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Rethinking the Westphalian Order During WW I:
Max Weber on the Timeliness of the European Polity

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Abstract

The publication of the *Max-Weber-Gesamtausgabe* volumes, including his letters and a recent study of Hinnerk Bruhns, have revised the canonical view on Weber as a German nationalist. With a conceptual and rhetorical analysis of his essays *Deutschland unter europäischen Weltmächten* (1916) and *Zum Thema Kriegsschuld* (early 1919), I offer an alternative view on Weber's relationship to European politics. He defended the 'Westphalian' system of balance between great powers, to which he wanted after the end of the War to incorporate Woodrow Wilson's plans for a new League. Weber was a critic of German wartime policy, maintained his Anglophile sympathies, and saw in tsarist Russia the main threat both to the balance between powers and also to the European *Kultur*, to which he did oppose barbarism, not the Francophone *Zivilisation*. Weber supported the parliamentarisation of German politics and sketched in the 1919 article a proposal for new regulations of warfare in international law. Although Weber could not imagine the EU's supra-national Parliament and Commission as new elements in the balance of European powers, it would be plausible to advise, in the Weberian spirit, the small member state to strengthen these supra-nation institutions.

Keywords

Max Weber, European politics, World War I,
Westphalian balance of powers, *Kultur* vs. barbarism, international law

Rethinking the Westphalian Order During WW I: Max Weber on the Timeliness of the European Polity

Kari Palonen¹

1. Introduction

Max Weber's methodology and political theory are today more pertinent than ever. In contrast, his views on world politics are more strictly bound within the context of his own time. Still, the conceptual apparatus sketched out in his more theoretical writings can be applied to a more detailed interpretation of his analysis of European politics during and just after WWI.

Hinnerk Bruhns has recently published a small book, *Max Weber und der Erste Weltkrieg* (2017). It is a solid work of a historian who extensively uses the recent publications of Weber's letters and other editions in the *Max-Weber-Gesamtausgabe* and therefore alters the received view on Weber. His main interests lie in the 'factual' aspects of the events and Weber's response to them, although including interesting remarks on Weber's use of language.² I shall use Bruhns's work to the purpose of specification of the historical, linguistic and biographical context of Weber's texts.

I shall provide a conceptual and rhetorical analysis of two texts of Weber. In the wartime essay *Deutschland unter europäischen Weltmächten* (1916) he explicitly presents the European polity as a regime of great powers, claiming that German wartime policy was endangering the delicate order. In a post-war newspaper article *Zum Thema Kriegsschuld*

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² Bruhns 2017, 166-176.

(January 1919), Weber discusses the chances to strengthen the European polity by means of a new law (*Kriegsvölkerrechtsstatut*) for regulating warfare. In both essays Weber analyses the European order within the horizons of temporally specified chances. In this article I want to connect Weber's views on European politics in these essays with conceptions of politics as contingent and temporal activity, as well as the conceptual apparatus he used in this understanding. These views are related to my long-term profile on the interpretation of Weber's work.

The analysed writings of Weber further illustrate his attempt to reconceptualise the 'Westphalian' order of the European polity, not in the sense of Weber's family background around Bielefeld,³ but of the 1648 political momentum. For Weber, the Westphalian order is not based on the sovereign national states, but to the contrary, on the balance between a limited number of great powers to which other countries must adapt their foreign policy. This is also very relevant for today's discussion in the European Union, to which I shall return in my conclusions.

2. Thinking in terms of *Chance*

The key concept that gives Weber's writings their unique profile is *Chance*, a specific form of contingency that mediates between actions and their relationship to more complex 'orders and powers' (*Ordnungen und Mächte*).⁴ For Weber, politics is a contingent and controversial play with time. *Chance* is no residual concept but the key medium through which contingent human action is rendered intelligible, as opposed to tempering *fortuna* with *virtù*, as John Pocock (1975) interprets the 'Machiavellian Moment'.⁵ This conception of *Chance* also marks Weberian original interpretation of such concepts as *Politik*, *Macht*, *Herrschaft* and *Staat*.

Chance is for Weber a formal concept, and includes the chances of catastrophe. Indeed, he is frequently pessimistic in his analysis of the contemporary world, and even assumes that, unless counterweights are applied, the tendency towards bureaucratisation will prevail.⁶

Structuralists, systems theorists, and sociologists think in terms of spatial metaphors. By contrast, Max Weber, as a thinker of the contingency human activities in terms of *Chance*, temporalises the human situation. In this respect his work can be compared with the conceptions of temporalisation of language and action in the works of Jean-Paul

3 See Käsler 2014.

4 See Weber 1904; 1906a; 1913; 1922.

5 cf. Palonen 1998.

6 Weber 1909, 277–8; 1918b, esp. 221–237.

Sartre⁷ or Reinhart Koselleck.⁸ As an action theorist, Weber regards space as frozen time. He analyses historically specific sets of chances in relation to both the historical momentum that has given rise to them and to the limited time frame in which the chances are available.⁹

Weber's views on time, politics and history are neither evolutionist nor teleological.¹⁰ The concepts of *Chance* and non-realised 'objective possibilities', as opposed to merely thinkable possibilities, are necessary conditions for understanding the realised ones.¹¹ Unlike for phenomenologists, from Husserl to Koselleck, for Weber what is possible exists in the present political action, not in the future. The ends and means must be related to the judgment of chances in a situation, as well as to the possible side effects (*Nebenfolgen*) of alternative actions.¹² Weber does not want to be a 'weather vane' of developmental tendencies,¹³ but he does support the idea of creating procedures and institutions to provide momentum and time-spans for action — even when no chances seem to be left.

Thinking in terms of chances allows Weber to reinterpret the concept of 'objectivity' as a *fair play* procedure for dealing with scholarly controversies. There exists a close link between his 1904 essay on objectivity and his 1918 parliament pamphlet, in particular the pages on the possibilities and forms of parliamentary control of the allegedly superior knowledge of the officials.¹⁴ This vision of objectivity relies on the rhetorical principle of debating *in utramque partem* and on the Westminster parliamentary procedure as its historical approximation.¹⁵

3. The polity of European and world powers

Wolfgang J. Mommsen (1959) strongly contributed to canonising the view of Weber as a German nationalist, rightly criticised by Wilhelm Hennis (1987) and others. I join this criticism by claiming that Weber during and after WWI operated within the framework of an order of great powers, today frequently called the Westphalian regime.¹⁶

The *Chance* complexes of which the European polity consists are for Weber not sovereign states but the great powers (*Weltmächte*). When Weber rejects the pernicious 'everyday use of the collective concepts'¹⁷, he wants the action of great powers to

7 Sartre 1960, see Palonen 1992.

8 1979, 2000, see Palonen 2003, 2004.

9 See Palonen 2008, esp. 25–32.

10 See Weber 1917a.

11 Weber 1906a, esp. 267.

12 Weber 1904, 149–150; Palonen 1998.

13 Weber 1906b, 100.

14 Weber 1918, esp. 235–237.

15 See Palonen 2010; 2014a and 2017.

16 See Palonen 2001.

17 Weber 1904, 210–202.

be traced back to the individual politicians and their power-shares. The politicians used the specific profile of chances available for the states within the European order. Metonymies such as 'Germany' or 'France' as actors should be understood precisely in this sense.¹⁸

The essay *Deutschland unter europäischen Weltmächten* (Germany among the European world powers) is a revised version of a speech that Weber gave on 16 October 1916 in Munich at a meeting of the liberal *Fortschrittliche Volkspartei*.¹⁹ The essay is a part of the series of Weber's contributions against the expansionist and annexionist right-wing agitation in Germany. In this essay more than elsewhere he explicates his views on foreign policy within the regime of world powers.

Weber begins with a self-critical note that in his youth he had supported the expansionist *Alldeutscher Verband*, but has long since left it.²⁰ He makes the point that those who use the war for domestic political purposes are not 'national politicians'.²¹ 'National' is here strictly opposed to 'nationalistic' and should be understood in relation to Germany's position as a great power, *Machtstaat*, in European and world politics.²²

Although Weber uses the collective 'we' for Germany, this does not prevent him from criticising the German government's and military leaders' policies in relation to the European and world order. The smaller states, such as Switzerland or Denmark, are regarded as secondary in world politics.²³ However, due to their relationship with the great powers, they are not negligible factors within the European polity. Weber turns with special vehemence against the plans to include conquered Belgium in the German empire.²⁴

For Weber, German foreign policy must be situated to the polity of the competing great powers on which it depends. Being surrounded by three great land powers and one great sea power, Germany's situation was for Weber more precarious than that of any other country.²⁵ Therefore it was particularly important for its political leaders to avoid vanity (*Eitelkeit*) and practise a sober (*sachlich*) foreign policy in accordance with its position among the world powers.²⁶ Weber thus appeals to a political judgment that respects the conditions of the European order between the great powers and, unlike the pan-Germans (*Alldeutsche*), did not put it at risk. The anglophile Weber was particularly disturbed by their dreams of the destruction (*Vernichtung*) of Britain as a sea power.²⁷

18 Weber 1922, 6; 2009, 68–69; see Palonen 2011.

19 For the background and publication, see Mommsen 1988, pp. 383–384, Bruhns 2017, pp. 18–20.

20 Weber 1916a, p. 63.

21 *ibid.* p. 64.

22 *ibid.*, see Bruhns 2017, 191 and Palonen 2001.

23 *Esp. ibid.* 77; see also Weber 1916b.

24 Weber 1916a, p. 66, pp. 70–71.

25 *ibid.* p. 64.

26 *ibid.* pp. 64–65.

27 *ibid.* p. 65.

There are noteworthy differences in Weber's views on foreign policy and domestic politics. The spoken and written word is the main medium of parliamentary, electoral and party politics.²⁸ Politicians weigh the strengths and weaknesses of alternatives in an open and public debate with the number of votes as the *ultima ratio*.²⁹ By contrast, diplomatic negotiations are oriented towards compromise between the great powers, similar to the negotiation between old estates.³⁰ In foreign policy Weber, accordingly, supports the 'silent' (*schweigend*) action³¹ that would improve the chances for compromise. Similarly, politics as a rhetorical activity should not be confused with the declarative style of the powerless Reichstag, in contrast to the *Arbeitsparlament* of Westminster, which debates items in detail and where the members participate in the committees which control the administration.³²

With his 1916 essay Weber is participating in a public debate on German foreign policy. He avoids declarations for the same reason as he supports parliamentary debates on alternative courses of action, namely, for the possibility of 'maintaining freedom of choice' (*Erhaltung der Wahlfreiheit*). Within the European polity of multiple great powers, this means being careful not to exclude any possible alliances with other great powers, which provocative declarations easily tend to do.³³ Diplomacy is also a politics of words, but its aim is to avoid, as Weber quotes Bismarck, 'breaking the windows' towards other world powers.³⁴

In his analysis of the political constellation of the 'Great War' Weber partly situates himself within the Bismarckian tradition, so militantly he ever criticised the Bismarckian heritage in domestic politics.³⁵ He admits that, due to Bismarck's politics, an alliance with France was politically impossible after 1871, and this shaped the entire German situation in world politics.³⁶ Weber's view on maintaining freedom of choice in possible partners in world politics is opposed to having any arch-enemies. He does not share, in the style of Carl Schmitt *avant la lettre*,³⁷ the view that the political should be marked by decisions based on perceived friends and enemies; instead Weber believes that within the order of powers there should also be intermediate levels of agreement (*Verständigung*), which is something he strives for in relation to France and Russia.³⁸

28 e.g. Weber 1919a, p. 53.

29 Weber 1917, esp. pp. 169–170.

30 Weber 1917, p. 168.

31 Weber 1916a, p. 65.

32 Esp. Weber 1918b, p. 234, p.238, p.245; see Palonen 2014b.

33 Weber 1916a, pp. 66–67

34 *ibid.* p. 64.

35 See esp. Weber 1918b.

36 Weber 1916a, p. 67.

37 See Schmitt 1932.

38 Weber 1916a, p. 67.

Weber's essay, written in the middle of the war, analyses the chances for political alliances, and *modus vivendi* relationships are discussed in view of the prospects for future peace. He is worried over the German wartime policy that could preclude the very possibility of an expedient (*zweckmäßig*) policy after the war,³⁹ and leave unused the time frame that still persists for such a peace. Weber still takes for granted that the Great War will end with a negotiated peace similar to the kind made between the great powers in the wars of the Westphalian era.

Weber's sober and realistic assessment of the causes of the war is thus not *Realpolitik* à la Bismarck, which he had parodied from his youth; for him, Russia was a threat to the very existence of Germany as a national world power (*gegen unsere Existenz als nationaler Machtstaat überhaupt*). Moreover, the tsarist Russia threatened 'our entire culture' (*unsere ganze Kultur*), and even *die Weltkultur*.⁴⁰

4. A defence of *Kultur* against the tsarist barbarism

Weber's 1906 essay '*Zur Lage der bürgerlichen Demokratie in Rußland*' contains a devastating analysis of the tsarist regime, including a very pessimistic view on the situation of Russian Liberals after the reforms of the 1905 revolution. In the final pages of the 1906 essay Weber offers an eloquent defence of individual freedom of the Western type, as well as of parliamentary and democratic politics.⁴¹ This defence was obviously also directed against certain strong tendencies in the German empire. In the 1916 essay Weber enumerates a number of non-Russian peoples having an old and in some respects superior *Kultur* in relation to the Russian empire in which they live.⁴² Russian hegemony in the world would mean the end not only of the European polity, but also of European *Kultur*, of which tsarist Russia for Weber was never fully a part. The Western powers' alliance with the tsarist regime was a threat to the chances of *Kultur* both within Russia and in Western Europe.

Here we must notice the special Weberian concept of *Kultur*, which refers to the quality and valuation of something, to the distinction of *Kulturmenschen* from others on a lower level of humanity, as a political judgment based on freedom and choice.⁴³ Unlike, for example, Thomas Mann's notorious view in his wartime *Betrachtungen eines Unpolitischen* (1918), Weber's concept of the German *Kultur* does not oppose the Western *Zivilisation*.⁴⁴ In Weber's wartime polemics, rather, the contrast between civilisation and barbarism is strong, both against tsarist Russia as well as the colonial units in the Western armies.⁴⁵ All

39 *ibid.*

40 *ibid.* pp. 71-72.

41 *Esp.* Weber 1906, pp. 98-104.

42 Weber 1916a, p. 76.

43 See Weber 1904, 177; also Hennis 1987; Koselleck 1991

44 *cp.* Fisch 1992, pp. 746-769.

45 See Bruhns 2017, pp. 172-176.

this is connected with another old concept, namely honour (*Ehre*).⁴⁶

A *Machtstaat* in the Weberian sense creates chances in world politics, but also limits important chances in domestic politics. Not only in *Kultur* but also in politics, small states have their own value: only in small states, such as Switzerland, is a genuine democracy possible, as well as a genuine aristocracy based on personal trust and leadership.⁴⁷ In mass states (*Massenstaaten*) the bureaucracy and the military extinguish both, he writes, referring to Jakob Burckhardt.⁴⁸ However, only the great powers have ‘a responsibility before history’, a duty towards the future of the world, and the freedom of small states is guaranteed only when several great powers are counterposed to each other.⁴⁹

With this wartime vision Weber affirms the priority of the great powers as well as their mutual competition as guarantees of the European polity, including the freedom and *Kultur* of the smaller states. He simultaneously indicates the main domestic dangers within a *Machtstaat*, i.e. bureaucratisation and militarisation. Weber in his subsequent writings looks for counterweights for them in the parliamentarisation and democratisation of German politics.⁵⁰ After the war he sees in the directly elected *Reichspräsident* another counterforce to bureaucratisation, whether within the state or within the parties.⁵¹ For him it is not the Swiss type of semi-direct democracy, idealised at that time by many left-wing thinkers, but the British parliamentary system with its culture of debate and its control of government and administration together with a US-type of independent presidency which provide the model for the new political regime in post-war Germany.

The European polity of great powers was for Weber not just a question of expediency. The European polity was, as a product of a past momentum, an alternative to the hegemonic aspirations of any of the great powers. It was based on an order that includes the strengths and weaknesses of the greater and smaller powers, and its relationships included intermediate degrees between enmity and alliance. It also created counterweights to the bureaucratisation and militarisation of the great powers. When Weber, most explicitly in his last lectures in spring 1920, analyses the state as a chance complex,⁵² this allows degrees of stateliness and is incompatible with the traditional view of sovereignty of every state.

For Weber the polity of great powers in 1916 still offers the most viable vision for a more peaceful future co-existence. Instead of a declaration of normative principles or an adaptation to the alleged exigencies of the current constellation, Weber’s analysis operates within a horizon of political actions comprising different types of temporally limited

46 *ibid.*, pp. 162-167, see Ay 2004.

47 *ibid.*, pp. 76-77.

48 *ibid.* p. 77.

49 *ibid.*

50 Weber 1917; 1918b.

51 Weber 1919b.

52 Weber 2009, see Palonen 2011.

chances and their relationships to each other. The chances persisted for a time after the war to maintain the European polity, despite the threat of the annexionist policy of Germany to close them. The Weberian vision of the maintenance of the European order requires their mutual recognition as great powers, regular and active politicking between and within the powers, as well as the consideration of the interests of smaller states.⁵³

5. A proposal for regulating warfare

Against this background it is no wonder that Max Weber, two months after the end of the war and during the initial stages of the democratisation and parliamentarisation of the German polity, took up the topic of the post-war international order. The new German government of Social Democratic chancellor Friedrich Ebert brought an initiative to an international commission on the war guilt on 29 November 1918. Weber, seizing the momentum, wrote the article ‘*Zum Thema Kriegsschuld*’, which was published in *Frankfurter Zeitung*, his ‘house newspaper’, on 17 January 1919.⁵⁴

Already in the weeks following the end of the war, Weber predicted that French generals and not US president Wilson would dominate the peace negotiations,⁵⁵ and his Versailles experiences in spring 1919 confirmed this pessimism.⁵⁶ All this has left scholars ignorant of the constructive proposals Weber made for the new League of Nations in January 1919.

Weber’s initial point is to reject the *a priori* declaration of Germany’s war guilt that *allerhand Literaten* have declared — elsewhere he mentions pedagogy professor Friedrich Wilhelm Foerster as a prominent exponent of such an attitude.⁵⁷ For Weber, losing the war should not be confused with the legal question of guilt.⁵⁸ He declares that on both political and cultural grounds he had always supported an agreement (*Verständigung*) with England that would have made the war impossible, and he had not changed his main point.⁵⁹

The point of the *Kriegsschuld* article is Weber’s insistence that the US president Woodrow Wilson be ready to negotiate with the representatives of Germany and to not impose a ‘forced peace’ (*Gewaltfrieden*).⁶⁰ Moreover, Weber sketched a “statute for an international law on war within the League of Nations” (*ein Kriegsvölkerrechtsstatut des zu schaffenden Völkerbundes*).⁶¹ In other words, he not only took seriously Wilson’s proposal as a chance for new momentum based on a ‘League of Nations’, but he also made

⁵³ cp. Bruhns’s discussion 2017, pp. 183-197.

⁵⁴ See Mommsen 1991a, 163–164; 1991b, 188–189; Bruhns 2017, pp. 82-83.

⁵⁵ Weber 1918a.

⁵⁶ Mommsen 1991a, 161–172; Bruhns 2017, pp. 68-87.

⁵⁷ Weber 1919a, pp. 80–81, on the revolutionary Bavarian Prime Minister Kurt Eisner, see Bruhns 2017, p 84.

⁵⁸ Weber 1919c, p. 60.

⁵⁹ *ibid.*

⁶⁰ *ibid.* p. 61.

⁶¹ *ibid.* p. 62.

his own proposals for its statutes regarding the regulation of war. In accordance with the Westphalian order, Weber still regarded war as a part of international politics and he insisted on their regulation by international law within the framework of the new League. Equally obvious is that he thought of the great powers, including Germany, as forming the main pillars of the League.⁶²

Weber draws from the experience of the Great War the lesson that stronger legal instruments against war crimes are needed, obviously also in order to reduce the threat of future wars. His statute proposal contains four articles.

The first declares: 'A state that mobilises for war while negotiations to prevent the war are continuing, shall fall into international disrepute' (*Ein Staat, der mobil macht, während noch verhandelt wird, verfällt dem internationalen Verruf*).⁶³ Weber's claim behind this article is that Russia's mobilisation in 1914, and with it the entire tsarist system, bears the main responsibility for the outbreak of the Great War.⁶⁴ Conceptually, the political and legal sanction lies in 'international disrepute' of the state in question. The claim is intelligible only within the 'concert' of great powers, for the threat then exists that a rule-breaking state may be removed from full 'membership' among the respected great powers and be denied a voice in multi-power diplomacy, the main form of political action within the international polity. In other words, the factual status of being a *Machtstaat* is not by itself sufficient to be a great power; a certain respect for international statutes is also necessary to be recognised as a full participant in the polity of great powers.

The second article reads: 'A state that at the outbreak of a war does not clearly declare whether it will remain neutral shall fall into international disrepute' (*Ein Staat, der bei Kriegausbruch auf die Anfrage, ob er neutral bleiben werde, keine deutliche Erklärung abgibt, verfällt dem internationalen Verruf*).⁶⁵ Here the target of criticism is the French policy in 1914.⁶⁶ The threat is again merely disrepute. In this case, sanctioning might be more difficult to agree upon as a declaration of neutrality leaves more room for interpretation than does mobilisation.

The third article is worded 'A permanently neutral state can appeal to its neutrality only if it is able to protect itself effectively and equally in every direction' (*Ein dauernd neutralisierter Staat kann sich auf seine Neutralität nur berufen, wenn er sich in den Stand gesetzt hat, sie nach allen Seiten hin gleichmäßig und möglichst wirksam zu schützen*).⁶⁷ Weber mentions Belgium as a small state that had 'neglected' its defence in 1914, which appears to be a tacit acceptance of the German attack in 1914. The more general point,

62 see also Bruhns 2017, pp. 82-84.

63 Weber 1919c, p. 62.

64 *ibid.*

65 *ibid.* p. 62-63.

66 as Bruhns also notes, 2017, p. 83.

67 Weber 1919c, p. 63.

common to this and the previous article, is that the international war statutes also concern the small states. The target of criticism here is the non-justified use of not shouldering responsibility for one's own defence, though what degree of defence is sufficient again leaves much room for conflicting interpretations, and it was uncertain how far the great powers would agree on this point.

The fourth article is one that Weber admitted to be a contested principle between the German and the US wartime interpretations, namely, concerning the duties of neutral states. Weber presented the interpretation supported by Germany during the war: 'A neutral state that tolerates one party's war crimes without recourse to violent defence, cannot use violence against the other side by appealing to its illegal counter-measures, although they are judged to be the only means to meet the consequences of the enemy's break of law.' (*Ein Neutraler, der von einer kriegführenden Seite einen Rechtsbruch ohne gewaltsame Abwehr duldet, darf zur Gewaltsamkeit auch gegen die andere Seite nicht greifen wegen solcher rechtswidriger Gegenmaßregeln, welche das einzige Mittel sind, die Folgen des gegnerischen Rechtsbruchs wettzumachen*).⁶⁸ Wilson's interpretation was that such a link of responsibility does not exist, but must be decided separately (*gesondert*).⁶⁹ Weber admits that, with the outcome of the war, Wilson's legal interpretation has prevailed, but the matter remains controversial. Germany's policy towards the US was unwise, but not a war crime.⁷⁰

Max Weber's proposals for a statute in the international law on war can of course be seen as directed against those who held Germany solely guilty for starting the war. In more general terms, however, they might be seen as an attempt to catch the momentum in which the powers of international law to limit arbitrary acts by great and even small powers was being recognised by the international polity. He admits, however, that due to the absence of any supranational enforcement apparatus 'international law' is not directly comparable to state-internal law.⁷¹ The sanctions provided in his suggested articles do not, therefore, pose any absolute threats for a great power, but they do increase the political pressure on it.

6. Temporalisation of the Westphalian order

Both of Weber's writings can be read as situation-specific interpretations of the European polity's chances and their limits, and the momentums and time frames for change in the context of the Great War. In particular, the four articles of his proposal, understood as conventions to be agreed between the greater and smaller powers in the future League of

68 *ibid.* p. 64.

69 *ibid.*

70 *ibid.* pp. 64–65.

71 Weber 1922, p. 18

Nations, were based on the existence of a post-war momentum to create new instruments for the international polity. They aimed at prohibiting certain means of warfare that threatened the League's constitutive principle as a regime of multiple great powers. In other words, a momentum to incite war or the unjustified use of violence in war would have been made more difficult had all the great powers accepted articles of this kind.

The League as a guardian of the improved international order could not act like a court of law, but was dependent on the politicking between the greater and smaller powers within it. This required both a mutual respect — analogous to the avoidance of 'unparliamentary language' — and an increased vigilance among the powers against attempts to resort to violence or create undue advantages over other powers. In this sense the proposed new laws of warfare of the League can also be considered as a step away from secret diplomacy and towards a more procedural order, or towards a more parliamentary European and world-wide polity.

The Hague peace conferences of 1899 and 1907 contain signs of a parliamentarisation of foreign policy⁷² interrupted by the war. Weber was convinced that in foreign policy the British parliamentary regime was superior to the German rule of officialdom (*Beamtenherrschaft*) in foreign policy.⁷³ It remains open whether he saw a more parliamentary-style diplomacy possible.

A closer look at Weber's two essays makes visible the temporal subtext of their politics. The proceduralisation of how war may be initiated and conducted involves temporalisation, similarly to the proceduralisation and temporalisation of disputes in parliamentary politics.⁷⁴ This is directly connected to the situation that there exists no neutral and supra-political instance that could immediately judge, whether statutes have been violated, for the 'facts' are matters of interpretation, as in ordinary juridical cases.⁷⁵

Within a European polity based on agreements between great powers, if one of the powers raises the charge that another power has violated the rules this implicitly requires the participants to adjourn the question in order to interpret at a later moment the allegation and the possible measures. This interruption gives the participants in the European polity both the momentum and the time-span to judge whether a violation has taken place. Such a demand for a 'timeout' by itself serves as a major means of weakening or neutralising the threat of hostilities.

Of course, the content of Weber's essays in their broad outlines is perhaps not so different from those of other German moderate academics of the time. My textual analysis, however, directs attention to Weber's formulations, which illustrate his distinct manner

72 See Leinen and Bummel 2017, pp. 34-50; Roshchin 2017.

73 Weber 1918b, pp. 248-258.

74 See Palonen 2014a, chapters 5–6.

75 on the different types of legal disputes and their rhetoric, see Skinner 2014.

of thinking. Though these writings are addressed to a wide non-academic audience, they are nonetheless important for understanding the distinct vocabulary and rhetorical characteristics of Weber's style of thinking politically.

It is possible that we can also draw lessons from Weber in the contemporary debates on the European Union. The supra-national EU institutions, in particular the European Parliament and the European Commission, bring to the present-day politics an element that transcends the Westphalian-type balance of powers regime, or at least sets limits to the maneuverings of the great powers, both within and outside the EU. Those member states that want to stick to their 'sovereignty', such as Hungary or Poland, or to rely on the intergovernmental institutions, such as Sweden, are historically remnants of ancient empires. In this situation, however, as the former Finnish Prime Minister Paavo Lipponen well understood, the interest of the small member states lies in the strengthening of the EU's supra-national institutions.

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