specific in the present situation: the right to physical force is ascribed to all other group bodies and individual persons only to the extent that the state itself permits it. The state is the sole source for the ‘right’ to exercise violence. So, ‘politics’ for us is the striving for a share of power, or the attempt to influence the distribution of power, whether this is between states or between human groups within a state.

In essentials this does correspond to normal usage. When one says that something is a ‘political’ question, or that a minister or a civil servant is a ‘political’ official, or that a decision is ‘politically’ determined, what is invariably meant by this is that the distribution and the holding of power as well as the intervention of power interests are important for the answering of these questions; or that they influence the decision or define the sphere of activity of the relevant official. Whoever pursues politics, strives for power; power as either a means in the service of other goals (whether ideal or egoistical), or power ‘for its own sake’ (in order to enjoy the feeling of prestige it gives).

The state, like its preceding political group bodies, is an instrument of legitimate violence (or rather, is seen as legitimate) supporting the relationship of domination (Herrschaft) of human being over human being. For the state to exist, it has to force those who are ruled to comply with the claimed authority of those actually ruling. When and why do people obey? On what internal grounds of justification and by what external means is this domination based?

7 The three pure types of legitimate rule

Domination, and this means the probability of obeying a definite command, can be based on different motives for compliance (Fügksamkeit): It can be determined by the pure interest situation – the instrumentally rational assessment of advantages and disadvantages by the person commanded. Or, on the other hand, it could be mere ‘custom’ – the blind habituation of internalized behaviour. Or it can be based on affectual reasons – on the purely personal inclination of the person commanded. Domination that was based only on such footings would, however, be relatively unstable. Instead it is usual for rulers and ruled to ground domination in rights (Rechtsgründen), for the ‘legitimacy’ of those rights to be supported for internal reasons, and for the destruction of this belief in legitimacy to have far-reaching consequences.

Seen in their pure form, there are only three grounds for the legitimacy of domination, and each of these, as a pure type, is accompanied by a fundamentally different sociological structure of administrative staff (Verwaltungsstab) and means of administration (Verwaltungsmittel).

I. Legal rule on the basis of enactment. The purest type is bureaucratic rule. Its fundamental idea is that any law (Recht) can be created and any existing law can be changed by enactment that is decided by formally correct procedure. The group body that rules (Herrschaftsverband) is either elected or appointed, and it and all its parts are working concerns (Betriebe). A heteronomous and heterocephalic concern, or part of one, should be termed an administrative authority (Behörde). The administrative staff are officials appointed by the ruler (Herr), and the persons who obey are members of the group body (either citizens (Bürger), or members (Genossen)).

It is not the person who is obeyed by virtue of his own right but the enacted rule, which is therefore decisive for who obeys the rule and to what extent. Also the person who commands has himself to obey the rule – the ‘law’ or the ‘regulation’ of a formally abstract norm – insofar as this was enacted. The type of person who gives orders is the ‘superior’ whose right to command is legitimated by enacted rules, and is based on a defined ‘jurisdiction’

1 'Die Drei Reinen Typen der Legitimen Herrschaft', WZ, pp. 475-88. Translation by S. Whimper. It was written sometime between 1917 and 1920 and was published after Weber's death in the Preußische Jahrbücher in 1922. I have tended to translate 'Herrschaft' as rule and rulership but have also employed, depending on context, 'domination', 'power', and 'authority'.

2 Heteronomous means an organization subject to external control; heterocephalic means an organization with more than one head or ruler.
('Kompetenz') that is limited by specialization according to effectiveness and according to the specialist requirements for the performance of the official. The type of person who is the official is the trained, professional official, whose terms of service are based on contract with fixed salary and pension rights, which are graded according to the rank of the office and not the amount of work and according to fixed rules of advancement. His administration is a professional activity (Berufsaufgabe) on the basis of a defined obligation to the office. The administrative ideal is impartiality ('sine ini et studio') without any motives of personal or emotional influence, free from arbitrariness and unpredictability, and in particular, strongly formalistic according to rational rules without regard to respect of person; and where these are lacking the ideal operates according to an objective outlook defined by effectiveness. The duty of obeying is graded in a hierarchy of office super- and sub-ordination and a regulated procedure for complaint. The basis of technical functioning is the discipline of the organization (Betriebsdisziplin).

1. Obviously, the modern structure of the state and local government falls within the type of legal rule, but so also does the organization of authority (Herrschafverhältnis) in the private capitalist enterprise, and in the purpose of organization (Zweckverband) or the voluntary association (Verein) — of whatever sort — that dispose over an extensive, hierarchically layered administrative staff. Modern political bodies (Verbände) are only the most outstanding representative of the type. Authority in the private, capitalist enterprise is indeed partially heteronomous — the order is in part stipulated by the state; and in relation to the staff who enforce legal rule, authority is completely heterocephalous — the state’s legal and police apparatus (normal) discharges these functions. But the capitalist enterprise is autarchic in its increasingly bureaucratic administrative organization. Even though the entry into a ruling body (Herrschafverband) is formally freely chosen and dismissal is also formally 'free', subjecting the person who is commanded to the norms of the enterprise and so the conditions of the labour market, it does not alter its character of authority (Herrschafcharakter). The sociological affinity of the capitalist enterprise with the rule of the modern state will be explained later on, so making the economic foundations of power (Herrschaft) even more clear. The capitalist enterprise is based on validity of 'contract' and this marks it out as an outstanding type of the 'legal' organization of the relations of authority (Herrschafbeziehung).

2. Bureaucracy is technically the purest type of legal rule. But no rule is purely bureaucratic, i.e. rule by only contractually engaged and appointed officials. That is just not possible. The highest posts of the political organization are either 'monarchs' (see below on the inherited charisma of rulers), or 'presidents' elected by the people (and so are plenipotentiary charismatic rulers, see below) or they are elected by the parliamantary body. In this last case members of parliament or rather the leaders (whether party notables or charismatic — see below) of the predominating parties are the actual rulers. Likewise, the administrative apparatus is effectively almost never purely bureaucratic, but tends to embrace all manner of forms, including notables and representatives of interest (and, at the most extreme, the so-called self-government). But what is decisive, however, is that the continuous work rests predominantly and increasingly on bureaucratic strengths. The whole history of the development of the modern state is identical with the history of modern bureaucracy and the bureaucratic enterprise (see below), just as the whole development of modern high capitalism is identical with the increasing bureaucratization of the economic enterprise. The share of the bureaucratic form of authority increases overall.

3. Bureaucracy is not the only type of legal rule. Officialdom through rotation, lots and election, parliamentary and cabinet government, and all kinds of collegial rule and governing bodies fall under this heading if the sphere of their authority (Kompetenz) is based on enacted rules and the exercise of the right to rule corresponds to the type of legal administration. Collegial corporate bodies (Körperschaften) made an essential contribution to the development of the legal form of rulership in the period at the beginning of the modern state; in particular, the idea of 'the authorities' ('Behörde') owes its emergence to them. On the other side, the elected officialdom played a very important role in the prehistory of the modern administration by officials (as well as today in the democracies).

II. Traditional rule is based on the belief in the sanctity of orders and powers of rule (Herrrenwaltungen) which have existed since time immemorial. The purest type is patriarchal rule. The rulership body (Herrschafverband) is a communal form of social relationship (Vergemeinschaftung), the type of person who commands is the lord ('Herr'), the administrative staff are servants ('Diener'), and those who obey are subservient subjects ('Untertanen'). The lord is obeyed on account of the particular worthiness of his person that is sanctified through tradition; he is obeyed out of piety. The content of the command is fixed by tradition, and if the lord recklessly disregards this, then he would endanger his own power which is based on the sanctity of that tradition. In principle, it is not permissible to create new law in relation to the norms of tradition. In fact new enactments are established as verdicts based on 'knowledge' known 'since time immemorial'. On the other hand, outside the norms of tradition the power of the lord is only limited by the degree of approval that the particular case meets with, and there is far greater flexibility here. His power therefore divides into an area that is closely circumscribed by tradition, and an area of favour (Gnade) and arbitrariness (Willkür) in which he switches between favouritism, affection, dislike, and purely personal views, and he is influenced by favours done for him. So far as there are principles underlying governing and the arbitration of disputes, they consist

3 A reference to the Soviets as in Bolshevik Russia.
4 The cross-reference is not obvious and probably relates to a planned but unwritten chapter on the development of the modern state.
of ethico-pragmatic equity (materiale ethische Billigkeit), justness (Gerechtigkeit) or practical effectiveness (utilitaristischen Zweckmäßigkeit) rather than principles of a formal kind as in legal rule.

This is also the case for the lord’s administrative staff. This is made up of personal dependants (members of the household or household officials) or from relatives or personal friends (favourites) or from those bound personally to him by oaths of loyalty (Treuband) (vassals, tributary princes). The bureaucratic idea of competence as objectively demarcated spheres of responsibility is absent. The extent of the individual servant’s ‘legitimate’ power to command depends on the particular whim of the lord. Servants in the exercise of powers are also completely entrusted by the lord to perform roles more important and higher than their rank. In fact the power can be quite extensive – whatever is permitted to the servant by the compliance of the subject. In place of official duty or office discipline, the personal loyalty of the servant prevails within the relational organization of the administrative staff.

In the nature of traditional rule there are two forms different in character to consider:

1 The purely patriarchal structure of administration (Verwaltung): Servants are in complete personal dependence to the lord and are either recruited in a patriarchal way as slaves, bondsmen (Hörige), and eunuchs, or they are recruited extra-patriarchially from strata that are not totally without rights – favourites, and plebeians. Administration is completely heteronomous and heterocephalic; the administrators have no right of their own in office and there is no selection in terms of specialization and no status group (ständische) honour of the official; the practical means of administration (sachlichen Verwaltungsmittel) belong to the lord’s household and are under his own direction. There is no guarantee at all against the arbitrariness of the lord, which is at its greatest extent in this situation, because of the complete dependence of the administrative staff on the lord. The purest type of domination here is sultanism. All true despotisms had this character, whereby power is treated as a customary property right.

2 The structure of estates (ständische Struktur): Servants of the lord are independent on account of having their own position as socially prominent people. They are invested in office because of their own privilege or because of concessions granted by the lord (whether actual or a legitimizing fiction). Alternatively, servants acquire the office in their own right through a business exchange (purchase, pledge, or lease) and it is not easy for the lord to reappropriate it from them. Their administration is accordingly autocephalic and autonomous, even if this is limited, and the substantive means of administration fall under their direction and not that of the lord. Rulership exercised through the estates means: the competition of the office-holders over the extent of the power of their office (and its income) determines the reciprocal limitation on the sphere of their substantive administration, and this takes the place of the limits of authority. The hierarchical stratification by privilege very often restricted the monarch’s right to be a court of appeal (de non evocando, non appelleando). The category of discipline is absent. Tradition, privilege, feudal or patrimonial loyalty, status group honour and ‘goodwill’ prevail over the whole situation. The power of the lord is therefore shared between himself and the staff who appropriate the administration and acquire privileges, and this statist division of power is highly stereotypical for the manner of administration.

Patriarchal rule (by the head of the family, the head of the clan, and the father of the realm (Landesvater)) is only the purest type of traditional rule. Every sort of authoritarian rule (‘Obrigkeit’) that successfully claims legitimate authority simply on the basis of acquired custom belongs to the same category, although it may not be so clearly exhibited. The piety acquired through upbringing and custom by the children in relation to the head of the family stands in the clearest contrast, on the one side, to the contractually appointed worker in an enterprise and, on the other side, to the emotional bonds of belief of a member of a community to a prophet. In fact the household unit is a kernel of traditional rulership. The typical ‘official’ of the patrimonial and feudal state are household officials with tasks that belong primarily to the household (the carver, the chamberlain, the marshal, the cupbearer, the seneschal, the major-domo).

The juxtaposition of action strictly defined by tradition and a free sphere of action is common to all forms of traditional rule. Within the free sphere, the action of the lord or his administrative staff has to be bought or be earned through personal relationship. (This is the historical origin of fees [Gebühren].) The absence of formal law is decisive and, instead of this, rulership according to material principles and the arbitration of conflict is likewise common to all traditional forms of rule and has far-reaching consequences for its relation to the economy. The patriarch, just like the patrimonial lord, rules and decides according to the principles of ‘khadi justice’: on the one side strongly fixed by tradition, so much so that this permits freedom of what from the legal point of view is the making of judgements for individual cases on the basis of informal and irrational fairness and justness, and indeed with regard to the person. All codifications and laws of the patrimonial ruler breathe the spirit of the so-called ‘welfare state’: a mixture of the social-ethical and

5 De non evocando de non appelleando was a principle of the Holy Roman Empire, when the electoral princes had the right to stop appeals going further up the hierarchy to the imperial court.
social-utilitarian principles predominates and breaks any formal strictness in the law.

The separation of the patriarchal from the estatist structure of traditional rule is fundamental for the entire sociology of the state of the pre-bureaucratic era. (At its full extent the contrast is comprehensible only in connection with its later equivalent on the economic side: the separation of the administrative staff from the substantive means of administration in contrast to the appropriation of the substantive means of administration by the administrative staff.) The whole question of whether and which estate was the carrier of ideal cultural goods (Kulturgüter) is first and foremost co-determined by history. The administration by patrimonial dependants (slaves, bondsmen) as it occurred in the Near East and in Egypt until the time of the Mamelukes is the most extreme and apparently the most consistent (not always in reality though) type of pure patriarchal rulership devoid of the division of rule by the estates. Administration by free plebeians stands quite close to rational officialdom. Administration by literati can have very different characteristics, depending on the character of the literati; the typical contrast is between Brahmins, on the one side, and mandarins, on the other, and both in relation to Buddhist and Christian clerics. Administration by literati is always close to the estate type of rule. This is represented at its clearest by administration by nobility, and in its purest form by feudalism; the whole relationship of personal allegiance and the appeal to the estatist honour of the enfeoffed knight who has been bestowed with office takes the place of objective, rational official duty.

All kinds of estatist rule, whether based on more or less fixed appropriation of administrative power, stand closer to legal rule than does patriarchism in this respect. Estatist rule, on account of the guarantees which surround the jurisdictions of those who possess privileges, has provided a characteristic basis for rights (Rechtsgrund) (and is an effect of the estatist division of powers); this is absent in patriarchal structures with their entrusting of administration to the absolute arbitrariness of the lord. On the other hand, the strict discipline and the absence of their own rights among the administrative staff places patriarchism technically closer to the office discipline in legal rulership than the estatist model, which because of appropriation has a stereotypically fragmented administration. Also the employment of plebeians (lawyers) in the service of lords in Europe has been a direct forerunner of the modern state.

III. Charismatic rule on the basis of affectual surrender (Hingabe) to the person of the lord and his gifts of grace, in particular magical capabilities, prophecies or heroism, spiritual power and oratorical powers. The search for what is continuously new, that which is beyond the mundane, for novelty, and the emotional suggestibility (Hingangenheit) of the exceptional are the sources of personal devotion (Hingebung). The purest types are the power of prophets, of military heroes, and of great demagogues. The rulership body (Herrschafstverband) is based on a communal form of relationship in the locality (Vergemeinschaftung) or among the followers.

The type of person who commands is the leader. The type of person who obeys is the 'disciple'. The leader is obeyed exclusively for his purely personal, non-everyday qualities and not for his legal position or traditional honour. This continues as long as these qualities are ascribed to him, and his charisma confirms itself through proof. If he is 'abandoned' by his god, or he is robbed of his heroic strength or he loses the masses' belief in his leadership qualities, his rule collapses.

The administrative staff is selected according to charisma and personal devotion and not according to the specialist qualifications (of the civil servant), nor on account of status honour (as in estatist rulership), nor household and other personal dependency (so standing in contrast to the patriarchal administrative staff). The rational idea of competence is absent just as is estatist privilege. The mission (Sendung) of the lord and his personal charismatic qualifications are decisive for the reach of the legitimization of the followers or disciples who are engaged. In the administration, insofar as this term is adequate, there is a lack of any orientation to rules whether they are enacted or traditional. When measured against the standards of an enacted order, the actual revelation or creation, deeds and examples, or decisions on a case-to-case basis are all characterized by irrationality. Charisma is not tied to tradition: 'it is written, but I say unto you' is valid for the prophet; the military hero undermines the legitimate order through a new creation by virtue of the power of the sword, and for the demagogue by his pronouncement and suggestion of revolutionary 'natural law'. The genuine form of charismatic legal finding (Rechtswesen) and conflict settlement is the pronouncement of a judgement by the lord or wise man (Weisen). The warriors or community of believers are obliged to recognize a pronouncement, lest it is challenged by an opposing finding by another person also claiming charismatic validity. In this case the challenge to the trust of the community can only be finally decided by a contest between the leaders, and only one person will be shown to be right while the other will be guilty of a wrong that has to be atoned (sühnenpflichtiges Unrecht).

(a) Charismatic rule was first brilliantly developed by R. Sohm in his book on the canon law of the early Christian community, and not without the knowledge that he was dealing with a type. The expression
miracles and revelations of any hole-in-the-corner prophecy, the demagogic gifts of Cleon are in sociological terms just as good 'charisma' as the qualities of a Napoleon, Jesus or Pericles. The decisive factor for us is whether the charisma is effective and works — that it is acknowledged. Its fundamental assumption, therefore, is being able to prove itself. The charismatic lord has to prove himself through miracles, successes, the good fortune (Wohlergehen) of the retinue or the subjects, and that these are the result of being graced by god. His charisma is valid for only so long as he can demonstrate it. If success is denied to him, then his authority totters. The charismatic concept of 'divine right' ('Gottessegnundentum') had decisive consequences in those instances where it existed. The position of the Chinese monarch was threatened when drought, floods, failure in the field of battle and other misadventures appeared to place in doubt whether he still received the grace of heaven. Public self-accusation and penances threatened him, and with persistent disaster, dethronement, and possible sacrifice. Accreditation by miracles is demanded of every prophet (even of Luther by the Zwickauers).

The existence of the most widely spread form of legal rulership is based, insofar as its stability depends on the belief in legitimacy, on mixed principles. Settled tradition and prestige (charisma) come together with the belief in the significance of formal legality, which finally comes to be based on habituation. A shock to one of them — unusual demands on the ruler that run counter to tradition, exceptional misadventure that eliminates prestige, or damage to the usual formally legal correctness — shakes the belief in legitimacy in equal measure. But in all organizations of power, however, it is above all the administrative staff itself and its continuing direction of action towards the enforcement of order and the (direct or indirect) adherence of the subordinated to authority that is decisive for the continuing existence of the actual compliance of the ruled. This is what is meant by the term 'organization' ('Organisation'): the securing of those actions that realize domination (Herrschaft). The loyalty of the administrative staff itself to the lord is, accordingly, of overriding importance, and here its solidarity of interest — ideal as well as material — with the lord is the decisive factor. For the relationship of the lord to his administrative staff the following proposition is generally valid: as a rule the lord is the stronger party in relation to any opposing individual of his staff because of the individualization of each person and the loyalty (Solidarität) of every member to him. But the lord becomes the weaker party if all of the members of the staff form an opposition to him, as numerous categories of staff have occasionally

8 Rudolf Sohm, Outlines of Church History, translated by M. Sinclair, Beacon Hill, Beacon Press, 1958 (German edn 1883). Sohm enquired into the source of authority in canon (church) law. His answer was that the Church has authority by virtue of individuals who are graced with gifts (charismata) such as preaching, or miracle-making. This forms the basis of their leadership, which is acknowledged by the congregation. Weber’s comment about the unrealized implications of Sohm’s work means that charisma is not just an extraordinary gift but a structure of authority with its own form of self-validation. By contrast, the argument of the Roman Church was that the charisma of the apostles was institutionalized into the Church.

9 Sachen was an Iroquois name — responsibility did not extend to military affairs.

10 In 462 BC Pericles and Ephialtes managed to place the oligarchic power of ancient Athens on a wider decision making basis.

11 A reference to the revolutionary insurgency in Germany in 1918 to 1919, and to charismatic politicians such as Kurt Eisner who established a socialist government in Bavaria.

12 A reference to the Anabaptists from Zwickau (Thomas Münzer, Nicolas Storck, and Mark Stübben) who in 1521 challenged Luther’s authority as being too based in scripture and not in revelation.
done in the past and the present. But this requires rational planning on
the part of the members of the staff if they are to unify and oppose or
undermine the control of the organization by the lord and so paralyse his
power. And equally it is necessary to create one’s own administrative
staff.
(d) Charismatic rule is a specifically extraordinary and purely personal social
relationship. Most recently, with the disappearance of personal carriers
of charisma, the organization of power in this sense has, if not died out,
continued in another way. Hence, the authority of the lord is transferred
to his successor, and this is the tendency to routinization (veraltältigen).
This occurs through:

1 the process of making the structure of powers traditional. In
place of the continuous creation or law and administrative command
that is ever-new and charismatic by the carrier of charisma or the
charismatically qualified administrative staff, steps the authority of
judgements (Präjudizien) and precedents which they created or were
ascribed to them;

2 the transition of the charismatic administrative staff, where the
disciples or retinue turn themselves into a legal or estatist staff by
taking over the internally created rights to power or by appropriating
those rights created as privileges (fiefs and prebends);

3 through the transformation of the meaning of the charisma itself.
What is important in this case is the way in which the burning
question of the successor is solved and this involves ideal as well as
(indeed above all) material factors.

The successor problem can be solved in various ways: by simply
waiting passively for the appearance of a new charismatically attested
or qualified lord. This tends to be replaced by a more active approach to
acquiring a successor, when the waiting is accompanied by strong interests of
whatever kind in the continued existence of the ruling organization. This happens:

(a) By searching for the characteristics of charismatic qualification. A fairly
pure type is the search for a new Dalai Lama.14 The strong personality
and extraordinary character of the charisma changes into a quality that
can be established according to rules.

(b) By oracle, lot, or other techniques of designation. The belief in the
person with charismatic qualifications changes itself thereby into a belief
in the relevant technique.

c) By the designation of the charismatically qualified:

1 By the bearer of charisma himself. Naming one’s successor is a very
common form, both by warrior princes and by prophets. The belief
in the unique legitimacy of charisma changes therefore into the
belief in the legitimate acquisition of power on account of legal and
divine designation.

2 The charismatically qualified disciples or retinue decide with the
acknowledgement of the respective religious or warrior community.
The constitution of the ‘vote’ or the ‘nomination’ for this procedure
is a secondary consideration. It is entirely different to the modern
concept of election. The original idea is not concerned with a ‘ballot’
for election candidates, between whom a free selection occurs, but the
establishing and acknowledgement of the ‘rightfully’ charismatically
qualified successor who is called to be the lord. A ‘false’ election was
therefore a wrong that had to be expiated. The original idea was that
it must be possible to reach unanimity, and failure to do this was a
form of wrongdoing and weakness.

In each case the belief no longer resides in the person as such,
but in the process of designation of the ruler as ‘right’ and ‘valid’ (and possibly leading to his coronation) or else the
person is installed in power as if a piece of property was being
acquired.

3 The charismatic qualification resides in the blood and the idea that
charisma is inherited.

A closely related idea is first of all the inherited right to rulership.
This idea has only prevailed in the medieval Occident. Very often
charisma attaches to the kinship group and it only remains for the
actual bearer to be established according to the rules and methods
mentioned above (a–c). Where there are fixed rules that apply to the
person, these are not unified. It is only in the medieval Occident and
in Japan that the right of inheritance to the throne by primogeniture
has been unambiguously established, having a definite stabilizing
effect on rulership there in comparison to all other forms which give
rise to internal conflicts.

Belief then depends no longer on the person purely as such, but on the
‘legitimate’ inheritance of the dynasty. The actual and extra-
ordinary character of charisma is then very strongly traditionalized
and also the idea of possessing the ‘grace of god’ has a completely
different sense of divine right (the ruler is lord in his own right and
not through the acknowledgement of the rule of his personal
charisma). The claim to rulership is completely independent of personal
qualities.

4 There occurs an objectification (Versachlichung) of charisma
through ritual: the belief that magical qualities are transferable or

13 Fiefs are tenancies of land granted to a person; prebends are rents that are granted.
14 The child candidates are searched for characteristics that would indicate reincarnation of the
Buddhas.
can be generated through a definite sort of hierurgy\textsuperscript{15} – anointing, the laying on of hands, and other sacramental acts.

The belief no longer attaches to the bearer of charisma as a person, from whose qualities the claim to rule has become completely detached (rather as the Catholic Church has established the principle of the indelible character of the priest), but to the efficacy of the relevant sacramental acts.

5 The principle of charismatic legitimacy that in its primary sense is authoritarian can be changed to an anti-authoritarian principle. The validity of the charismatic rule is in fact based on the acknowledgement of the actual person as charismatically qualified and affirmed by the ruled. In a genuine charismatic situation this acknowledgement of the pretenders to rule who are qualified is an obligation. This relationship can however become easily reinterpreted, so that the free acknowledgement from the side of the ruled is the premise and foundation of legitimacy (democratic legitimacy). Then the acknowledgement becomes ‘election’ and the lord who had charisma in his own right becomes the power-holder on the basis of the favour (\textit{Gnade}) of the ruled and of mandate. Just as the designation of the ruler by the retinue by acclamation (in warrior or religious communities), so the plebiscite has often historically taken on the character of an election by the ballot. Thereby, the charismatic claims appropriate to a chosen ruler (\textit{gekorener Herr}) is made into the elected official of the ruled according to their will.

It is the same process with the charismatic legal principle. A charismatic judgement on law is proclaimed to the community (of warriors or the religious) and this has to be recognized by the community. This presents the possibility of different and opposing rulings (\textit{Weisungen}), and the decision is hit upon first by charismatic means, then by the declaration of the community’s belief in the right judgement. From this the legal idea can easily develop that the ruled vote freely to declare their will over what law should be valid (\textit{das geltensollende Recht}) and that the number of votes is therefore the legitimate means (the majority principle).

The distinction between an elected leader and an elected official turns on the sense of the meaning which the elected person gives to his own behaviour and, according to his personal qualities, what he is able to offer to his staff and to the ruled. The official is simply the holder of the mandate of his ruler, which here is the voter; whereas the leader holds himself as exclusively responsible for his own behaviour. So long as the leader enlists the trust of the voters by his success, he acts throughout according to his own discretion (this is leadership democracy – \textit{Führer-Demokratie}). The official, by contrast, acts according to the expressed or surmised will of the voters (according to an ‘imperative’ mandate).

\textsuperscript{15} A generic word for a variety of sacred performances and in its Greek sense it means literally the work of sacrifice.