military-centred state and losing its revolutionary character. Weber's analysis of the revolution, as it emerges in his writings on Russia, is openly critical of Marxism. Although there are some overlaps with the Marxian paradigm, he questions the materialist theory according to which the revolutions are born from below, from the growing demands for change by a social class that represents the future, as opposed to a threadbare class that supports the status quo. For Marx, the economic classes are the central subject, while Weber's analysis considers not only the class interests but also the governmental structures that emerge from these interests and the power of the different factions struggling to implement structural changes.[13] In this way, he anticipates elements of the future paradigm of the collapse of the state (Collins, 1999; Skocpol, 1979; Tilly, 1978), elaborated some sixty years after his death. This paradigm sees revolution triggered from above, with the state collapsing due to a defeat in war or a financial crisis. In the nations involved in the Arab Spring, there is a deep social discontent resulting from political and social failures. Weber's conception of the revolution and social change, together with considerations on the characteristics of the East and the influence of religion in the social structure help analyse the results of the 2011 revolutions. First, the absence of a unified and cohesive leadership within the protest movements is an element that the German sociologist already considered essential for the success of a revolution. Many of movements of the Arab Spring were spontaneous and decentralized, with a wide range of goals and ideologies, which made it difficult to establish a common vision for the future, weakening the ability to negotiate with the government or establish a stable government after the riots. Revolutions have developed without the support of a solid belief system and a well-defined political project. Once the governments in power collapsed, the same fragilities in the institutions that in the past had favoured the rise of neo-patrimonial regimes arose again and above there was not a significant renewal of the political class (as the new bourgeois elite that, in 1789, led the French Revolution). According to Yves Aubin de La Messuzière (2011), French ambassador to Tunisia from 2002 to 2005, the Arab Spring is more a 'transition' than a 'revolution', given the nature of the regimes established following the revolts. Furthermore, revolts were broken out in Arab countries (Egypt, Yemen, Libya) which were going through a crisis of legitimacy and succession. Weber's analyses discuss the problem of legitimacy and succession of the leadership. The old leaders who had led – in the past – the protest against the colonial power, had obtained a legitimacy of a charismatic type, but already during the sixties it was clear that power was in the hands of the

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[13] For a critical reading of classic debate between the Weberian and Marxist paradigm about the role of religious and economics factors in the origins of capitalism, cf. Löwy (1989).

leader and his faithful followers, opposed the totality of the population which began to develop a widespread discontent.[14] The loss of leadership legitimacy and the problem of succession of a charismatic leadership is one of a triggers for the revolutions of 2011.

The demonstrations of 2010–11, in which there was a huge youth participation, desta-bilized the concept of revolution of the West: 'the revolutions and the fervour of the Arab youth based on the utopia of a radical change have called into question the consensus that the West had built on the end of the revolutionary perspective' (Paonessa, 2013, p. 88). These events have also stimulated a profound reflection on democracy, which is also in crisis in the Western context. The protest of the Arab Spring was conducted without an institutional opposition, 'disavowing in practice – at least in part – the form Western democracy based on representative government, on mediation, on intermediate bodies' (Paonessa, 2013, p. 89). Different social entities of various kinds have joined in requesting the suppression of the system, overcoming differences and acting as a single collective body. This union found expression in the famous invocation 'the people want' (quoted by the Tunisian poet and writer Abu al-Qasim al-Shabi, Paonessa, 2013, p. 92). In this collec-tive cohesion, it is possible to recognize a further contrast with the individualistic and fragmented approach typical of the western world. The Muslim world could once again resort to the function of control and pressure of the assabiyya (group structures) and to the dynastic idea of power, confirming the characteristics ascribed by Weber to the Islamic world and rejecting the requests of civil society to overcome authoritarianism, to have a greater social justice and an adjustment to democratic values.

Bertrand Badie defines the revolutions of 2011 as 'first post-Leninist revolutions, in other words, revolutions without leader, without party, without structured organization, without ideology, without doctrine' (Badie, 2011, p. 97). In this definition, it is possible to identify elements highlighted by Weber's perspective on social change. The results obtained by the Arab Spring's movements demonstrate how it is possible to achieve organization and coordination without necessarily relying on a traditional force, such as a political party or a leader. Therefore, what many define as 'the main problem of the Arab revolts, the absence of a modern prince in the Gramscian sense of the term, constitutes one of the elements on which we will have to reflect more in the future. No longer a centralized control but a con-vergence of multiple autonomous thoughts, even organized ones, which are expressed with different means on shared principles' (Paonessa, 2013, p. 93). The Arab Spring and other so-cial movements elevated the idea of an alternative, horizontal, leaderless organization where – according to critical leadership studies (Collinson, 2011; Dutfield, 2000) – 'that leadership is a relational, socially constructed phenomenon rather than the result of a stable set of leadership attributes that inhere in the leaders' (Sutherland et al., 2013, p. 1).

Leaderless movements are entirely distinct from formal organizations (Sutherland et al., 2013) but just because an organization is *leaderless*, it does not necessarily mean that it is also *leadershipless*.

This resonates with Weber's work in the concept of charismatic rulership, as an ana-lytical tool for analysing power and domination. The Arab Springs are movements with-

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[14] Cf. theories of power of the sultanistic type by Linz (1990) and neopatrimonial regimes by Bratton and de Walle (1997).

out an individual leader but 'these movements have been charismatic in the sense captured by Weber's use of the term because uniquely disruptive, meaning driven by extraordinary needs that established social and political institutions were not seen as capable of satisfying, thus engendering demands of drastic change in order to placate these needs' (Hassanzadeh, 2017, p. 336). Weber's theorization of charisma 'is a mode of authority that seeks dramatic change, on political and symbolic levels, but is maintained by a form of power that is collectively participatory' (Hassanzadeh, 2017, p. 336). This form of popular charisma, that has no need of heroes, is a 'form of authority that breaks in a meaningful sense with existing practices of governance, and does so by affording average citizens greater control in practicing political judgment. It draws on Weber's theorization of charisma as an embodiment of exceptional needs, while expanding the narrow locus with which he associates it' (Hassanzadeh, 2017, p. 336).

This type of charisma, embodied in the Arab Spring, is important for a future transformation towards democracy. It is probable that this mode of revolution without heroes is also a reaction to the type of politics that characterized the post-colonial period in these countries, based on the cult of personality of the leader, on the single party, clientelism, corruption and domination of the elite. The charisma based on the people, claimed by the social movements of the Arab Spring, wants to break with the model of the authoritarian and charismatic leader. Despite a history of centralized and unaccountable authority, the characteristics of these movements announce a rupture with the pattern of mid-twentieth century and demand a greater inclusion in decision-making. Popularly based charisma of the Arab Spring movements is an occasion to re-thinking of existing discourses and debates about authoritarian and democratic institutions, and the respective roles of elites and publics in the political process.

8 Conclusions

The consequences of the Arab Spring have demonstrated the complexity of revolutionary processes and the transition towards democracy. The reasons for failure are diverse and interconnected, including the lack of unified and charismatic leadership, the violence of authoritarian regimes, international geopolitical interests, socio-economic problems and the absence of a democratic political culture. The instability following the 2011 uprisings (and those of 2019) is understandable, and the outcome will still require time to settle, also due to the different historical paths and traditions of the various countries. The transition from an authoritarian regime to a democratic system takes time and continuous effort to develop stable institutions and widespread political participation. In many cases, this process was hindered by lack of experience and conflicts among different political forces.

'The appropriation of the results of the revolts by actors who were not initially their instigators shifted the direction of change into the hands of those who already had governing experience, institutional structures, and established social networks. Thus, representatives of the previous political class, military leaders, and even Islamists reaped the benefits' (Ventura, 2014, p. 336). What was lacking was that charismatic leadership that Weber had already identified as the sole creative force in history capable of proposing a political alternative and achieving a true revolution. The street protests seem to repeat

what Weber had observed in the Russian revolution: the overthrow of an incapable monarch rather than a true revolution. Although in the work of the German sociologist there is not a theory of revolution or an analytical treatment of the Islamic religion and its influence on social structures and political institutions, the final result of revolutions begun in 2011 will demonstrate whether these countries have exited the Weberian description or are still frozen in a new neo-patrimonial system, changing only the leaders in power.

However, what the Arab Spring certainly demonstrated was an enormous capacity for citizen mobilization and a no longer marginal role for public opinion. Regarding the Egyptian case, the political analyst Mustafa Kamel el-Sayyid believes that 'the significance of the Egyptian revolution is primarily cultural, as it marked the end of the culture of fear, submission, and hypocrisy in political affairs' (Paonessa, 2013, p. 101).

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Georgeta Nazarska

Orthodox charismatic communities and social change during the Bulgarian transitional period (1980s–1990s)

[georgeta.nazarska@gmail.com] (University of Library Studies and IT, Sofia)

Abstract

The article is devoted to the relationship between religiosity and social action. It studies religious communities in Bulgaria as active subjects of social change in the period of transition from a totalitarian to a democratic society in the 1980s and 1990s. The subjects of the study are Orthodox charismatic communities, established formally as political formations in the mid 1980s but by the mid 1990s gradually transforming into religious ones. The article is based on the Weberian social action theory and value-spheres typology. Using historical and sociological approaches an analysis of documents and of semi-standardized interviews is done.

Keywords: Max Weber; social action; social change; charisma; value spheres; Bulgaria; transition

1 Introduction

The present article is devoted to the relationship between religiosity and social action. It studies the hypothesis that some religious communities in Bulgaria can be seen as active subjects of social change in the period of transition from a totalitarian to a democratic society in the 1980s and 1990s. Until 1989, they were elements of the Bulgarian dissident movement against the communist regime, characterized by latency, uneven intensity over time, limited scale and weak results compared to those in the Central and Eastern Europe (Znepolski, 2020). Since 1990, however, particular religious communities became part of the opposition political forces and were among the most radical in demanding complete de-communization. The subjects of the study are Orthodox charismatic communities, established formally as political formations in the mid 1980s but by the mid 1990s gradually transforming into religious ones.

In the present study, the sociological approach is mainly used, which is combined with the historical, since the described events and persons belong to the recent past. The Weberian sociology of religion, social action theory and value-spheres typology are put into the conceptual framework. Primarily the article emphasizes social action theory, which is carried out by individuals and collectives placed in a certain situation and under the influence of micro and macro milieus (traditions, education, social control and institu-

tions). Social action is perfectly flowing, but it also has its own dynamics. It is an alternative to impersonal behaviour. Decisions for it are a consequence either of mastered and instrumentalized moral values, or they are a function of desired outcomes (Weber, 1978c, pp. 25–32). Weber opposed them such as 'religious ethics' and 'ethic of ultimate ends', idealism and pragmatism (Weber, 1978a, pp. 466–467, 576–590; cf. Parsons, 1949, pp. 640–696; Camic et al., 2005). The author describes four types of social action: 'traditional', based on habit; 'affectional', based on emotions; 'value-rational', determined by beliefs and values and focusing on action; and 'goal-instrumental', subservient to reason and the thought of results (Weber, 1978a, pp. 24–26, 37, 49; Weber, 1978c, pp. 28–29). After the decision is made, the individual takes action and achieves the values or ideals that are in constant opposition. According to Weber, social actions take place as social relationships within social system institutions (clan, marriage, state, church, guild etc.), distinguished by a power hierarchy and goal-instrumental choices, and in social communities, where people are gathering voluntary and on the ground of attitudes ('friendship', 'love', 'piety', 'fidelity to contract', 'sense of patriotism') (Weber, 1978c, pp. 30–31). In the course of social action, the desire to impose the will of a given individual or group is manifested. Weber distinguishes 'personal authority' exercised in the private space from 'domination' in the public space, which, according to him, is legitimized through obedience to tradition (traditional), acceptance based on extraordinary gifts and qualities (charismatic), and respect for modern law and state (rational-legal) (Weber 1978a, pp. 215–216). Political authority has its parallels, according to Weber, in the religious field as well. He finds a direct connection between social action and four types of religiosity: the first three (magical, cultic, and sacred law religion) are inherent in ancient societies, while the ethical (religions of salvation) are attributed to more recent world religions. In the 'religions of salvation', the main figures are the prophets, who with their extraordinary personal qualities (charisma) present themselves as God-sent, become natural leaders and act goal-instrumentally. A charismatic religious community, including circles of disciples, friends, adepts, admirers, adherents, and supporters, expressing their trust, respect and personal devotion, is formed around them. According to Weber, charismatic authority is revolutionary in nature (Weber, 1978a, pp. 1111–1116); it has reformatory potential in order to change the world and 'life-orders' (Weber, 1978a, pp. 241–254). Gradually, the prophet routinizes his charisma and proceeds to create from his previously unstable circle of followers a congregation – a permanent organization, a community with rights and obligations, divided into clergy and laity and directed to the service of the prophet or God. This often brings the prophet into conflict with the mass of believers, but also with the bearers of the sacred tradition for whom he is an innovator (Weber, 1978a, pp. 246, 452–464, 590–597).

Secondly, the article applies Weber's understanding that the social action of individuals takes place in the world, divided into 'life-orders' ('spheres of life', 'life-spheres') – ideas and beliefs in the minds of individuals. Six 'value-spheres' correspond to them, which legitimize life-orders, represent value-rational orientations and express free will and inner essence. If they go through a process of sublimation, from the unconscious, they become conscious value judgments, beliefs and ideals, i.e. they are systematized in axiological axioms ('ultimate values') (Weber, 1958a, pp. 328, 345, 350–355). That is when they can transform into intentions and become social action. The analysis places an emphasis on the scientific (intellectual), political and religious 'value-spheres' where, according to

Weber, social actors must have a vocation, and to act with passionate devotion, irrational intensity and inner commitment to their cause (Weber, 1958a, p. 331; 1978b; 1958b). However, if they are hindered by political institutions, it is possible that the 'value-spheres' become meaningless and are transformed from a means to an end. 'Value-spheres' have their own autonomy, logic and rules and often come into conflict with each other. The result can be a value rejection of the world (Weber, 1958a, pp. 350–355; 1958b; cf. Symonds, 2022). However, it is also possible for them to interpenetrate, where the motivation in one 'value-sphere' is from another 'life-orders' and vice versa (Weber, 1978a, p. 32; cf. Symonds, 2022).

1.1 Political and sociocultural context

Weber's sociological theory of religion is necessary because the main subject of the study is a charismatic religious community formed by believers of the Bulgarian Orthodox Church (BOC). Since its creation in the ninth century it had been part of the Orthodox local churches. Its modern existence as an autonomous Exarchate (1870–1953) and an independent Patriarchate (from 1953) was accompanied by a number of obstacles: international isolation after the schism with the Ecumenical Patriarchate of Constantinople and all the Orthodox Churches (1872–1945), falling into complete dependence on the Russian Orthodox Church after 1948, and encapsulation during the Cold War, regardless of retained ties with the World Council of Churches. Its internal problems were also numerous. In the 1910s-1940s, the prestige of the clergy declined and there was an outflow from the profession; the conservative and pro-ecumenical wings of the upper clergy clashed sharply; the new Christian-based religious movements spread widely. Since 1947, the communist regime practically deprived of right to freedom of thought, conscience and religion (professing and practicing) all religious denominations, following the Soviet model. Atheist politics was particularly intense in the period from 1957 to 1989 (Kalkandzhieva, 1997; Metodiev, 2010; Denev, 2012; Znepolski, 2020; Merdjanova, 2022; Nazarska, 2022).

1.2 State of art

The existing state of art connects the social change in Bulgaria in the 1990s with two political subjects: on the one hand, the Bulgarian Socialist Party, included remnants of the former totalitarian Bulgarian Communist Party (BCP) and of the former nomenclature, which resisted the rapid reforms, and on other hand, the Union of Democratic Forces (UDF) – a coalition of opposition formations, consisted of heterogeneous elements (heirs of the former bourgeois class, intellectuals, part of the working class, etc.), which insisted on the radical destruction of the totalitarian system (Daynov, 2000; Pastarmadzhieva, 2013, pp. 167–175; Tepavicharov, 2018; Karakachanov, 2020, pp. 69–78). The researches rarely mention religious figures and in particular the Orthodox ones as members of this anti-communist opposition.[1] However, some of them were themselves political dissidents and

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[1] This is done only with regard to Muslims (see Gruev & Kalionski, 2008).

trying to reform the BOC from within, they became active subjects of the Bulgarian political and social transition. So far, their activity has been studied mainly biographically or in view of the dissident structures (1988–1989) and the church schism in the BOC (1992–2004) (Hristova, 2005; Kalkandzieva, 2012). The *Salvation* Christian Union is not researched yet, and its activity was not considered either as part of longer-lasting processes of resistance of the Bulgarian clergy and laymen, or as part of the political allies of the UDF.

1.3 Sources and techniques for collecting and analysing information

The present article is based on historical analysis of archival and published documents and content analysis of semi-standardized interviews. Although they were established in the 1980s and 1990s, the two associations (the Committee for the Protection of Religious Rights, Freedom of Conscience and Spiritual Values (1988–1990) and the *Salvation* Christian Union (1990–1995) are not well documented. Most archival materials are still in the private possession of their leaders and members, while a limited range of documents has been published or given to state archives. The audio and visual documents have also not been collected, except in private collections of the Committee and of the Union leaders. Therefore, I decided to supplement my analysis of available official and narrative documents by oral sources. In 2022–2023, I conducted four semi-standardized face-to-face interviews with former figures of the Union and an adept in Sofia and Plovdiv. All had spoken in detail about the founding of the formation and their motivation to participate in it or to follow its activities. In January 2023 I had a long talk with the Metropolitan of Sredetz Christopher (Sabev), during which he specified some facts and provided me with written, audio and visual documents from his private archive.

2 The emergence and rise of the charismatic religious community: The Committee for the Protection of Religious Rights, Freedom of Conscience and Spiritual Values (1988–1990)

On October 19, 1988, the Committee for the Protection of Religious Rights, Freedom of Conscience and Spiritual Values was founded in the city of Veliko Tarnovo – the capital of the medieval Bulgarian kingdom and former headquarters of the Bulgarian Patriarchate. Since its founding, it had drawn symbolic capital from both religious and political sources. The holiday of St. John of Rila (the patron saint of Bulgaria) was chosen, but at the same time the anniversary of the murder of Father Jerzy Popiełuszko (1947–1984) – chaplain of the *Solidarity* Trade Union, killed by Polish State Security because of accusations that he had slandered and plotted against the government and was in contact with the enemies of the country such as Pope John Paul II. It was paradoxical, but it was a fact that in the following years it was the courage and willingness to sacrifice of this charismatic clergyman from the Roman Catholic Church that became the 'role model' followed by the founder of the Committee. Its members wanted to look like the *Solidarity* workers – the Popiełuszko's charismatic community, especially in asserting their own identity as human rights defenders and dissidents (Sabev, Archbishop, 1994, pp. 23–31).

The subsequent history of the creation and development of this organization can be traced through the lens of Weber's theory of the exercise of charismatic authority and the nature of charismatic communities. The man who established the Committee was Hieromonk Christopher (Sabev) – an Orthodox junior clergyman from Veliko Tarnovo and from the Arbanassi Monastery. In the early biography of the future religious leader, the so-called Weber 'particular situation' in which a person is motivated for his social actions, could be described (Weber, 1978c, p. 13). It is connected at the micro level with family and local traditions, with the received upbringing and formed morality, and at the macro level – with educational institutions and other social actors.

In 1988, Father Christopher was 42 years old and had clearly formed religious and political views. Self-defined as a critic of the regime, he was arrested for anti-atheist statements in 1973. Subsequently, he graduated in theoretical physics at Sofia University, worked in the field of cosmic radiation, and specialized in the P. N. Lebedev Institute of Physics of the Academy of Sciences of the USSR in Moscow (1975–1977), where he became closely acquainted with the Soviet human rights movement of Prof. Sakharov. A radio ecologist by profession, Sabev became active especially after the Chernobyl accident (1986) (Sabev, Archbishop, 1994; Interview of Christopher Sabev, 2020).

Sabev's actions in the following decade were motivated by both political and religious motives, confirming Weber's observations that the political and religious 'value-spheres' constantly interacted and interpenetrated. Thus, those 'contradictory or mutually conflicting impulses' (Weber, 1978c, p. 13) are discovered in the young person: he was politically motivated to engage in religious activity, and after a while, being a monk, he received impulses to engage in politics.

Sabev describes himself as highly religious since childhood under the influence of his grandfather and mother and the religious literature he read. In his youth he received divine revelations and therefore decided to follow his 'inner voice' and became a clergyman. During his studies at the Sofia Academy of Theology (1980–1985), he communicated with his professors and fellow students with oppositional views (Nikolchev, 2014, pp. 138–139; Metodiev, 2011). He was also influenced by the dissident Blagoy Topuzliev – a parish priest who served a 5-year sentence for anti-communist activity. Founding the Independent Society for the Protection of Human Rights in Plovdiv in 1988, it was he who enrolled Father Christopher in it.[2] Sabev formed his 'revolutionary' attitude towards the world also in the circle of opposition-minded metropolitans, declaring themselves for urgent reforms in the BOC and personally – opposed by Patriarch Maxim, who contributed to its complete submission to the communist power. Father Christopher was described as a clergyman with a strong personal charisma: highly religious, phytotherapist, pretending to be a miracle-worker, with a strong character, vocation, dedication, wayward, conflicted and defiant (Simeonov, 1996, p. 639). Quite naturally, what Weber calls a 'circle of fellow believers' was formed around him, who recognized his charisma and gave him trust, respect and personal devotion (Cf. Weber, 1978a, pp. 452–464, 1143).

Since the organization was secret, in the next two years its members became only personally verified, known and faithful to the leader parishioners from Veliko Tarnovo

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[2] Blagoy Topuzliev (1946–2010) was expelled abroad in the spring of 1989.

and the surrounding area, Shoumen, Gorna Oryahovitsa and Plovdiv. They were young people (born in the 1940–1960s), men and women, with diverse professions (priests, teachers, students of Theology, musicians, carpenters and drivers) (Simeonov, 1996, pp. 640–641). It can be argued that they represented the typical charismatic religious community, united much more by religious synergy, emotions and by Sabev's charisma than by the mutual interests to work for the restoration of religious rights and freedoms. Over time they constructed their collective identity as well on a religious basis – initially in the local space of the Veliko Tarnovo Diocese, and subsequently built it up with political elements and expanded the 'space' to trans local (all the country) and virtual ('exporting' its ideas abroad through the means of large western radio stations).

Forced to quickly legitimize itself and under the influence of the rapidly changing international situation, the organization began to turn into a congregation (Weber, 1978a, pp. 452–464). The initially announced program statement of the Committee testified to reformism directed from the outside in, to combine religious ideas (for the study of religion in secondary and higher schools, for the return of the congregational beginning in the management of the BOC and for the restoration of the Julian calendar) with moderately political ones (for lustration of the metropolitans, recruited by the State Security), but practically not going beyond the reformism inside the BOC (Sabev, Archbishop, 1994, pp. 23–34; Cf. Kunicki, 2021). This tensions between the religious and political 'value-spheres', noted by Weber, can also be traced back to the spring of 1989, when the community began to act from the inside out. In the Committee's program, drawn upon the basis of those of the German Christian-Democratic Party, political demands based on the UN Universal Declaration of Human Rights and the Helsinki Accords prevail (PACS). Religious issues were brought to the fore, but viewed through the political perspective of universal human and civil rights (introduction of Sunday catechism, foundation of theological seminaries in each diocese, creation of youth and children's religious organizations, permission for radio and television broadcasts of Sunday and holiday services, projection of religious films, mass sale of the Bible and religious literature, legitimization of the social activity of the Church through hospitals, old and orphanages and boarding houses). With this, the Committee attacked atheism, one of the main policies of the totalitarian regime, but began to codify its new doctrine (PACS; Cf. *Tsarkoven vestnik*, 1989a, 1989b. Cf. Weber, 1978a, pp. 457–463). It is no coincidence that the authorities suspected that the ultimate goal of the Committee will be its legalization in the Christian-Democratic Party (Simeonov, 1996, p. 639). This is confirmed by the visible expansion of both its social base and its homogenization as a charismatic congregation with the participation of elements from other charismatic communities on an Orthodox and Protestant basis: the *Christian Unity* Orthodox Movement, the *Sons of Light* Hesychast Brotherhood, and the Protestant God's church. In 1989, negotiations were even held with the Bulgarian Muslims (Pomacs), who at that time were subjected to repression by the communist regime (Darzhavna, 2014, p. 1142; cf. Mollov, 2006; Altanov, 2011).[3]

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[3] Since 1972, the communist regime has pursued a policy of assimilation towards Muslims in the country (see Gruev & Kalionski, 2008).

What united the members and supporters of the Committee in conditions of illegal, informal existence for two whole years (1988–1989) was the figure of Father Christopher. He showed undeniable qualities of a spiritual leader with 'inner-worldly asceticism', described by Weber in contrast to the 'world-fleeing asceticism' of Orthodoxy (Weber, 1978a, pp. 541–550). The monk set out to 'master the world' and achieve 'this-worldly salvation', working through social action to transform it according to God's will (Weber, 1978a, pp. 541–544, 546–547, 551, 553): he boldly advertises the existence of the association through public litany processions, water consecrations and liturgies, which he carries out in Veliko Tarnovo, Gabrovo, Dryanovo and in the village of Samovodene (Sabev, Archbishop, 1994, pp. 24–31, 33). In response, he received bans from the administrative authorities; a refusal to register from the judicial authorities, and the ecclesiastics-imposed punishment on him and publicly condemned the demands of the Committee in their official position. In 1989, the leader of the Committee was subjected to several investigations by the State Security and surveillance, censorship of correspondence and was arrested for about 50 days (PACS; *Narodno delo,* 1992). Since the end of 1988, Father Christopher was looking for the legitimation of his charismatic authority not only by his followers, but also by external factors: he constantly reported his every action on the Radio Free Europe, the Deutsche Welle and the BBC, coordinated his activities with other human rights organizations, and had met with American, West German and French diplomats (Sabev, Archbishop, 1994, pp. 32–34). In the fall of 1989, it was the foreign embassies with their protests that managed to free him from arrest (Darzhavna, 2014, pp. 832, 862–865, 879–881; Sabev, Archbishop, 1994, p. 27; Simeonov, 1996, p. 639; Doynov, 1999, pp. 196, 202, 224). After his release, Father Christopher appeared as a charismatic actor both political and religious. In an Orthodox temple in the capital, he formally led the liturgy on the occasion of the great Orthodox feast of St. Dimiter (October 26), but at the same time he held a memorial service for the victims of natural disasters,[4] bearing in mind that at the same time the Ecoforum under the auspices of the Conference on Security and Cooperation was held in Sofia. It was possible that this action of his was in imitation of the so-called Masses for the Homeland, performed monthly by Father Jerzy Popiełuszko, which brought him great popularity, gathered thousands of participants and strengthened their confessional-national identity. In the same sequence of rational decisions, Father Christopher and members of the Committee participated in the first authorized mass march of dissidents in the country, organized on November 3 in Sofia – the day of Father Popiełuszko's burial in 1984, turned into a half-million-strong demonstration of Polish patriotism and a prominent Catholic identity.

According to Weber, charismatic religions are in constant interaction, but also tension, with the political field. Often the reduction of political pressure leads to a withdrawal from political activity and to indifference to the secular or a return to the religious 'value-sphere'. This finding can apparently be traced in the activities of Father Christopher after the fall of the communist regime in Bulgaria, as at first, he retained his commitment to politics, combining it with religious-ethical values and activities, but subsequently demonstrated a 'religious rejection of the world' (Weber, 1958a, pp. 345–355; cf. Weber, 1978a, pp. 590–592).

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[4] The largest of which was the USSR's fault in Chernobyl.

Contrary to expectations, however, at the first free rally of the opposition forces in Sofia on November 18, 1989, Father Christopher gave a speech filled not with political appeals, but with religious images. Citing the Holy Scriptures, he emphasized 'spiritual darkness, fear, uncertainty, repression, evil deeds, moral laxity, crime and soullessness' to which he contrasts 'the bright day, the day of truth, forgiveness, repentance, peace and love'. However, due to the stereotypes formed for the dissident organizations and specifically for the Committee as a political formation, his message was perceived as a political call for a peaceful transition, without confrontation and bloodshed (CSA, coll. 1466, inv. 2, file 10, f. 1–3; Sabev, Archbishop, 1994, pp. 39–40). After the rally, he led a procession to collect signatures for the legalization of the Committee (Darzhavna, 2014, p. 1124). It combined political and religious elements: participants carried placards, as in stenciled communist demonstrations, but also banners in the tradition of solemn Orthodox processions. In the next two months, Father Sabev asserted himself as an invariable participant in political actions in the capital and provincial cities, but he sought to introduce a religious element into them. This is a kind of 'innovation', because after the separation of church and state in Bulgaria (1949) for 45 years the political and the religious were autonomous, but in fact it represented a return to the pre-communist tradition of the BOC and at the same time following at least the Polish model and the Hungarian experience of the participation of the Catholic Church in the processes of democratization.

On December 7, 1989, the UDF was established as a coalition of ten dissident organizations, which were joined in 1990 by six more restored or newly formed parties. Although it was composed of extreme left to extreme right formations, at least until 2000 this union represented the main political force, insisting on the de-communization of the state and the democratization of Bulgarian society (Daynov, 2000). Its adherents form a specific collective identity based on anti-communism in various aspects (Tepavicharov, 2018; Karakachanov, 2020, pp. 69–78). The Committee for Religious Rights, which became one of its founders, ensured the connection of the political formation with the religious sphere in the next five years (until the emergence of authentic Christian-Democratic parties). Due to the transfer of its activity from a local (Veliko Tarnovo Diocese) to a national level, the process of forming a religious congregation was stopped, and numerous sympathizers, supporters and followers entered into the committee on the grounds of charismatic-religious or political motivation.

On the day of the establishment of the UDF, the Committee held a rally-procession together with the Committee of the Repressed Victims. Since the 1980s communist government's ban of all church processions, liturgies, etc., in this first free display of religion, 15 000 people took part, crossing the capital carrying icons, banners and posters 'God is Love' and 'a Bible for Every Home' and singing hymns. After delivering a petition for religious freedoms to Parliament, participating Orthodox priests, believers and bystanders held an open-air Christian vigil in the square in front of the Mausoleum of communist leader Georgi Dimitrov (Sabev, Archbishop, 1994, p. 28). In the winter of 1989–1990, these silent vigils gathered more than 100 thousand people daily. In his memoirs, Sabev describes them as common religious rites, typical for the Orthodox in times of disaster, which, according to him, were collective prayers for a peaceful transition to democracy as

well (Sabev, Archbishop, 1994, pp. 28–29). Today, the clergyman adds details that actually prove his charismatic actions, which managed to attract a mass of followers in a short time: 'Well, it's true that I gathered the people. In fact, the God was gathering them. I didn't use anyone; even the UDF used me to collect people. My task all along was spiritual, though things went awry after that' (Interview of Christopher Sabev, 2020). This statement confirms Weber's claim that preaching is one of the main means, along with the codification of doctrine and the creation of dogmas, to legitimize charisma and therefore is intensified in periods of prophetic agitation (Weber, 1978a, pp. 464–467).

Such kinds of vigils are also an excellent illustration of Weber's thesis about the short-lived and extraordinary but irresistible effect of charisma before its routinization (Cf. Weber, 1978a, pp. 243, 246), but contrary to Sabev's claims, they are not widespread in the Orthodoxy. If they are practiced, they take place in the enclosed temple space or in the adjacent churchyard, possibly in sacred, pilgrimage sites, and gather only the most faithful. In this case, the most politicized *'stage'* in the country was used for this purpose, where demonstrations and military parades were organized over the decades and communist leaders were welcomed, and which was decorated with party symbols. It is obvious that even then, Father Sabev drew many of his ideas from the experience of the Polish *Solidarity*, which was the first to introduce liturgies and communions in the factories, and clerics such as Father Popiełuszko gathered thousands of people with sermons on air.

In the Bulgarian case, however, most of the participants in the open vigils were learning to say the 'The Lord's Prayer' for the first time, attracted by the reading of the Scriptures and from the performances of a church choir. Some went casually after work but continued to visit for months, bringing friends and acquaintances, others activated their passive religiosity, sharing that they felt 'stunning and mystical' (Interview with E.I.). For others, the evening collective prayers with lit candles were a political act that affirmed democracy in a symbolic place, under the windows of the political headquarters of the former Communist Party, in front of the Mausoleum of Georgi Dimitrov and in the square, spontaneously renamed from the *9th of September* (the date of the coup d'état in 1944) to *Democracy*. For them, the vigils were the embodiment of the bloodless Bulgarian revolution (Interview with A.D.; Cf. Sabev, Archbishop, 1994, p. 211).

In the period 1989–1990, the Committee, now part of the UDF, still retained its form as a charismatic religious community, strongly connected to the political 'value-sphere'. The organization was at the forefront of several landmark political rallies in the capital: the student protest against Art. 1 of the Constitution on the leadership role of the BCP (December 14, 1989), when Father Christopher barely succeeded in pacifying the participants, determined to invade the parliament by force; at the memorial service of Academician Andrey Sakharov and at the procession to the Romanian embassy, where, in the midst of the so-called Romanian Revolution, Sabev anathematized the totalitarian leader Nicolae Ceaușescu (December 18–20, 1989); as well as at the rally for reconciliation between Bulgarians and Turks, who raised a request to the government to restore the Muslim names of the Turks renamed by the communist authorities in the country (1990) (Sabev, Archbishop, 2008).

3 The charismatic religious congregation: the Salvation Christian Union (1990–1995)

In 1990, Father Christopher still driven by his vocation (Cf. Weber, 1978b) entered politics on behalf of his committee, which he renamed the *Salvation* Christian Union (SCU). Although it still bore the marks of a dissident structure against communism, its members had had a specific religious identity and a set of Christian values that distinguished them from other political unions and newly created parties.

In January–April 1990, Father Christopher expressed his desire to participate with devotion and 'inner-worldly asceticism' in politics in order to create a new democratic order. He was chosen to participate in the Round Table – one of the most important political mechanisms of the transition, where the ruling party from the BSP negotiated with the opposition from the UDF, and in the following months he was often sought to calm crisis situations (Kalinova & Baeva, 2001). Thus, on February 25, 1990, the cleric prevented the rallying anti-communists from smashing the Mausoleum and destroying the embalmed mummy of leader Georgi Dimitrov (Cf. Todorova, 2006). Today, the Bishop claims that he thus prevented serious and unnecessary political clashes (Interview of Christopher Sabev, 2019), possibly identifying with his idol Jerzy Popiełuszko, who had a similar role during martial law in Poland in 1981–1983. In April the same year Father Christopher set an example of national reconciliation by holding a memorial service for the fallen victims of the regime in the concentration camp near the town of Lovech, thus starting a commemorative practice that is still followed today. Twice more, after losing an election of the UDF in June 1990 and after the burning of the BSP Headquarters in August, the leader and priests of the SCU did not hesitate to use their eloquence and authority to stop extremist actions.

Since the beginning of transition, Father Sabev gradually withdrew from the political sphere in order to devote himself mainly to the crisis in the BOC, which began as a result of its passive position towards political and social changes. This decision was completely predictable, since, according to Weber, it may be a reaction to the already ended high pressure of the totalitarian regime, but also a search for an opportunity to demonstrate his true devotion to religion outside of power, in the religious 'value-sphere' (Weber, 1978a, pp. 590–597). The priest already supplemented his 'value-rational' orientation with a 'goal-instrumental' one. According to him, his charismatic mission to reform the BOC, called by Weber an 'internal task', included not only its activation, but above all its de-communization. Elected chairman of the Commission on Religions in the Parliament (1991–1994), Father Sabev invested systematic efforts in this area (Sabev, Archbishop, 1994, p. 13; *24 chasa*, 1991b). 'We were idealists', he comments on the events today, 'I was in politics because of religion' (Interview of Christopher Sabev, 2019; Interview of Christopher Sabev, 2021).

At the beginning of the 1990s, Father Christopher also set about strengthening his congregation, improving relations with his followers and increasingly sharply distinguishing himself from the *'sacred tradition'* that represents the BOC (cf. Weber, 1978a, pp. 452–464). For this purpose, he initially created a new religious symbolism in the political social field, with which to outline the autonomy of the new church he envisioned. A large

part of his ideas was borrowed from the experience of the Polish *Solidarity* (Sochaczewski, 2015) and specifically from his example, Father Popiełuszko. Thus, the political manifestations of UDF always began with prayer or worship; on every major Christian holiday, processions, rallies, concerts and even motorcades with political slogans 'Communism Never More' were organized; the emblems of the UDF and the SCU were carried in political processions together with icons and banners; priests used the gesture of blessing together with the sign of victory; the blue color of the UDF replaced the traditional Orthodox purple color in the vestments of priests and bishops.

In 1991–1992, Father Christopher proceeded to what Weber called a 'permanent association of laymen' (Weber, 1978a, p. 452), creating 15 branches of the SCU throughout the country. In general, the registered members are dominated by people of a youthful and active age who share the ideas of political democratization (CSA, coll. 1466, inv. 2, file 771). Former members explain their motivations for joining the Union in different ways. According to some, membership in the UDF and generally the desire to change society for the better and more elevated brought them to it (Interview with D.A.). Raised in families with religious traditions, others believed that the BOC was collaborating with the communists and must be reformed. So, the Union became the desired institution with which to realize their ideas (Interview with A.D.). Others talked about their personal sympathy for the leader Father Sabev and mainly about his charm and ability to communicate with people. They said that their first impetus was the night vigils, and then enrolling in the Union became a natural step for closer contact with him and his work (Interview with H.M.). It was this segment of the formation that subsequently became the nucleus for its transformation into a completely religious charismatic congregation. Bonding for the formation, as a community based on affective ties according to Weber's typology (Weber, 1978c, pp. 30–31), were blood-kinship and neighbor-territorial networks: in most branches, entire simple or extended families, neighbours, friends and colleagues, often living in the same neighborhood, on one and the same street or block of flats. Its social composition was heterogeneous and included: a core of Orthodox priests and of people of various occupations and professions (medical doctors, scientists, lawyers, entrepreneurs, workers, students, housewives and pensioners), with a total number of about 115 people in 1995 (CSA, coll. 1466, inv. 2, file 771, f. 3–5, 14–16, 18, 20–21, 29–29gr.; Sabev, Archbishop, 1994, p. 31), and a periphery of hundreds of people, both sympathizers of the Union and Orthodox believers. An interviewee says that she has not missed an initiative of SCU in Sofia, regardless of her own commitments. She fondly remembers her participation in a rally when Father Sabev and deputies from the SDS demanded the resignation of the metropolitans from the 'red vestments' (Interview with E.I.; *24 chasa*, 1991a; *Standart*, 1994). This brought the formation closer to similar charismatic religious movements that arose or were activated in the early 1990s in post-communist countries (e.g. the Catholic *Radio Maryja* of Father Rydzyk in Poland or the Protestant Nazarenes in Romania and Serbia) (Bria, 1998; Gog, 2006; Płachecka, 2022; Djurić Milovanović, 2022; Alexov, 2017).

Wanting to turn the SCU congregation into a mass charismatic movement that would set in motion the processes of reforming the BOC, Father Christopher made maximum use of the resources of the political 'value-sphere'. A large part of the ideas of the SCU were implemented at the local level through its members, who were elected municipal councilors or deputy mayors in large cities (SA-Sofia, coll. 65, inv.15, file 480, f. 81–86).

The SCU gained full support of the UDF's leadership for the de-communization of the BOC: Father Sabev held the high post of Vice-Chairman for spiritual affairs of the UDF, and in 1991–1992 ministers, deputies, and mayors from the UDF supported the demands of the Union for the resignations of the bishops of Holy Synod of the BOC. The headlines of posters stretched at rallies were: 'To cleanse the Church of the effects of communism' and 'Orthodoxy or Communism' (*24 chasa*, 1991a). In June 1991, the National Conference of the UDF adopted a Declaration for the renewal of the BOC, insisting like the SCU that the bishops and the patriarch appointed by the dictator Todor Zhivkov's regime resign, and for renewal and a 'true spiritual life' (*24 chasa*, 1991b; CSA, coll. 1466, inv. 2, file 154, f. 11).

In May–June 1992, the SCU initiated the split of the existing Holy Synod and the creation of a new one. Its members and followers took over the Headquarters of the BOC in Sofia, the Sofia Theological Seminary and the candle foundry. Thus, the reformation ideas of the charismatic leader became an impulse for the action of his charismatic supporters, but also for the disintegration of the SCU. The beginning of the internal church schism in the BOC, which ended only in 2004, was the cause of a serious internal crisis (Cf. Kalkandzieva, 2012). Today Archbishop Christopher denies his guilt for the schism in the BOC, claiming in a charismatic way: 'I am not a schismatic. I am for de-communization of the church. And they call de-communization a schism. I wanted those who were from the State Security to give up the positions they held in all areas [...] This was not a schism. In the 1990s, the de-communization of the Church was supposed to take place, but this did not happen' (Interview of Christopher Sabev, 2020).

In May 1992, the alternative Holy Synod that broke away ordained chose Hieromonk Christopher as a bishop and included him as a permanent member. By entering this institution, based, according to Weber, on authority, power and centralization (Weber, 1978a, p. 1159–1163), and taking entirely 'goal-instrumental' actions, the leader actually put the Union into crisis. Centrifugal processes began from the Plovdiv, where members dissatisfied with the 'arbitrary, authoritarian approaches and decisions' of the leader demanded his resignation, although his participation in the Holy Synod lasted only until June 1993, when the Supreme Court declared his election illegal (CSA, coll. 1466, inv. 2, file 771, f. 17).[5] In fact, the crisis was caused by Sabev's attempt, as a type of prophet, to come to an agreement with the 'sacred tradition' (Holy Synod), he had denied before, and to finally transform the charismatic community into a congregation with clear rules, rights and obligations. This tension became the cause.

Rejecting politics and focusing only on the religious 'value-sphere' Bishop Christopher set about constructing a new church, sharply differentiated from the BOC and the Alternative Holy Synod. In January 1993, he convened a council at which communism was condemned to eternal damnation as guilty of 'all the evils of humanity' (CSA, f.15; file 154, f. 58–60gr.). In the summer of the same year, an independent All-Orthodox Bulgarian Archdiocese was established in Veliko Tarnovo with a radical platform for 'purification of

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[5] The disunity was also strengthened by the destructive political events in 1992–1995: the fall from power of the UDF, the management of coalition cabinets serving the former communist nomenclature and disagreements about economic reforms. See Daynov, 2000.

the BOC', including the return of the Julian (Old) calendar, separation from ecumenical activity and the World Council of Churches, and ideological resistance to heresies and (Protestant) sects (*Demokratsiya,* 1993).

Bishop Christopher's religious ideas and practices are not accepted by the majority of SCU followers, who are actually on the fringes of his spiritual congregation, because they are primarily attracted to the Union's political ideas rather than its religious character (Interview with H.M.). These tensions in the relationship between the prophet and the political community due to non-reciprocal expectations are analyzed in detail by Weber, who does not predict an optimistic outcome (Weber, 1978a, pp. 210, 452–464; Cf. Parsons, 1949). The SCU finally disintegrated after the departure of its charismatic leader to the United States in 1995, where he was granted political asylum. Subsequently, its members choose different ways to preserve their religious identity and desire for active social activity. Most of them focused on the political parties closest in profile, sharing the ideas of Christian democracy. Their natural choice became the UDF, which ended the schism in 2004 (CSA, coll 1466, inv. 2, file 154, f. 224–226) and the BOC needs unity and indivisibility. Some of the members joined other NGOs with a distinctly religious profile, and there were not a few members and sympathizers who entered the Old-Calendar churches, which continued to criticize the BOC (CSA, coll 1466, inv. 2, file 154, f. 7; *Prelom*, 1993).

Today, Archbishop Christopher refuses to comment on the collapse of the SCU (Conversation with Christopher (Sabev)). But it could be analyzed through the Weberian perspective, which claims that charismatic communities can only be stable as long as their leader stands at their head and they are subject to external pressure. Along with the emigration of Archbishop Christopher and the elimination of the atheistic regime as a protagonist, reasons for the disintegration of the SCU can be sought in the multiple motivations for social action of its members, in its failure to transform itself into a lasting structure, as well as to create written dogmas and canonical texts.

4 Conclusion

The conducted research allows some basic conclusions to be drawn. Above all, the Weberian methodology is a powerful analytical tool to understand possible collective and individual social actions and their historically outcomes.

Thanks to this perspective, it is established that the transition from totalitarianism to democracy, which began in the mid-1980s as a result of the reformation processes in Poland and Perestroika in the USSR, can be considered sociologically as a period in which a number of religious charismatic communities in the Eastern Europe, they tried to connect the religious and political 'value-spheres' and to use them for their own social action of the value-rational and goal-instrumental type. In Bulgaria, such communities were formed on the model of Polish *Solidarity* – a political community of a charismatic type, including a leader and followers (human rights activists, trade unionists and Catholic clergy), guided by a goal-instrumental choice, and combining the secular with the religious.

The Committee for the Protection of Religious Rights, Freedom of Conscience and Spiritual Values was founded in 1988 illustrating the Weberian model: by Father Christopher (Sabev), a charismatic Orthodox clergyman, who used kinship and territorial networks to

create a circle of supporters and followers and who subsequently activated them for social action primarily in the political sphere. Since the beginning of the political transition in the early 1990s, the community became an active agent of social change and civic mobilization. By decision of its leader, it was transformed into an Orthodox charismatic congregation, the *Salvation* Christian Union, whose task was to proceed with the reformation of the BOC, perceived as the guardian of the 'traditional power'. Led by a charismatic leader, it became a mass movement of Orthodox people from the country's big cities, connecting young, highly educated, politically active anti-communists, incl. Orthodox clergy and laity. It was strongly supported by the political parties and organizations working to dismantle the totalitarian regime.

Although the *Salvation* Christian Union was similar in social composition and orientation to the charismatic religious movements in Southeast and Eastern Europe (the Nazarenes in Serbia and Romania, those of the *Solidarity* Movement, of *Radio Maryja* and of the School of the Virgin Mary in Poland and Ukraine) (Djurić Milovanović, 2022; Stan & Turcescu, 2007; Gog, 2006; Mirescu, 2015; Bratosin & Ionescu, 2009), it did not achieve their reforming successes (Pollack, 2001; Pollack, 2004) towards the local Orthodox Church. The reasons for this can be explained again with the Weberian concept: because the Union soon disintegrated due to the multiple motivations of its members, because of the strong tensions that arose between them and their leader, and because of his own decision to carry out his true 'religious rejection of the world'.

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Pedro Jorge Caetano* & Manuela Mendes**

The 'Spirit' of Schooling: The relevance of the sense of a calling on the school experiences of secondary-school Roma/Ciganos students[1]

* [caepedro@gmail.com] (CICS.NOVA, New University of Lisbon)
** [mamendesster@gmail.com] (ISCSP, University of Lisbon)

Abstract

In *The Protestant Ethic and the Spirit of Capitalism* (PE), Max Weber examines the ecological domination of instrumental rationality to the detriment of value-oriented action. The concept of the calling (*Beruf* in German) becomes a key one for interpreting the process of value rationalization. One can find Weberian value-rationality among the Portuguese Roma/Ciganos, who seek alternative livelihood strategies via schooling, although they are still characterized by a high rate of early school dropouts, with a very low number of students attending secondary education. The EDUCIG (School performance among Ciganos/Roma: action research and co-design) project was launched in 2019 to grasp the multiple factors involved in this social problem. The project interview-based analysis entailed the participation of 31 Roma/Ciganos students from the metropolitan areas of Lisbon and Porto. Results suggest that despite the social, cultural and economic constraints affecting their school pathways, the academic success of young Roma/Ciganos is facilitated by the influence of religion, specifically the Pentecostal Evangelical Church and its respective values. Moreover, we can recognize the emergence of a new 'spirit' in these young Roma/Ciganos, a 'spirit' that does not aim at instant gratification but represents an investment in the future and, simultaneously, a desire for integration.

Keywords: Roma/Ciganos; Max Weber; value-rationality; calling; spirit; schooling

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[1] In the text, the terms 'Ciganos', 'Gitano' and 'Roma' are used. The preferred term is 'Ciganos', as it conveys the respect with which members of this ethnic group recognize themselves and refer to each other in Portugal (emic sense). Similarly, the term 'Roma' is used when the reference to the ethnic group is contextualized within the European framework or in relation to Eastern Europe. For instance, the term 'Gitano' applies to ethnic members from Spain. The term 'Ciganos' is also used in the interviewees' quotes. Except for these cases, the term 'Roma/Ciganos' is used.

A Dr. Chinnery, whom I met on one of my visits to America, told me of a gipsy horse-dealer for whose conversion he had been particularly anxious and with whom he had frequently talked. Said this gipsy, 'Can I be a Christian and sell horses?' Dr. Chinnery urged him to try and he did. The poor gipsy found the conjunction of callings very difficult, but he managed to make it work [...]. His Christianity did not in the least hinder, but rather helped his horse-dealing. (Gipsy Smith, 1903, pp. 23–24)

1 Introduction

The Roma are the largest ethnic minority in Europe, with a large majority living in conditions of widespread social exclusion. According to the European Union Agency for Fundamental Rights (FRA, 2022, p. 25), Portugal has one of the highest rates of poverty and deprivation among ten countries in the European Union[2] that are home to more than 90 per cent of the Roma population in this geographical area (FRA, 2022, p. 6). It is not surprising, therefore, that Portugal from this group of countries has the smallest proportion (10 per cent) of Roma/Ciganos aged between 20 and 24 who have completed at least upper secondary education. Moreover, the European Union *Framework for National Roma Integration Strategies up to 2020* (COM/2011/0173, 2011) recommended that all Member States should adopt active measures to engage young Roma in secondary education to guarantee their access to higher quality education, as well as to reduce school absenteeism at this level (COM/2011/0173, 2011). In addition, in the review process in 2018, the implementation of mechanisms to encourage the access and attendance of young Roma in secondary education was established as a measure to be adopted (RCM No. 154/2018). In fact, in 2016, the report of the European Commission on the implementation of National Roma Integration Strategies to the European Parliament and Council (COM/2019/406) stated that only 18 per cent of Roma students over the age of 16 had completed the upper secondary level, 38 per cent lower secondary, 29 per cent primary education, and 14 per cent had not completed primary education. According to this report, among the most common measures implemented by the states aimed at reducing the early school dropout rate among Roma students are support for and promotion of the completion of their studies at the secondary and higher education levels.

In the Portuguese case, and taking into account recent estimates that reveal that only about 3 per cent of Portuguese Ciganos complete levels of education equal to or higher than upper secondary, support for furthering their studies at higher levels of education is a particularly relevant goal. Within this scope, the EDUCIG action-research project 'School achievement among Roma/Ciganos: action-research and co-design project'[3] sought to identify the determining factors and understand the trajectories of Roma/Ciganos students attending secondary school in the metropolitan areas of Lisbon (LMA) and Porto (PMA), as well as their expectations regarding access to higher education. In this study, the heterogeneity associated with variation in the students' aspirations for upward mobility was clear, as were differentiations in the construction processes of in-between identities among the participants (Mendes, 2023). In fact, it is important to emphasise the nuances

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[2] Eight of these countries are members of the European Union (Croatia, Czech Republic, Greece, Hungary, Italy, Portugal, Romania, and Spain), while two are accession countries (North Macedonia and Serbia).
[3] Developed within the framework of CIES-Iscte, reference: PTDC/CED-EDG/30175/2017.

and the cultural diversity and heterogeneity among the Roma/Ciganos, as well as the various forms of social and spatial incorporation that characterise their lives (Magano, 2010; Nicolau, 2010; Mendes, Magano & Candeias, 2014).

In the past two decades, Portugal has achieved a remarkable political triumph in its endeavour to significantly diminish the incidence of students who leave school early, particularly regarding the exceedingly high levels of failure in secondary education. As this rates continues to be consistently reduced, it has come to light that the Roma/Ciganos population stands out amongst all others due to their notable tendency to drop out of school and comparatively weaker educational attainment. In recent times, the Roma/Ciganos population has been awarded priority in Portuguese educational policies in a bid to curb early school dropout rates. Subsequently, a range of targeted educational actions have been implemented for this group; however, there is still no systematic and comprehensive approach towards these measures. Some examples of such measures include scholarship provisions for secondary education, the training of teachers and educators about Ciganos history and culture, and the promotion of intercultural teaching, among others. Additionally, the generalisation of inclusive educational practices and differentiated pedagogical approaches across all levels of the educational system are also being pursued as part of efforts to promote academic achievement among Roma/Ciganos people. The EDUCIG project represents one such initiative aimed at combating academic underachievement within this demographic group.

Nonetheless, the remarkable decline in the rate of school dropout across the nation is not paralleled by that of Roma/Ciganos individuals. Despite this group's unsuccessful attempts to complete education, the issue remains exceedingly urgent (Mendes, 2023). This predicament is not solely one of quantitative expansion; rather, it also pertains to qualitative aspects since a considerable portion of Roma/Ciganos' educational accomplishments are due to their being relegated to lower tiers of under-resourced and discredited education, with few students enrolled in regular schooling programs.

It is therefore important to broaden the scope of investigation into the educational failure of Roma/Ciganos. The extreme poverty of this group in Portugal is certainly one of the biggest obstacles, and it is in view of this economic factor that Weber's line of argument in *The Protestant Ethic and the Spirit of Capitalism* (PE) acquires relevance and is explored here. Consequently, it is imperative to expand the scope of inquiry into the academic underachievement of Roma/Ciganos individuals. Undeniably, one of the major hindrances for this group in Portugal is their dire poverty and that 'the effects of poverty are strongly conditioned by social attitudes' (UNESCO, 2009, p. 2). In light of this fact, Weber's thesis regarding the influence of cultural and religious factors on social and economic life in PE becomes pertinent and warrants further exploration.

In the initial pages of this oeuvre, Weber addresses the issue of the connection between work productivity and wage value. He asserts that an increase in efficiency is directly linked to the necessity of activity being 'performed as if it were an absolute end in itself, a calling. But such an attitude is by no means a product of nature. It cannot be evoked by low wages or high ones alone, but can only be the product of a long and arduous process of education' (Weber, 2005, p. 25). Weber endeavoured to illustrate that education, as a result of socialisation, was an outcome of the impact of religion on economic activity. We aim to delve into this argument with the intention of enhancing our understanding of the relationship between the Roma/Ciganos population and formal education.

This article highlights specific findings from our project, which is aimed at conducting an exploratory analysis of the hypothesis that there is a positive correlation between religion and the educational trajectory of Roma/Ciganos. Our primary objective is to investigate how a religious *ethos* can function as a motivating tool for rationalising the lives of young Ciganos by fostering a 'spirit of schooling'. Our attention here is not, therefore, devoted to the structural elements shaping the lives of these students, including the prevailing socio-political milieu or even the configuration and organisation of educational institutions that may facilitate or hinder Roma/Cigano education. Rather, we aim to address the 'upstream' of this issue by examining the attitudes and behaviour of younger Roma/Ciganos towards schooling, which are deeply ingrained in their beliefs and cultural practices.

In the still-incipient research undertaken in Portugal on the issue, the role of religion in promoting the education of Roma/Ciganos has not led to a consensus (Rodrigues, 2013; Mendes, Magano & Candeias, 2014). However, Gofka (2016), in a study of successful trajectories of Roma students in Greece, identifies religion, a community variable, as a factor promoting the continuity of school trajectories, either through the development of a sense of inner strength that helps students to overcome setbacks, along with ethical guidelines and principles, emotional support, and the increased literacy of the dominant culture, or through exposure to role models, mentoring, and the setting of high expectations regarding school.

Utilizing Weber's perspectives, our objective is not to ascertain a direct correlation between religion and education; instead, we strive to comprehend the role of religion (*ethos*) in rationalizing the lives of these young individuals while encouraging them to adopt more favourable attitudes towards learning and life. In PE, Weber makes two significant advancements in the field of social sciences that are relevant to our purpose. First, he portrays religion as a 'positive force' that motivates economic actors to adopt a distinct perspective on economic matters and labour (Agevall, 1999, p. 239) rather than an impediment in which religious sentiments and power are assumed to be essentially obstructive (Ola, 1999, p. 238). Second, he introduces the notion of vocation (*Beruf*) into sociological analysis. In parallel with Bourdieu's *habitus*, the concept of vocation enables us to examine the connection between action and structure by associating an internally ingrained ethical subjectivity (based on distinct values) with a directed approach towards economic activity and a specific relationship with the world (Kalberg, 2002, p. xvi). In PE, Weber evinces a profound interest in a particular form of behaviour (*Lebensführung*), which he believes to be suitable for modern capitalism. According to Weber (2002), this mode of conduct and perception concerning one's 'calling' may serve as a valuable heuristic instrument in comprehending the origins of modern Western capitalism from a historical perspective.

Drawing on Weber, who in PE states that 'we only wish to ascertain whether and to what extent religious forces have taken part in the qualitative formation and the quantitative expansion of that spirit over the world' (Weber, 2005, p. 49), we explore how religion qualitatively shapes the schooling trajectory of Roma/Ciganos. To sustain this hypothesis on the basis of a Weberian rationale, we develop our argument in three stages: in the first stage, we highlight a connection between the Roma/Ciganos and religion; in the second stage, we show the existence of a bond between religion and the schooling of Roma/Ciganos; and finally, in the third stage, we outline the 'spirit' of schooling of Portuguese Roma/Ciganos.

2 Ciganos and value-rationality

Throughout their history, the Roma early constituted themselves as pariahs in the Weberian sense of the expression. Indeed, as Weber (1978, p. 493) states in *The Sociology of Religion*, albeit referring to Jews and Hindus: '"pariah people" denotes a distinctive hereditary social group lacking autonomous political organization and characterized by internal prohibitions against commensality and intermarriage originally founded upon magical, tabooistic, and ritual injunctions'. In addition, the Roma maintain a relationship of 'political and social disprivilege' with regard to dominant groups, which Weber's definition also helps us to conceptualize: 'their pariah status also involves segregation from the outer world as a result of taboos, hereditary religious obligations in the conduct of life, and the association of salvation hopes with their pariah status' (Weber, 1978, p. 493). Weber's description of the condition of a pariah group as a reflection of inter-group differentiation on the horizontal plane of coexistence, as far as Jews are concerned, can also extend to the Roma. According to Weber, the 'pariah' identity is nourished by the notion of 'chosen people' (Weber, 1978, p. 391) in the specific case of these rejected groups. This inspired idea contributes to reinforcing 'the belief of a common ethnicity' among its members so that 'ethnic repulsion may take hold of all conceivable differences among the notions of propriety and transform them into "ethnic conventions"' (Weber, 1978, p. 391). On an ethical level, 'as a pariah people, they retain [...] the double standard of morals which is characteristic of primordial economic practice in all communities: what is prohibited in relation to one's brothers is permitted in relation to strangers' (Weber, 1978, p. 614).

In Weber's terms (1978, p. 1200), we can say that among both Jews and Roma, intra-group solidarity results from direct obedience to the Law bound by blood ties and not from the internalization of civility-oriented rules. In fact, as Mendes (2005) states concerning the Ciganos, respect for '"Cigano law" overrides the respect for the national juridical order' to the extent that the *ethos* of the Ciganos is directed towards the 'defence of cultural values inherent to the ethnic group' (Mendes, 2005, p. 144), since their non-observance puts at stake the stability of the social structure of the group, as well as its cultural survival. In this way, 'on the margin of the non-Ciganos legal system, an intra-group justice operates, which is established and (re)established by a kind of assembly familiar with the norms of the Cigano tradition' (Mendes, 2005, p. 149).

The parallel ethical and legal device represented by this kind of assembly is constituted across the kinship system, another mainstay of group organization, the function of which is to avoid splits in the social body. It is in this context that the elders of the group play an important role as moral guardians of the conventions transmitted orally from generation to generation. In particular, 'one values and respects the individual who has had a life characterized by honesty, seriousness, and understanding for the other' (Mendes, 2005, p. 147). With regard to intra-group relations, members tend to value substantive rationality 'as a manifestation of man's inherent capacity for value-rational action' (Kalberg, 1980, p. 1155).

In contrast, the relations between Ciganos and non-Ciganos rely on an attitude conforming to practical rationality that 'indicates a diffuse tendency to calculate and to solve routine problems by means-end rational patterns of action in reference to pragmatic self-interests' (Kalberg, 1980, p. 1158); or, in Weber's terminology, with respect to the connection between Jews and non-Jews, there exists an 'ethical indifference' (Weber, 1978, p. 615).

A paradigmatic case of this ethical-moral framework is the duty of the Cigano woman obliged to assume her role 'as the "guardian" of traditions and guarantor of the cohesion of the group', playing a central part in 'inhibiting its disruption' (Mendes, 2005, p. 145). Thus, 'marriage to a non-Cigano is something that family groups try to avoid by all ways and means' (Mendes, 2005, p. 142), for 'having a son, but above all, a daughter married to a non-Cigano constitutes the "worst grief" that can befall a Cigano family: this situation immediately triggers processes of social downgrading and intra-group censure, leading to a loss of prestige and reputation' (Mendes, 2005, p. 143).

The concept of social honour, attached to the status of members of a lineage, sheds some light on this point of view. Resisting the inexorable acceleration of time (Rosa, 2013) and seeking to adapt to increasingly globalized processes and flows at this turn of the millennium, under the permanent threat of their dissolution and subsequent assimilation into the majority group, the substantive rationality (Weber, 1978, p. 87) of Ciganos enables them to continuously find the most convenient solutions to preserve the most determinant traits of their cultural uniqueness.

The relatively early marriage of Roma/Ciganos girls has been utilized as a mechanism for upholding the social status of the clan, traditions and social cohesion of the group, which, in conjunction with external pressures to initiate early familial unions and the corresponding urgency of generating income rapidly, fosters an environment conducive to the untimely withdrawal of Roma/Ciganos juveniles from educational institutions. The education of adolescents is therefore viewed as a trivial matter for numerous families belonging to this ethnic group. In this regard, the Roma/Cigano ethos can be deemed one of the most formidable impediments to young individuals' academic pursuits.

3 Methodology

The EDUCIG project aimed, amongst other objectives, to i) identify and describe the educational pathways of young Ciganos in secondary education; ii) uncover both inhibiting and enabling factors that affect the continuation of these educational pathways in secondary education; iii) comprehend the (in)congruity between valuing education and familial expectations, as well as those of young individuals and schools themselves; iv) gain insight into the lives of young Ciganos attending secondary school within their home environment and society at large; v) ascertain how parents and students perceive acculturation processes; and vi) evaluate limitations, potentialities, and impacts on social policies, measures, and projects concerning young Ciganos' academic trajectories.

This article is grounded in select findings from the project yet primarily serves as an exploratory analysis of the hypothesis of a favourable correlation between religion and the educational path of Roma/Ciganos.[4]

In the Lisbon Metropolitan Area (LMA), a total of 16 young individuals were interviewed, consisting of 12 males and four females. The central topics that constituted the interview guide encompassed personal life chronicles (specifically, places of residence, relocation and establishment of one's own household and career); characterization and

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[4] Compulsory education in Portugal ends with upper secondary school (twelfth year)

lineage history (pertaining to education, professional vocations, and lifestyles); educational background (academic trajectory, encounters with prejudice), leisure time activities such as religious practices or participation in associations for sports, culture or recreation; and future prospects as well as perspectives on enhancing the circumstances of young Ciganos in academic settings. In the following analysis, we delve into the influence of religious customs on the academic trajectories of certain interviewees.

The majority of these interviewees reside in municipalities located on the outskirts of the city of Lisbon or along the southern bank of the river Tagus. Similarly, within the Porto Metropolitan Area (PMA), a group comprising 15 young people was also interviewed, including eight males and seven females. Of this cohort, eight individuals live within Porto's municipality, while the remainder are situated in neighbouring areas. It is noteworthy that these students have an average age of 18.2 years.

Seventeen youths were either enrolled in or had already completed their final year of secondary education. The majority of these individuals had academic achievements surpassing those of their parents. 22 of the individuals in question identified themselves as religious, with 17 specifying their affiliation with the Evangelical Church. Following this, exploratory interviews were conducted with three pastors from the same church located in LMA. The objective was to gain insight into how religion and participation in evangelical services/activities influence the educational journey of young Roma/Ciganos who attend secondary school. The present analysis focuses on the responses provided by a group of 17 students and three devout ministers.

Initially, the analysis of the collected data adhered to traditional content analysis (Bardin, 2011), focusing on the primary elements of the questionnaire. Additional categories and subcategories were defined through a process of code-mixing. Following this, the categories deemed most pertinent to the study's specific aim were carefully chosen and subjected to thorough thematic analysis (Clarke et al., 2019) in order to identify themes as well as sub-themes that best encapsulate the religious beliefs and practices of the interviewees. Data analysis was undertaken by two independent coders and subsequently discussed within the entire team. All data were analysed with the support of Maxqda software, which yielded crucial dimensions pertaining to the significance and influence of religion on the academic trajectories and network sociability of these young students.

4 Religion and Ciganos

According to Weber (1978, p. 325), 'from the sociological point of view [...] ethical validity is normally identical with validity "on religious grounds" or "by virtue of convention"' (Weber, 1978, p. 325). In this respect, the Pentecostal idea of predestination, whereby God has granted special grace to the Roma/Ciganos people and culture, has the effect of acting productively to consolidate their identity pride in contrast to the innumerable trials and concerns they have suffered over the centuries and in different national contexts. This idea operates in a quasi-religious manner through the belief in ethnic singularity, as the viewpoint of one of our respondents makes explicitly clear: 'because ethnicity itself is like a religion, [but] instead of having a God on top, it's the family and [Cigano] society' (Emília, 19 years old, LMA resident).

But this belief does not exclude the ways that, in the incessant search for forms of spirituality, 'both in the past and the present, the Roma community adopted the dominant religion of the host country' (Kozubik et al., 2022, p. 1), be this Catholicism, Protestantism or Islam. However, how they embraced the religiosity of the surrounding community should not be understood as passive adherence or unidirectional acculturation, as discourses of the Other about the Roma often assume. In the case of Ciganos, who have long self-identified with the religion established in Portugal, the Catholic evangelical movement was, from the point of view of the majority group, an essential instrument of assimilation of the Roma/Ciganos, often seen as barbarians, primitive, unable to be part of organized religion (Blanes, 2008, p. 75). Even though the Roma/Ciganos remained cautious in the face of all perceived threats of assimilation, despite their willingness to embrace the dominant religion, they have not refrained from conferring their own distinctive imprint on the predominant religious practices they adopt. For this very reason, for the Roma/Ciganos, 'integrating new elements to the existing religion is always welcomed and not seen as an innovation but as a "precautious mechanism" which enriches the religiosity of the Roma and reflects their openness when it comes to spirituality' (Marinov, 2019. p. 367).

4.1 The emergence and success of Pentecostalism in Portugal

This observation suggests that this phenomenon of evangelization must be seen as part of a relational process of intense cultural exchange in which the Roma/Ciganos take on the role of active contributors. It is not surprising, therefore, that mutual mistrust made it difficult for Ciganos to engage completely. Thus, from the mid-1970s on, the first conversions to Pentecostalism by Catholic Ciganos took place in Portugal, similar to in Spain and France. Adherence to the charismatic and Pentecostal movement of messianic theology as 'part of global Christianity' (Fosztó, 2019, p. 3) in a third wave of Protestant Reform movements did not weaken in Portugal either (Mendes, 2005; Blanes, 2008; Rodrigues, 2013), or in Spain (Cantón-Delgado, 2018), or, from the 1990s onwards, in several Eastern European countries that emerged from the collapse of the communist bloc (Voicu et al., 2009; Marinov, 2019; Gripenberg, 2022; Kozubik et al., 2022).

The emergence and success of Pentecostalism among the Roma, as Gripenberg (2022, p. 121) states referring to the Roma in Slovakia, are mainly due to the fact of the latter providing 'a set of religious and spiritual practices that feel familiar and therefore highly compatible with the traditional religious practices of Slovak Roma before conversion.' The same author, in her study on the 'interplay of Pentecostal spirituality and ethnic identity in the interactions between the Finnish and Estonian Roma during the process of missionising' (Gripenberg, 2022, p. 118), argues that 'the primary driving force to proselytise is found in Pentecostal spirituality, combined with teachings that urge parishioners to evangelise' (Gripenberg, 2022, p. 130). If the reasons for conversion may lie in the very characteristics of neo-Pentecostalism (conforming to a doctrine of salvation), ethnic identity constitutes a powerful vehicle for the propagation of conversions, as Cantón-Delgado (2018, p. 3) also observes in Spain: 'the "engagement" of the population is thus due to the intensity and extent of kinship ties, the main vehicle of transmission, as well as to the mediation of evangelical pastors in community conflicts'.

In Portugal, the Church of Philadelphia (CF) stands out among the branches of Neo-Pentecostalism, formerly called the Cigana Philadelphia Evangelical Church of Portugal, even though it is not an ethnic church (Blanes, 2008, p. 27). The rapid proliferation of its places of worship, especially from the 1990s onwards, in the suburban contexts of the social re-housing of Ciganos devastated by drug trafficking and addiction, allowed for the opening of 'new readings and possibilities of action to deal with this structural condition of marginality' (Blanes, 2008, p. 32). The growth and success of conversions resided in the actions of evangelical pastors, many of them Ciganos, but also in the fact that the 'CF incorporates in its structure a council of elders [...] who serve as spiritual leaders, with strategic advisory functions – in an explicit adaptation of the role traditionally assigned by Ciganos to seniors in their family and social relationships regarding the religious context' (Blanes, 2008, p. 33).

In a complex social context characterized by territories that have been torn apart and marginalized, the irruption of the CF, in the words of Cantón-Delgado (2018, p. 4), contributed both in Portugal and Spain to 'form[ing] a new pan-gitana moral community, with transnational networks and discrete millenarian and messianic elements, going beyond the ties of affiliation,' which 'gives priority to the spiritual experience, but also to the social role of conversions, more specifically to the negotiated processes of intra-community pacification.' To that extent, neo-Pentecostalism and other Protestant churches have proved decisive in how the Roma/Ciganos have been able to reinvent themselves through (re)imagining their identity associated with the values of Roma/Cigano tradition and religion. The shift in religious affiliation among Ciganos, who were largely Catholic, to Protestant evangelical Pentecostalism – specifically the Church of Philadelphia (CP) that originated in Brittany, France – has resulted in a decline of Catholicism. This trend is likely attributable to the fact that many evangelical pastors who conduct services within areas with high concentrations of Ciganos populations also share the Cigano heritage and have incorporated elements of their culture into Protestant rituals. The Church's success among Ciganos can be partly attributed to its less formal structure, simplified hierarchy, and more spontaneous worship practices. As a result, it has become an integral part of daily life for many Ciganos and fostered a sense of shared identity through participation in cults and the idea of being chosen as a people (Santos, 2001).

Thus, the identity processes underlying this social and moral (re)configuration of the group are close to the meaning of the Weberian concept of *Vergemeinschaftung* (Grossein, 2005, p. 687) or communalization.[5] This revival of the Roma/Cigano identity, which results from the cross-fertilization between tradition and religious motifs, between the social responsibility of the churches and the call to conversion arising from the former's belief in a cultural uniqueness, has significant effects on their socio-political organization. Thus,

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[5] According to Weber, there are two ideal types of social relations, depending on the orientation of social action: communal and associative relationships. 'A social relationship will be called "communal" (*Vergemeinschaftung*) if and so far as the orientation of social action-whether in the individual case, on the average, or in the pure type-is based on a subjective feeling of the parties, whether affectual or traditional, that they belong together.' 'A social relationship will be called "associative" (*Vergesellschaftung*) if and insofar as the orientation of social action within it rests on a rationally motivated adjustment of interests or a similarly motivated agreement, whether the basis of rational judgement be absolute values or reasons of expediency' (Weber, 1978, pp. 91–92).

'evangelical narratives reinforce what it is to be Roma and the value of kinship' (Cantón-Delgado, 2018, p. 9) while witnessing a decline in the power of tradition and the elders in favour of the emergence of the charismatic power of religious pastors. The Church influences the public consciousness of its members and extends into various spheres, from electoral activity to professional occupations, by forming a congregation of believers that overlaps with traditional family ties.

The same claim can be made concerning the transnationalization of the ethnic space of the congregation, now supported by a social network of churches which, as Fosztó (2019) points out in the case of Roma, but which also applies to Iberian Roma (Blanes, 2008; Rodrigues, 2013) in particular, 'serves as the incipient infrastructure for a religious public sphere where the circulation of information is not limited to religious topics' (Fosztó, 2019, p. 6).

Furthermore, Pentecostalism favours 'a universalist vision that, first and foremost, promotes a conservative behavioural ethic, in the sense that it invests rigorously in conduct committed to worship practice' (Blanes, 2008, p. 26). Within the frame of an ideology of salvation, a distinction is made between those converts who engage in these practices of individual responsibility – those who are 'saved' – and those who fail to renounce them – the 'lost' souls. For instance, one of the pastors who was interviewed believes the evangelical religion has completely transformed the way of life and the culture of Roma/Ciganos: 'Yes, it was the Word of God that had the greatest impact on the Cigano culture. What brought about the greatest change in mentality was having knowledge of the Word and wanting to be with Jesus Christ, their Lord and Savior. It completely changed the lifestyle of [every] person from the Cigano culture' (David, 43, LMA resident).

Similar to intra-group changes, religion also influences inter-group relations, positively favouring the social inclusion of Roma in the majority group (Kozubik et al., 2022, p. 1) by fostering 'the desire for integration' (Gripenberg, 2022, p. 127) and the building of various 'bridges' such as 'the possibility to enter professional and other networks within the dominant population' (Gripenberg, 2022, p. 127), or 'increas[ing] the potential of Roma to enter secondary and other kinds of networks within the mainstream society and allow[ing] them positive visibility at the mezzo-level of society' (Kozubik et al., 2022, p. 2). As Rodrigues (2013, p. 97) states about the role of the Church of Philadelphia in Portuguese society, 'in a way, being evangelical represents for them [Ciganos] a social promotion, that is, the official entry into the world of non-Roma institutions'.

Nevertheless, it is worth noting that this desire for inclusion on the part of many Roma/Cigano believers is combined with a desire to preserve their ethnic identity. It is in this sense that Gripenberg (2022, p. 127) mentions that the evangelizing message prevalent in the 'Pentecostal Finnish Kale, within the framework of missionising amongst other Roma groups […] stresses that, by converting, Roma do not stop being Roma, but become "better Roma"'.

5 The call to school: the relevance of school education

In the EDUCIG Project interview analysis, the influence of the religious context in the continuity of school pathways seems to take place either directly or indirectly – through the transmission of ethical principles, moral guidelines, and emotional support or exposure

to role models, whether they are other young people, other older attendees or even pastors. Another important factor seems to be the existence of youth groups within the church that, outside the context of church services, engage in various activities together, sometimes associated with school. The students are self-motivated and serve as role models for each other and the younger ones.

The three pastors who were interviewed regard education as a means of fostering integration and laying the foundation for a prosperous future, particularly in terms of professional development. In light of this perspective, the three pastors have made concerted efforts to promote academic pursuits among young Ciganos and their families. According to the respondents, these initiatives have been instrumental in bolstering enrolment rates among this demographic group.

One of the pastors is quite clear about the relationship he considers to exist between church and school, establishing a complementarity between the two: 'One of the things that we also encourage is Church work, for example, in the Church we need people who [...] have a good education so that also the Church, the body of Christ, can grow at the level of reaching other types of persons' (David, 43 years old, LMA resident). He adds that 'in another sense, it is also to make them see the reality of life – that if they don't have an education, if they don't go to school, then one day later [they] will regret it, because in life they will have greater difficulties in being accepted, in being able to have a job', and thus in living up to the promise that divine Grace is accessible to all humanity, without social or ethnic distinction. The pastor expounds on how the Church inspires and encourages young individuals to persevere in their academic pursuits: 'Religion counters this by emphasizing that attending school is not merely an obligation, but a necessity for securing a bright future. Education equips one with the necessary skills to become a knowledgeable individual who can provide for oneself and one's family' (David, 43 years old, LMA resident).

A student also illuminates the significance of religion in the educational development of Ciganos individuals: 'The church is one of the bases, for the little education that they have is based on the church. There are evangelical churches that forbid drinking, and the Ciganos, when they are drunk, do great damage. They forbid them to drink: you don't drink th[is] and that…' (Esmeralda, 19 years old, LMA resident). Through exposure to the teachings of the Church and guidance from pastors, young Ciganos are encouraged to pursue education as a means of securing their 'earthly salvation' and escaping reliance on traditional markets or salesmanship. This pursuit is grounded in a set of religious beliefs centred around ethical and moral principles. As the pastor interviewed above states, the best way to guarantee a better future is to invest in schooling.

The Weberian interpretation of the concept of calling (*Beruf*) is relevant in this context, wherein the '[...] conception of work as a calling and as the means best suited (and in the end often as the sole means) for the devout to become certain of their state of salvation' (Weber apud Kalberg, 2002, p. xxxvi). Similarly, a relative of the aforementioned pastor, a student, said: 'I don't think that just because I am of Cigano ethnicity [...] I have to stop studying because I can honour my tradition, honour my parents and continue to study. Everything comes from our education' (Ivone, 16 years old, LMA resident, Evangelical Church). She rejoices that, nowadays, 'there is already a different movement within the Cigano ethnic group… today we can already see its greater influence, there are more and more young people who don't want the fairs, but want to have a future, get a job.' Proudly,

she asserts: 'Today they see how young people want to have a future. Here, inside the church, we are recognized in that way, that we are the future'. In a similar vein, Ivone confesses: 'Since I was very young, I had this curiosity [about being] a psychologist. I wanted to understand people, to understand myself, and so, since I was a little girl, I wanted to follow... wanted this kind of education, I wanted to understand psychology.' She has been taking distance learning courses since she was 12 years old, just like her Ciganos female friends, although she says: 'My father would even let me, but he doesn't want our reputation as Ciganos to be bad, so to speak.' It was in this educational modality that she pursued her studies: 'I got my chance and... and I wanted to learn.' Ivone attributes this enchanted willingness to Christ: 'I think Christ is what makes me live; he is the reason why I wake up every morning because without him I wouldn't have anything that I have today. So, that's it, he is the one who makes me study, the one who makes me have hope and motivation, the one who gives me these hopes' (Ivone, 16 years old, LMA).

Ivone's testimony clearly belongs to an interpretative framework that highlights the importance of the concept of the 'religious calling', where it acquires a value that Blanes (2008, p. 69) defines as 'a determinism marked by predestination immanent to the idea of divine agency ("everything that happens is the work of God")'. This calling also entails a 'reconnection between discourses and visions' and an understanding of believers as endowed with reflexivity as members of a singular ethnic group who have submitted to a long process of schooling. Emília's case, quite different from Ivone's, shows the delicate compromise Cigano students have to make in reconciling the ethnic social expectations of them with their aspirations to experience a personal vocation. Emília, who left the Church and for whom ethnicity is like a religion, confided that 'my father always had the idea, "Ah, she did four years of schooling, she should leave school otherwise, she'll find someone who is not a Cigano, and she'll be lost to tradition"' (Emília, 19 years old, LMA, no longer attends worship). Nevertheless, as Emília told us: 'I have always had a liking for learning. That is, the more I learn, the more I want'. She also adds that '... in my class, there were always Ciganos, since the first year, but by the sixth year, they all started to stay behind. I always wanted to go into the area of accounting and... and, in this case, the course that most caught my attention was an accounting technician course. Considering that the possibility of studies, for me, was almost [zero], to have something that, in the future, would get me into the job market... I never thought I could reach university. So much so that it was the battle it was, so I clung to what I had. [My goal] was to succeed in going to secondary school [and] with great effort then I went to a vocational course to have [some] employment prospect[s] after the twelfth year, without having to go directly to university' (Emília, 19 years old, LMA). The school was not a priority for her parents – in her words, 'it was my priority', and because of that, 'I had to make sacrifices.' In this sense: 'I couldn't miss [part of the course] because the course is... there are time schedules, and it became a bit more complicated considering that I had to reconcile student life with ethnicity. That is, I had to attend social events...' Besides her duties as a student, she also had to fulfil her duties as a daughter: 'That is, I represent my family, and if I go to a party, to an event, I have to be there representing my family. So, if I want to study, it is my choice; I pull an all-nighter. That duty I have to fulfil. In other words... [for my parents] it was like a scales; it was the pride of seeing me getting good grades and also seeing me losing a little bit of tradition. Since the... It was... yes, my mother would take care of everything because of school, but there was always that reminder: "Oh, you have to get married!" And... and it

ended up with the scales getting a little off balance' (Emília, 19 years old, LMA). At a certain point, not being able to readjust the unbalanced scales, Emília had to leave home and 'run away' at the age of 18, taking refuge in a friend's house: 'Yes, I always had a friend – it was the friend that helped me to leave home – who always encouraged me to study. That is, I ended up thinking of giving up, too, because of the pressure from my parents, but she [my friend] always said: "You can do it; you'll make it very far." I was like: "Oh, I'm going to make it"' (Emília, 19 years old, LMA).

Ivone and Emília demonstrated a profound commitment to their calling in striving to harmonize the demands of tradition with those of school. Nevertheless, while Ivone's pursuit appears relatively straightforward, Emília had to contend with a host of challenges in her academic pursuits. Ivone enjoyed a positive religious milieu facilitated by a cohort of over twenty young congregants who convened at her premises every week. This youthful cohort, endorsed by the pastor and united by shared goals, was instrumental in Ivone's mission, and she attested to its significance unequivocally: 'It was something that really motivated me, it was having this group of young people, because we [could], in other words, cover things more. For example, going to the streets, we have... I have my cousins to interact with; it's different. Like, it gave us more opportunities.' Ivone had no doubts: 'Yes, within the church, we value this [community] a lot, and we fight for it.'

Beyond the importance of ethical principles, exposure to role models, and the activities of youth groups, the great strength of evangelical spirituality seems to be rooted in its transformative power to generate identity synergies and, at the same time, to be able to transpose the embrace of the calling into the work of self-awareness and reliance on the certainty of having a focus and even a sense of vocation. Danilo's words are illustrative in this regard: 'I think that... I think that... I think that my religion comes before the... – it even seems to be bad to say this, but it is a reality that may hurt many, but no matter whom it hurts, it doesn't hurt me – that my religion influences my life more than my... my ethnicity, because religion, [while] it helps me to accept differences better and... and all that, it also teaches me to... to change' (Danilo, 16 years old, LMA, Evangelical Church). Openness to change and the ability to listen to oneself and the Other are also highlighted by one of Danilo's friends, who is also a Roma/Cigano student: 'Complementing what he said, religion has taught the Ciganos a lot. It came to teach [us] how to live with people, to be more accepting of certain things, and maybe not to listen so much to racism because we should love our neighbour as we love ourselves. I think it came to improve the Ciganos, our religion' (Leoni, 17 years old, LMA resident, Evangelical Church).

6 Roma/Ciganos and the 'spirit' of schooling

Drawing on the narratives put forward by Roma/Ciganos students, which unveil their apprehensions and ambitions in pursuit of a bright future, we can discern the significance of the religious impact on these pupils, which involves not only adopting a broad worldview but also discipline and the rationalization of conduct based on ethical values. This ethical and religious spirit is indispensable for a successful academic education and is visible in Ivone's 'readiness to fight', Emília's 'sacrifices', and Danilo's and Leoni's 'ability to change'. Religion thus contributes to the opening up of the Roma/Ciganos to majority society and

the consequent unravelling of their lives in pragmatic terms. In sum, according to Pascal Gruson (2005, p. 735), religion seems to function, in his interpretation of PE, as 'the theological operator, between mindset and action.'

Adopting a Weberian approach, our inquiry into the motives revealed in these narratives seemed to confirm that the evangelical religion, owing to its affinity with the beliefs and practices of Roma/Ciganos heritage, constitutes a potent impetus for advancing the educational pursuits of these youths. This motivating force helps to foster the development of a rational attitude towards life among young Cigano individuals centred around the notion of 'calling'. The resulting pragmatic outlook shapes the 'spirit of schooling', embodying an 'ethical way of life' conducive to academic success. The rational approach entails adopting a mode of conduct that embodies a subtle balance between the customs and beliefs of the Roma/Ciganos and meeting academic/ethical standards, with the aim of upholding tradition while creating financial security and a better future. Faced with the seemingly practical conflict between the ethics of tradition and education, almost all of the respondents highlight, drawing on their experience, the 'elective affinity' between education and the values promoted in the religious context in which they are embedded. Among the latter, one can highlight the sense of responsibility, humanization, and the rationalization of conduct.

Regarding the first, as Merton (1968, p. 632) rightly observed about the relationship between science and Puritanism, responsibility cannot be understood as casuistic but framed in a social context that promotes individual responsibility and the autonomy of convictions. The practice of worship appears to create this context. Concerning humanization, it is worth remembering, as Partyga (2016, p. 421) rightly emphasized when commenting on Simmel's critique of Nietzsche, that 'the Christian concept of an after-life involves religious differentiation, rather than conformity.' Partyga goes even further, stating that 'what is at stake in Simmel's reworking of the Nietzschean and Christian doctrines [is] a new theory of value [that] envisage[s] a sovereign mode of individuality' (Partyga, 2016, p. 422). Similarly, as young Roma/Ciganos become humanized by religion (more tolerant) but also individualized (playing across the entire spectrum, maintaining a balance between Roma/Ciganos and non-Roma/Ciganos), they also become better prepared for the ascetic ethic demanded by religion (acquisition of a method and a sense of vocation). In parallel, the rationalization of conduct according to the ultimate goal of academic success at school, 'associated with proper assessment of the social conditions under which one would have to operate' (Mommsen, 1980, p. 161), is facilitated by adherence to abstract, rational norms and principles, as Weber (1978, p. 1209) emphasized. Religious asceticism contributes to this rationalization, even though the effects of spiritual discipline vary in intensity and direction according to the individual logic of each believer (Kalberg, 2001, p. 52). This also enables Roma/Cigano students to combine different callings, that of tradition and that of schooling, as these words of Ivone suggest: 'To keep on studying... I don't think that just because I am of Cigano ethnicity [that] I have to stop studying because I can honour my tradition, honour my parents and continue to study. Everything comes from our education' (Ivone, 16 years old, LMA resident).

Adhering to tradition and identifying as a member of the Roma/Ciganos community, and practicing a religion while maintaining a successful academic record are not mutually exclusive endeavours. Indeed, the trajectories of these young students often exhibit conti-

nuity and success while simultaneously fostering strong connections with their kinfolk, peers, and broader society. These individuals reject any notion of opposition between Roma/Cigano culture and formal education; they embrace evangelical faith while engaging in an active renegotiation of the relationship between schooling, ethnicity, tradition, and religion.

However, while these dimensions are not inherently incompatible, there is evidence of a persistent tension between ethnicity and dedication to education. This becomes particularly challenging when social control is heightened, as both ethical and educational obligations can become overwhelming to manage, as was the case with Emília. In this regard, Thomas Kemple's notion of the 'bifocal' character of vocation may be applicable here; that is, the cultural callings of modernity are organized in such a way that they embody an institutionalized tension between demands for conformity and the yearning for autonomy (Kemple, 2014, p. 101). For our interviewees, their calling is centred on satisfying their familial and cultural responsibilities and obligations in keeping with their societal standing within the community, as well as their academic commitments.

Underlying the accounts of the Roma/Cigano students is an emerging 'spirit of schooling' that reinforces the belief in the importance and obligation of studying despite all the constraints they face. Given that the methodical conduct of their studies (at home and school) is based on a motivation that is centred on a set of specific ethical values and the Roma/Cigano students' progressing to higher levels of education, the students feel like chosen ones, pioneers, increasingly assured of 'witnessing in action' while observing the fruits of their labour and believing in their vocation. These are the ones who are 'saved' compared to the others who are 'condemned' (those who leave their studies). In this sense, our interviewees revealed what working with a calling means and how the religious following can be the herald of a new spirit that leads to abolishing the barriers to the schooling of the Roma/Ciganos, a desire for integration into the majority society, freedom understood as stability and not as mobility, and the idea of vocation as self-transformation and self-improvement.

7 Conclusions

From the identity narratives of the Roma/Cigano students, resulting from discursive identity negotiation, we were able to reconstruct the different elements that contribute to shaping the life courses of individual Roma/Ciganos through the main aspects of socialization, namely, tradition, religion, and school. In this sense, we sought to explore the intertwined dynamics of their experience of tradition, religious conversion, and school experience. Therefore, based on their testimonies and in accessing their reflexivity, we observed that Roma/Cigano students seek to reconcile several callings – namely, the calling to schooling, the calling of tradition, and the calling of religion. Underlying the balance between the wish to preserve some of the elements of tradition and simultaneously to be included in the majority society in search of a less uncertain and more stable way of life, we can recognize the emergence of a new 'spirit' among these young Roma/Ciganos. This 'spirit' does not aim at instant gratification but represents an investment in the future and, simultaneously, a desire for integration.

According to the young people we interviewed, the usual constraints responsible for the segregation of Roma/Ciganos from the majority group are largely relativized and conceptually solved in favour of a new practical rationality, which recognizes the need for the schooling of young people and their effective integration into the global labour market. Thus, the sensitive issues of honour and endogamy, which justified the segregation of Roma/Ciganos, are now reinterpreted as a matter of mutual trust, whereas the incompatibility between school and the Roma/Cigano way of life is unravelled as an aporia, manifesting itself as a question of education. Young Roma/Ciganos seek a life different from that of their parents, striving for more stability in life, which they ascribe to school and the world of work. Their concerns are driven toward equal opportunities and removing barriers to entering these structures. Instead of leaving school in search of resources through street trading, family recognition, and intragroup marriage, a characteristic phenomenon among males in the transition from adolescence to youth is that they are currently more predisposed to make the necessary investment to 'earn' a future, as well as the consequent rationalization of their conduct. Similarly, Roma/Cigano girls living in an environment of constant pressure to marry early tend to invest more and more in their education. However, neither the boys nor girls intend to renounce their Roma/Cigano identity. On the contrary, they seek to reconfigure it.

The legitimacy of their position stems from the strength of their conviction in wanting to improve their condition and that of other Roma/Ciganos, which in turn stimulates the reconciliation of the various callings. The students' identity narratives about their schooling process are a strong indicator of the emergence of a new practical rationality, which includes the subjective feeling of common ethnic belonging, renewed and transfigured by adherence to a religious belief and the desire for inclusion in the majority society. Just as Weber observed at the end of PE when referring to the Puritans that they 'wanted to work in a calling; we are forced to do so' (Weber, 2005, p. 123), so do these enchanted Roma/Cigano students yearn to study in a calling, while those belonging to the majority group frequently have to study at school in a disheartened way.

In the foreseeable future, as the number of Roma/Ciganos students in secondary education continues to rise, it is plausible that evangelical religion will no longer play such a dominant role in their education. To be sure, one of the constraints of this study pertains to the limited quantity of cases we scrutinize. However, it is important to persist in examining and delving into the interplay between religion, pastors, and family, as these relationships may prove pivotal in instigating behaviours most conducive to academic success.

Acknowledgements

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András László Pap

[pap.andraslaszlo@tk.hu] (HUN-REN Centre for Social Sciences)

Who and what is Jewish? A case study for an intersecting legal conceptualization of race, ethnicity, nationality and religion

Abstract

Focusing on Jewishness, which is placed at the intersection of race, ethnicity, nationality and religion, the article provides a case study of the complexity of legally validated ethno-racial classifications. The case of the Jewry is chosen due to its peculiar history and contemporary experience of persecution and discrimination, the myth, and the challenging legal concept of assimilation, and the unique case of Israel, the 'official national homeland' of the Jewry offering an official definition, which may also serve as a reference point for the Diaspora.

Keywords: constitutional identity; definition; DNA; fraud; Israel; Jewish

1 Introduction

Using the example and case study of the Jewry, this article provides an overview of the multidimensional complexity of legally validated ethno-racial classifications. Legal constructions and definitions are endpoints of a long chain of intellectual, social, cultural and political debates and struggles, situated in the seething cauldron of multifaceted personal and collective identity formations and power relations. The broader context of the text is to show how law operates as a technology for conceptualization and operationalization of race and ethnicity. The case of the Jewry is particularly compelling in understanding the dynamics of subjective and external conceptualization and operationalization. The horrors of the Holocaust were a singular force to discredit 'objective' ethno-racial classifications both in social sciences and in the legal-administrative scene. However, while identity politics has been the dominant trend in the second half of the 20th and in the 21st century, ethno-racial self-identification is still not the only operationalizing model legal regimes apply, especially with recent trends in the 're-biologization,' 'molecularization' or 'genetic re-inscription' of ethno-racial conceptualization. Furthermore, through the new 'biotechnological imaginary' new entrepreneurs and gatekeepers and new languages have appeared. Responding to policy, commercial or political need and will, the 'scientific' language to describe and encapsulate ethnicity has been revisited. The development of cheap

and fast genetic analysis brought a sweeping change in how the understanding of race and ethnicity is perceived, lived and operationalized, making way in a multitude of areas in law enforcement, immigration, (personalized and race-conscious) medicine, nationalism (in terms of how ethno-national ancestry and geology is understood), and how public and private imagination relates to ethno-racial identification. The diverse conceptualization and classification of the 'Jewry' is particularly accentuated by these developments, where since

> the advent of the new millennium, there has been a fundamental challenge to [...] reducing the phenomenon of race to either biological essentialism (which asserts biological and immutable differences among races) or social constructionism (which denies a biological basis to race) is fruitless in the age of genomics. (Suzuki & Vacano, 2018, p. 2)

Brubaker (2018, pp. 62, 63, 67–68) argues that it 'is not simply reauthorized by the return of biology; it is reconstructed [by ...] a shift from objectivist to subjectivist understandings', alongside a shift from typological to populationist understandings of difference in biology. The 'return of biology' is a complex phenomenon, with potential for social progress, equality and dignity, along reshuffling debates on national identity, or even deracializing police investigations (Brubaker, 2018, pp. 87–90).

These following pages will point to the lack of a homogenous unified theory or framework of regulatory philosophies and practices to operationalize race, ethnicity, nationality, or religion and culture. Defining Jewishness, placed at the intersection of all the above categories, provides an intricate example for navigating in the codification- and classification-labyrinth. The case of the Jewry is particularly complex due to its peculiar history and contemporary experience of (i) persecution and discrimination; (ii) the myth, and the challenging legal concept of assimilation (and the related phenomenon of passing and covering); and (iii) the unique case of Israel, the 'official national homeland' of the Jewry offering a (non-exclusionary, yet articulate) official definition, which may also serve as a reference point for the Diaspora. Hence, it offers a singular opportunity to demonstrate the complexity of the political and legal operationalization and conceptualization through the lenses of legal concepts like the right to the choice of identity, privacy (personal data protection), constitutional identity, constitutional theocracy (in the case of Israel with a unique endorsement of a particular branch of the dominant religion), incorporating genetic research in immigration law, as well as fraud and ethno-corruption. The article sets forth various, often competing concepts of Jewishness and the cases are meant to highlight key dilemmas rather than claiming this to be a kaleidoscopic picture of conceptualization. Let us first start with problem mapping and subsequently exploring some of these questions in the context of the Jewry.

2 In search of appropriate conceptual and linguistic tools

Analyzing political and legal measures that serve to operationalize race, ethnicity or nationality brings together legal, historical, and political scholars (see e.g., Smith, 2020; or Stergar & Scheer, 2018). Brubaker (2015; 2016) argues that just like gender, the color line may be sharp and rigidly policed in theory but is often blurred and porous in practice.

The lack of a solid and up-to-date vocabulary is particularly stark in the field of law, where the hermeneutic givens of legal interpretation require clear unambiguous conceptualization, involving definitions, classification, registration and targeting policies. It is, thus, intriguing that law, especially international law, habitually operates with the concepts of race, ethnicity, and nationality when setting forth standards for the recognition of collective rights, protection from discrimination, or establishing criteria for asylum or labeling actions as genocide or requiring a 'genuine link' in citizenship law, without actually providing definitions for these groups or of membership criteria within these legal constructs.

This article shows the cacophony of models and design in the legal conceptualization of the Jewry, focusing on three areas. The first set of questions concern the triadic cluster of concepts: race, ethnicity or nationality. The second dimension of scrutiny concerns how legal-administrative conceptualization operationalizes 'choice' and 'fraud.' A third point for analysis pertains to the question whether the definitions (where applicable) concern the majority groups as well, or only minority communities, and if yes, whether there are illuminative differences. Here the Israeli case, and formations of constitutional nationalism such as the Israeli law of return or the Basic Law on the 'nation state' shows how defining the titular (ethno-)national majority is the core of the nation-building and nationalist project, as nationalism, and it is also framed in reference to ethnic kins in Diaspora.

3 The Jewish race, ethnicity, nationality, religion

The relevant socio-legal classifications have two dimensions: one concerning the groups, the other pertaining to membership criteria. This section will address the first. Jews, the Jewry is a group that, depending on the context, can be conceptualized and classified as a racial, an ethnic, a national, a religious or even a cultural community. In some jurisdictions all of these classifications may coexist, in others, only one, or some. In order to understand the relevance of the classification question, we need to look at its actual: practical, economic, political, legal procedural consequences. For example, if a community is included as a separate entry in the census (either as a racial, ethnic or national minority), besides symbolic recognition, population statistics may be used as an important tools and reference points for all sorts of policy design. Thus, from the legal perspective, the terms 'race', 'ethnicity', 'nationality', and even 'culture' or 'religion' will imply clusters of statuses with relevance for a certain type of treatment. An employee may seek exemption for going to work, or a student may request a raincheck for a test for reasons of a religious holiday, and their chances for success will depend on the political and legal status of the religious belief in question. Let us now explore the substance and practical composition of these status-groups!

The legal, political and theoretical definition of the core concepts: nationality, ethnicity, race are far from unambiguous: *Race* is a controversial category, and in continental Europe its use is mostly limited to race-based discrimination. In social science literature, it is widely understood to be a social construct rather than a biological trait (in the biological sense, the entirety of humanity constitutes one single race) without a theoretically

or politically uniform definition (see Tajfel, 1981; Pap, 2023). Race-based international and domestic legal instruments identify race with the apprehension of physical appearance and put perception and external classifications in the center when prohibiting discrimination or violence on racial grounds. It is rarely distinguished from *ethnicity*, and the two terms are often used interchangeably by lawmakers (and drafters of international documents) and, most of all, judicial bodies. Despite academic interest and insistence in differentiating between the two concepts, legal formulations seems to be incognizant, and even appear to be unobservant and indifferent concerning a potential difference between the two terms. For example, under Article 1 of the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 'the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin.'

The European Court of Human Rights' terminological assessment in the *Sejdic and Finci v. Bosnia and Herzegovina* judgment,[1] which involved a Jewish applicant, further complicates the issue:

> Ethnicity and race are related concepts. Whereas the notion of race is rooted in the idea of biological classification of human beings into subspecies on the basis of morphological features such as skin colour or facial characteristics, ethnicity has its origin in the idea of societal groups marked in particular by common nationality, religious faith, shared language, or cultural and traditional origins and backgrounds. Discrimination on account of a person's ethnic origin is a form of racial discrimination.

The probably most important international document on national minorities, the 1995 Council of Europe Framework Convention for the Protection of National Minorities, fails to provide a definition for its targets. A relevant definition, also endorsed by the European Parliament's 2005 resolution on the protection of minorities and anti-discrimination policies in an enlarged Europe, is provided by the 1993 recommendation (no. 1201) of the Parliamentary Assembly of the Council of Europe in an additional protocol regarding the rights of national minorities in the European Convention on Human Rights, and holds:

> 'National minority' refers to a group of persons in a state who: reside on the territory of that state and are citizens thereof; maintain longstanding, firm and lasting ties with that state; display distinctive ethnic, cultural, religious or linguistic characteristics; are sufficiently representative, although smaller in number than the rest of the population of that state or of a region of that state; are motivated by a concern to preserve together that which constitutes their common identity, including their culture, their traditions, their religion or their language.

When it comes to defining *national minorities*, we can settle for a definition that describes these groups as ones that are based on their claims for collective rights, bypass the anti-discriminatory logic, and seek recognition of cultural and political rights, particularly autonomy or the toleration of various cultural practices that differ from the majority's, which often require formal exceptions from generally applicable norms and regulations (see also Kymlicka, 2001).

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[1] Applications nos. 27996/06 and 34836/06.

Ethnic minorities are, nevertheless, multifaceted groups. While many of their claims are grounded in the anti-discrimination rhetoric employed by racial minorities, some 'ethnically defined' groups may also have cultural claims (and protections) that national minorities would make. In this way, ethnic minorities constitute a sort of hybrid categorization that blends and often mirrors the claims made by racial and national groups. Let us see how this all translates to the question of what the Jewry 'is'!

First, it has to be noted that investigating the racial-ethnic-national triad is made difficult by the fact that historically the use of terms has often changed and a given community may have been referred to differently. Also, the terms are used quite differently in various jurisdictions. Consider for example the case of American Jews: Goldstein shows how as

> an historically persecuted group that has enjoyed a rapid social ascent, Jews have often been torn between their self-perception as 'outsiders' and their desire to be accepted as 'insiders.' Since 'insiders' and 'outsider' have been represented in government policy by the categories of 'black' and 'white,' Jews have found it difficult to find a comfortable space in the American racial schema, a tension often revealed when the government has attempted to categorize them within the larger black-white system. (Goldstein, 2005, p. 80)

In the early twentieth century concerns were raised among Jewish leaders about the attempt of federal agencies to classify Jews racially as 'Hebrews,' lest they be considered non-white, but in the late twentieth and early twenty-first centuries, when many American Jews appeared frustrated that government racial categories made no room for them to identify in any way other than white (Goldstein, 2005, p. 81). Goldstein explains how 'Immigration officials, [...] discarded the racial categorization of Jewish immigrants as "Hebrews" in 1943. [...] [A]rmed services changed the means by which it identified Jews on dog tags from an "H" for "Hebrew," a racial designation, to a "J" for "Jew," a religious one' (Goldstein, 2005, p. 95; also see Brodkin, 1998). These dynamics point to the historically changing tones and meanings of terms like race and ethnicity, as well as the changing positions and policies of representatives of various Jewish communities.

The 'classic' racial legal-administrative classification for Jews are the Nazi laws, transforming religion into an ethno-racial category for those with at (least one) grandparent registered as Jewish (see, e.g., Meinecke et al., 2009; see also Schweitzer, 2005). In the post-Holocaust era, most legal systems will include anti-Semitic discrimination or hate crimes to be included in the respective discrimination or hate crimes statutes under the auspices of *race*. However, this does not preclude fierce terminological debates.

In the US, for example the *Shaare Tefila Congregation v. Cobb* case (481 US 615 (1987)) arose out of the desecration of a synagogue, and raised the question of whether Jews constituted a racial group in this particular understanding. Two lower courts held that because there was no distinct race or ethnic group at issue, no racial prejudice may be established. The Supreme Court reversed, adding that 'Jews [...] are [...] part of what today is considered the Caucasian race' (Pp. 481 U. S. 617-618.). On the other hand, in the 1977 *United Jewish Organizations v. Carey* (430 U.S. 144 (1977)), in the context of gerrymandering, the Court held that Hasidic Jews enjoy no constitutional right to separate community recognition for the purposes of redistricting. Yet, in 2002, the United States Court of Appeals in New York's Second Circuit ruled that Yankel Rosenbaum, a yeshiva student stabbed

during the 1991 Crown Heights riots, had been denied federal civil rights as a Jew, even though he was (racially) white and his alleged attacker, Lemrick Nelson, was black (Goldstein, 2005, p. 100).

A more recent, highly mediatized controversy concerns a December 2019 executive order by President Trump (White House, 2019), extending civil rights protection to Jews under the Civil Rights Act.[2] The law specifically targets higher education and anti-Semitic incidents, and was held to expand the recognition of Judaism beyond religion. The Department of Education can withhold federal funding from any college or educational program that violates Title VI, according to the Civil Rights Act, which does not cover discrimination based on religion, only race, color, or national origin. In 2004 the government already declared that it will

> exercise its jurisdiction to enforce the Title VI prohibition against national origin discrimination, regardless of whether the groups targeted for discrimination also exhibit religious characteristics. Thus, for example [...] alleged race or ethnic harassment against Arab Muslim, Sikh and Jewish students. (U.S. Department of Education, 2004; see also Stern, 2019)

The debate on whether Jews are 'white' is still lively in the US. Consider the suspension from ABC News of actor and media personality Whoopi Goldberg after questioning whether the holocaust was about race, since both Germans and Jews are white, (see e.g., Bauder, 2022) or whether Jews (or for example Orthodox Jews) could be considered as a non-white or underrepresented group under new Hollywood diversity guidelines (see e.g., Feinberg, 2020; Rosenberg, 2020).

The Supreme Court of the United Kingdom also passed a high-profile judgement in the *R (E) v Governing Body of JFS* case ([2009] UKSC 15 & 1.), which concerned the Jewish Free School's policy of denying entry to people whom they defined as belonging to a different religion. Here a child was refused admission to JFS, because he was not regarded as Jewish by the Office of the Chief Rabbi, because, despite his Jewish faith and practice, and that his father was Jewish by birth, he was not descended from a woman whom the Chief Rabbi regarded a Jewish, as she only converted to Judaism before the child's birth, and in an Orthodox synagogue. The court held that a criterion in an oversubscription policy of a faith school which gave priority to those regarded as 'Jewish by birth' constituted racial discrimination under the Race Relations Act 1976.

The debate on the classification of the Jewry also remains unresolved in the UK. Consider for example recent demands towards the BBC to apologize for initiating a debate whether Jewish people qualify as an ethnic minority (Liphshiz, 2021).

It is also fairly common to have the Jewry included in legislation for *national minorities*. Within the auspices of the Framework Convention for the Protection of National Minorities, the following states have reported to have recognized the Jewry within the scope of the treaty: Armenia, Azerbaijan, Bosnia-Hercegovina, Bulgaria, Croatia, Denmark, Estonia, Finland, Georgia, Latvia, Lithuania, Moldova, Norway, Poland, Romania, the Rus-

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[2] Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

sian Federation, Serbia, Slovakia, Switzerland, the UK, Ukraine (Framework Convention for the Protection of National Minorities (ETS No. 157). The following States Parties to the European Charter for Regional or Minority Languages have included Yiddish among the recognized 'regional or minority languages': Bosnia and Herzegovina, Finland, Netherlands, Poland, Romania, Slovakia, Sweden, Ukraine (States Parties to the European Charter for Regional or Minority Languages and their regional or minority languages, 2020). Numbers on these factsheets are often outcomes of long political and public debates. For example in Hungary, in 1990 the Jewish community was among the eight so-called co-opted minorities that were supposed to be provided a form of parliamentary representation according to legislation that was amended before actually being implemented. The Jewish community in has been divided on the question of seeking recognition as a (national or ethnic) minority. In 2005, the Federation of Hungarian Jewish Communities (MAZSIHISZ) launched a popular initiative, but failed to build up support on behalf of the community (ABH: 977/H/2005; for more see Pap, 2017; for a general assessment Kovács, 1994).

There are, of course countless cases where petitioners claim discrimination for being Jewish, in the sense of being members of the *religious community*. Consider for example the 1986 *Goldman v. Weinberger* case (475 U.S. 503 (1986)), where the US Supreme Court justified to prohibit a Jewish Air Force officer to wear a yarmulke when in uniform, or more recent cases where observant Jewish tenants in the UK (Savill, 2009) and the US (n. d., 2015) sue building management for having installed automatic motion-detection led lighting and key fobs that force them to violate Sabbath-rules if they want to leave their homes. As we will see in the subsequent discussion, what signifies as 'Jewish religion' is also far from being uncontested, for example in the context of naturalization or private law in Israel, as various branches of Judaism will be recognized differently.

4 Identity and operationalization: authority, choice, contestation, and fraud

A further, even more intricate question that comes up in relation to ethno-national policies is the form and means of operationalization. Ethno-national group affiliation can be defined in several ways: through self-identification; by other members or elected, appointed representatives of the group (raising legitimacy-, and ontological questions regarding the authenticity or genuineness of these actors); classification by outsiders, through the perception of the majority; or by outsiders but using 'objective' criteria, such as names, residence, et cetera. There are three important dimensions here: (i) who gets to define (the individual, the community, others, or the state); (ii) if the regime relies on a subjective decision, are there any constraints on choice; and (iii) whether 'fraud' is conceptualized and sanctioned.

There is a large stock of literature on bending and expanding the boundaries of ethno-racial legal classification (see for example Kennedy, 2001; Clarke, 2015). There are also numerous projects on distinguishing and sorting these phenomena. For example, Dobai and Hopkins (2022) explain how psychological accounts differentiate between identity 'fabrication,' 'concealment,' and 'discretion.' They discuss both 'passing' and 'covering' under (proactive or reactive) identity 'concealment,' the motivation for which may include the desire to:

secure material benefits; avoid conflict; take pleasure from seeing others' assumptions blinding them to the reality before them; test (and expose) majority group members' attitudes; or allow themselves opportunities to experience the world in new ways. The myth of Jewish assimilation is intrinsically connected to the 'passing', a concept and practice widely discussed in American literature, as throughout history many hade concealed their 'true' racial identities and assumed a white one in order to reap the economic, political, and social benefits associated with whiteness (Yang, 2006, pp. 367–369, 373) As for the related 'reverse passing', Beydoun and Wilson (2017) identify it as the representation oneself on legal and administrative documents for certain. They may also do so in cultural spheres, which they term as 'cultural reverse passing'. For a recent example for this consider the case of US Republican congressman George Santos who admittedly lied about being Jewish (and also about financial statements, as well as being a volleyball star and an associate at Goldman Sachs). His defense was particularly curious, when claiming that he meant only that he was 'Jew-ish,' when posing in a campaign position paper as a 'proud American Jew' and a descendent of Holocaust-survivors (Oppenheimer, 2023).

A special case between passing and fraud refers to cases when applicants seek to invalidate certain contractual legal obligations, mostly marriages on the basis of (intentional or even unintentional) misrepresentation pertaining to the ethno-racial status of the partners, the knowledge of which would have prevented them from entering the contract. Such claims based on ethno-racial representation were often brought during the Holocaust. Schweitzer (2005) documents how Hungarian children, often jointly with their parents would ask to have their illegitimacy declared (especially if only their father was legally Jewish) to escape persecution and deportation.

The question of passing is particularly relevant in the case of Jews, whose unique historical struggle and experiment with assimilation has constantly been met with the biopolitical reality of the external others, often the openly anti-Semitic state or other, informal establishments defining who is actually Jewish (see e.g., Sartre, 1995).[3] Consider for example Jerome Karabel's overview of the intricate way American elite university administrators operationalized the 'undesirable' in admission procedures to single out Jewish applicants in the 20th century (Karabel, 2005).

There are different types of recent cases of potential fraud that involve the Jewry. See for example recently introduced preferential naturalization programs introduced by the Spanish and Portuguese government targeting descendants of Sephardic Jews expelled in 1492, which incentivized a wave of religiously non-Jewish Hispanic Americans, Venezuelans and Mexicans (who claim to have Sephardic ancestry) to take use of the measures (Romero, 2018). The policies intended to recover the 'silenced memory', as Spanish foreign minister, José Manuel García-Margallo stated, of 'Sephardic Jews whose ancestors had fled the Iberian Peninsula, forced, in order to live in Spain or its colonies, to choose between exile or conversion to Christianity, or worse.' The proof of Jewish identity ranges from last names to cultural customs in the home to intermarriages among families with traditional

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[3] Or consider the saying attributed to Herder or Fichte, 'A Jew Can Read German. A Jew Can Write German. But a Jew Cannot Think German' (Rousseau, 1990, p. 439).

Sephardic Jewish names (although to be naturalized, applicants whose families had maintained double lives as Catholics must seek religious training and undergo formal conversion to Judaism) (Carvajal, 2012). Consider for example the Portuguese citizenship acquired by Russian oligarch Roman Abramovich (also owner of English Premier League football club Chelsea) as a Sephardic Jew (Carneiro & Godinho, 2022; also see Casey, 2021).

In a related 1990 US Supreme Court case, in his dissent in *Metro Broadcasting, Inc. v Federal Communications Commission* (497 US 547, (1990)). Justice Kennedy referred to the *Storer Broadcasting* case (see *Storer Broadcasting Co.* (87 F.C.C.2d 190 (1981)), in which one of the parties benefited from selling a station to the Liberman family, which qualified as Hispanic because of having traced their ancestry to Jews being expelled from the Spanish Kingdom in 1492. Kennedy writes, '[i]f you assume 20 years to a generation, there were over 24 generations from 1492 to the Storer case. That means that Mr. Liberman was as closely related to 16,777,216 ancestors' (Rotunda, 1993).

Another issue concerns fraudulent claims submitted for Holocaust restitution payments. In the US charges were brought against 17 people believed to have knowingly defrauded the Conference on Jewish Material Claims Against Germany involving $42 million and 5,600 applications over 16 years (Suddath, 2010; Berger, 2013).

A further source of controversy surrounds claims in the US by inmates requiring tastier kosher food, where prison authorities are defenseless even if having doubts about their religious or ethnic affiliation, and religious meals cost four times as much as standard ones (Alvarez, 2014; also n. d., 2014). (It has been argued that not only does a kosher diet allow a break from the usual ritual of prison life but may also allow for inmates to sit apart in the kosher meal section.) Some prison administrators have made attempts to require that a religious test has been taken or requiring ancestral documentation, but under the law, a declaration that the Jewish 'belief is sincerely held' suffices and no further set of proof is allowed to be required.

Besides 'passing' and 'fraud' there are other forms of contestation of racial and ethno-national classifications. A particularly interesting case concerns communities that successfully survived Nazi and WWII German rule by contesting being Jewish. Levin (2014) documents the case of 'Bukharan Jews,' the indigenous Jewish population of Central Asia, and Feferman (2011, p. 277) provides a detailed account of how and besides the Mountain Jews in the North Caucasus, the Karaites (a group with Jewish ancestry emerging in the seventh century and rejecting mainstream Jewish interpretation of Tanakh) in Persia, Turkey, Egypt, Crimea, and Lithuania, succeeded in being recognized as not Jewish.

On the other hand, there are other contemporary examples for claims pertaining to Jewish heritage and ethno-national identity: 'From Ethiopia, Madagascar, Zimbabwe, and South Africa to Cameroon, Ghana, Rwanda, and Nigeria, ethnic groups in Africa increasingly claim Jewish descent.' Assertions can be grouped into three categories: vague Israelitism (a belief in Israelite ethnogenesis, the invocation of cultural and linguistic similarities with Hebrew, and the linkage of local experiences of oppression to the Holocaust), Hebraic eclecticism (the mixing of local cultural practices and Christian rituals with Jewish religious customs and the Judaizing of non-Jewish rituals and dogma), and orthopraxis (a strict adherence to the principles and practices of 'normative Judaism' in terms of the observance of Jewish holidays and dietary laws, the study of the Torah and the Hebrew language, and so forth) (Ejiofor, 2022, p. 15).

5 The constitutional identity of the Jewish majority

The case of how being Jewish is defined and operationalized in Israel is worthy of attention for several reasons. In general, any inquiry on race, ethnicity or nationality will raise the question if it makes a relevant difference whether definitions or operationalizing schemes pertain to minorities or the titular (ethno-)national majority. Defining Jewish is not only the core of the nation-building and nationalist project in the Jewish State, a state defining itself as Jewish at the level of constitutional identity, but it also has a multifaceted relevance for Jews in the Diaspora. Although obviously not binding directly either in the legal or the political sense for other sovereign states and legal regimes, or even for collective or individual identification, the conceptualization for who and what is Jewish is omnipresent as a phantom point of reference (and also as a dormant option for immigration) for Jews throughout the Diaspora (as well as potentially for the anti-Semite). Also, Israeli nationalism is in part framed in reference to ethnic kins in Diaspora. The 2018 Basic Law: Israel—the nation state of the Jewish people provides that

> The State of Israel is the nation state of the Jewish People, in which it realizes its natural, cultural, religious and historical right to self-determination. [...] The State shall be open for Jewish immigration, and for the Ingathering of the Exiles. [...] The State shall strive to ensure the safety of members of the Jewish People and of its citizens, who are in trouble and in captivity, due to their Jewishness or due to their citizenship. [...] The State shall act, in the Diaspora, to preserve the ties between the State and members of the Jewish People. The State shall act to preserve the cultural, historical and religious heritage of the Jewish People among Jews in the Diaspora.

Classifications and operationalization of the Jewry in Israel will have two sets of separate streams: defining 'who is Jewish' for immigration/preferential naturalization purposes, and for categorization pertaining to the personal status of Israeli citizens and residents. For the first cluster, operationalization relies on a mixture of religious and ethnic criteria, for the second, a politically contested particular stream of religious denomination's criteria is applied. The consequences of these classifications are direct and apparent in people's lives, their impact and relevance go far deeper than symbolic politics or abstract constitutional identity. Hence, harsh political debates and a continuous legal contestation surrounds these legal constructs because these are some of the most important areas where the political, social, and cultural divides tormenting Israeli society surface. Technically speaking, and reverting to the above typology on classification, the Israeli case brings a combination of providing definitions by the state, actually the 'majority state', but also relying on representatives of the community, in this case the leadership of a narrowly defined segment of the dominant religious community. We will also see here legal operationalization of genetic data, along the recognition of an ethnic definition, when Jewishness is proven by archival evidence of ancestors' historical official, administrative classification as Jewish (by religion). This amalgam of tools and markers for divergent administrative purposes is necessitated by Israel's curious hybrid legal system, melding together secular and (fundamentalist) religious constitutional elements into an ethnic democracy, making it one of the few modern states which define its national constituencies, and the majority, on rigid, ethno-religious grounds (and a legal system that has no qualms about authorizing the leadership of a par-

ticular religious stream to authenticate membership in the religious community.) Let us now turn to the two legal clusters where the 'who is Jewish' question surfaces.

5.1 Jewish for the purposes of immigration and naturalization

Turning the state of Israel into the home of Jews by virtue of their Jewishness makes Israel one of the unique exceptions amongst countries that absorb immigrants, in the sense that its endorsement of immigration by inviting all Jews to make *aliyah* only applies to a specific ethnic group (Weiss, 2002, p. 85). Reflecting on the horrors of the Nazi regime, the Israeli Jewish state defines its constituency more or less in accordance with the broader definition of the Nuremberg Laws. As Kimmerling (2002) puts it, 'using affirmative action (or corrective discrimination) on behalf of the world Jewry after the Holocaust. [...] intended to grant citizenship to almost everyone who suffered persecution as a Jew.'

Under the 1948 law on the establishment of the State of Israel, its founders proclaimed the renewal of the Jewish State in the Land of Israel, which would open wide the gates of the homeland to every Jew (Declaration of Establishment of State of Israel, 14 May 1948). The 1950 Law of Return (Law of Return, 5710-1950, 1950) grants every Jew, wherever she may be, the right to come to Israel as an *oleh* (a Jew immigrating to Israel) and become an Israeli citizen. The Law of Return's preferential naturalization conditions only apply to Jews, and Israeli nationality is automatically accorded to them on request, and they also receive special assistance helping them to settle in Israel. The authorities also recognize their status as Jewish. For the purposes of this Law, 'Jew' means 'a person who was born of a Jewish mother or has become converted to Judaism and who is not a member of another religion.' Under the law, the preferential naturalization is extended 'in a child and a grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew and the spouse of a grandchild of a Jew, except for a person who has been a Jew and has voluntarily changed his religion.' It needs to be added that 'ethnic Jewry' is not the only way of acquiring naturalization, as (regardless of race, religion, creed, sex or political belief) citizenship may be acquired by: birth, naturalization and residence, even the Law of Return is inclusive in the sense that it allows naturalization in a broader circle and extends to family members.

Being recognized as Jewish nevertheless is a crucial issue as since 1949 the National Register for inhabitants has a rubric for 'nationality, ethnic group, community and religion,' and official documents, such as identity cards, contain the holder's affiliation with one of the 'ethnic communities' (Jewish, Muslim, Christian or Druze). The Chief Registration Officer's decision on this is subject to judicial review, and the consequences are crucial, as in Israel an important set of rights and obligations are dependent on which community one is a member of. For example, as it will be shown, there will be separate courts and legal regimes for religious family law. If an applicant fails to demonstrate credibly her Jewishness, she will be registered after the passport she holds. The relationship between secular and religious state powers has been a source of severe political controversies, as well as several highly debated cases in front of the Supreme Court of Israel. For 50 years, the Agudat Israel Party and Orthodox rabbis (in Israel and the Diaspora) have been insisting that the term 'in accordance with Halacha' be added after the word 'conversion' in the Law of Return.

In practice, certain population categories are specifically affected by the competing criteria for Jewishness. For example, immigrants who are recognized as Jewish by the Registry Office and not by the Halacha—in particular who have a Jewish father but a non-Jewish mother, or who have converted to Judaism, particularly outside Israel, by synagogues not recognized by the Chief Rabbinate of Israel (Reform and Conservative Synagogues, for instance). All these are eligible for citizenship as Jews under the Law of Return but cannot contract a religious marriage in Israel. Thus, another front in this battlefield is the question of conversion recognition. In a 1995 decision[4] the Israeli High Court of Justice gave de facto recognition to Reform and Conservative conversions performed in Israel for the purposes of civil issues (i.e., registration), restricting thereby religious community (orthodox rabbinate) jurisdiction to personal status issues. In 2000 the court reiterated[5] that a conversion need not be approved by the Chief Rabbinate for the purpose of the Law of Return and the civil registration. and in 2004 it was decided[6] that the Law of Return also applies to a non-Jew who, while residing lawfully in Israel underwent conversion, in Israel or abroad. The question is still far from resolved. In March 2016,[7] the High Court of Justice ruled in favor of recognizing Orthodox conversions performed by private rabbinical courts. This opened the door for Conservative and Reform movements to petition for the recognition of their own conversions in Israel, which are also performed by private rabbinical courts, yet it is too early to call for a new era.

McGonigle and Herman (2015, p. 473) point to research showing that there are roughly 14 million Jews around the world, but over 23 million people eligible for citizenship under the Law of Return. Since the 1990s about a million immigrants arrived from the former Soviet Union, a third of whom are recognized as Jews, and the government decided that converting people who are of Jewish descent (*zera Yisrael* or 'the seed of Israel') non-Jewish family members of Jews are important national priorities, and a state conversion agency was established, along the operationalization of a military conversion system for soldiers to convert during their military service. Still, the size of the only potentially Jewish population in Israel continues to grow (Stern, 2017, p. 14). As Stern (2017, p. 13–14.) points out,

> Most prospective converts [...] do not want to lead a religious lifestyle. [...] This means that in order to convert they have to pretend. For them, the road to Judaism and to full inclusion in the Jewish nation passes through falsehood. [...] In practical terms, the dispute affects several sectors of the population [such as the] approximately 100,000 immigrants from Ethiopia [or] individuals who converted abroad [and] find that the validity of their conversion is called into question in Israel.

In 2011, Judge Gideon Ginat of the Tel Aviv District Court ruled that award-winner Israeli author Yoram Kaniuk could register his official religious status as 'without religion.' As Fisher points out, this may be in line with what David Ben-Gurion, founder and

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[4] HCJ 1031/93 *Psaro (Goldstein) v The Ministry of Interior,* 1995.
[5] HCJ 5070/95 *Na'amat – Movement of Working Women and Volunteers,* 2002.
[6] HCJ 2597/99 *Rodriguez-Tushboim v Minister of Interior,* 2004.
[7] HCJ 7625/06 *Ragachuva v The Ministry of Interior.*

first Prime Minister of Israel opined: 'To his mind, the establishment of a Jewish state expressed the new Jewish nationalism, in contrast to Jewish life in the Diaspora, which was based on religion' (Fisher, 2013, p. 221).

There have been very instructive cases on the question of a secular national identity. As Tamar Hostovsky-Brandes shows (Hostovsky Brandes, 2018, p. 50), in 2008, in *Ornan v Ministry of the Interior*,[8] a group of Israeli citizens appealed to the High Court of Justice, requesting a declaratory ruling stating that their nationality is 'Israeli,' with the intention of using the ruling as a public document for the registration of nationality by the population registrar administered by the Ministry of Interior. The Court denied the appeal, holding that 'the existence of an Israeli nationality has not been proven.' Reaffirming the 1972 similar case of *Tamarin v. The State of Israel*,[9] it adopted a distinction between citizenship and nationality, perceiving citizenship as a legal status, and seeing nationality as first and foremost a solidarity group. The Court argued that the formation of an Israeli nation necessarily comes at the expense of the Jewish nation and as an empirical fact, this Israeli nation has not been formed.

5.2 Jewish for the purposes of personal law

As mentioned above, in Israel, citizens are designated to 'ethnic communities' (Jewish, Muslim, Christian or Druze), and official documents contain these data. This also serves as the basis for membership in crucial ethno-religious communities that define and demarcate legal statuses for private law. As Yedidia Stern summarizes,

> Israeli society is composed of four major identity groups that are fairly equal in size with no clear hegemonic center: ultra-Orthodox (Haredi) Jews, national religious (a.k.a. Modern Orthodox) Jews, secular Jews, and Arabs. Since the Israeli education system is divided into separate streams, with each serving one of the four identity groups, we can be fairly precise in projecting that the future demographics of the county will be roughly one quarter ultra-Orthodox, another quarter Arab, approximately 15 percent national-religious, and the balance—some 38 percent—secular Jews. (Stern, 2017, p. 3)

In contrast to the Zionist idea of designing the Jewish nation state on (at least partially) ethnic grounds, in Israel, the personal status of all citizens is determined on the basis of religious categories and in religious courts. Thus, all matters associated with marriage, divorce, and a number of other issues, religion is the deciding factor. In practical terms this means the prohibition of a marriage where only one of the spouses is Jewish, or same-sex marriage (Cohen, 2016/2017). A state-run religious establishment is the operational arm, including the Rabbinical Courts and the Chief Rabbinate, headed by two Chief Rabbis who are Israel's highest religious authorities and the religious hierarchy's senior representatives in public matters. Rabbinical Courts are religious courts appointed by the state to administer the Orthodox religious monopoly in matters pertaining to individual

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[8] CA 8573/08 *Ornan* (02/10/2013).
[9] CA 630/70 *Tamarin v State of Israel* PD 26(1) 197 (1972).

status (Fisher, 2013, p. 220). The Orthodox Rabbinate and the Rabbinical Courts were established in the 1920s, as part of the adoption of the Ottoman ruling system that gave religious authorities the privilege of ruling on matters of personal status, and was legally re-established after 1947 within the context of a larger commitment to the Ultra-Orthodox (Fisher, 2013, p. 220).

The Central Bureau of Statistics (CBS) found that between 2004 and 2006, 9.6 to 12 per cent of Israeli couples married outside Israel. More than sixty thousand Jewish couples during those years chose to cohabit without marriage. In 2011 the *Haaretz* reported twenty thousand Israeli Jews marry abroad annually (Ellenson, 2017, p. 274), with Cyprus the most popular nearby destination. Although the High Court of Justice recognizes these marriages (HCJ 143/62 *Funk-Schlesinger v Minister of Interior* [1963] HC 58/68), but private international law can always bring surprises. As Julia Lerner (2017) shows, the formation of personal identities often takes place within the dynamics of bureaucratic categorization, where Israeli born citizens only find out at the age of 16–18 when applying for their ID card or registering for the military service that they are misplaced within the matrix of ethnobiology and the halacha. Thus, there are developments, when in certain cases the 'nationality' category within ID-cards can be left blank or have 'without religion', in order to open an option for 'in-betweenness'. However, this only caters to 'proper, indigenous, ethnic' Jews, but not to many immigrants or children of mixed marriages, who, mostly can only have 'converted' or their previous nationality registered (Lerner, 2017, p. 279).

5.3 Jewish genes at the intersection of old and new forms of biopolitics

Besides religious, cultural and archive-based ancestral identification, with recent developments in molecular biology, the administrative operationalization of genetic data emerged as an additional form of classification to determine Jewishness—despite the obvious risk of re-inscribing racial essentialism. Jewish genetic tests open up new avenues to recognize and validate Jewishness, allowing for both restrictions and expanding the limits of group boundaries. Curiously, in several legal procedures genetic definitions of Jewishness also need to be approved and recognized by the rabbinate. It also needs to be added that the consideration of molecular information as a source of establishing Jewishness takes place in a socio-political environment, where laws and cultural norms (including some of the religious leadership) regarding the use of artificial reproductive technologies are quite permissive, due to their utility in tackling Israel's 'demographic problem', that is, in maintaining a Jewish majority (McGonigle & Herman, 2015, p. 477).

As McGonigle-Herman explain, molecular genetic tests can now be used to measure individuals' entire genomes, and scientific research has begun to describe the genetic basis for a common ancestry of the whole of the Jewish population (McGonigle & Herman, 2015, p. 474). There are three key ways in which Jewishness has moved to the molecular realm, with genes being defined as Jewish: population genetics; genetic testing for both disease and Jewish identity; and human ova and sperm donation, as in the field of assisted conception (McGonigle & Herman, 2015, pp. 474–475).

As for the latter, even the Orthodox Jewish community has been receptive to reproductive medicine.

> Many rabbis will permit married couples to use non-Jewish genetic donor material when no other measures exist to solve infertility challenges, and since Jewishness is halakhically passed from mother to child, non-Jewish sperm can create a Jewish child if the mother is Jewish. However, the inheritance of Jewishness is problematized when a surrogate mother carries a baby. […] In a recent case […] a rabbi opined that the baby technically had three parents, and because the surrogate was not Jewish, the child was not Jewish. (McGonigle & Herman, 2015, p. 475)

In practice genetic tests offer the possibility to legitimize some whose Jewishness is questioned. For example, based on DNA test, a rabbi granted a marriage license as a 'bona fide Jew' to an East-European woman (McGonigle & Herman, 2015, p. 476). Even some underserved Jewish communities in Israel, such as the Lemba of southern Africa, Beta Israel of Ethiopia, the Kuki-Chin-Mizo, or the B'nei Menashe from India welcome these developments as proof of authentic Jewishness. Genetic evidence (McGonigle & Herman, 2015) is crucial for halachic validation, as these communities often follow quite different cultural and religious traditions from ex-European Orthodox Jews (for example, the Lemba observe descent passed from father to son) (McGonigle & Herman, 2015). Yet, DNA testing is also used to accentuate barriers. Many Jews from the Former Soviet Union are asked to provide DNA confirmation of their Jewish heritage in order to immigrate as Jews (McGonigle & Herman, 2015, p. 470) (even if the Prime Minister's Office argued that 'We're not talking about a test to determine Jewishness. We're talking about a test to determine a family bond that entitles [the child to] Aliyah.' McGonigle & Herman, 2015, p. 474).

It is important to stress that both the indexical power and validity of these genetic tests, as well as the socio-political operationalization of the concept of 'Jewish genes' is ambiguous.

> For example, non-Jewish donor sperm and ova can be used in assisted conception clinics to produce babies that are legally Jewish in the eyes of the State, though only if the gestating womb is Jewish. DNA markers that could be read as Jewish on an individual level, however, need not be identified in these individuals. Conversely, a child could have Jewish genetic material, but without a Jewish mother would not be considered Jewish. (McGonigle & Herman, 2015, p. 475)

Jewishness as a measurable biological category can implicate access to basic rights and citizenship in Israel (McGonigle & Herman, 2015, p. 476; for more on the 'Jewish gene', see Abu El-Haj, 2012; Glenn & Sokoloff, 2010; Ostrer, 2001; Goldstein, 2008; Egorova, 2010).

It needs to be added that new technologies are often used to identify (the genealogy) of various groups—and not individuals—be them the nation-constituting majority or minorities. The above mentioned Igbo nationalist movement, which identifies as Jewish, led to the NGO Jewish Voice Ministries International to conduct DNA tests to 'verify' the Igbo claims of Jewish ancestry and concluded that the results 'did not support their claim to be descendants of the ancient people of Israel,' infuriating many, who claim that 'DNA tests […] are incapable of proving—or disproving—Jewishness, [… as t]here is no test that can prove Jewishness' (Ejiofor 2022, p. 4).

6 Concluding remarks

The framework of the text was to show how law operates as a technology for conceptualization and operationalization of race and ethnicity in two dimensions: one concerning the groups, the other pertaining to membership criteria. The unique history and persistent experience of persecution and discrimination, along the historically continuous legal, socio-cultural and political challenges to 'assimilation', and the emergence of Israel, the 'official national homeland' of the Jewry, the question of 'who and what is Jewish' provides a conspicuous case study for the study of the dynamics of subjective and external conceptualization and operationalization.

Jews are minorities in many countries, yet intricate legal and political debates surround the question whether they are racial, ethnic, religious or even national minorities, or a cultural community. Sometimes these conceptualizations and classifications even co-exist in one society and legal system. The reason why the 'who is Jewish' question is a goldmine for social scientists is that it provides a singular opportunity to explore the complexities of biopolitics, identity politics, religion, minority rights, and genetic data in relation of a group that is already torn between competing cultural, ethnic or religious identity-frameworks, along an ambivalent history and contemporary experience of barriers to assimilation to Diaspora nations. This makes the legally formulated classifications in Israeli constitutional nationalism particularly illuminative. The various, often competing concepts of Jewishness by different actors provide a unique insight into complex legal concepts like the right to the choice of identity, constitutional theocracy, as well as various forms of contesting and bending ethno-racial classifications like 'concealment,' 'passing,' or 'covering.' It had been shown that in addition to self-identification, religious and archive-based ancestral identification, recent and controversial developments in molecular biology emerged as an additional form of classification to determine and validate Jewishness (for religious and official procedures.)

As for a broader lesson: the discussion of 'who is Jewish' provides a vivid demonstration of how the political and legal conceptualization of ethno-racial and/or national group membership is embedded in the social and historical context, as well as the situational interplay between minorities and the majority.

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Maria Reimann

'Everybody likes it more when it's even': Joint physical custody from the children's perspective

[mw.reimann@uw.edu.pl] (University of Warsaw)

Abstract

In April 2022, the Polish Children's Ombudsman publicly addressed the Minister of Justice, demanding changes in family law regarding child custody post-parental separation. The Ombudsman pointed out the lack of a legal definition of joint physical custody (JPC) and suggested there should be a clear definition and associated regulation. The Ombudsman's address is one part of the debate on JPC that has recently emerged in Poland. Politicians, mothers, and fathers are actively engaged in the debate, with each of their voices well represented. Both supporters and opponents of joint physical custody claim that their main concern is the best interest of the child. However, no attempts have been made to listen to children's opinions about custodial arrangements.

This article is based on interviews with 23 children living in JPC. I asked the children about their everyday experience of home and belonging and their relationships with their parents, siblings, and parents' new partners. I also asked their opinions on how custodial arrangements should be made to suit them. The interviewees complained about the inconvenience of frequent moves but also stated that living with their mother and father interchangeably allowed them to be as close to each of the parents as they desired. For this reason, the interviewees considered JPC a preferable solution after divorce.

Keywords: joint physical custody; childhood studies; child custody; children's rights

1 Introduction: The child's best interest and the right to participation

In recent years, protecting the child's best interests has become the primary and accepted ground rule of Polish family law (Czech, 2011; Domański, 2015). It has overarching primacy over other regulations in the Family and Guardianship Code and should be the primary

concern of family courts. At the same time, the Convention on the Rights of the Child (in article 12), EU Regulation 2019/2011 (in article 39), and the Constitution of the Polish Republic (in article 72) grant children the right to express their views on matters that affect them and oblige the state to consider those views. These two principles are not always easy to reconcile (Thomas & O'Kane, 1998; Archard & Skivenes, 2009) because adult(s) and children may disagree on what is in the child's best interest. As Monk (2008) points out, what is considered 'in the best interest of the child' is very contextual and often used by adults to reproduce power relations.

Parental divorce is a challenging experience for the majority of children. Research shows that children of divorced parents have a lower level of satisfaction with life and assess their physical and mental condition as poorer than their peers (Armato 2001; Amato & Booth, 1997; Bjarnason et al., 2021; Carslund et al., 2013). The reason for such outcomes is typically attributed to the deterioration of the children's economic situation and less involvement of fathers in childcare (Lansford, 2009). The notion of whom the children should live with in the case of parental separation has undergone dramatic changes over the past few centuries. In the Western world in the nineteenth century, children were required to live with their fathers as they 'belonged' to his family (Monk, 2004). Since the second half of the twentieth century, due to the changing ideals of childhood and care, it was preferred that children stayed with the mother, who was expected to be a better carer (Kheily, 2004). In the twenty-first century, the ideal has changed again. The quest for gender equality and the rise of so-called 'new fathers' (men who are perfectly able to undertake childcare) has given birth to the idea that parents are equally well equipped to take care of children and that being taken care of by both of them is in the child's best interest (Grunow & Evertson, 2016; Sikorska, 2009). This hypothesis is confirmed by a growing body of research on children who live in two homes (Nielsen, 2011; 2013). Children in JPC experience less stress and fewer psychosomatic problems than children who stay with only one of their parents (Bergstrom et al., 2015; Spruijt & Duindam, 2010). They are also less likely to engage in risky behavior (Carlsund et al., 2013). In a study that analyzed JPC in 36 countries, Bjarnason and Amarsson (2011) claimed that children in JPC custody are less likely to have impaired relationships with their fathers than children living with only one parent or children living with both parents. Qualitative studies conducted with children whose parents had divorced but decided to share childcare equally show that children are able to cope well under these circumstances; they can feel loved and cared for, and they can believe their families to be as good as other families (Neale et al., 1995; Wentzel-Winther et al., 2015).

In Poland, joint shared custody is still a relatively new phenomenon and remains undefined in the Family and Guardianship Code. The Polish courts and government do not share exact data on the number of children living in joint shared custody. Nevertheless, we can assume that the number is growing if we look at the number of cases of divorce that conclude by assigning equal legal rights to both parents because this is a prerequisite for JPC. Equal legal rights and joint shared custody are not the same: in the first case, both parents maintain the right to make decisions about the child's upbringing (for example, the choice of school or medical interventions); in the second case, the child actually lives for an equal (or near equal) time with each of the parents. However, for JPC custody to be possible, the parents need to be granted equal legal rights. In 2003, of a total of 30,197 divorces, parental authority was granted to only one of the parents in 20,135 cases

(19,053 times – i.e., in 63.1 per cent of cases – to the mother, and 1,082 times – i.e., in 3.6 per cent of cases – to the father), and 9,487 times (31.4 per cent) to both parents (in 575 cases, another decision was made). In 2018, for a total of 36,214 divorces, parental authority was granted in 20,135 cases to one of the parents (13,333 times – i.e., 36.8 per cent – to the mother, 1,194 times – i.e., 3.5 per cent – to the father), and 20,955 times (i.e., 57.9 per cent of cases) to both parents (another decision was made in 650 cases) (Kamińska, 2020). In 2022, both the People's Ombudsman and the Children's Ombudsman addressed the Ministry of Justice, indicating the need for revisions of the Family and Guardianship Code. It is difficult to assess to what extent the Ombudsmen represent the voice of the public. On the one hand, an increasing number of parents decide to share custody after separation equally. On the other hand, those who argue that living in two homes may harm a child's emotional life are many and vocal. Polish courts are very paternalistic in their approach – while they explicitly articulate concern for the child's best interests, they rarely interview children concerning matters that affect them (Cieśliński, 2015). In the debate on what is best for children after parental separation, children seem to have no voice at all – as often happens in Poland (Radkowska-Walkowicz & Maciejewska-Mroczek, 2017).

This article is an analysis of ethnographic research with children who live in joint physical custody. Children do not refer to the framework of rights (i.e., the right to be taken care of by both parents and the right to express one's opinion). Instead, they are quite clear on what works for them and how they think their family lives should be organized.

In the following sections of this article, I first reflect on the methodological and ethical choices I made when conducting the research and then focus on the children's experience of living in JPC. Finally, I present the rules according to which – according to my interviewees – JPC should be determined to be beneficial for children. The article's conclusion is a proposition for considering the recommended rules to be codified as rights that children should be granted.

2 Methodology

The article is based on ethnographic research I have conducted since the spring of 2021, mainly in Warsaw, Poland. I interviewed 23 children (thirteen boys and ten girls) who have been living in joint physical custody for at least one year. Three girls and two boys were only children, while all the rest of the interviewees had siblings (some of the siblings declined to participate in the research). Except for two interviews where the brothers wanted to be interviewed together, all the children preferred to speak to me individually. Depending on the interviewee's age and mood, I was prepared to use different, age-tailored qualitative research methods (participatory methods like drawing and storytelling with smaller children and in-depth interviews with teenagers). To my surprise, most of the children said they preferred not to draw or do other art projects during the interview but that they just wanted to talk to me – so this is what we did. Even in the cases when I used participatory methods, my aim was not to analyze children's drawings as such but rather to use them as a starting point for a conversation with the child.

All the interviewees lived in the province of Mazowieckie, most of them in Warsaw and two in a small city.

The interviews lasted between 30 and 60 minutes. I asked the interviewees about their everyday lives: where they lived and with whom, how often they moved from one home to the other, which of the parents picked them up, and what things they took from one home to the other. I asked if and how the two homes differed and if the child felt at home in both in a similar way. At the end of the interview, I asked their opinion on how parents should share childcare after parental separation and why.

The interviews were taped (with the children's consent) and then transcribed. I also made detailed fieldnotes in which I described the meetings with the children, focusing on the nonverbal elements of the interviews (the general atmosphere, how I felt during the interview, and how the child seemed to feel). I analyzed both the transcriptions and the field journal using thematic analysis (Hammersley & Atkinson 2010). I searched for recurring motives and themes and tried to tease out the meanings that my interlocutors attached to their experience. Although not inherently representative, ethnographic research is imbued with significant value due to its ability to capture a diverse range of narratives and stories.

All the knowledge about the family history and current arrangements came from the children. I decided not to interview the parents in order not to diminish the children's knowledge by seeking a second opinion. Parents can have different perspectives or understandings of facts, and as adults, we are more likely to award them priority or believe they are more rational and valid. The purpose of my research and this article is to understand and perhaps begin to empower children's voices. As such, it is necessary to temporally silence the omnipotent voices of adults.

 I contacted the children through an email to their parents, to whom I sent a flier addressed to the former (the flier had two versions: one for children and one for teenagers). The majority of the parents saw the invitation to take part in my research on the Facebook page of *Fundacja Dajemy Dzieciom Siłę*, Poland's largest NGO that deals with violence towards and the sexual abuse of children. The remaining parents were people I contacted via personal networks and snowball sampling. I only interviewed children after both parents consented to the child's participation in the research. This was an ethically driven choice – I believed that it would prevent putting the child in an uncomfortable situation where they might feel disloyal towards the parent who did not consent. By deciding to only speak to children whose parents both consented to the child's participation, I narrowed my research to families where there was no open conflict between the parents, thus, we can anticipate the children are less troubled with their family lives. Those limitations do not make their narratives less worthy of examination. On the contrary, while keeping in mind that we are looking at families in which JPC works well, we can still ask *how* it is done and what is necessary for JPC to be beneficial for children.

3 'Home is where the heart is'

In Poland, the idea of having two homes is counterintuitive and problematic. 'Home' is, by definition, a single physical location for JPC opponents and some parents whose children live in a JPC arrangement. One interviewee's mother wrote to me in an email, 'By the way, it troubles me that the kids don't say they "go home" about either of the homes. They say

they "go to mom's or go to dad's."' During the interview, when I asked her nine-year-old daughter to draw her home, the girl asked, 'But which one?'. After the interview, the girl showed the picture to her mother, who said, 'Very nice, but which home is *real*?' To which the girl rolled her eyes and said, 'They are both real.'

Most children I interviewed said they felt equally at home at both parents' places. If one of the places felt more like home than the other, it had to do with the fact that one of the parents frequently or recently moved, and their new place had not become as familiar as that of the other parent's. At the same time, a few children spoke about it 'being difficult to explain when people ask' [10-year-old boy] or did not like to talk about it because the adults acted surprised or became judgmental.

> Boy, 14 years old: My grandma (my mother's mother) and my aunt, they are sometimes unbearable.
>
> Boy, 10-year-old [brother]: Exactly.
>
> Older boy: [They say] 'Oh, your situation is so terrible; that's why you got this bad grade at school!'
>
> Younger boy: Yes.
>
> Older boy: When I go there, I always argue with them.
>
> Interviewer: I see.
>
> Older boy: It's so annoying.

The boys did not consider their situation 'terrible.' They alternated between their father's home, where they live with their father, stepmother, and their half-brother, and their mother's house, where they live with the mother, stepfather, and – sometimes – the stepfather's son. It is the stepbrother's situation that the boys consider difficult. They said it was challenging for their family because their stepfather and his ex-partner did not have a clearly defined custody arrangement, so their stepbrother's schedule was erratic.

> When I imagine that I could only go to my dad's, or mum's, whatever, every second weekend, it makes me feel sad. I don't know. Like, it's too little. (Shiny Cockroach, 14 years old)

While the research participants were often very enthusiastic when speaking about their homes and families, they all complained about the inconvenience of frequent moving. The children said that they did not like to pack and carry their bags, and they often spoke about forgetting something and either not having it or needing to go back. 'Those are disadvantages one can live with,' summed up a 17-year-old girl, which reflects how the other children/teenagers spoke about it. '[Joint physical custody allows me to] still have a relationship with my dad. That's it,' said the same girl when she spoke about why she thinks JPC is a preferable solution after parental divorce. All the research participants expressed the same opinion: the fact that they can be as close to both parents as possible overrides the inconvenience of moving from one home to another. A similar observation was made by Bren Neale and her colleagues, who interviewed children living in post-divorced families in the UK. Neale writes: 'where children enjoy good quality relationships

with their family members they can, on these criteria, regard their families as perfectly normal and positive because the organizational features of their family lives are of secondary importance to them' (Neale et al., 1995, p. 18).

The logistics of post-divorce family life can only be considered of secondary importance when the organization itself does not cause suffering. In the previously quoted account of the two boys' stepfather, the organizational features became part of the problem. The children and teenagers I spoke to regard their families as typical and positive. At the end of each interview, I asked what advice they would give to separating parents about how to share custody. What follows is a compilation of their recommendations.

4 Children's recommendations

4.1 Parents should not involve children in their conflicts

All the children I interviewed expressed the opinion that parents should not involve children in their conflicts. 'They should not fight when they meet,' said a nine-year-old girl. 'They should not fight, not even on the phone; the children can hear that,' said another eight-year-old girl. The research participants are aware that their parents are not necessarily fond of each other, but, as a 14-old-girl put it, 'they should get along, and if they don't, they have to do something about it.'

One of the research participants, a 14-year-old boy (in JPC for six years) whose parents are now in an open conflict about a matter not related to children, put it like this:

> If one of my parents came to me and started complaining about the other, I would be like: 'Why should I care? I have my own opinion about her, she's my mom, and I love her; if you have a problem with her, it's your problem.' (Boy, 14 years old)

I interpret the demand that the parents do not fight in the children's presence or involve children in their conflicts in other ways as a request for protection. While children know that their parents sometimes fight, they believe they should be protected. A few participants spoke about their peers who had lost contact with one of their parents due to parental conflict. Protecting children from parental conflict is also protecting them from taking sides. Children also try to protect their parents from things they believe might hurt them. As one of the interviewees explained it:

> It's certainly difficult for me to talk [to the other parent] about how life is at mum's or dad's place. because it seems to me… for example, with mum, we go on holiday a lot. My dad cannot offer us that, because there are so many of us here [dad has children with his new partner], and also because he is a tour guide and works most of the summer […] I think that sometimes he might feel sad that he cannot offer us that. I am sure he is happy we have fun with Mum, no doubt about that. But I think when my brother goes, like, after coming back from a great holiday with my mum, 'Hey dad, when are we going to go someplace together,' I think it's not cool. (Girl, 14 years old)

In a similar manner, some of the children are concerned with the division of care being, as a 13-year-old girl put it, 'fair for the parents.' Fair in this context means the children spending an even number of days at each place. Children show their care for their parents by keeping track of the days.

It seems that, according to the children, everybody should be cautious not to hurt others in a non-normative situation such as family life after divorce. This means restricting oneself from freely expressing all possible emotions and avoiding certain subjects.

4.2 Parents should divide custody equally

All the children and teenagers that took part in the research said that joint shared custody is the best way to divide custody after separation. For some children, this choice was implicit and not worth mentioning. When asked their opinion about how parents should share custody, the children analyzed whether it should be a week at one place and a week at the other or two weeks at each house at a time, as if they regarded different ways of dividing childcare after separation as not worth considering. When I asked why they believed JPC was the right choice, they all said they would not like to see one of the parents less than the other.

One of the girls I spoke to was no longer alternating between two homes. She decided to live at her mother's place and only go to her father's every second weekend because her relationship with the stepmother was very tense and unfulfilling. Nevertheless, this girl also thought parents should divide custody equally first and then see 'what the child wants.'

The children not only said they wanted to have an equally close relationship with both parents because they loved them both but also thought it was the right way of doing things. There were children among the research participants whose stepfathers had children from previous relationships with whom they did not have good relationships. The children I spoke to blamed this on the fact that custody was not equally shared; therefore, the contact between the fathers and their kids had become less and less frequent. As a 17-year-old girl put it:

> I still have a good relationship with my father; that's it. I think [JPC] is a good solution because I feel that my father is not some addition to my life... And... For example, my friends [whose parents are not together] have no contact with their fathers. My father is not someone I only meet on weekends; he is not an addition to my life. I know a girl whose father also had a new family [like my father], children, and so on, and at some point, they just stopped meeting on the weekends. They just didn't feel like doing it. [...] And I still live with my father, and he is just part of the [family] system. (Girl, 17 years old)

Another of the older interviewees, an 18-year-old boy, explicitly expressed his concern about the impact that not having a close relationship with the father could have on a person's future. Younger children considered a non-equal division 'strange,' 'not proportional,' or 'chaotic' (which is interesting, considering that one of the arguments of the adult opponents of JPC is that frequent moves make children's lives chaotic).

4.3 Parents should inform children in advance

The third recommendation presented by the research participants is not to surprise children with the fact that parents are separating. '[The parents] should not treat children like idiots who have no brains,' said a 12-year-old girl, 'and not play [at being] a happy family.'

Another girl, a 10-year-old, said that parents should give children time to get used to the thought that they are going to split up.

> [Parents should not] suddenly tell the child they are going to split up, but rather, I don't know, let [the child] get used to it. Not suddenly – bang – and it's done. [...] My parents... it's difficult to say if that's what they did. On the one hand, they did tell us something, [the separation] wasn't sudden. But on the other hand... I don't want to say they lied to us, and I am not sure; I was younger then [four years old], but I remember they said they would split up in two years, and they did it earlier. But we couldn't do anything about it. And maybe they just couldn't stand each other anymore [the girl laughs]. (Girl, ten years old)

According to some of the research participants, parents should ask children how they would like custody to be shared. There were also children who thought that was a bad idea because children could feel overwhelmed and afraid to hurt their parents. Similarly, the research participants were rather reluctant when asked about children being interviewed by the courts.

> Girl, 17-year-old: We were too small; he [the brother] was nine years old, I was – what? – eleven...
>
> Boy, 15-year-old (her brother): Now it would be okay, but then? You say one stupid thing, one word too much, and they [the court] can twist it against the whole family.
>
> Interviewer: You think it's too much responsibility?
>
> Boy: [...] It's too much. It's not so bad when the parents separate calmly, but I just see the world around me. One parent could use one word from the child to take all the custody from the other. I think it's pointless because a seven, or nine-year-old child doesn't know what he's talking about. [... I'm not saying children are dishonest because they are not, but they can be misunderstood.

I find the above quote interesting for two reasons. First, it shows distrust towards parents and courts, who could use a child's words against each other or 'against the whole family.' Second, it shows how teenagers also deny a voice to children – a 15-year-old believes a nine-year-old 'doesn't know what he's talking about.' The notion that younger children should not be consulted surfaced in a few interviews with children and teenagers. It is a powerful reminder that 'children' are not homogenous but a very diverse group, with age only one differentiating trait.

4.4 Parents should have a (flexible) plan

Frequently moving from one home to the other is difficult. All the research participants, in one way or another, expressed their discontent with the fact that they had to pack their bags and move their belongings. Younger research participants spoke about missing one of the parents or feeling sad (especially on the day on which they were about to go from one place to the other).

> Usually, on 'passing day' [*dzień przechodzący*], I am all stressed out and cannot focus on anything. Usually, for the whole day, I am unstable, as you could put it. (Girl, 11 years old)

Some children said they did not like the packing, and some complained about carrying heavy bags. One of the boys (14 years old) said he never took all his books out of his suitcase:

Boy (14-year-old): (...) I keep all the books in the suitcase; it's only for a week anyway.

Interviewer: Really?

Boy: Yes, I just don't take them out. Especially now, with the online classes. I think… I would advise [someone whose parents are divorcing and who will live in two homes]… it's not about not getting attached to your father… but not getting attached to the room so much. Because soon you'll have to pack it all up again.

Another interviewee, a 10-year-old girl, said that if she forgot her teddy bear, her father would have to go to the mother's place to pick it up or 'accept the fact that I won't fall asleep.' For teenage participants, having two homes sometimes meant additional difficulties organizing their social lives:

Girl, 17 years old: Well, for me, the problem is that… it's so trivial… For example, I want to go out, a spontaneous plan, or a spontaneous trip, and then – bang – I don't have something with me. I look for it and look for it, and it turns out it's at the other place.

Interviewer: Which is quite far away.

Girl: Exactly. I will not get it easily. Or I have to ask someone to go and pick it up. It's a lot of organizing. And usually, it's not worth the bother, so I just say 'whatever' and live without it for the next two weeks.

The research participants have different strategies for coping with the inconvenience of frequent moving. Some of them have two sets of clothes and two phone chargers; others carry heavy bags full of their favorite clothes and cosmetics. Those are conscious decisions, which upon closer examination, seem to reveal more than simply an attitude toward things. Not only material items but also stories and emotions travel between homes, and one has to decide to what extent they will allow this flow. As a 16-year-old girl said:

I'm a very private person; I don't like to speak at Mum's place about what's going on at Dad's place and vice versa. I feel that… maybe not that I betray the parent but that… I'm afraid that if I say something, they will go like, 'Well, if that's what the other parent thinks…'. I don't like that. But my brother [14 years old] is not like that at all. He will talk about everything all the time, which also annoys me because I'd like to keep it to myself. But I try not to worry about it too much. (Girl, 16 years old).

Children and teenagers who carry the burden of moving and developing strategies about this expect support from their parents. That means, on the one hand, creating a schedule and, on the other, being flexible about it. Those demands seem contradictory, but they make perfect sense considering the unpredictability of life. Children expect they will know how things are generally organized, such as how long one will stay at each of the parent's places or which day they will move from one home to the other. But if something unexpected happens, such as a sleepover party at a friend's place, they expect the parents will adjust and not complain about it.

The following excerpt is a good illustration of yet another dimension of what kind of flexibility children expect of their parents:

> Girl, 11 years old: (...) It's not so sharply divided because I come to my mom's for lunch every day, even on 'father's weeks.'
>
> Interviewer: Why? Are you on a special diet?
>
> Girl: No, I just prefer to eat at my mum's. At my dad's place, they usually eat... because there are so many small children there, they eat foods that small children like.

While the girl's older brother doesn't go to their mother's place to eat, he also spoke about the 'relaxed atmosphere' between his parents.

> For example, when mum says [to dad] that we'd like to stay longer at her place because we want to go somewhere together, he says, '*OK. No problem. But then I would like them to be with me the next weekend.*' And Mum says, '*OK, no problem.*' The more flexibility, the better. I mean good communication between the parents. It shouldn't be written in stone. That there are no changes possible. (Boy, 14 years old)

All the children and teenagers I interviewed said they thought JPC is a preferable arrangement after parental separation because it allows being in equally close contact with both parents. At the same time, however, they all said frequent moving from place to place was annoying, tiring, or even caused sadness. It was a price they agreed to pay. Moving from one house to another every week or two could be seen as both scheduled and extraordinarily flexible. Seen from this perspective, the children's demand that the parents also show some flexibility seems rather modest.

4.5 Parents should live close to one another

The children and teenagers I interviewed often said that the parents who decide to raise children in JPC should live close to one another. Unlike the demand for flexibility, this is not always an easy request to grant. Out of the 23 interviewed children and teenagers, eleven said that their parents lived 'close' or 'quite close' to one another, 'close' meaning walking distance, and 'quite close' meaning a short bus ride.

The fact that the parents lived in proximity was understood by the children as making an effort to make their lives easier:

> I don't know; the best [arrangement] would be if the parents lived in proximity. It is also a question about what exactly the parents want and if they want to live on the same street. My parents, even though they are divorced, live close to one another, and that really helps. It's good. I cannot imagine what it would be if one of them lived in one part of the city and the other – in another part. I think it would complicate many things. (Boy, 16 years old)

The fact that parents live not far from each other seems particularly important when the children are small:

> At first, my parents lived really close to each other. They also told us they wanted us to be close to them because we were small and needed our mum and dad close to us. They lived on parallel streets, a few minutes by foot, but I can't tell you exactly how many. (Girl, 16 years old)

I think that living close by has not only pragmatic but also symbolic meaning. Mum and Dad, who are 'close to us,' are also close to each other. 'Do [divorced] parents want to live on the same street?' wonders the 16-year-old boy quoted above. It might be that physical proximity, except for making it possible to pick up something from the other place or come to Mum's place for lunch, makes it easier to think about the family as one unit. Many interviewees seemed to think about their post-divorce families not as 'broken' or incomplete but rather as one family (their family) living in two homes. One of the interviewees, a nine-year-old girl, made a very detailed drawing of things she associates with home. Even though the girl lives in two homes, in the drawing, the things that belong to each of them are mixed, and the parents stand next to one another, each with a dog of their own. Another 12-year-old girl told me that she thinks that parents, regardless of whether they are separated, should continue family rituals in both homes.

> I feel very good [living in two homes]. I think a lot depends on the parents. And that there should be an atmosphere as if nothing has happened. That everything is like it used to be. For example, that we still eat fish every Friday. (Girl, 12 years old)

The girl is 12 years old and has lived in two homes for almost two years. She obviously knew that something had happened. But her two homes are a few hundred meters from one another, and the parents have agreed to maintain the old family rituals in both homes. She alternates between her homes every two weeks with her brother and a dog. If she needs something from the other home or feels like seeing the other parent, it takes her five minutes on foot to get there. This, I believe, allows her to feel a part of a family which is not 'broken' but simply a family living in two homes.

Living in two homes means commuting between two places not only physically but also emotionally. It can be difficult if parents live far away from each other, are not flexible, or often fight and force children to take sides. Or it can be made easier – when parents live close to each other, and the flow of people, things, and emotions between places is smooth and undisturbed.

5 Conclusions

The children and teenagers I interviewed believed JPC to be the best arrangement after parental divorce. They considered the fact that they were equally close to both parents worth the inconvenience of frequent moving. In contrast to the deeply rooted notion of 'one home,' the vast majority of research participants said that they felt as much 'at home' at both parents' places.

Children and teenagers have access not only to their stories but also to the stories of their stepsiblings, friends, and peers. Based on experience and knowledge, they formulated advice that divorcing couples should follow to arrive at a family arrangement that will be best for their children.

I propose looking at the recommendations children formulated as guidance that should be reflected in policies regarding child custody. In their advice to divorcing parents, the interviewees focus on what children need from parents during and after separation. In other words, how separation should occur, and life after this should be organized.

The children I interviewed most frequently suggested that parents must not involve children in their conflicts and that they should share childcare equally. Those recommendations translate to the right to an emotionally safe environment and the right to be taken care of by both parents. At least theoretically, those two demands are typically granted to them by law. The next two recommendations formulated by the children are more problematic in this respect, probably because they have to do with children's participation. Many of the children I spoke to said that children should be informed in advance about their parents' decision to separate so they have time to get used to the idea of family transformation. This is, of course, rather difficult to turn into a right, but it points to the importance of informing and speaking to children. The same principle seems to be reflected in the following suggestion that parents should come up with a clear and flexible plan of family life organization – children want to understand what is going on, and they want to be able to influence how family life will be organized.

Finally, I would like to highlight a right that was never explicitly stated by the research participants, but I believe it to be in the spirit of the interviews and the guidance formulated by my interlocutors: children have the right to their own definitions of home and family. This is reflected in articles 12 and 13 of the Convention on the Rights of the Child, which grant children the right to form and express their opinions. In Polish paternalistic public discourse and Polish family courts, these definitions and opinions are often dismissed and remain unheard.

Acknowledgments

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BOOK REVIEW

Stack, T. & Luminiello, R. (Eds.) (2021). Engaging Authority:
Citizenship and Political Community. Rowman & Littlefield

Engaging Authority is part of the book series *Frontiers of the Political*. Edited by Trevor Stack and Rose Luminiello, it engages with concepts of political theory and offers a framework to reconceptualize our views on political community and citizenship at the same time. The book was put into print as quarantines were imposed around the world in 2020.

The book engages authority via two concepts: political community and citizenship. Authors with distinct disciplinary backgrounds introduce their case studies to help grasp the nuances of their relations with political authority. In doing so, the book provides an excellent opportunity to move beyond the regular discussion of democratic norms and offers an original agenda for reconceptualizing citizenship and political authority in more authoritarian settings. The editors designed a set of four questions to bring together the different views. However, they allowed the authors to tailor concepts to their own agendas: 'Who or what exercises political authority? What scope of authority and over whom? What relations exist between those subject to authority? What ideals of citizenship and political community are and can be held?'

By relying on these questions, I believe the editors were able to provide a framework within which the diverse multidisciplinary and interdisciplinary research could take form and inform about many facets of political community and citizenship. Anthropology, education, political theory, legal scholarship, and philosophy are all covered in the book. However, I would argue that international relations could have added valuable insight to the wider discussion.

This variety of disciplines, however, provides a unique opportunity for the reader to experience many forms of citizenship and political community. On the one hand, the different approaches cover an extremely rich methodological palette, from philosophical conceptualization and theoretical exploration through interviews and focus group discussions to the analysis of speeches and state practices. On the other hand, with the help of these distinct approaches, myriad forms of citizenship and political community are defined.

While I believe that the book in its entirety contributes to the study of citizenship with a new approach, I see the distinct chapters as offering new methodological courses

that could also benefit citizenship studies. To elaborate on this view, I will start with a short review of how citizenship has been studied and how the book contributes to this.

Traditionally, citizenship studies from the 1990s deal with citizenship by relying on two main trajectories. One, that citizenship is a concept that informs about the domestic political order of a state; and two, it has been investigated by legal scholarship as legal status. Though this sounds like a simplification, these trajectories have indeed embodied the most important approaches taken by contemporary scholars. Rainer Bauböck, in 2010, gave an overview of how he sees citizenship studies in the *Journal of Ethnic and Migration Studies* (Bauböck, 2010). He argues that as a result of the impact of migration studies on citizenship, a 'new comparative literature on "citizenship as nationality"' has become apparent.

Bauböck discusses that, back in 2010, the study of citizenship moved toward a systematic comparative research approach. At the same time, he calls for studying the concept not merely from the point of view of laws and state policies but 'rather as part of intertwined citizenship constellations.' At this point, he moves on to build an argument that relies on the understanding of citizenship as a transnational phenomenon. Individuals do not respond to one but multiple simultaneously important political entities – one could say political authorities. Accordingly, we can say that the focus in citizenship research is on multiple citizenship and citizenship as overlapping membership in several communities.[1]

The research agenda on citizenship is still being set for the upcoming years by data generated from the analysis of legislation. Bauböck, together with Jo Shaw and Marteen Vink, discuss how citizenship, relying on the research opportunities provided by the European Union Democracy Citizenship Observatory and its databases, can be researched (Vink et al., 2016). The Observatory offers a comprehensive database of modes of acquisition and loss of citizenship (EUDO Citizenship – Globalcit, n.d.). The availability of these data has enormously impacted how citizenship has been investigated in the last ten years. Accordingly, migration, international legal norms, transnationalism, and global diffusion mechanisms play a role in the study of citizenship.

These questions, dilemmas, and concepts are to be understood under the assumption that, according to mainstream theories in the literature at the time, citizenship policies will develop in accordance with democratic norms. Scholars of liberal convergence theory argued that the concept would apply to these democratic norms; some said it would do so under the label of cosmopolitan or global citizenship (Benhabib, 2007; Ben-Porath & Smith, 2013; Held, 2013; Soysal, 2011), while others approached it from the point of view of Western democracies and their norms (Joppke, 2010; Spiro, 2010).

Since then, we have recognized that liberal convergence theory no longer reflects reality. Illiberal shifts, populist leaders generally, and the developments of international politics (not to speak about the last couple of years' developments in connection to the COVID-19 pandemic) contradict this view. The book *Engaging Authority* supports the idea

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[1] Just a short and arbitrary list of literature that engages with transnationalism in the years before and after 2010: Bauböck (2003; 2007a; 2007b); Faist and Kivisto (2007); Owen (2013); Rubio-Marin (2006); Spiro (2011).

that concepts of political community and citizenship are no longer to be investigated within the realms of democracy. Actual case studies prove that notions of authority establish fluid realities of citizenship and political community.

In 2022, *Citizenship Studies* published a special issue discussing the last 25 years of the study of citizenship. A common agenda that may be realized while reading the articles is that they argue that citizenship is a politically generative concept. The editors (Leah Bassel and Engin Isin) point out that '[t]he study of citizenship, therefore needs to address whether it is inescapably an institution of domination for nationalism, racism, gender oppressions, and colonialism or it can serve as an institution of emancipation for cosmopolitan or planetary imaginaries' (Bassel & Isin, 2022, p. 363). Thus, this question reconnects us to liberal convergence theory.

I argue that the book *Engaging Authority* helps with deciding about these dilemmas of citizenship studies. I believe conceptualizing citizenship from the authorities' point of view is a fresh attempt to understand citizenship, the concept itself, and the role of citizenship studies.

The concept of citizenship in this book can be derived from how authority is viewed, or, more precisely, from how the relations of authority can be viewed. As introduced in Chapter 1 by Trevor Stack, citizens are, first, subjects on whom demands are made, and second, those from whom demands are made. In the book, citizens interact with each other, and their relations with each other and toward authority ultimately impact the political community's appearance.

The chapters and case studies introduce the reader to different contexts of citizenship. The book contains eleven chapters, from which (below) I only elaborate on those that contribute to a new conceptualization of citizenship.

In the case of India (Chapter 2), Gurpreet Mahajan investigates how the idea of the political community as a unified one can be created and nurtured. Within these unified communities, mere theories of citizenship are not enough to answer the question: 'Why would self-interest pursuing individuals make sacrifices for each other?' Citizens are invoked in relation to each other. The chapter argues that individuals pursue their own goals and have a sense of public duty and responsibility to each other; hence, they can see themselves as a political community.

In the Hungarian context (Chapter 3), Balázs Majtényi introduces Hungarian extraterritorial citizenship with a particular focus on the exclusive character of the Hungarian Constitution. It is demonstrated that despite being citizens of the same political entity, transborder citizens are incorporated into the Hungarian political community, but national minorities are rather excluded from it.

In another chapter (Chapter 5), school students are interviewed, and several dozen focus group discussions are conducted in relation to the 2014 Referendum on Scottish Independence, by which 16- and 17-year-olds were first enfranchised. In conducting the research, the authors Nadia Kiwan, Rachel Shanks, and Trevor Stack not only shed light on how the political community is reproduced in schools but also explore the dynamics of citizenship in these unique but crucial sites of authority. They conclude that school students' views on citizenship do not necessarily apply to norms of democracy; authoritarian forms of rule (that might anyway be present in schools) strongly impact their views. Fur-

thermore, they would rather see their obligations in horizontal terms than in vertical solidarity. This strongly contradicts the experiences in the next chapter, which I want to cover.

With the introduction of the Kurdish case (Chapter 6), Hanifi Baris discusses the idea of democratic confederalism. The Kurdish model is established using the four components of sovereignty, representative democracy, disputes over borders, and the concept of exclusive citizenship. In accordance with this idea of citizenship, citizens have a direct impact; they are directly involved in local councils and assemblies in political decision-making mechanisms. Here, instead of citizens' obligations, solidarity is emphasized. Instead of the authority of state institutions, a relatively horizontal commitment to fellow citizens is apparent; instead of cultural affinity, residency matters.

In another chapter (Chapter 9), Trevor Stack discusses the political community from the citizen upwards. He conducted interviews in Mexico and California, asking the question that students of citizenship studies rarely dare to ask: 'What does it mean to you to be a citizen?' Citizenship for people in Mexico and California had much to do with political authority, but the context differed enormously. National citizenship proved to be less exclusive in Mexico than in California, but in Mexico, citizenship meant something connected to living in society. This also informs the reader about the diverse nature of the nexus associated with political authority.

Ionut Untea introduces competing models of the Islamic political community in a chapter (Chapter 10) where the need to discuss the concepts applicable outside democratic settings most prominently arises. Here, citizenship is conceptualized differently from the Western ideas of the nation-state. Within ISIS's religious framework, voluntary submission would become a core aspect of membership and participation in a political community.

In a concluding chapter (Chapter 11), Trevor Stack, one of the editors, summarizes the book's agenda and proposes to 'understand "the citizen" as a particular and complex figure of authority relations, as well as a diverse one, entailing sundry versions of being invoked or involved in the governing. Citizens are invoked as referents, and social actors may invoke themselves as citizens. Invoking and being invoked can serve to justify authority; authorities may involve them, or they may involve themselves, in the exercise of authority' (p. 225).

Thus, we can see from this short list of assorted chapters that citizenship, the concept, may not only be understood in terms of democratic notions but also as a reflection of migration or globalization. Citizenship becomes in the book a more complex play of authority relations. By offering this view, I argue that the book represents a new attempt at conceptualizing citizenship and understanding its nuances. Due to its inter- and multidisciplinary nature, the book can contribute to a fruitful discussion on the concepts that citizenship studies have handled rigorously.

Aliz Nagy

[aliz.nagy@tatk.elte.hu]

(Eötvös Loránd University)

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