

entitled to draw this conclusion, albeit provisionally, first, because it is likely that socialism is indispensable for realizing the objectives progressives of all descriptions ultimately want to achieve; and second, because it is almost certainly the case that support for capitalism today, even if only in the course of promoting benignly democratic corporatist ventures, is ultimately detrimental to virtually any progressive agenda.

According to a slogan of the 1974 revolution that overthrew fascism in Portugal: 'Socialism is the soil, democracy the seed, liberty the flower.' It would be well for those of us who want to reconstruct a genuine Left in these darkest of times to take this slogan to heart. Cohen and Rogers may be right in this time and place to focus on democracy, liberty's seed. But they have selected the wrong soil for democracy to develop. The Portuguese slogan asserts that socialism is indispensable if democracy is to issue in liberty. It is difficult these days to be confident of any prescription for changing the world radically for the better. But there is less reason, I believe, to be wary of this proposition than of Cohen and Rogers's acquiescence in an indefinitely prolonged capitalist future.

## Notes

1. The only significant exceptions are minority currents within social movements like feminism or environmentalism. But even radical feminists and environmentalists tend to share the disinterest in fundamental alternatives to social and political arrangements characteristic of the larger movements of which they are a part.
2. Joshua Cohen and Joel Rogers, *On Democracy: Toward a Transformation of American Society*, New York: Penguin Books 1983.
3. Cf. Andrew Levine, *The General Will*, Cambridge: Cambridge University Press 1993.

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# The Irony of Modern Democracy and the Viability of Efforts to Reform its Practice

*Philippe C. Schmitter*

Consider the irony: On the one hand, many countries on the world's periphery and semi-periphery have recently liberated themselves from various forms of autocracy and are desperately seeking to acquire the institutions of already established democracies; on the other, those advanced capitalist societies which have been practicing this form of political domination for some time are experiencing widespread disaffection with these very same institutions. The East and South want nothing more than an imitation of existing practices; the North and West are bored and disillusioned with them.

In both cases, normative democratic theory has been largely excluded from the process of deliberation and choice. Joshua Cohen and Joel Rogers revive this venerable tradition of critical thought and apply it to the (re-)design of democratic institutions – not by attempting to affect the nascent practices of South/Eastern democracies where one might expect that the uncertainties of the regime transition to provide the greatest window of opportunity, but by addressing the entrenched habits of North/Western democracies where one has every reason to suspect greater resistance to change. After all, it is 'we' who have won the Cold War and squelched obstreperous demands for a New International Economic Order. The 'end of history' beckons and 'they' must conform to our tried and proven formulas of economic and political liberalism: *N'est-ce pas?*

## The Dilemmas of Reform

Institutional (re-)design is not an easy reform strategy to advocate or implement. It tends to be 'lumpy' and slow to produce its effects.

Unlike piecemeal improvements, its sheer ambitiousness provokes an almost instinctive negative reaction from the status quo – especially when its ethical justification or instrumental rationale has been extracted from a ‘foreign’ source and hence, by definition, must be antithetical to the ‘domestic’ culture. Most of all, it presumes that the existing arrangement it would replace is amenable to change. Those benefiting and victimized by it must somehow be willing to learn that there is another, better way of doing things and to accept the risk of paying the transaction and transformation costs for getting there. Revolutionaries (presumably) do not bother to make such petty calculations, given the magnitude of the anticipated benefits, but institutional reformists (prudently) should.

Independent of the merits of their proposal, Cohen and Rogers stand a reasonable chance of gaining a hearing for two reasons: one general, the other more specific to the polity that mainly concerns them. The very victory of capitalism/democracy over its opponents has not only eliminated all ‘systemic’ alternatives for the foreseeable future (I shall leave aside Islamic or other fundamentalisms on the grounds that they are only ‘locally’ plausible), but it has also shifted the grounds for evaluation. It will no longer be possible to justify practices by extrinsic criteria, i.e. isn’t it true that our system works manifestly better than theirs? It will be increasingly necessary to satisfy internal criteria, i.e. does our system fulfil the expectations that its own citizens have about capitalism and democracy? The standards are likely to be much more demanding and the dissatisfactions correspondingly greater. Moreover, when compared to its (less) liberal capitalist-democratic brethren, the United States is a relatively poor performer. Mass communications, tourism, the balance of trade, the decline of the dollar, the quality of products, the stagnation of real wages – all of these are likely to drive home the message that Americans, despite their superior size and resource endowment, are doing worse than their North/Western neighbors. Whether the combination of these two factors will be sufficient to create an atmosphere of crisis that will make them willing to consider their long-entrenched practices amenable to institutional (re-)design is, I admit, problematic, but the moment seems more favorable for considering what a ‘post-liberal democracy’ might look like than at any time since the early 1930s.

### The Merits of Cohen and Rogers’s Proposal

Now to the merits of what Cohen and Rogers propose. They have chosen an unusual Archimedean point from which to lever change: the

system of organized interests. Most reform movements in the past have focused on more public and apparently traceable institutions: electoral laws, party statutes, constituency size, apportionment criteria, legislative committee structure, executive prerogatives, civil service autonomy, etc. Interest associations are much less obvious components of modern democracy. They are more numerous and secretive, have evolved in complex historical trajectories, adopt a great variety of legal forms and perform an even greater variety of functions for their members. It is no accident that attempts to regulate ‘lobbies’ have been notoriously unsuccessful. In short, it is much harder to get a ‘policy grip’ on them – something I fear Cohen and Rogers have occasionally overlooked.

Which is not to say that I reject the notion that interest associations should be the focus of deliberate reform effort. Quite the contrary. I have argued at length (but not yet published) that there are very significant net gains to be made from improving what de Tocqueville called ‘the art of association’ – both from the normative perspective of democratic theory and for instrumental reasons of productivity and competitiveness.<sup>1</sup> So, by and large I accept those parts of their paper that stress the advantages of a well-designed system of interest associations, with some reservations about the transferability of lessons from European neocorporatism to the United States. Where I find myself in fairly strong disagreement is with the means they propose to accomplish these ends.

1. If I understand their proposal correctly (and there is some ambiguity on this crucial point), ‘the state’ would deliberate, certify what the appropriate interest system should be for each policy arena and put together an attractive package of incentives for each participating association. Not only does this presume an existing capacity for judicious consideration and neutral choice for which there is no evidence in the United States (and much rhetoric in their paper to the contrary), but the sheer complexity of making such decisions is mind-boggling. Leaving aside how policy arenas would be defined (and what would be done about those that are intersectoral or cross-cutting), the necessary information about the literally tens of thousands of potentially eligible associations would completely overload the legislature. Even if ‘the final authority continues to rest with the more traditional, encompassing, territorially based systems of representation’, there is no way that making such a volume of detailed choices could be described as ‘a deliberative collective decision’ embodying popular sovereignty.

Moreover, once the arenas had been set, the participants chosen

and the state subsidies/exemptions allocated, there would be a powerful tendency toward 'locking in' the solution. How would new claimants be processed? What would be necessary to have a new policy arena declared? And how would defunct arenas be closed down? The necessary monitoring of these publicly vested interests would be considerable – and perhaps even more subject to oligarchic influences than the original choices. Cohen and Rogers mention briefly at one point the problem of sclerosis, but do nothing subsequently to allay my fears. All existing corporatism, state and societal, have had to face serious difficulties with the fixity of their interest categories and the vestedness of their constituent organizations.

2. Cohen and Rogers barely mention what is the most important emerging property of Western interest systems, namely, the explosion of activity on the part of organizations that claim to represent 'causes' and 'rights': feminism, consumerism, environmentalism, pacifism, vegetarianism, animal protectionism, ethnicism (and sometimes, racism), familism, communitarianism, speciesism, and so forth. Presumably, some of these organizations might make it through the certification process, but they are not likely to be represented on all the issue arenas they would prefer. How are partisan/territorial representatives (whose election depends on the votes of these aroused people) going to justify refusing them access?

Moreover, it is not clear (to me) whether one can apply to them the same evaluative criteria of 'encompassingness', 'scope of responsibility', 'formality' and 'integrative capacity' that would be used to discriminate in favor of associations based on class/professional/sectoral interests. They are bringing to the political process a measure of 'other-regardingness' and 'principled conviction' that cannot be weighed (or bargained away) in the same fashion.

According to my reading, Cohen and Rogers are trying to ensure that class – capital and labor in their most encompassing organizational form – will continue to occupy a predominant role in the policy process, at the expense of more diversified sectoral and professional cleavages and against the rising tide of less 'productively' defined interests. I believe that the democratic political process has no normative grounds for imposing and, thereby, reifying a particular set of cleavages – unless and only as long as it is freely chosen by the citizenry. Whatever one thinks about the past (and future) role of class and class conflict in capitalist societies, most people would agree that to legislate its centrality is likely to be futile.

3. Which brings me to my third major objection. At various points in the essay, especially in the last section on 'Reforming a Liberal

Polity', Cohen and Rogers are manifestly less concerned with improving the quality of associability in the United States than with accomplishing specific policy objectives. To put it bluntly, they are trying to bring social democracy to the United States by the back door, when it has been unable to pass through the front (i.e. the electoral) door. Leaving aside my own personal preferences on the matter (which hardly differ from theirs), I believe that this is a major strategic error for any project of institutional (re-)design. No reform of this magnitude is likely to pass muster unless the citizenry is convinced (1) that the measures will produce a major net benefit, if possible for everyone; and (2) that they will not upset the existing distribution of power in ways that can prejudice future decisions. The Cohen and Rogers proposal makes some effort to overcome the first test, but fails the second. Defective as they may be, the US party system and electoral process have not produced a majority that supports such substantive policies, much less the class empowerment that would subsequently emerge from them. Given the entrenched nature of existing institutions, only a reform project that is more convincingly 'neutral' (but still significant) in its impact stands a chance of being enacted.

### An Alternative Proposal for Reform

To all three of these objections, I have a proposed solution.<sup>2</sup> Cohen and Rogers must be aware of them since they had in hand, and cite, an unpublished article of mine on 'Corporative Democracy'.<sup>3</sup> First, let me stress the contrast between my proposal and theirs:

1. The obvious way to rid the state and the legislative process of the enormous burden of crafting the details of a reformed associative system is to hand it over to the people. An appropriate means for doing this would be to create a system of 'secondary citizenship', in which individuals would be issued vouchers at regular intervals for the support of associations and allowed to distribute them according to their own, self-assessed interests.<sup>4</sup> These vouchers would be exchangeable for public funds from the general budget. Only organizations accepting certain restrictions, e.g. internal democratic selection of leaders, transparency of finances, nonprofit-making activity, etc., would be eligible to receive vouchers and by so doing would be accorded the status of 'civic' or 'semi-public' institutions. This relatively simple measure would have the effect of channeling substantially greater resources into associations of all types and would also greatly reduce (but not completely eliminate) the existing inequalities in the

capacity for collective actions across social groups. The sum total of this distribution would automatically and indirectly 're-design' the system of interest representation – without the need for detailed state intervention.<sup>5</sup>

2. My proposed voucher system would be open without discrimination to all existing and potential interests (provided the predominance of any specific line of cleavage – just equalize the conditions for associability across categories differing in initial resources, numbers, intensities, locations, etc. Citizens would choose which interests concerned them the most and which associations best represented them. Depending on the periodicity with which the vouchers were distributed, the whole system would be reasonably flexible, rewarding those that succeeded in identifying new concerns and punishing those that held on too long to outdated ones. Competition between voucher-seekers would be lively, which should improve the flow of communications about the pros and cons of rival associations and could even encourage a fair amount of increased deliberation and debate among citizens.

3. I believe the voucher system could convincingly be described as 'institutionally neutral' in that it is not manifestly intended to benefit any interest or cause. It certainly cannot be accused of being social democratic. No doubt, it would give some presently under-represented groups a better chance at self-organization, but no one can know for sure how citizens would distribute their vouchers until the experiment has actually been performed. Public opinion polls and, certainly, elections are not reliable guides. Initially, one can anticipate a certain amount of 'gaming' as individuals will hope to free-ride on others to cover their basic and more prosaic interests, but after several iterations a pattern should set in which will be a reliable indicator of what people are really concerned about. Frankly, I cannot assure the reader that such a scheme would generate all the productivity and competitiveness benefits claimed by Cohen and Rogers – although the general increase in the capacity of associations and their greater availability (and autonomy) for taking on publicly mandated tasks suggest this might be the case – but I am sure that such an institutional (re-)design would be more democratic for the citizenry and less burdensome for the political process.<sup>6</sup>

### More Specifics about an Alternative Reform

The core of what I propose consists of three, closely intertwined, general reforms:

1. the establishment of a semi-public status for interest associations;
2. the financing of these associations through compulsory contributions; and
3. the distribution of these funds by means of citizen vouchers.

Before going into further details, let me stress that the proposed arrangement is not intended to be exclusive. Interest associations and social movements that wish to constitute themselves in ways proscribed by the rules of 'semi-publicness' or to finance themselves purely on the basis of voluntary payments by members would be free to opt out and yet remain active in the political system. They would not be allowed to receive the voucher-distributed contributions, however, unless they agreed to abide by certain public constraints on their procedures and behavior. Individuals could continue to join and to contribute to 'uncertified' and 'purely private' associations in whatever way and amount they preferred, although everyone (or, more accurately, all taxpayers) would have to pay a fixed amount for interest representation in general. All citizen-taxpayers could distribute their vouchers in varying proportions, but only to the semi-public associations of their choice.

In many continental European polities, the Chamber system for the representation of industrial, commercial, artisanal and/or agricultural interests has established a legal precedent for this form of associability, even if – as will be developed below – what is being proposed here differs from it in important ways. These compulsory arrangements for sectoral representation offer a good example of measures that were deliberately instigated – beginning in the Napoleonic period and later expanded and strengthened toward the end of the nineteenth century – to serve the dual purpose of overcoming intrinsic deficiencies in the 'art of association' for certain socioeconomic groups, and of fulfilling specific public policy goals. One could quarrel over whether it was democratic to establish these systems so selectively or whether their subsequent performance did meet public expectations – but the arrangements have persisted and not proven antithetical to other democratic institutions.

In the contemporary period, the most obviously analogous reforms have been the provision of public funding for political parties and the extension of guarantees that accused persons will be provided with adequate legal counsel. Vouchers, of course, have been proposed by a wide variety of advocates as a means for introducing competition and accountability into the provision of public service, and some

experiments with them have already been carried out and evaluated. To my knowledge, however, this is the first suggestion that vouchers be used for the purpose of choosing and funding interest representatives.

### Semi-public Status

Modern interest associations already perform a variety of public functions in the dual sense that they affect the public with their actions and that they carry out policies at the command (and sometimes, under the subsidization) of public authorities, but rarely are they required to operate under a specific public charter which specifies their rights and obligations. Chambers, of course, are the exception, but the liberal laws of the nineteenth and early twentieth centuries deliberately made it easy to form and register an association and, thereby, to acquire a 'juridical personality' in most Western polities. Trade unions, however, were a frequent exception and have been subjected to elaborate rules and procedures for attaining the coveted status of 'most representative' or 'exclusive bargaining agent'. In state corporatist systems, this reaches the extreme where the very categories of class or sectoral interest are pre-established by these authorities, who then licence only a single organization to occupy that space. The system proposed here would deliberately avoid the specification of any fixed category of representation based on class, status, sector or profession, but would leave the organizational boundaries surrounding these semi-public bodies to the initiative of interest entrepreneurs, the self-determination of social groups and the subsequent competition for vouchers from individual citizens.

The central idea behind the development of a semi-public status is to encourage associations to become better citizens, i.e. to treat each other on a more equal basis and to respect the interests of the public as a whole. This effort would involve nothing less than an attempt to establish a 'Charter of Rights and Obligations' for interest associations, which would, thereby, be recognized as 'secondary (organizational) citizens' – alongside the usual individual variety. It would be naive to suppose that merely imposing certain forms and rules would *eo ipso* make them into more 'fact-regarding, other-regarding and future-regarding'<sup>7</sup> actors. The legislation of most Western democracies is strewn with unsuccessful attempts to regulate lobbies and pressure groups. What is distinctive about this approach is the coupling of respect for certain conditions of self-organization and management with quite concrete incentives for support and a competitive process of allocation.

It would be presumptuous of me to specify here all the rights and obligations that might be included in such a Charter. This would require a great deal of comparative research into existing legislation, for much of what would be involved is probably already on the books in one way or another. The purpose served by bringing it together in one formalized 'status' and asking individual interest associations whether they would agree to abide by that specific package of rights and obligations would be to clarify ambiguities and jurisdictions – and to place eventual enforcement under a single, standard authority. For purposes of illustration only, I could imagine the following general provisions:

1. A special registration procedure and title for all associations operating under the Charter that engage in the activity of interest representation/intermediation.
2. An assurance of access to public authorities concerning all deliberations relevant to legislation and implementation in their respective interest domains (*Vernehmlassungsverfahren* is the inimitable Swiss-German expression).
3. A guarantee of democratic procedures for the election of all executive officers and their accountability to the full membership, with provisions for the protection of minority rights.
4. A commitment to accept as members all individuals, firms, families, etc. whose interests fall within the association's self-defined domain of representation, without regard for partisan affiliation, gender, race, nationality, etc.
5. A prohibition against the advocacy of violence, racism and other forms of criminal behavior.
6. A commitment to full public disclosure of associational revenues and expenditures.
7. A prohibition against engaging in profit-making activities.
8. A prohibition against contributing to the financing of political parties, social movements or other interest associations (except those which are their members).
9. An assurance of capacity to participate directly in the implementation of public policies – even a presumption that relevant policies will be administered to the maximum feasible extent through associational channels.
10. A guarantee that public authorities will not intervene in the internal deliberations and choices of semi-public associations, except to ensure compliance with the above provisions of their status and the applicable sections of the civil and criminal codes.

11. Finally, permission to receive public funds, raised by obligatory contributions from citizens and distributed by voucher, in addition to funds raised voluntarily from members.

In my opinion, this list does not represent a massive set of new entitlements or constraints, but more a formalization and condensation of existing norms contained either in public legislation or in the private constitutions of most associations.

### Obligatory Contributions

No one advocates the creation of a new tax lightly – especially in the face of neoliberal diatribes against fiscal obligations which are supposed to be already too high. But this proposal rests squarely on the need to develop a new method for financing interest intermediation which is independent of the ability and willingness of individual citizens to pay – and that means extracting resources involuntarily from all those who ultimately will benefit. It may be disguised under some other label: ‘an associative contribution’ or ‘a representative donation’, but it would still have to be a coercive levy.<sup>8</sup>

The contribution/tax should be extracted from everyone resident in a given territory, but not from firms or corporations, since they would be forced to pay twice and could, therefore, exert more influence over the resultant distribution of revenues (and would, in any case, pass on the cost to their consumers). Anyone who so wished could also give voluntarily to various causes, but this would not exempt them from the general ‘representative donation’. Note that, by tolerating such a freedom, small and compact ‘privileged groups’ would still be more likely to attract disproportionate resources, since their members would continue to have greater incentives to give voluntarily in addition to the general levy. Nevertheless, given the large numbers involved, a very considerable evening out of resources across interest categories and passionate causes would be likely.

The most feasible manner for doing this would be to attach the obligation (and the voucher system) to the annual filing of income taxes – at least, in those countries where virtually all adult residents are required to file, if not to pay, such taxes. Indeed, in the interest of equity, those with such low revenue that it exempts them from paying income taxes could also be exempted from the representation levy, but they would still be empowered to distribute vouchers which would count toward determining which specific associations received money from the common fund.

Even if the amounts involved are quite small, it will not be easy to generate consent for such a measure. For example, if each taxpayer in the United States were required to contribute a modest \$25, the tidy sum of almost \$2.5 billion would be raised. That would fund a lot of associative action and, depending on how citizens ‘spend’ their vouchers, it could go a long way to rectifying existing inequities in organizational resources and systemic under-representation. What is important is to retain the low level of individual payments in order not to scare away potential supporters of the reform, but make the aggregate level of resources provided sufficient to compensate for persistent inequalities between interests. It is also essential to convince the public that such an arrangement would constitute an important extension of democratic rights – analogous to the previous extension of the franchise. This is where the voucher notion comes in.

### Choice by Voucher

What pulls the entire scheme together is the mechanism of vouchers. These specially designated, non-transferable units of account could only be assigned to interest associations with a semi-public status, in proportions chosen by the individual citizen/taxpayer. Their value would be established by public policy at some uniform level (\$25 per person in the above example) and there would be no way of avoiding paying for them, but the only cost to spending them would be the time and effort in getting acquainted with alternative recipients, plus the few moments it would take to check off boxes or fill in blanks.

There are many attractive features of vouchers in the domain of interest representation:

1. They would permit a relatively free expression of the multiplicity of each citizen’s preferences, rather than confine them to one party list or a single candidate as do most territorially-based voting systems.
2. They allow for an easy resolution of the ‘intensity problem’ which has long plagued democratic theory, since their proportional distribution by individuals across associations should reflect how strongly each person feels about various interests.
3. They equalize the amount and sever the decision to contribute from the disparate command over resources that is intrinsic to the property system.
4. They offer no rational motive for waste or corruption since they cannot provide a direct or tangible benefit to the donor and can only be spent by certified associations for designated purposes.

5. In fact, they provide a very important incentive for reflection on the nature of one's interests and, as they are repeated over time, a virtually unique opportunity to evaluate the consequences of one's past choices.

6. They would, therefore, become a powerful mechanism for enforcing the accountability of existing associations since, if the behavior of their leaders differs too markedly from the preferences of those who spent their vouchers on them, citizens could transfer their vouchers elsewhere.

7. They make it relatively easy, not just to switch among existing rival conceptions of one's interest, but also to bring into existence previously latent groups that presently cannot make it over the initial organizational threshold.

8. Finally, they offer a means of extending the citizenship principle and the competitive core of democracy,<sup>9</sup> which neither makes immediate and strong demands on individuals, nor directly threatens the entrenched position of elites.

All of the above represent significant improvements over the present practices of electoral democracy and pluralist intermediation, in my judgment. What is perhaps not so clear is how the voucher system would dramatically improve the performance of the more corporatist systems. Most centrally, it eliminates the favorable and fixed designation accorded to class, sectoral or professional categories. With vouchers, all categories of interest and passion represented by associations with semi-public status stand the same hypothetical chance of attracting support, and no single organization would be granted a permanent monopoly over any specific domain. Granted some will receive more vouchers than others and that there are good arguments (to be explored below) in favor of encouraging the chances of more encompassing categories and more monopolistic associations, but even this degree of intentional rigging of the outcome could be upset if citizens persist in spending their vouchers elsewhere. Moreover, under the voucher system, contributors would not automatically become members. They would vote their vouchers and neither be compelled to join or to obey the association they had chosen. Granted that with the increased resources and salience that are likely to flow to them, associations will become more attractive sites for individual participation. The competition among organizations for vouchers may lead them to invest substantial amounts in convincing potential supporters, not just to spend their voucher on them, but to become regular members with a say in how the money from those vouchers will be spent.

As with many reform proposals, their eventual impact may hinge more on seemingly insignificant details than on their general conception. Space and a lack of familiarity with the implementation of previous voucher schemes in other areas leave me incapable of specifying thoroughly their *mode d'emploi* in this case, but I shall advance a few suggestions:

1. Vouchers would be administered jointly with the income tax, and would probably take the form of a set of questions and an accompanying brochure listing the eligible 'semi-public' associations.

2. Citizens could distribute their support among a limited number of associations (say, five) and small fractional distributions (say, less than 20 percent) would be discouraged for simplicity of accounting (and in an indirect effort to discourage the fragmentation of support).

3. Citizens would check off their preferred contributions from a list of semi-public associations. This list could be structured in such a way that organizations with larger memberships and more comprehensive interest domains would be listed first and perhaps in a special 'favored' section. More specialized and localized groups would be encouraged to join these encompassing and national groups – and, thereby, to receive their financial support indirectly from them, rather than by competing with them. Associations below a certain size in proven membership would be ineligible for inclusion in the national voucher system, although smaller thresholds could be established for regional or local systems (where the tax system is articulated in that fashion).

4. In the initial iterations of the scheme, existing associations which accepted semi-public status would naturally be at a considerable advantage. Their names and symbols are better known and they could expect a considerable loyalty from the membership they have already acquired. In one sense, this is desirable since it may lead these organizations to support the scheme in the first place; in another sense, it could have the undesirable effect of perpetuating organizations that are no longer representative. Eventually, the logic of competitive appeals for vouchers would have the effect of either revivifying moribund groups or displacing them by more authentic others.

5. Given the advantages of monopolistic (or highly oligopolistic) representation stressed in the corporatist literature, it is preferable that these be 'certified' and 'ratified' by the voucher mechanism. Other than the modest 'favors' accorded large and comprehensive associations that were sketched out in (3) above, no measures should be imposed to insure this outcome à la Mussolini and the *Carta del Lavoro*. If

overlapping and multiplicity within an interest category is established or emerges, there should be no authoritative fixing to correct it. What vouchers do permit is for bystanders, i.e. non-members but potential contributors, to have a say in whether such fragmentation is to persist. If they swing their voucher votes around in ways that differ from the entrenched behavior of militants, then the organizational structure may change and differences over the perception of interests and the pursuit of strategies will be worked out within associations rather than between them.

6. Citizens could also write in unlisted associations which, however, would receive the earmarked funds only if they accepted the conditions of semi-publicness and only if the write-ins exceeded some minimal amount, similar to the 5 percent threshold in the electoral laws of some countries.

7. Citizens/taxpayers who chose not to indicate a specific *déstinataire* or *déstinataires* would have their contributions distributed according to the distribution of preferences of the citizenry as a whole.

8. Non-citizens who pay taxes would also receive vouchers which they could offer to associations representing their interests. In distributing them, they would be exercising rights of citizenship that are currently denied them in the party, electoral and legislative arena.

9. The voucher funds would be distributed by the state tax collection agency automatically to all eligible associations every year, but the voucher selection system would only function every other year – partly to reduce the burden on individuals, but mainly to allow associations a sufficient time-horizon to adjust their policies and programs to changing group preferences and to protect them against momentary surges of enthusiasm or unpopularity.

10. Associations would be prohibited from ‘bribing’ citizens by simply offering to return to them some proportion of their vouchers in cash or direct services.

### The Probable Advantages

I am convinced that, if implemented, this proposal with its three closely intertwined components of a semi-public status for associations, a compulsory mode of financing and a voucher system for distributing resources would represent a significant improvement over either pluralism or corporatism in the governance of modern democracies. Its implementation should lead to a dynamic and self-disciplining solution to the problem of resolving interest conflicts that

would not require constant monitoring and intervention by the state, and that would not leave citizens at the mercy of an erratic and unjust marketplace. Central to that conception of a future stable and consensual order is the notion that it will depend on the continuous negotiation of a social contract – not one based on a class compromise among individuals signed by an invisible hand only, but one comprising a multitude of cleavages between groups, negotiated and implemented by visible and accountable organizations.

I have been deliberately silent on the substantive changes that would ensue from such a restructuring of interest politics. That there would be significant differences in *cui bono*, I am fully convinced, but I am not at all sure what they would be. In major part, this is because it is fundamentally ‘unknowable’ how citizens would express the scope and intensity of their true preferences if given the opportunity to do so at such a low cost and with such ease. Moreover, it is equally difficult to envisage how the other institutions of democracy – parties, movements, legislatures, local governments, etc. – would react to a more equal distribution of the organizational weapon in the hands of associations representing interests and passions. Hopefully, this ambiguity with regard to policy outputs and substantive outcomes will facilitate the implementation of the reforms – if only because many groups will see in it an attractive solution to their existing deficiencies and future aspirations, even if in the long run these solutions in the aggregate prove to be incompatible.

I am also aware that the appeal is ‘unheroic’.<sup>10</sup> It advocates not ‘strong’ democracy, but ‘weak’ democracy. It makes no claim to return to a glorious past of direct and individual participation in public deliberations. It promises no future with civic-minded citizens exercising eternal vigilance over the public interest. Implicitly, it denies both these historical quests of democratic theory. It empowers organizations, not individuals; it initiates a process, not an end-state. It accepts the ubiquity of partial and private interests in modern society and rejects the possibility of an overriding general and public interest. In so doing, it affirms that ‘only self-interests can counter self-interests’, not nobler passions or an enlightened vanguard.<sup>11</sup>

Within these limitations, the proposed reforms focus on removing much (but not all) of the inequalities rooted in wealth, property and status that systematically discriminate between interest in our present democracies – not by eliminating them outright – but by controlling their effects. They would recognize and exploit persistent cleavages, and attempt to transform these differences in interest intensity into equivalences in organizational capacity. They would not attempt to



extract more or better participation from the citizenry, but to make it easier for it to express its preferences. They would not seek harmony and concord 'beyond adversary democracy',<sup>12</sup> but establish a more equitable *modus vivendi* within it.

## Notes

1. 'Corporative Democracy: Oxymoronic? Just Plain Moronic? or A Promising Way Out of the Present Impasse?', mimeo, Stanford University 1988.
2. I have several other objections, for which I have no constructive solutions of my own to propose. I will simply list them cryptically:
  1. Cohen and Rogers seem oblivious to the international component of contemporary interest representation, despite their laudable sensitivity to the rising pressure of international competition;
  2. Cohen and Rogers offer no reflections on how their proposed reforms would likely affect the existing party system and legislative process, the assumption being (I suppose) that both would remain unchanged;
  3. Cohen and Rogers do not indicate how they would propose dealing with the demands for participation of, say, religious sects or patriotic groups on the grounds that they have an overriding ethical concern with virtually all substantive issue areas;
  4. Cohen and Rogers, in their emphasis on 'artificiality' (which I have also stressed in my work), do not indicate what its limits are and, therefore, what should be the extent to which existing 'natural' associations can be ignored and new ones should be encouraged and subsidized through public policy;
  5. Cohen and Rogers do not address the critical 'agency question' and it is, therefore, difficult to imagine who would be sufficiently concerned to invest time and money in such a venture and what concrete steps and appeals would be necessary to bring about such a redesign of American democracy.
3. They did not, apparently, have my self-rejoinder in which I respond to my critics, some real and some anticipated: 'Some Second Thoughts about Corporative Democracy: Oxymoronic or Moronic, Promising or Problematic?', paper presented at the Conference on Competing Theories of Post-Liberal Democracy, University of Texas, Austin, 8-10 February 1991.
4. On reflection, it occurs to me that the Cohen and Rogers proposal does not once mention the concept of citizenship – a rather astonishing lapsus in a work of normative democratic theory. I am convinced that any viable institutional (re-)design should be aimed at expanding this crucial property intrinsic to all types of democracy. Not only would this engender a properly generic sense of empowerment, but it just might encourage individuals to utilize whatever powers are accorded to them in a more civic or other-regarding way.
5. Needless to say, by manipulating the details of such a reform – raising the threshold, giving premiums to more encompassing organizations, insisting on meeting more 'public' criteria, etc. – it would be possible to steer the system in different directions. Setting these criteria is what would be left to the collective deliberation of 'traditional' partisan-cum-territorial representatives in each specific polity. NB: This reform would be relatively easy to operate at different levels of aggregation: municipality, county, state, nation; whereas, the complexity of choice in the Cohen and Rogers one would increase exponentially if it were so implemented.
6. Readers who would like additional information about this proposal are invited

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7. For this 'trilogy' of types of regardingness I am indebted to Claus Offe.
8. The tax would be novel, but the amounts of revenue transferred to interest associations might not be. Since first presenting this idea in Norway several years ago, I have become increasingly aware of the very substantial sums that some Continental European governments provide as subsidies to specific organizations – ostensibly because they are accomplishing some public purpose. Norway, Spain and France are three cases in point, even if the amounts involved are rarely publicized. In my view, this subsidization of civil society is much less democratic than the one that I propose since the criteria used to determine eligibility are secret, bureaucratic and non-competitive; whereas, under a voucher-based scheme, this would all take place publicly and accountably, and would be accompanied by specific binding obligations to behave as 'secondary citizens'. If the countries that are presently subsidizing associations by clandestine means would agree to stop these practices, they might be able to switch to a better arrangement at virtually no cost!
9. Cf. my earlier essay, 'Democratic Theory and Neo-Corporatist Practice', *Social Research*, vol. 50, no. 4 (Winter 1983), pp. 885-928, where the role of competitiveness is evaluated along with such other normative standards for democracy as participation, access, responsiveness and accountability.
10. Terry Karl put it more exactly and brutally in our discussions: 'It lacks sex appeal.'
11. The discerning reader will see the hand of Bernard Barber behind these remarks. It was my critical reading of his *Strong Democracy: Participatory Politics for a New Age* (Berkeley: University of California Press 1984) that got me started and I have considered his provocative book as a useful foil throughout my subsequent musings.
12. With apologies to my former colleague, Jane Mansbridge, and her *Beyond Adversary Democracy*, New York: Basic Books 1980.