

#### 4. CORPORATISM IN SEMI-DORMANCY

German Romanticism had run its course around 1830. In France the issue of monarchy or republic, and if monarchy, what kind of monarchy, dominated the constitutional debates almost to the exclusion of all other questions. Thus in the period from 1830 to about 1850, political corporatism remained nearly dormant. But even in this period there were some writers who, without going all the way to political corporatism, cultivated ideas which later functionalists could use. One of the most important French social scientists in the early nineteenth century was Jean Simonde de Sismondi (1773-1842). Through his criticism of the parliamentary system and the conclusions he draws in regard to constitutional reform he comes close to the corporatist position,<sup>1</sup> but since the emphasis of his work lay elsewhere—in business cycle and population theory—his influence on the development of functionalism was relatively small. Aside from the early advocates of socially progressive Catholicism, about which more will be said later, the most influential of these proto-corporatists was Julius Stahl (1802-61), for a time the intellectual leader of German conservatism. He was primarily interested in strengthening the monarchic and aristocratic influence in the representative bodies and to this end considered the inclusion of some functionalist elements in the electoral system.<sup>2</sup>

Toward the end of the period, the advocates of functionalism became more numerous and more outspoken. In France, Albon de Villeneuve-Bargémont and Félix de La Farelle (1800-72 and 1800-71 respectively) emphasized the importance of guilds without paying

<sup>1</sup>See esp. Heinrich Herrfahrdt, *Das Problem der berufsständischen vertretung von den französischen revolution bis zur gegenwart* (Stuttgart/Berlin: Deutsche verlags-anstalt, 1921), pp. 43ff.

<sup>2</sup>Another conservative leader, Ernst Ludwig von Gerlach (1795-1877), might have rivaled Stahl's influence if he had shown more flexibility. As it was, his desire to go back to conditions before the revolution, including a medieval system of Estates, was too reactionary even for the German conservative party, and Gerlach became a political outsider.

much attention to the problems of political representation.<sup>3</sup> But the most important of those French writers who came close to being political corporatists in this period was Eugène Buret (1811-42). His major work is *De la Misère des classes laborieuses en Angleterre et en France*.<sup>4</sup> He not only demanded a revival of the guilds, but wanted them to include workers as well as masters with equal rights.<sup>5</sup> He presented an elaborate scheme of local, regional, and national representation on the basis of delegation from guildlike bodies. Although he does not explicitly demand political functions for these vocational organizations, he wants them equipped with such far-reaching powers of economic regulations as to deprive the old legislations of the larger part of their jurisdiction. The importance of the economic functions was enhanced by Buret's belief in the necessity of guiding production in order to prevent errors in judging the market situation. According to him, in the capitalist market economy "the producer is obliged to work haphazardly; he possesses no sure means of knowing the true state of the market, and that is why he so often happens to employ his capital fruitlessly, by making it produce objects for which the market is already saturated."<sup>6</sup> A guildlike body, composed of

<sup>3</sup>See Matthew H. Elbow, *French Corporative Theory, 1789-1948: A Chapter in the History of Ideas* (New York: Columbia University Press, 1953), pp. 32ff. and 36ff.

<sup>4</sup>Paris, 1840.

<sup>5</sup>This is a decisive point. The ideas about reconciliation of classes, so strong in nearly all later corporatist writings, would have been quite hopeless if the corporate bodies had been under the exclusive domination of the employers, as they were to be, for example, under the scheme worked out by La Farelle; see his *Du Progrès social au profit des classes populaires non indigentes* (1839) and *Plan d'une réorganisation disciplinaire des classes industrielles en France* (1842); both writings are contained in a reedition (Paris, 1847). What Buret failed to realize was the need and desire of the workers for organizations of their own; they would hardly have been content with the possibility of sending delegates to the "family council of trade," in which these had to sit and vote with employers' representatives. In this respect, Italian fascism was more realistic since in its corporate system the organizations of workers and employers formed different components of the corporations. Philippe Buchez, the great promoter of cooperatives in France, has in principle endorsed a corporate system but with important details remaining unclear.

<sup>6</sup>Buret, *De la Misère des classes laborieuses en Angleterre et en France*, p. 430; quoted in Elbow, p. 41.

## CORPORATISM IN SEMI-DORMANCY

employers and workers of the same industry, might obtain enough knowledge of the market to prevent depressions with their disastrous social effects.

Another writer of the same period was Heinrich Ahrens (1808-74). After having proposed vocational representation only for the Upper Chamber of a bicameral system, whereas the Lower Chamber should be formed by elections on the basis of universal suffrage, in a later work he entirely rejected this method and demanded an Upper Chamber of delegates from local and regional bodies and a Lower Chamber formed by representatives of the various economic, intellectual, and spiritual interests. More than other corporatists, Ahrens bases his reasoning on natural law philosophy.<sup>7</sup>

Robert von Mohl (1799-1875), an outstanding expert on constitutional law who also filled some political posts, advocated a rather complex system of vocational representation. He wanted this system to be divided into representatives of individual interests, those of group interests, and those of interests of the whole community. The representatives of individual and group interests should be consulted by the royal government separately whenever their special concerns are affected by public action; only when matters are to be decided which are of significance for the whole national community should all the representatives be called together to deliberate as one body. Obviously in many instances it might be doubtful whether a particular matter was one of individual, group, or national interest; Mohl suggests that such cases should be decided by a special committee. One can easily imagine what delays and complications would result if, as a preliminary to the deliberations on the matter itself, a procedure would have to take place to decide to which of the three groups a particular case belonged.

Furthermore, the setup recommended by Mohl would give the government ample opportunity to play one group against the other, and it is doubtful whether Mohl, who was not without liberal leanings, really wanted to put the government in that position. But whatever the weaknesses of his scheme, Mohl saw one problem more clearly than many other corporatists: the problem of how the votes in the

<sup>7</sup>See *Organische Staatslehre* (1850). See also Herrfahrdt, p. 49, and Edgar Tatarin-Tarnheyden, *Die berufsstände, ihre stellung im staatsrecht und die deutsche wirtschaftsverfassung* (Berlin: Heymann, 1922), pp. 114ff.

corporate bodies should be distributed. However, the solution which he proposes is not particularly convincing. He wants the votes of each section of society determined by three criteria. The first is the number of people who share the interest concerned; at least this would be an objective criterion, although one based on counting heads and therefore hardly in harmony with some of the principal corporatist arguments against parliamentarism. The second criterion on Mohl's list is the size of capital investment, which is often irrelevant: if at a particular moment agriculture requires less (or more) investment than industry, why should it therefore obtain fewer (or more) votes? The third criterion is the intellectual or spiritual significance of the group—e.g., of a group of scientists as compared with one of manual workers. Obviously this can only be determined by an entirely subjective judgment which would undoubtedly give rise to innumerable disputes.

In the case of two writers, it is unclear whether they belong to this period in which corporatism was semi-dormant or to the following, in which it experienced a flowering. One of these writers is the philosopher Karl Christian Planck (1819-80). He wants a corporate structure for all levels of representation—local, community, district, and state—and is therefore one of the most consistent corporatist thinkers. The other is Karl Levitas, whose principal work, *Die Volksvertretung im repräsentativen Staate der Gegenwart*, appeared in 1852. He was strongly influenced by Sismondi. He believes that if the poor and the rich were to be included in the same corporative bodies, such an arrangement would lead not only to social peace, but also to social justice. He wants the subdivisions of the state to be governed by bodies which in part are composed of representatives of the economic groups and cultural institutions, and in part apparently by those elected on the basis of universal suffrage. Representatives of economic groups and cultural institutions and those delegated from local and regional self-governing bodies are also supposed to form the bodies of national representation.