5. REAWAKENING OF CORPORATISM

The more we approach the second half of the nineteenth century, the stronger appear the corporatist tendencies in literature, and as we pass the borderline of approximately 1850, we find a real flowering of corporatist thought—limited, to be sure, to a section of the intelligentsia. The main reason for the flowering was the general development of society, promoted by industrialization. Industry had grown beyond its first stage of development, and with its growth the accompanying evils, both material and moral, had increased too. Although the vast majority of the peoples of Europe, or at least of their articulate sections, were enthusiastic about the progress of production, a minority became critical and asked whether the quality of life was not declining. The influence of that minority created an undercurrent of antimodernity, and parliamentarism was widely regarded as part and parcel of modern life.[1] Among the problems which industrialism had created was the class struggle between employers and the industrial proletariat—not the first great social conflict, but a more permanent and therefore more menacing feature of societal life than previous struggles among nobility, peasantry, and citizenries. The French revolution of February 1848, in which the working class for the first time played an independent role and which led to street battles in June 1848, and some events of the German revolution of 1848-49—especially the founding of the Arbeiterverbruederung (workers' fraternity) and the uprising in Baden and the Palatinate—aggravated the fear that a class war might disrupt the unity of every nation and perhaps end in destruction of all property rights. On the other hand, the seizure of power by Louis Napoleon and the founding

[1]The antimodernist minority was at least as strong in Britain as on the Continent; one has only to think of John Ruskin (1819-1900) and William Morris (1834-96). Just the same, Britain never had a substantial movement for political corporatism except in guild socialism, which drew its strength from other roots. The question why this was the case is intriguing; surely the firmness of the British parliamentary tradition supplies a partial explanation.

of the German Empire by Bismarck met with some opposition not only by liberals, but also in some conservative circles which were afraid of royal despotism and centralism. The revival of the political role of organized vocational groups as parts of the state machinery—in conjunction with regional autonomy—seemed a preventive against these tendencies.[2]

It is doubtful, however, whether a revival of political corporatism would have been possible if there had not been a spontaneous movement for the formation of organized vocational interest groups which strove for political influence, like trade associations, chambers of commerce, and, of course, labor unions. Unless the vocational groups themselves created bodies for the protection of their interests, political corporatism would have presupposed the creation of such bodies by state action, which seemed neither very realistic nor particularly desirable to many functionalist writers; on the other hand, to equip the spontaneously formed organizations with public power seemed a feasible step.

The postive arguments for a functionalist order were reinforced by a negative one: the impression that parliamentarism had degenerated from a battlefield of ideas to a marketplace for bartering economic advantages of different interests according to the motto *do ut des*—"logrolling." Therefore, nothing worth preserving would be lost if political parties were replaced by organizations which openly professed their commitment to special interests; on the contrary, some corporatists believed, by pushing aside the veil of ideological conflict

[2]Some special factors favoring a corporatist revival were to be found in some countries. In France the great sociologist and founder of the positivist school of social philosophy, Auguste Comte (1798-1857), indicated in his works a good deal of sympathy for political corporatism; the Count of Chambord, the legitimist pretender to the throne, not only advocated a revival of the guilds, but also indicated, though in vague terms, that these may play a political role (see Elbow, pp. 44ff.). The personal influence of these men, though confined to limited circles, gave corporate thinking a new prestige. In addition, the Commune of 1871 reinforced the horror of class war. In Germany the period around 1850 saw a very intense discussion of the problems of German unity, not only about the utility or disutility of unification, but also about the problem of a unitary or a federal state and about the rival claims of Prussia and Austria to a hegemonial position in the future Reich. Generally speaking, the partisans of federation and the opponents of Prussian domination were more favorably inclined toward corporatism than their adversaries.

with which the parties camouflaged their true nature, political life would be freed from hypocrisy.

CATHOLIC INFLUENCES

There had been strong Catholic influences already on the Romanticists, several of whom converted from Protestantism to the Roman Church; the impulses for a revival of corporatist thought in the second half of the nineteenth century came also largely, though by no means entirely, from the Catholic side. This affinity of political corporatism and Roman Catholicism had historical as well as contemporary causes. For a long time the Roman Catholic Church had looked back longingly to the Middle Ages, in which it had held almost undisputed sway over the minds of men and could at times even claim the role of supreme arbiter in worldly affairs. Among the medieval institutions through which the Church could exert influence were the Estates, in which the clergy was represented. Moreover, the Estate system seemed congenial to the medieval Church because, on the one hand, it was the strongest expression of the existing social order which the Church, at least prevailingly, wished to preserve; on the other hand, it put limitations on the power of the princes with whom the Church was often in antagonistic relations. When in the nineteenth century church-minded Catholics were living in an atmosphere which appeared to them as one of disarray, with the position of the Church endangered by the aftereffects of the Enlightenment, by revolutions with secularist tendencies, by monarchies which despoiled Church institutions of their property, and by ominous signs of a beginning class war, a part of the Catholic intelligentsia was groping for a political system that would end the break with traditions and thereby ban the danger of change developing into chaos. It was almost inevitable that some of them hit upon the idea that their problems could be solved by restoring, with necessary modifications, the medieval system of Estates. Thus the strongest force operating for a renewal of the ideology of political corporatism in the second half of the nineteenth century was a section of the Catholic intelligentsia, in Germany as well as in France.

Most open to these ideas and soon their most active promoters were the socially minded Catholics. The secularist tendencies of the

revolutions, the rough treatment of the Pope by Napoleon, and the destruction of the property rights of Catholic institutions by German governments under Bonapartist influence had at first caused an almost complete identification of the Church with the *ancien régime*, and this attitude implied that Catholicism wanted to keep the lower orders, including the nascent industrial working class, in their places. But this tendency did not long remain without an opposition. Writers like the priest Félicité Robert de Lamenais (1782-1854) tried to interest the Church in improving the condition of the lowly; the same did Buchez.

In Germany the most prominent spokesman for this group was Wilhelm von Ketteler (1811-77), bishop of Mainz; in his writings strong elements of corporatism can be found.[3] But Ketteler did not develop a consistent program of political corporatism; his disciple, Franz Hitze (1851-1921), came closer to proposing such a system.[4] Hitze's point of departure was an absolute rejection of individualism. This was the reason why, for a while, he opposed "meliorism"—the belief that even in the capitalist order with a parliamentary system the lot of the workers could be improved through legislation. The point which for him in this period was the most important was the replacement of a form of society in which everybody was trying to gain at somebody else's expense by one in which people would feel and behave as brothers. He thought that a corporate system building on the traditions of the medieval guilds would satisfy this requirement.

Ketteler's influence went beyond the borders of Germany and was particularly strong in France; for example, Count Armand de Melun took up many of Ketteler's ideas and became a strong advocate of protective legislation for workers. Why was it that precisely the socially minded Catholics became precursors and soon advocates of political corporatism? All these writers either wished to eliminate the class struggle or at least reduce its bitterness. They regarded the old

[3]See Ralph H. Bowen, *German Theories of the Corporative State with Special Reference to the Period 1870-1919* (New York: McGraw-Hill, 1947), pp. 79ff. It is remarkable that Herrfahrdt and Tatarin-Tarnheyden fail to mention these tendencies in Ketteler's work.

[4]Hitze's main work was *Kapital und Arbeit und die Reorganisation der Gesellschaft* (1880). See Bowen, pp. 96ff.

guild system, in which masters and journeymen were both represented, as an arrangement assuring social peace. And these writers wanted not only social peace, but also social justice. Most of them were not blind to the fact that medieval society was full of oppressive features, but they thought that on the basis of the guild system it would be possible to erect a corporate structure which would facilitate the improvement of workers' conditions. It was undoubtedly also an important factor in the situation that the leaders and the majorities in the existing legislatures still showed little interest in bettering the workers' lot. The continental states were even late in emulating the British Factory Acts. This, to be sure, changed radically in Germany in the last decades of the nineteenth century and in France a little later. In that later period, modern parliaments proved capable of creating protective laws, on the one hand, and—at least most of the time in the technologically advanced countries—also of establishing necessary limits to the power of labor. These achievements, however, did not always create general contentment or even prevent a rise of corporatist ideology.

Most of the socially progressive Catholics started from interest in guildlike bodies with economic functions. But if the guilds could prove their worth in the economic field, should not the same principle be applied to the political structure? In this way could not party strife be ended and a harmonious society be achieved? Most of the socially minded Catholics were inclined to answer these questions in a positive sense, although not all of them were as firm in their political conclusions as in their economic postulates.

RENÉ DE LA TOUR DU PIN LA CHARGE

In France the most influential of the political corporatists, who also was a leader of social progressivism among Catholics, was the Marquis René de La Tour du Pin La Charge. He was a nobleman and military officer who had lived through the Franco-German war of 1870-71, in which he had been a prisoner, and also through the Commune upheaval and the quarrels between monarchists and republicans during the first phase of the Third Republic. To a conservative like him, so much disorder must have seemed a strong indication that a fundamental reform was needed, and the Boulanger crisis, the Panama

scandal, and the Dreyfus affair can only have strengthened that conviction. Moreover, he was much concerned about the social situation of the workers, for whom the French parliamentary republic had done less than had imperial Germany. Finally, since he was at the same time a strong monarchist and a hater of royal absolutism, it was natural for him to fall back upon the idea of renewing the state of Estates, the limited monarchy of the Middle Ages, in modernized form.[5]

In spite of his conservatism, Tour du Pin was aware that the developments since the late eighteenth century could not simply be undone; the medieval pattern had to be changed—and not only by replacing the hereditary Estates by modern vocational groups. Tour du Pin even subscribed to the rule that "the taxpayers should have to pay only those taxes to which they have consented" through their representatives.[6] Generally consistency is not Tour du Pin's strong point, and in spite of his efforts to give a complete picture of his idea of a corporate political order, many details remain vague. Just the same, he comes closer to describing the characteristics of a corporate political order than almost any of his fellow corporatists in the nineteenth century.

It cannot have been easy for Tour du Pin to reconcile his strong royalism with the important role he attributed to the Estates, which were historically—most of the time during the Middle Ages and the early Modern Age—the principal opponents of the monarchy, nor was it less difficult to adjust the whole scheme to the requirements of modern life. Some of the inconsistencies found in his writings and

[5]In 1881 Tour du Pin even tried to induce the Minister of War to stage a military insurrection in favor of the pretender, the Count of Chambord, and therefore had to leave the army. Pope Leo XIII early in the 1890s exhorted the French Catholics to behave as loyal citizens of the French republic, but Tour du Pin did not accept the papal admonition, and over this issue broke with his friend Albert de Mun, with whom he had shared captivity in Germany and with whom he was in general agreement about corporatism.

[6]*Vers un ordre social chrétien*, p. 254. Of course, the rule that taxes can only be collected after having been approved by representatives of the taxpayers is of medieval origin and therefore seems to fit into corporatism. However, the role which the slogan "No taxation without representation" had played in the American revolution had given the principle an aspect which made its adoption by a corporatist appear as a concession to modernity.

especially the changes he made over the years may have had their roots in these difficulties.[7]

One feature in Tour du Pin's program for the construction of government remained constant through all the successive versions of his scheme: the great role of the king. He is not to have absolute power, but he stands at the head of the whole structure. He is assisted by a Council of State, whose members he appoints, and by a senate, also composed of royal appointees, which is supposed to decide constitutional issues.[8]

To represent the people, Tour du Pin proposes two chambers. The first, called the Chamber of Deputies, is to be elected by indirect voting by all payers of direct taxes,[9] and is, as a rule, to be divided into several sections according to the amount of taxes paid; presumably each of these sections is to have the same representation in the chamber.[10] The Chamber of Deputies has the right to vote on taxes. Tour du Pin seems to prefer that the "electoral colleges" which choose the deputies be one for each region rather than one for the whole country. But he is not dogmatic on this point. The king will appoint some of the deputies to sit with the elected ones, apparently with the same rights. How this can be reconciled with the rule that taxes can be imposed only with the consent of representatives of the taxpayers remains unexplained.

The other chamber, called the Chamber of Estates, is composed of a variety of groups. The constituted bodies, such as churches and

[7]See Elbow, pp. 76ff.

[8]This is stated in a table which Elbow drew up to show the scheme of government proposed by Tour du Pin in 1896 (see Elbow, p. 77.) In a section of *Vers un ordre social chrétien* written in 1900, Tour du Pin does not mention the senate but says that "three sovereign courts" have to be established: aside from the Council of State, a Court of Accounts and a Court of Appeals (p. 485).

[9]"This [the need for consent by representatives] applies only to direct taxes which have at the same time a character of reality because of their purpose and a personal character because of the payer" (Tour du Pin, *Vers un ordre social chrétien*, p. 254). It is unclear why the rule of no taxation without representation should not apply to indirect taxes. The attempt at a distinction which had been made during the antecedents of the American revolution could hardly have given encouragement to a repetition.

[10]Tour du Pin thought of three sections; he may or may not have had in mind the example of the three sections provided for in the Prussian constitution.

universities, will send their chiefs as delegates to the chamber; the liberal professions will form a chamber for each regional unit by delegation from their existing organizations, and these chambers in turn can delegate members to the Chamber of Estates. Labor unions and employers' associations will also form chambers for geographic districts, each chamber being composed of employers' as well as labor representatives with the right of delegation to the national chamber; essentially the same organization and representation will exist for agriculture; in addition, the king can appoint some members of the Chamber of Estates. The functions of the Chamber of Estates are in the main or exclusively—this point remains somewhat unclear—consultative; it has to pass on legislative proposals submitted by the Council of State—which really means the crown—but presumably only to give its opinion, without a power of veto.

Perhaps in no matter of equal importance did Tour du Pin change his opinions so profoundly as in regard to the Chamber of Estates. In the beginning he regarded an assembly of all Estates, formed in part by the leaders of existing organizations and institutions and in part by elected delegates from the regional Estates, as a necessary counterweight to the assemblies of representatives of all taxpaying families. Even the synopsis of Tour du Pin's opinions, compiled by Elbow and written according to the stand of 1896,[11] still puts this "high chamber" into the scheme. But in an article in 1905 he calls "a single chamber for all the professions a tower of Babel . . . which would rapidly degenerate into a closed camp and in which the common interest would find no advocate, and where the particular interests would be in perpetual conflict."[12] It was probably Tour du Pin's idea in this period that individual Estates should negotiate with the crown about each proposed measure. That such a construction would mean the dissolution of the unified will of the state hardly needs an explanation.

Tour du Pin does not seem to have asked himself whether under a constitution like this the social welfare legislation in which he was very much interested would have much of a chance. Clearly the Chamber of Deputies, elected on a plutocratic basis, would not be likely to promote social progress. But even the Chamber of Estates,

[11] Elbow, p. 77.

[12] *Vers un ordre social chrétien*, pp. 393ff.

though partly composed of delegates from units in which labor had its representatives along with employers, would not be an effective instrument to promote an energetic social welfare policy since the labor delegates could form a majority only together with others who were not dependent on any labor vote.

It seems that in the opinion of Tour du Pin the real protector of the workers and generally of the lower classes would be the king. This was in line with his tendency to expect the initiative to all important policies to come from the crown; this tendency, of course, was difficult to reconcile with his hostility to absolutism. But history did not support the assumption that the French kings were prepared to play such a role. If the Hohenzollern had only a questionable right to be called by their adulators *rois des gueux* (kings of the beggars), the French kings since Henry IV—perhaps with the exception of Louis XIV in his early reign—had even less claim to that title. It was Tour du Pin's mistake—shared by many, to some extent by all corporatists—to assume that harmony would reign where historical experience and sober analysis would rather suggest antagonism between the king and the Estates, between workers and employers, among the various Estates. For men like Tour du Pin, the state of society seemed to posit two tasks: first, to build dams to protect authority and property from the socialists; and second, to give the workers assurance of an adequate standard of living and of material and spiritual security. What he and many others failed to recognize was the need for caution in dam-building if the second part of the program was to be carried out. Certainly it was not necessary to adopt the whole socialist program or to let the socialists gain full power in order to promote social progress; but to take all or most power away from the workers, as Tour du Pin's scheme would have done, would have had the inevitable effect of frustrating the force which was essential for the enactment of social reform legislation. As the history of social reform clearly shows, the betterment of the workers' lot, though not necessarily the achievement of the workers alone without outside support, cannot be secured unless the workers are given a share of effective political power.

Tour du Pin was in favor of regional autonomy; he believed that the scheme of territorial reorganization, which his work contains, "guarantees the provinces or at least the great regions consisting of provinces [*régions provinciales*] their natural and historic autono-

my."[13] Tour du Pin shows little understanding of the need of a modern state, which willy-nilly had to play the power game of the late nineteenth century, to provide for a concentration of its economic and social forces as a prerequisite of military strength—a need which is compatible with only a limited geographic and social autonomy of its parts; this seems strange in a man whose mind was largely shaped by military experience. Tour du Pin especially failed to realize that his scheme of corporate representation would tend to dissolve the state into a federation of social groups. Apparently he thought that the king alone would by his power represent enough of an integrating force to make sure that France could marshal its resources in a crisis, although history could have taught him that even strong royalty needed a superstructure of unifying factors to fulfill that task.

Is it justified to regard Tour du Pin as a determined advocate of political corporatism? In his scheme the Chamber of Deputies, elected on an undemocratic suffrage but not formed by delegation from vocational bodies, has important fiscal functions which in a pure corporate system would belong to what Tour du Pin calls the Chamber of Estates; and the great rights of the king infringe on the latter's power. But the emphasis in Tour du Pin's writings, aside from the kingly powers, is almost entirely on vocational representation; this is the idea which distinguishes his goals from those of many other royalist or Catholic writers. One may also raise the inverse question: Why did Tour du Pin not want to hand over all the governmental power to delegates from vocational organizations? Aside from his emotional royalism, which caused him to strengthen the hand of the king even at the expense of the influence of functionalist bodies, there may have been in his mind traces of the knowledge that parliamentary institutions still had considerable prestige, in spite of many events—especially the Panama scandal—which tended to discredit parliamentarism. When the dust had settled after each crisis, the parliamentary institutions were again on firm ground. Tour du Pin may not have dared to uproot entirely the institution which permitted every Frenchman, or at least every taxpayer, to go to the polls and elect representatives because that institution had taken too deep roots in the consciousness of the nation.[14]

[13] *Ibid.*, p. 484.

[14] Tour du Pin had some international contacts. During the years 1877-81 he

CONSTANTIN FRANTZ

Tour du Pin had the support of a substantial section of French Catholicism. He was therefore able to win a limited circle of adherents on the political right during the period of the Third Republic. By contrast, the most important German corporatist thinker during the second half of the nineteenth century, Constantin Frantz (1814-91), remained essentially a lonely figure. He was separated from the ultra-conservatives by his ideas on international affairs and other elements of his thinking; he might have found sympathy for his corporatist ideas with the disciples of Bishop Ketteler, but being a Protestant, he did not find it easy to establish contact with this group.[15]

Tour du Pin and Frantz lived in very different external circumstances, and their general outlook toward political life was also quite different. Tour du Pin wrote in a republic which was supported by the majority of the electorate but which he opposed; Frantz lived in a strong monarchy which as an institution he supported but many of whose policies he condemned. At the time of Tour du Pin's literary activity, France still lived in the shadow of the defeat which had been inflicted upon her by Germany in 1871; she was still in a phase in which her power had to be rebuilt. Prussia, at the time of Frantz's main literary activity, was at or near the apex of her power, and the questions of how this power was to be used, and what guarantees should be established against its misuse, were very much on the agenda. Tour du Pin was a French nationalist who failed to see how difficult it would be to provide the foundations of a national power policy under a corporate system. Frantz was, if not an internationalist,

was a military attaché at the French embassy in Vienna. There he made the acquaintance of some Austro-German social Catholics, especially the Baron Karl von Vogelsang, who was leaning toward political corporatism. These contacts led to the founding of the Union Catholique de Fribourg, which became an international center for socially minded Catholics. The outstanding leader was Prince Loewenstein.

[15] Frantz had contacts with some Catholic political leaders, especially with the outstanding parliamentary leader Ludwig Windthorst. But these practical parliamentarians were not fundamentally interested in a constitutional reform which had no chance of realization in the foreseeable future. See Constantin Frantz, *Der Föderalismus als universale Idee* (Berlin: Oswald Arnold, 1948), p. 20.

at least a foe of all narrow nationalism, and he saw in political corporatism, among other virtues, a safeguard against the excesses of national power policy.[16] In other words, whereas Tour du Pin did not recognize how much he weakened the state by his corporatist scheme, Frantz wanted a state not strong enough to conduct a strong policy in domestic or in foreign relations. In the main line, therefore, though not in all details, there is more consistency in the writings of Frantz than in those of Tour du Pin. The belief in group and regional autonomy, federalism, was for Frantz the center of his creed and the solution to all the fundamental political problems as they presented themselves to him.

Frantz criticized parliamentarism based on universal suffrage most severely. Like Schlegel and later Cole, he denied the validity of the concept of representation underlying the election of modern legislatures.

> Mobs [*Menschenhaufen*] which get together merely for the act of voting are in principle not capable of being represented. That which ought to be represented has to form a living body, within which through personal contact among the members, through common mores and habits as well as through common wants and interests a real common will and striving is created. To say it differently: Only organized bodies are capable of being represented. . . . Furthermore, an organized body can only be represented by someone who belongs to it; for the representative has to be imbued with the spirit of the body whose will and striving he is supposed to express.[17]

In this statement very nearly everything is wrong. To be sure, a case can be made for the proposition that real representation requires a connection between representative and represented not only on election day, but also over a longer period of time; however, can such a tie be established only by vocational organizations? Political parties have often, and sometimes very successfully, established such a tie either through their own organization or through educational associ-

[16] Frantz advocated a Central European Federation. To a nucleus formed by the German territories and the German parts of Austria, Switzerland and the Netherlands should be attached by ties of a loose federation; an "outer ring," consisting of East European states, should be still more loosely connected with the rest (see *ibid.*, pp. 40ff.).

[17] *Ibid.*, p. 290.

ations attached to them. Frantz, it is true, did not live to see in full form the most elaborate and effective example of an apparatus through which the member of the legislature was kept in constant contact with his voters: the organization of the German Social Democratic Party. Nor during his lifetime did the greatest Catholic organization as yet exist which exercised a similar function: the Volksverein für das Katholische Deutschland (People's Association for Catholic Germany, founded in 1890). But in a less developed state there already existed, or had existed, organized groups which tried to keep voters in permanent contact with those whom they had elected or would be asked to elect: the German Nationalverein (1859-67), a liberal political organization—in fact an appendix to the Fortschrittspartei; on the side of the working class, Lassalle's Universal Workingmen's Association; in Britain the Anti-Corn-Law League (founded by the Liberals), which, though directed toward a narrowly defined purpose, set an example for party leaders to maintain continuous contact with the electorate. All this was in an embryonic state but so was parliamentarism on the European continent. A writer of Frantz's gifts might have foreseen that these links would grow and that a party system did not mean that contacts between representatives and represented would necessarily be confined to election day.

Equally without merit is Frantz's assertion that "an organized body can only be represented by someone who belongs to it." Obviously his position on this point is similar to those of Schlegel and Cole, and much that is to be said in criticism of these two authors applies here. Still, in view of the importance of this point, a discussion of Frantz's argument, though in part repetitive, is not superfluous.

In its ultimate consequence, Frantz's argument would mean that only a candlestickmaker can represent the candlestickmakers. This is absurd; but even if we think in terms of broader categories—of master artisans, industrial entrepreneurs, industrial workers, farmers, etc.—the proposition is no less untrue. Of course, any candidate for legislative office must familiarize himself with the economic interests that are of importance in his district, but for this purpose he need not personally belong to any of the interest groups. There is empirical evidence for that: in their free associations, entrepreneurs, farmers, or workers do not always entrust the conduct of the business of these associations to members of their own group; they often choose lawyers, economists, or other intellectuals for this task. And when it

comes to using the influence of these associations for choosing a representative in the legislature, again the choice often falls on an outsider—i.e., a person who specializes not in the vocational activity of the group members but in the technique of representing interests.[18]

All this is pretty obvious. Why is it then that a man of such indubitable intelligence and sincerity, who, moreover—unlike Tour du Pin or the Romanticists—had no strong sentimental ties with the past, advocated a scheme of vocational representation? Even great idealists cannot always free themselves from the influence of personal experience. Two facts of Frantz's life seem to have had a decisive influence on his political philosophy. The first was his inability to get along with Bismarck, who in 1862 had offered him a position in the public service (which Frantz declined). He kept outside the circle of those

[18]Occasionally Frantz went even farther and attacked not only the concept of representation as practiced in present-day parliamentarism, but also the concept of representation in general. He called it a "fiction that through the act of election the voters transfer their will to the elected. . . . But what is more evident than that the will is not transferable at all? For what is the will if not that which belongs most definitely to each person [*das Allereigenste des Menschen*] and is the innermost core of his personality, his ego, his self? To be sure I can appoint another person as executor of my will for this or that definite matter, but not transfer to him my own will" (*ibid.*, p. 296). Frantz continues with a lot of phraseology, none of which refutes a simple consideration: among the candidates for public office, I can usually find one who is sufficiently sympathetic to my interests and ideas to make it likely that on most issues he would act the same way I would act if I were in his place. I cannot be sure, it is true, that on some issues he will not vote against my wishes, but no constitutional arrangement—whether of a corporatist or a parliamentary nature—can give the represented assurance that their representatives will act as they would act in one hundred percent of the cases. As often in politics (and in other areas of life) one cannot have certainty but must be content with probability.

Frantz does not follow his line of argument against the possibility of representation to its logical end. In one passage he even asserts that "representation, whether we want it or not [*schlechterdings*] is indispensable" (*ibid.*, p. 296). Therefore it is necessary to organize representation so as to answer its purpose. Aside from vocational representation, which Frantz in the main supported in spite of doubts about its practicality for his own time (see text) and the belief that any member of the legislature can represent only his district and not the whole country (*ibid.*, p. 299), he proposes only the introduction of the recall (*ibid.*, p. 297). Today any study of the recall where it exists—e.g., in several states and many communities in the United States—would reveal that the political processes are thereby not very deeply affected.

who admired the architect of the new Reich. Bismarck, however, in spite of his passing flirtation with corporatism, was the main author of such limited parliamentarism as existed in pre-1914 Germany. Second, Frantz was one of the large number of middle-class Germans who never found a place in the party system and who therefore could not develop any deep understanding of the functions of political parties.[19]

Like Tour du Pin, Frantz feels constrained to put important limits on the application of political corporatism.

> In our atomistic [*aufgelösten*] society, election through vocational groups [*Wahl nach Berufsarten*] . . . is not generally possible because vocational associations of reasonably strong vitality hardly exist today; for the most part, something like them would have to be created from scratch. Therefore at present vocational representation is possible only as a special body existing side by side with a body based on general elections [*neben der allgemeinen Volksvertretung*].[20]

Thus Frantz wants the corporate principle for the time being applied only to the formation of the Upper Chamber in a bicameral system. He finds rather sharp words in criticizing the traditional composition

[19]Frantz severely criticized all the parties which existed in Germany at the time of his literary activity—in his abrasive manner, which detracted so much from his influence—but he had more sympathy—or less antipathy—for the Social Democratic and Catholic Center Parties than for the rest. He viewed these parties as branches of international movements (the "red" and the "black" International) and thought that they represented a trend toward an alignment of political forces without regard to national boundaries. He approved of this trend and regarded "the rise of these forces as an unmistakable sign that we are on the threshold of a general change, in the beginning of a new development of the world, which will do away with the isolated existence of individual states and nations. Therefore all the issues which gave birth to the old parties . . . will be more and more overshadowed by universal principles and powers" (*ibid.*, p. 336). In an earlier publication—*Kritik aller Parteien* (Berlin: Ferdinand Schneider, 1862)—written before a socialist party existed in Germany, he conceded to political Catholicism still another merit: it recognizes the insoluble connection between religion and politics, in contrast to liberalism, which pursues the idea—unrealistic in Frantz's opinion—of separating church and state. On the other hand, Frantz sharply criticizes the Catholic belief in the divine origin of the Roman Church (see pp. 140ff.).

[20]Frantz, *Der Föderalismus*, p. 311.

of the Upper Chambers which made them assemblies of those privileged in the otherwise dismantled feudal state; because of this composition, he believes, the Upper Chambers were nowhere able to gain permanent influence. Probably the character of the Upper Chambers as relics from the Middle Ages was indeed one reason for their limited role in most countries, but it is doubtful whether this was the only reason. The second chamber, elected on a (more or less) popular suffrage, drew from this fact an amount of prestige which the Upper Chamber could not match. It is therefore by no means sure that an Upper Chamber based on vocational representation would have stood the test any better. A bicameral system often suffers from the fact that if the dominant political tendencies in both chambers are different, it is difficult or impossible for the government to remain on terms of confidence with both, and if both chambers have equal powers, a deadlock will almost inevitably result. To overcome it, the need arises to restrict the responsibility of the government—which may be expressed in the constitution or exist only de facto—to its relation with one chamber, and this can only be the lower one.[21] Frantz's idea to confine vocational representation to the Upper Chamber comes close to an abandonment of the principle of political corporatism.

In the period between approximately 1890 and World War I the circles which up to that time had upheld the idea of political corporatism were for the most part no longer actively interested in such a program. It seems that the primary cause of this decline was the reorientation of many socially minded Catholics. The most important example of how this group changed course was the later career of

[21]The bicameral system, and especially the Upper Chamber, has shown far greater vitality in the United States than in Europe. But the American system is very different. In the first place, since 1913 the members of the federal Senate have been elected by direct popular suffrage just as those of the lower chamber, with a difference existing only in the periods of office and in the size of the electoral districts. It is similar in those states of the union which have two chambers. Second, the Senate is based on geographic, not vocational representation—two federal Senators from each state, one state Senator from each county or group of counties. Third, the federal Senate has some exclusive functions, of which the confirmation of appointees to high office and the approval or disapproval of international treaties are the most important; these privileges tend to maintain the influence of the Senate and the esteem which it enjoys in public opinion.

Franz Hitze. This political leader, who previously had declared the replacement of the parliamentary system by political corporatism a moral necessity, became a parliamentary spokesman for the Catholic Center Party and a cofounder of the Volksverein für das Katholische Deutschland (Popular League for Catholic Germany), which created a strong electoral base for that party. The reasons for Hitze's conversion to what he had earlier rejected were undoubtedly the great successes of parliamentary work in the cause of social progress, and the realization that vocational representation would not find any broad support in the foreseeable future.[22] The non-Catholic supporters of political corporatism on the political right were neither numerous nor influential enough to revive corporatist philosophy, let alone to translate any of it into political practice.[23] To be sure, around the

[22]Bowen's belief that the decline of political corporatism within Catholic circles and especially within the Catholic Center Party "reflected in some measure the growing influence exercised in party councils by Catholic industrialists of Western Germany" (Bowen, p. 107) is unconvincing. It may be taken for granted that these industrialists had objections against some aspects of Hitze's activity, especially his support for Christian labor unions and far-reaching social legislation; but they would probably have strongly supported any corporatist scheme that could have been launched with any chance of success. The great fear of most industrialists (and of other owners of great fortunes) in this period was that universal suffrage would lead to a dominant position of the socialists in the legislatures; corporatism, which would have broken the "tyranny of numbers," would have prevented such a development if it had been realizable.

[23]Most characteristic for this situation is the fate of the Economic Council (Volkswirtschaftsrat) proposed by Bismarck in the 1880s. He created such a body for Prussia based on representation by vocational interests; it had only advisory functions, and the corporate principle was somewhat diluted by the right of the crown to appoint part of the members upon proposals by the royal ministers and to select others from lists presented by vocational organizations. Moreover, although some representation of workers was provided for, the scheme was more plutocratic than would probably have been acceptable to (say) Frantz or even Tour du Pin. But the whole plan did not come to much. The council was constituted for Prussia, but its extension to the Reich foundered on the refusal of the Reichstag to vote the appropriations for the payment of the members; not even the Prussian chambers could be induced to grant the money for this purpose. The Prussian government found ways to finance the scheme for a few years, but already before 1890 Bismarck as well as all parts of public opinion had lost interest in the institution.

There is a controversy about Bismarck's ultimate intentions. Some authors believe that his original plan had been eventually to replace the Reichstag by a

turn of the century, antimodernist tendencies appeared in Germany as they did at approximately the same time in England—for example, in the writings of William Morris; they could be found, though in vague form, in sections of the German youth movement, of which the Wandervogel was the core, and in the writings of Ludwig Klages (1872-1956).[24] But whereas in the past antimodernism had sometimes led to schemes of political corporatism, this was not the case between the turn of the century and World War I. In Germany the functionalist ideas remained for the most part dormant in this period; in France it was nearly the same.

Two characteristics of corporate theory in the last decades of the nineteenth century distinguish it from the corporatism of the post-1918 period. The first is the hesitancy in proclaiming vocational bodies as the sole instruments of representation. After all their criticism of modern parliamentarism, Tour du Pin as well as Frantz leave open the possibility, or even consider it necessary, that chambers composed of deputies regionally elected without regard to vocational status might continue to exist beside the organs of functional representation. The second of these characteristics is that the earlier writers put less emphasis on vertical organization of representative bodies as a preventive of the class struggle. Although with few exceptions the nineteenth-century writers want the workers to be represented in the corporate bodies, the emphasis is mostly elsewhere, and sometimes the hope that social relations would be peaceful in a corporate system appears to be a mere afterthought. In the twentieth century the emphasis on vertical organization is much stronger. In the encyclical

body of vocational representation, and that the creation of the Volkswirtschaftsrat was to be the first step in this direction; others take at face value his assertion that he merely wanted the administration as well as the legislature to have the benefit of advice in economic matters from those whose interests were directly affected by economic policy (see Tatarin-Tarnheyden, pp. 84ff.; Bowen, pp. 152ff.). To the end of his career Bismarck made occasional remarks in favor of corporate institutions and their possible role in replacing regionally elected parliaments with their party systems. It is difficult to know how seriously these utterances were meant. Bismarck almost always had a tactical purpose in his pronouncements. He may have merely intended to frighten the Reichstag parties through hints that he might put something else in the place of the system that formed the basis of party power.

[24]Klages's best known work is *Der Geist als Widersacher der Seele* [The intellect as an enemy of the soul] (1929).

Quadragesimo Anno, for example, the role of corporatism as an antidote to the class struggle appears as the main reason for the Pope's relatively favorable attitude toward the Italian *stato corporativo*.

Although the last decades of the nineteenth century and the first decade of the twentieth were not a period in which corporatism bloomed, they were in some respects a seminal period for corporatist ideology; the seeds began to sprout after 1918. Constantin Frantz's complaint that vigorous private vocational organizations did not yet exist and that therefore building a system of political corporatism was not possible may or may not have been justified for his time; not too long afterwards, however, organizations for the protection and promotion of the interests of individual industries and branches of commerce as well as of larger groupings multiplied; experience in presenting their viewpoints to governments and legislatures was accumulated, and the technique became highly developed. Powers of limited self-government were sometimes granted to representatives of vocational interests. An outstanding example was the constitution of the German sickness and old age insurance bodies. These institutions were and still are administered by representatives of employers and employees under government supervision.[25] After World War I, these developments contributed to the illusions that vocational bodies could be made, with good effects, the basic components of the political system. Among the organizations for the protection of vocational interests, the labor unions played an important role, at first among the skilled workers and later also, to some extent, among the unskilled and semiskilled; before World War I, however, the continental unions never quite reached the level of power which the British had attained.

[25]In contrast to the German form of organization, the American public insurance laws created under the New Deal provided for an administration by government officials, although one would suppose more sympathy for economic self-government to exist in the United States than in Germany. It would be interesting to investigate, in a comparative international study, the instances and forms in which the exercise of public functions has been entrusted to private economic groups. A complete survey of all these cases would undoubtedly be expensive due to their large number and great diversity, but such an investigation would be interesting even if confined to some typical examples.