

## REVIEW ESSAYS

### ELITES, LAW, AND DEVELOPMENT

A Review of Brun-Otto Bryde, *The Politics and Sociology of African Legal Development*. Frankfurt am Main: Alfred Metzner Verlag, 1976. viii + 280 pp.

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Bryde's book is a bundle of contradictions, at once brilliant and confused, important and trivial, logical and self-contradicting, absorbing and maddening. It examines how "law" is related to that special form of social change called "development." This is a central issue of the age, for it is through the State, manifested in the legal order, that human beings propose to alleviate the age-old horrors of poverty and oppression. Without understanding the principal tool through which this transformation is to come about, the dreams of the new Enlightenment must drown in continued dependency, exploitation, disease and misery.<sup>1</sup> To this enterprise the author brings encyclopaedic knowledge of the literature, a well-developed "sociological imagination,"<sup>2</sup> empathy for the disinherited, an obvious passion for knowledge, two years of teaching and research in Ethiopia and some visits elsewhere, and a style that is, if not exactly either limpid or felicitous, adequate for the task. Whatever my complaints about the book, it clearly is one that should be read by anyone concerned with field.<sup>3</sup>

In developing his argument, Bryde first asks under what conditions African law-making institutions will have the capacity, and their members the intention, of creating law looking towards development in favor of the poor and disinherited (p. 6). Since it cannot be in the interest of those on top to undercut their own power, he concludes that laws that require redistribution of resources are not likely to be enacted or, if enacted, to be more than symbolic (pp. 83 ff.).<sup>4</sup>

He next examines what he calls the "legal repertoire" of Western, customary and Islamic law. He holds this to be sufficient "on the conceptual level" (p. 124) to meet the problems of modernization, if only law-makers would take an eclectic but discriminating approach. The social organization of law-making, however, makes that a vain hope. Instead, strategic elites select from the legal repertoire those laws that will further their interests, not the interests of development (pp. 124 ff.). Finally, turning to the question of the efficacy of law, the author argues that civil and criminal law do not greatly aid development. "Administrative law" (that is, public law) might, but an elitist, pervasively corrupt bureaucracy invariably administers it (pp. 189-90).

Bryde has really put forward an explanation for underdevelopment. It might be restated thus:

1. Lawmakers who must depend on privileged elites do not ordinarily enact laws against elite interest.
2. African lawmakers depend upon elite interest.
3. Presented with a repertoire of laws, some developmental and some not, lawmakers select those that accord with elite interest.
4. African lawmakers were presented with such a repertoire of laws.
5. In conditions of development, only administrative law is very useful in effecting change, and the effectiveness of administrative law depends upon the effectiveness of the administration.
6. In Africa, the administration, manned by the political elite, is ineffective and corrupt.

Therefore, Bryde concludes that "only a political system that curtails elite privilege has the capacity to effect changes through law" (p. 190). That hardly novel conclusion resurrects elite theory, as it has descended from Aristotle to the moderns: Pareto, Mosca, and the American pluralists.<sup>5</sup> That the author believed it necessary to write a book to make so obvious a point suggests the fairytale world in which some other scholars concerned with law and development are said to dwell.<sup>6</sup> The old notion that the ruling authorities in Africa were altruistic philosopher-kings expired a few years ago.<sup>7</sup> Bryde's central hypothesis beats a pretty dead horse.

The appropriate criticism of this book, therefore, hardly concerns the validity of its principal conclusion. By the same token, its claim to our attention cannot rest on the originality or novelty of that ultimate conclusion. The interest of the book lies in the categories it advances as the basis of an understanding of African legal development. To analyze these, it is useful first to examine the methodology used.

## I

The book contains a veritable farrago of general descriptive propositions about Africa and the law. These propositions are offered as embodying knowledge. Knowledge is the basis for policy, for action, and ultimately for attempts to change and improve society. Before hazarding social resources on a course of action, one must estimate the reliability of the knowledge on which the intervention is based. Methodology attempts to provide such an estimate.

An example of a proposition in descriptive form is Bryde's statement that in Africa "the ministerial bureaucracy has a wide freedom in day-to-day rule making...but it is subordinate to the control of the political leadership" (pp. 21-22). That is problematical at best. In at least one country, to my knowledge, the bureaucracy successfully defied the orders of the President himself. Bryde also states that only students can unequivocally be counted among the radical intelligentsia, even though he concedes that they are "normally well-connected with the elite through family ties" (p. 37). He does not explain why students, who possess family connections with the elite and have high hopes of entering it, should be such flaming radicals.<sup>8</sup> Bryde's propositions, which purport to describe the continent as a whole, are made without any reference, citation of data, or even illustrative examples.

Because of Bryde's cavalier attitude to the epistemological status of his propositions he frequently contradicts himself. For example, he asserts that in Africa "university graduates are still likely to find a well-paid position" (p. 36). Later he says that: "Even university education is today a certain entrance ticket [into the "privileged group"] only with a degree from the more prestigious faculties (law, medicine) or from foreign universities" (p. 45). Both statements cannot stand. Elsewhere Bryde describes a "power profile" of African societies: an upper stratum of political ("strategic") elites, a middle stratum of professionals and bureaucrats, wage labor, a subproletariat, and so forth, all set out in sweeping terms with references only broadly to secondary texts. The need for "development," he claims, exists mostly in the underprivileged areas of society, especially the rural sectors. But attempts by the government to reallocate resources to better the position of the poor at the expense of elite privilege must "reckon with opposition" (p. 42)? This contradicts his earlier assertion, equally without empirical warrant, that "the civilian regimes in Africa today are based to a large extent on the authority of one single person who...controls power together with a relatively small group of confidants in the executive or party leadership. There are few constraints on the actions of this group, so far as internal opposition is concerned" (p. 25). Both statements cannot be true. Elite opposition either is or is not a serious constraint upon law-making.

Without a rigorous methodology for generating propositions or for testing them, Bryde waffles from point to point. Propositions empirically tested, propositions put forth explicitly as hypotheses for consideration and future testing, or even educated guesses--all are permissible, necessary, and important in the search for knowledge. As Holmes said long ago, in law we do not have too much theory but too little. But confusion between intuition and fact, between hypothesis and either warranted statement or guesswork, or between causal and descriptive propositions, is fatal to clear thinking. Consequently, the book becomes an exercise in if-I-were-a-horse theorizing.<sup>9</sup> Bryde really asks, what would I be like if I were an African legal order and an African society?

So phrased, the enquiry sounds silly. It is not. This is the sort of question asked by all neo-Kantians. Kelsen built a classical theory of jurisprudence by asking that kind of question about law and the State.<sup>10</sup> That sort of theorizing is actually the essential first step towards reliable knowledge. It is the appropriate method to define categories for study. We cannot understand anything unless we have a vocabulary and categories with which to study it. Any such vocabulary embodies choices. It defines what counts as belonging to the world.<sup>11</sup> It is the basic criterion of relevance. It preforms the results of research, for it determines what we see and what we ignore. It is essential to research, for without it our computation of data can only end like the dittybag of an idiot, crammed with bits and drabs signifying nothing.<sup>12</sup>

Paradoxically, however, categories must be formulated before the formulation of hypotheses and before the actual collection of information. They are based upon our world-view operating upon present notions of the subject-matter--what some call intuitions. They constitute a neo-Kantian construct. Thomas Kuhn sometimes called them "paradigms."<sup>13</sup> They came very close to Max Weber's notion of an ideal type.<sup>14</sup> They are the ineluctable prelude to research that aims at generating propositions of reliable knowledge. Unless we create paradigms as the basis for relevance, inevitably we rely on our linguistic legacy without critical examination.

Bryde attempts to state such a paradigm and to generate categories. His methodology permits him to do no other. That is an honorable and important task. It is unfortunate that he masquerades his educated guesses as propositions of reliable knowledge. His ideas and notions are provocative when understood as educated guesses but frustrating (and sometimes dead wrong) as propositions of reliable knowledge. Putting forward such notions as knowledge is dangerous since, unless they are understood only as educated guesses, the categories they suggest will not be understood as problematic, tentative, and subject to correction in the course of research.

## II

How to construct such a paradigm? It is always a first cut at an explanation for the phenomena at issue. Adam Smith's celebrated model of the market economy was an attempt to explain the wealth of nations. Max Weber's ideal type of bureaucracy was in this view an explanation of why bureaucracy worked as it did. Such a paradigm can therefore be understood in terms of the appropriate criteria for explanation in social science. Is it consistent with the presently known evidence? Does it meet standards of logical consistency, generality, parsimony, falsifiability, and utility? I discuss here Bryde's arguments with respect to the legal repertoire for law-making. (His discussion of legal effectiveness, though provocative, only marginally contributes to his ultimate

conclusion.)

Bryde argues that many specific laws can profitably be transferred from the developed countries to Africa. Banking problems in England and Kenya, he says, "are comparable to such a degree that the general regulatory framework and organizational structure can be transferred with some benefit" (p. 104). That is, he argues that if English banking law is copied in Kenya, the behavior that it induces will be the same there as in England. Bryde's only reference for his proposition is a footnote that reads: "The Company Ordinance (Cap. 486) follows closely the model of the English Company Act of 1948" (p. 104 n. 82). This reference does not in the least demonstrate the proposition to which it is attached.

He then argues that "though the modern sector of African countries is small, it needs basically the same kinds of law as Western countries. A country requires banking and insurance law whether it has four or 300 banks and insurance companies: it needs traffic laws whether 10,000 or 20,000,000 cars are on its roads." Therefore, he concludes, given their "very limited resources for legislative drafting," it makes sense for African governments to draw on western models "where this seems feasible" (p. 106). The predicate again fails to warrant the conclusion. Certainly every country needs a banking law, but that does not imply that an African country can find an appropriate model in the "repertoire" of Western law.

In any event, banking law is a peculiarly inapt example. Even in avowedly "capitalist" states like Nigeria, the problems of development banking differ significantly from those of banking in a developed country.<sup>15</sup> It is sometimes argued that the state must seize the "commanding heights" of the economy. Banking is always ranked among those crucial outposts.<sup>16</sup> Bryde seems to regard the choice of which banking law to introduce as merely a "technical" matter. His category of "Western" law unexpectedly includes both the law of capitalist Western, and socialist Eastern, Europe ("but not China") (pp. 86-87). The plain inference is that either would do equally well. Of course, that is not the case. Banking law determines what sorts of problems the bank will address, what sorts of interests (and whose) it will further, who will make decisions. Banks in a socialist polity, controlled by government functionaries and at least nominally making decisions pursuant to criteria set forth in a national plan, require a banking law quite different from capitalist banks purporting to make credit decisions to maximize profits for private owners. The choice of law is not "technical."

The illogic of Bryde's claim that much of "Western" law is transferable is demonstrated by his own earlier argument to the contrary. At the outset, he tells us that we can study the function of law in Africa "with the help of two questions."

- (1) How is the creation of legal rules socially organized?

(2) What is the impact of legal rules in given society?"

From this, without more, he asserts: "This formulation of the problem shows that there cannot be a general, cross-cultural answer to the question how law and development are related. Both the social organization of lawmaking and the social impact of legal rules differ from society to society" (p. 5). If "the social impact of legal rules differs from society to society" the social impact of the law of banking must necessarily differ from society to society. It follows that English banking law imposed on Kenya must have a different "social impact" there than in England. That is precisely the proposition he later denies.

Bryde concludes by asserting that African governments should save their drafting resources for "specifically 'African' problems." He identifies these problems in a footnote: "Internal conflict of laws, codification and reform of family law, land tenure legislation" (p. 106 n. 94).

For three reasons this whole argument seems to me to be pernicious. First, by restricting African inventiveness to those aspects of African law that expatriates have always found to be quaint--internal conflicts, family law, land tenure--it diverts attention from precisely those areas of law where creativity is most needed, for example, planning law, the law of parastatals, constitutional and administrative law, and the structure of participation.<sup>17</sup> Second, Bryde ignores the institutions and the law of lawmaking. All law--and developmental law par excellence--is part of an attempt to solve problems involving both value choices and knowledge. A principal problem in the area of development law is the incapacity of existing institutions to cope with a constant torrent of new problems. To insist on the sufficiency of the existing legal repertoire is to refrain from studying the problem-solving capabilities of the institutions of Africa, and the public law that structures them. Thirdly, Bryde's limitation of the "repertoire" to Western, indigenous and Moslem law eliminates many relevant legal systems. Surely the most interesting examples for study must be the law of other developing countries. For example, Bryde specifically excludes Chinese law from the "repertoire." That country's experience offers many more examples of law directed to the problems of development than, say, the experience of England or West Germany. Of course Africa should not copy Chinese law, but neither should it exclude China as a source of ideas for developmental law.

In any event, Bryde reserves a defense against all these criticisms. "Where Western laws conflict with local conditions, one should not hesitate to discard them" (p. 106). That defense makes his earlier proposition about the transferability of Western law irrebutable. If one were to bring up a particular example of Western law that does not work well in Africa, he can always say, "Oh, that is not what I meant; of course some laws will conflict with local conditions." No matter what evidence one adduces, it can never falsify his proposition. That being so, has he said

anything at all?

### III

Resting his principal conclusion on the assumption of elite power, Bryde argues that "most positions which carry high economic reward...and whose occupants exercise economic control, are either directly in the state hierarchy, or at least indirectly in the public sector" (p. 35). He takes the power and privilege of elites as a given, rejecting an obvious alternative, the enfranchisement of the underprivileged (p. 48 n. 143). Peasants want the goodies of modern life ("education, hospitals and economic progress") but remain tangled in age-old behavioral and value patterns that contradict modernization. Therefore, the mass of the population cannot control their own lives directly. The rural population is at once a potential obstacle and a potential vehicle for development (p. 49). If elites are all-powerful, and the masses impotent, the prospects for development favoring the disinherited are bleak.

Having argued that development through law--that is, through the initiative of the central government--is impossible, Bryde must perforce deal with Tanzania and those few other countries that seem to be doing just that. Why are the elites in Tanzania uniquely acquiescent in the developmental process? Bryde does not confront his principal hypothesis with the Tanzanian example. Instead, he adds a supplementary proposition drawn from the Great Man theory of history:

Egalitarian socialist policies can, therefore, not be explained by reference to the socio-economic system of African countries. They can only be explained by the commitment of a handful of African leaders who attempt such a transformation of their countries against huge odds. (p. 59).

By injecting this fairytale notion into his theory, Bryde builds himself an escape hatch for its every failure.

In the end Bryde declares himself irrelevant. Lawyers, he thinks, have more pressing tasks than devising "tools for social change" -- that is, "rationalizing and systematizing...if the legal system is to perform even its most basic functions, for instance the effective organization of commercial transactions and the peaceful resolution of social troubles." These tasks are best performed by local lawyers, not expatriates (p. 193). Expatriates can study African law, but only because "it is important for our understanding of the relationship between law and society." Their proper place is not in "law and development" but in comparative law and the sociology of law (p. 194).

Bryde's book has a revolutionary air, for its principal conclusion suggests the abolition of elite privilege. That is a pose. In the end, his analysis produces only radical rhetoric. There is no need for new sorts of law, because existing repertoires are sufficient. The modernizing center is all-powerful against the mass, but helpless against the elite. The masses themselves cannot be enfranchised, because of their traditional, backward values and behavior. The long winter's night is upon us, and the only hope is deus ex machina. While awaiting the Hero in his golden chariot local lawyers can, in the finest tradition of John Austin and analytical positivism, spend their time harmonizing existing law. Expatriates can be kept happy playing intellectual games, discovering general theories of law and social change. Research and study of normative questions is excluded.

Bryde is wrong. His fallacy is that of classical elite theory, and one which, I think, lies at the heart of current disillusionment with law and development studies. Elite theory was advanced in opposition to Marxism.<sup>18</sup> Elitists held that the Marxist explanation of the inequality of social and economic power was wrong factually, in that economic and political rulers were not identical, and wrong conceptually, since natural inequalities between people always exist.<sup>19</sup> Bryde makes the same mistake as the elitists in ignoring economic class. He says simultaneously that (a) the only political system that has the capacity to effect change through law is one that curtails elite privilege, but (b) that elite power and mass impotence are inevitable. In that view, development has to be a chimera.

Development theory, however, cannot ignore either economic class or the political elite. Those who control the economic surplus and make key economic decisions will obviously use their power for their self-aggrandizement, so far as possible. But development, however defined, is concerned with the alleviation of poverty, increased production and, ultimately, new patterns of distribution. Even trickle-down theorists justify present inequality in terms of ultimate benefit to the poor. All of these are invariably functions of economic power. Development theory must therefore deal with the mechanisms by which economic power is conferred and exercised. That is to say, development theory must examine economic class, for economic class is a function of power over productive processes. Only by studying the sources of economic power and privilege can we generate proposals to ensure the exercise of that power in favor of the mass of society.

The concept of political elites is also useful, since members of the economic ruling class are usually not the same individuals as the political rulers. That does not mean, however, that elite theory is very useful for development studies. Elite theory "explains" elite power and mass impotence by their ineluctable characteristics. Power and vulnerability are, however, not personal characteristics like blonde hair or brown eyes. They arise because



of regular patterns of behavior.<sup>20</sup> Understanding regular patterns of behavior requires explanations. Bryde's explanation singles out values and attitudes as the independent variables. The elite has Western values, the mass has traditional values. Since power is a function of behavior, Bryde ultimately explains power in terms of values and attitudes. That is circular. The evidence of values and attitudes ascribed to different strata is precisely the power and vulnerability he seeks to explain.

Like elite theory generally, Bryde's model of the world is static. Since power and vulnerability derive from innate characteristics rather than from purposeful activity, they cannot change. Bryde is no more able to account for revolutionary change than are other elite theorists. He must, therefore, invoke the mystique of the Hero. Poverty and oppression will be eradicated by grace, not by good works.

An alternative explanation for behavior is that individuals and collectivities make choices.<sup>21</sup> To explain choice requires that we state not merely why people choose among the constraints and resources of their environment--that frequently is a subjective matter. We must first ask why particular constraints and resources exist.<sup>22</sup> Once that prior question is answered, the choices people make everywhere turn out to be explicable in terms of economic rationality. The constraints and resources that are thrown up by society result mainly from the repetitive patterns of behavior of others. If "institution" is defined as "a set of regular patterns of behavior," the power of ruling classes and political elites and the correlative vulnerability of the mass can be explained by institutional structures. The economic ruling class and the political elite possess power not because of their innate personal characteristics but because they occupy roles so positioned amidst social institutions that they can make decisions that structure choice for others. If the mass seems to act in backward, fatalistic ways, it is because the institutions that structure their range of choice makes it sensible for them to do so. The heroism of Mozambiquan and Vietnamese, Algerian and Chinese peasants suggest that there is nothing inevitable about peasant fatalism and backwardness. We must therefore study the institutions that in fact structure their range of choice.

## V

The state changes behavior by structuring the range of choice of the addressees of law by its threats and promises. The legal order is the variable that, in this special sense, "causes" behavior. It alone is manipulable. The legal order, again in this special sense, explains both ruling class and elite power, and mass vulnerability to exploitation. Research on how the legal order creates and bolsters them must, I think, be a principal priority for a discipline of law and development. By taking them as a given, Bryde fails to provide categories to make that study possible.

Indeed, Bryde denigrates the utility of such studies. I disagree. The problem is not too little to study but too much. Throughout history there are revolutionary moments, usually occurring upon a transfer of political power, when there are sharp contradictions between the political elite and the economic ruling class. Such a moment occurred at independence in many African states. Economic power was exercised by the captains of the great multinational firms that bled, and still bleed, the surpluses out of the several African economies. The seats of political power were occupied by the new black political leaders, bureaucrats, and managers and directors of public enterprise and joint ventures. In most countries it did not take very long for the several African political elites to align their interests comfortably with those of the owners and managers of the multinational corporations. Similar revolutionary moments, I believe, have not yet expired in Tanzania, Angola, Mozambique, Guinea Bissau, and Somalia. Such moments occurred recently in Nigeria under Muhammadu, in Ethiopia, and in the early days of the Acheampong regime in Ghana. They will recur again and again in every country. How to prevent a replay of post-Independence history? What can scholars say at such critical times? If we listen to Bryde, we can only advise the Leader to be a Great Man. What a confession of academic bankruptcy!

There is an alternative. The cooptation of the political elites of Africa by the economic ruling class occurred because the institutions, and therefore the legal order, of Africa permitted and induced it. Why and how that happened and what can be done to prevent it, is an important, indeed crucial, area for law and development studies. Contract and property law permitted political elites to enter the private sector, Africanization programs advantaged them, civil service laws gave them higher salaries, and banking laws encouraged bankers to give them credit. Laws defining feedback and access to political elites permitted informal contacts with economic rulers at golf clubs and Gymkhana, and did not provide channels of communication between the mass and the law-makers. Constitutional law created institutions that maximized the power of bureaucracy and guaranteed political rule by the educated classes. The law defining the implementation of law created hierarchical, compartmentalized bureaucracies, better designed to tend the machine than to change it, and placed enormous discretion in high officials. There is ample room for research on these matters, and also on the institutions of mass participation in political affairs: decentralization of the bureaucracy, access to courts and lawyers, local government, community development, village and other development committees, ujamaa villages in Tanzania, election law, cooperatives, trade unions, and party structures. In the main, all these have not performed very well. Until we can offer explanations for their failure, it is impossible to design and draft laws likely to bring about substantial participation by the mass. We must study precisely the same categories that Bryde ignores: the legal sources of elite power and mass weakness, the consequences of various laws on economic class relationships, the law and institutions that link political elites and economic ruling class and prevent mass participation. Only by

examining and learning from the rich experience in development law around the world can we hope to generate reliable knowledge useful to the development enterprise.

Knowledge is reliable if it consists of explicit propositions, formulated and tested by a publicly stated methodology and by data publicly available. It does not rest on any claimed special expertise of the scholar, whether young or old, expatriate or local, sociologist or lawyer, professor or lecturer. Generating and testing such propositions is the business of academics. Their skin color and place of origin is, or ought to be, irrelevant. There is room enough and more in that enterprise for all, expatriate and local alike.

For that task we need appropriate research tools, methodologies, and perspectives. We need a set of categories to guide our selection of data. By ignoring economic class, and taking elite power and mass helplessness as given, Bryde excludes from our vision precisely what we should be looking at: the institutions that structure class, elite, and mass behavior. By ignoring these institutions and their related laws, Bryde has made it impossible for them to be invoked as explanations for underdevelopment. Since, as I believe, underdevelopment is caused by institutions of the society, to take them and the law that defines them as given is to ensure the persistence of underdevelopment.

Bryde's book is nevertheless worth reading, not as a statement of what Africa is like but as a set of sometimes wrongheaded but always stimulating educated guesses about Africa and its law. As a challenge to further theory-building, I found it thought-provoking; as a collection of one-liners, it is exciting; but as a source of reliable knowledge, it fails. Never mind its failure. Its challenge and excitement atone for all its imperfections.

#### NOTES

1. R.B. Seidman, "Law and Development: The Interface between Policy and Implementation," 13 Journal of Modern African Studies 641 (1975).
2. See C. Wright Mills, The Sociological Imagination (1970).
3. Bryde throws away in one-liners notions that seem to me to be worth a chapter. For example, he makes the point that the theoretical apparatus of the criminal law (especially mens rea) is built around the notion of deviance, that is, the notion that the actor can be expected to be oriented towards

the prohibitions of the law (p. 176). In conditions of development, the new rules are in a sense designed to induce deviance. The concepts and techniques of the criminal law are therefore little use in inducing the sorts of behavior prescribed by many developmental programs. What a neat way of explicating our common perception of the limits of the criminal law in development!

4. Laws that do not require redistribution of resources may be enacted--Bryde's example is a law aimed at the eradication of malarial.
5. See generally T.B. Bottomore, Elites and Society (1964).
6. See, e.g., David M. Trubek "Toward a Social Theory of Law: An Essay on Law and Development," 82 Yale Law Journal 1 (1972); cf. David Apter, The Politics of Modernization (1965).
7. See David M. Trubek and Marc Galanter, "Scholars in Self-Estrangement: Some Reflections on the crisis of Law and Development Studies in the United States" [1974] Wisconsin Law Review 1062; cf. Robert B. Seidman, "The Lessons of Self-Estrangement: On the Methodology of Law and Development," in Rita Simon (ed), Yearbook of the Sociology of Law (forthcoming, 1977).
8. For what it is worth, that proposition rubs against my own impressions of most Ghanaian, Nigerian, Tanzanian and Zambian university students during the years when I taught in universities in their countries. That is not to say that there is not also a radical--and sometimes organized and vocal--minority of students.
9. See Richard Abel, "Law Books and Books about Law," 26 Stan. L. Rev. 175, 213 (1973).
10. Hans Kelsen, The General Theory of Law and State (1945).
11. Peter Winch, The Idea of a Social Science and its Relations to Philosophy (1958).
12. Robert Lynd, Knowledge for What? The Place of Social Science in American Culture (1964).
13. The Structure of Scientific Revolutions (2nd edition, 1970).
14. The Methodology of the Social Sciences p. 90 (1949).
15. See Sayre P. Schatz, Economics, Politics and Administration in Government Lending: The Regional Loan Boards of Nigeria (1970).
16. See Ann Seidman, Comparative Development Strategies in East Africa (1972).

17. The Journal of African Law includes articles dealing with planning law, public corporations, constitutional law, family law, land tenure, and internal conflicts of law.
18. James H. Meisel, The Myth of the Ruling Class: Gaetano Mosca and the Elite p. 10 (1958).
19. Bottomore, supra n. 5.
20. As a professor, I have power over my students because I control their grades. I control their grades because there are regular patterns of behavior in the society by the students, my fellow professors, and university administrators, all of which not only permit but in fact require that I award grades to my students pretty much in my unrestricted discretion. Based on their grades, regular patterns of behavior by employers then place students in the social and economic hierarchy.
21. Frederick Barth, "Models for Social Organization," Royal Anthropological Institute Occasional Paper No. 23 (1966).
22. Alisdair MacIntyre, "A Mistake About Causality in Social Science," in P. Laslett and W.G. Runciman, Philosophy, Politics and Society (Second Series) 48 (1962).