13. Robert W. Craig and Terry R. Lash, 'Siting Nonradioactive Hazardous Waste Facilities', in *Hazardous Waste Management: In Whose Backyard?*, ed. Michalann Harthill, Boulder, CO: Westview 1984, p. 100. Craig and Lash are representatives of the Keystone Institute.
14. Peggy Vince, 'The Hazardous Waste Management Triangle', in *Hazardous Waste Management for the 80s*, pp. 17–25.
15. Frank J. Popper, 'The Environmentalists and the LULU', in *Resolving Locational Conflict*, pp. 1–13.
16. Craig and Lash, 'Siting Nonradioactive Hazardous Waste Facilities', p. 104.
17. For more detail, see Szasz, *Ecopopulism*, ch. 5.
18. Information has to be packaged carefully: 'Factual materials . . . must be presented in a manner best suited to the needs and backgrounds of the recipients'. See Keystone Center, 'Siting Nonradioactive Hazardous Waste Facilities: An Overview', in *Final Report of the First Keystone Workshop on Managing Non-radioactive Hazardous Waste*, Keystone, CO: Keystone Center 1980.

The community leaders and opinion-makers who will serve on advisory councils must be selected carefully so that they will be seen as legitimately representing local concerns but will not truly represent, in the sense of being selected by and accountable to, a community constituency. See Richard L. Robbins, 'Methods to Gain Community Support for a Hazardous Waste Facility or a Superfund Cleanup', in *Hazardous Waste Management for the 80s*, pp. 514–15. See also Eleanor W. Windsor, 'Public Participation: The Missing Ingredient for Success in Hazardous Waste Siting', in *Industrial Waste: Proceedings of the Thirteenth Mid-Atlantic Conference*, ed. C. P. Huang, Ann Arbor, MI: Ann Arbor Science Publishers 1981 p. 523. The bottom line is that the local advisory board should represent community concerns, but it should also, and above all else, serve 'to diffuse a confrontational siting dispute'. See A. D. Tarlock, 'Siting New or Expanded Treatment, Storage, or Disposal Facilities: The Pigs in the Parlors of the 1980s', *Natural Resources Lawyer*, 17 (1984), p. 456.

Expanded participation is most likely to produce results if the ultimate trump card of state override looms over the siting process, pressuring the community to reach some sort of negotiated agreement to accept the siting. See Craig and Lash, 'Siting Nonradioactive Hazardous Waste Facilities', p. 108. In Habermas's terms, expanding participation is a form of communicative action that intends *success*, not *understanding*. See Jürgen Habermas, *The Theory of Communicative Action*, trans. Thomas McCarthy, Boston: Beacon 1985.

19. For more on these developments, see Szasz, *Ecopopulism*, chs 6 and 7.
20. For more detail, see ibid., chs 4 and 8.

6

Democratic Corporatism and/versus Socialism

Andrew Levine

It is remarkable that, in the current period, radicalism has virtually disappeared from political life, and socialism has come to seem increasingly irrelevant even to those who still identify with the historical Left.[1] No doubt, the fall of Communism is partly responsible, especially for socialism's apparent demise – even though capitalist property relations were abolished in all the formerly Communist countries without the requisite material conditions in place, and the economic structures that replaced them were maintained under the superintendence of states that violated virtually every norm traditionally embraced by the Left. Social democracy's decline too has undermined socialism's standing, despite the fact that, for many decades, social democrats, almost without exception, have sought to reform capitalism, not to transform it. It is also plain that the relatively good performance of capitalist economies throughout the world have turned capitalism into a positive ideal in the minds of many of its former detractors. But these are only fragments of an explanation. It must remain for future historians to explain why the political and economic institutions of Western liberal democracies seem, for the time being, to have overcome what was only recently believed to be a significant 'legitimation crisis' and why, correspondingly, liberalism has come to exercise an unprecedented hegemony over contemporary intellectual life. It is most unlikely that the current situation is the product of a rational consensus. For one thing remains clear: the old economic and political order is as guilty as ever of the charges socialists traditionally leveled against it. Indeed, inequality and immiseration have become worse in all the advanced capitalist countries and throughout the world capitalist system. I would therefore venture that the impulse that motivated anti-capitalist fervor in the past continues, even as the appeal of socialism, ostensibly capitalism's historical rival, is temporarily or permanently suspended.

It is, in any case, deeply ironic that in the present conjuncture

intellectuals of the Left have become unabashed liberals, transforming what was once considered a justifying theory for the inequalities generated by capitalist property relations into a vehicle for waging the struggle for equality associated historically with socialism. Less remarkable, in view of the longstanding connections joining many strains of socialist theory with democracy, but no less characteristic of progressive political theory in recent years, is a tendency to transfer the emancipatory faith that socialists used to invest in the transformation of property relations to democracy itself. In retrospect, Cohen and Rogers's first joint venture in political theory, *On Democracy*,[2] can be seen as an early attempt to derive conclusions consonant with the spirit that motivated generations of socialist militants from liberal and democratic premisses. 'Secondary Associations and Democratic Governance' continues this project, though, as befits the times, without explicitly identifying with socialist aspirations. Whether liberalism and democracy alone can adequately ground the emancipatory project socialists have historically assumed is, I believe, the central question for intellectuals of the Left today. It would be worthwhile to examine Cohen and Rogers's contribution to democratic theory from this perspective. However in the space allotted here I shall be able only to register certain hesitations about their recent project. To this end, I shall briefly turn the larger question I just posed on its head. After voicing some doubts about whether the institutional arrangements Cohen and Rogers envision can be expected to move society toward the ends they are intended to achieve, I shall ask whether these institutions themselves can be implemented without socialism – that is, without socializing the regime of private property that prevails in Western liberal democracies. Since the issues involved in assessing the feasibility of Cohen and Rogers's proposals are ultimately empirical, it will not be possible to conclude anything definitively. I will nevertheless indicate why, provisionally and with due awareness of the need for further investigation, I strongly suspect that the democratic corporatism Cohen and Rogers envision, whatever its merits, is no substitute for socialism and is probably not even feasible without socialism.

First, however, a comment on Cohen and Rogers's use of the term 'democracy'.

Historically, 'democracy' meant rule by the *demos*, the people, the popular masses in contrast to elites. By the time, roughly the mid-nineteenth century, that democrats and liberals forged an uneasy peace (overwhelmingly to the detriment of democratic values), democracy had lost its class content to become rule by the (undifferentiated) people, supplemented perhaps by public deliberation and debate. Thus we might say that a polity is democratic to the extent that its collective choices are determined by (all relevant) individuals' choices for alternative outcomes in contention, each individual counting equally. However, real-world liberal democrats advocate representative, not direct, democracy. Thus in democracies, as conceived today, the citizenry determines only who their representatives shall be – and then only through a variety of mediating institutions of which the party system is probably the least offensive to democratic values. This is not the place to reflect on rationales for representative institutions or to elaborate on the respects in which the theory and practice of representative government diverges from direct democracy. But it is important to note that, whatever their differences, the two are of one mind in rejecting the original, class-centric understanding of rule by the popular masses.

Today, as Cohen and Rogers acknowledged in *On Democracy*, there is much to gain – politically and theoretically – by bringing back the class content of 'democracy'. There is also much to gain, I think, by understanding 'democracy' more as a process than as a state of affairs. I would suggest, in other words, that it would be well for democratic theorists to shift their focus from 'democracy' to 'democratization' – to popular empowerment, 'power to the people'. However, in 'Secondary Associations and Democratic Governance', democratization is seldom at issue, and 'popular sovereignty' and 'political equality' are only two of six conditions stipulated for 'the abstract democratic ideal'. 'Distributive equity', which is evidently something short of full equality, is another condition, along with 'civic consciousness, good economic performance and state competence'. Thus by 'democracy' Cohen and Rogers seem to have in mind something like 'good government' or, more precisely, what people of generally democratic and egalitarian sensibilities take good government to be. It is hard to quarrel with any of these features: better that states be competent than not, and that they superintend flourishing economies without severe inequalities and with lots of civic consciousness. But by bringing so many good things together and calling them 'democracy', a certain ambiguity enters into Cohen and Rogers's central claim. Is democracy an end in itself? Or is it a means to some larger end? Cohen and Rogers seem mainly to argue for the latter, less contentious, claim, though much of what they say suggests the former. If they consider democracy to be an intrinsic good, as I suspect they do, they ought to explain why. On the other hand, if they view democracy instrumentally, they ought

to explain more clearly than they do exactly what larger ends it serves. I have suggested that the most that can be inferred from what they write is that democracy serves 'good governance' under existing historical conditions. But this objective seems even more plainly instrumental than democracy itself.

This ambiguity carries over into Cohen and Rogers's account of secondary associations. Secondary associations are corporatist institutions, democratically run, on which at least some traditional state functions devolve. Are they worth implementing in their own right or for their effects? It is not possible to say unequivocally. But even if we take the less controversial instrumentalist understanding, and even if we consider good governance in the vague sense Cohen and Rogers articulate to be the larger end that these institutions serve, we might ask whether they can in fact be expected to do what Cohen and Rogers intend. Presumably, it is internal democratic governance, guaranteed perhaps by the state or by the legal system, that should underwrite confidence in these institutions. But however beneficial internal democracy and democratic participation may be, there are reasons to be skeptical that these factors will suffice to assure beneficial outcomes.

There is, first, a difficulty that Cohen and Rogers's proposal shares to its detriment with the political theory assumed in the past by writers who identified explicitly with the socialist tradition: that is, a readiness to assign a role to the state that risks violating liberal safeguards against intrusion by public institutions into individuals' lives and matters of 'private' conscience. For unless the state actually favors particular secondary associations and proscribes others, unless it exercises a licensing function in evident violation of liberal 'neutrality', there is reason to expect that secondary associations will form that actually diminish democracy overall. Let us concede, for example, that democracy, on Cohen and Rogers's understanding of the term, is advanced by assuring reproductive rights to women, and that prohibitions on abortion violate reproductive rights. What, except illiberal legal proscription, could prevent the development of secondary associations by groups opposed to abortion? So long as these associations assume state functions – organizing adoptions, for example, or providing obstetrical care – they would be secondary associations according to Cohen and Rogers's criteria. Yet they would effectively disempower female citizens and otherwise work to the detriment of democratic values. The requirement that the internal organization of 'pro-life' secondary associations be democratic hardly contravenes this expectation.

The apparent incompatibility of Cohen and Rogers's proposals with liberal restrictions on activist states is ironic in so far as their intent is to contrive institutional arrangements that advance progressive objectives while remaining feasible and stable in political cultures shaped by liberal values. The erstwhile Communist states suffered from a profound insensitivity to liberal concerns. I have argued elsewhere that a failure to appreciate the importance of liberal safeguards is perhaps the central failing of Marxist politics as it has developed historically, but that Marxist political theory can be revised to incorporate liberal concerns.[3] It would be odd indeed if institutions designed to retain continuity with existing, liberal arrangements – and not to revolutionize them, as Marx prescribed – turn out to be less capable of addressing liberal concerns than Marxism is.

There are also reasons to question whether the secondary associations Cohen and Rogers envision will work to empower the disempowered. Since secondary associations are corporatist by design, they will tend, as corporatist institutions usually have, to benefit differentially the stronger parties within the corporate entity. It would be unfair, of course, to associate Cohen and Rogers's democratic corporatism with the expressly anti-democratic and anti-liberal corporatisms of recent history. Nevertheless, it is worth recalling that corporatist strategies were adopted with some success by European fascists intent on undoing insurgent labor movements after World War I. Corporatism lends itself to such uses; indeed, its point is to mitigate antagonisms by drawing potential antagonists together in common projects. Whether or not this effect is beneficial from a generally progressive standpoint depends on circumstances. The gun lobby in the United States is wont to declare that people kill people, not guns. There is a sense in which this slogan, however disingenuous, is beyond dispute. But guns do escalate the level of violence and therefore make killing more likely. Corporatism too is an instrument, which is neither good nor bad in itself. But just as guns tend to augment the level of violence, corporatism tends to enhance social cohesiveness by drawing otherwise antagonistic political forces into common projects. My own intuitions run counter to those of Cohen and Rogers. But I concede that it is not implausible to believe, as they do, that in the present conjuncture cooperation with capital may be advantageous for labor in ways that would have been unthinkable just a few years ago. It is at least arguable, therefore, that Cohen and Rogers have contrived a progressive strategy for what remains of the labor movement, and not only the labor movement. For they envision secondary associations at all the principal interstices of social life, not just in the workplace.

Theirs is a pluralist corporatism, attuned to the heterogeneous social divisions that characterize contemporary social formations. Moreover, theirs is a self-consciously 'realistic' corporatism. They aim to push society in a broadly democratic and egalitarian direction at a time when the desire to change the world fundamentally strikes most people, including many who once entertained aspirations more radical than those Cohen and Rogers propose, as dangerously utopian. I will not try to counter this sensibility here, although I cannot forbear from registering the opinion that it is needlessly pessimistic. But I would point out that the old question about corporatism's consequences for advancing a broadly progressive agenda remains pertinent, even if the prospects for abrupt and momentous changes seem remote. What will prevent the more powerful forces within corporatist entities from taking advantage of their position to reinforce existing power structures and systems of domination? I worry that nothing will.

Needless to say, there is no reason, in principle, why all parties to corporatist arrangements cannot benefit from them. There may even be circumstances in which the weaker or less well-off benefit more than the better-off do. If nothing else, in a corporatist system, the weak are 'incorporated'. Arguably, therefore, they stand to lose less than they might in more antagonistic forms of social interaction – in traditional collective bargaining arrangements, for example. But they also stand to gain less when their antagonists are also their partners. It is fruitless to speculate on these issues a priori. Outcomes will depend on the conditions under which corporatist entities exist and on the aims, skills and capacities of the agents involved in them. The point is just that there is no systemic reason to expect favorable outcomes. If anything, the contrary is true. For corporatist institutions to advance progressive agendas, the tendency of the strong to take advantage of their strength must somehow be countervailed.

Let us suppose, however, that the skepticism I have voiced is unwarranted. The question I want finally to raise is whether this design for society can be implemented, to a degree sufficient to change society fundamentally, without putting capitalist property relations in question. Can radical democrats be soft on capitalism in the way that Cohen and Rogers are?

Associative institutions need resources. Can they obtain them when society's principal productive assets are privately owned? Can secondary associations deploy resources effectively in the face of threats of disinvestment or underinvestment? In the United States, where the principal political parties are unusually subservient to 'the

business community', even by the standards that prevail in other advanced capitalist countries, there is hardly any data on which to base speculations. It is fair to maintain, however, especially for the United States, that far-reaching changes are unlikely to come onto the political agenda without a drastic political realignment consequent on a reinvigorated class struggle in which capital suffers genuine defeats. Cohen and Rogers, like so many others today, focus on social unity, not class struggle; nevertheless, I suspect they would agree that a change in the balance of class forces in favor of workers and other *demotic* constituencies is desirable and probably indispensable for associative democracy. But I question whether they take this exigency seriously enough. Despite their efforts to propose institutional arrangements consonant with real-world political forces, I fear that they underestimate the difficulties involved in putting the changes they envision onto the political agenda.

Small moves toward associative democracy surely are feasible here and now. If they could be made to succeed, it would perhaps be a small gain for democratic governance. In a political culture in which less than half of the citizenry participates at all, in which political participation consists mainly in voting periodically for lesser evils, and in which the available choices become ever worse and more alike, even a slight improvement is not to be despised. But what Cohen and Rogers have in mind is more momentous. The institutions they envision are supposed to secure a profound democratization of the political culture – a non-socialist path to some (if not all) the objectives that, historically, socialists sought to bring about through socialism. My worry is that the path they propose cannot be traversed; that radical democrats cannot dispense with socialism after all.

Capitalism is plainly incompatible with *economic* democracy; if productive assets are privately owned, they cannot be democratically controlled. But capitalism constrains *political* democratization too. The problem is not just that capitalists' wealth buys political influence. So long as they are (somewhat) accountable to public opinion, public officials in regimes with capitalist economies must to some extent accommodate to the interests of those who own society's principal means of production. Otherwise, capitalists will withdraw or underemploy their assets, and political leaders will be held incapable of 'delivering the goods'. Then their own positions will be at risk and the legitimacy of the regime itself will ultimately be put in jeopardy. In this way, capitalism *limits* democratization. Of course, in particular circumstances, general tendencies may be successfully countervailed. My suggestion, however, is that in anything like the circumstances that

actually obtain, the democratizing proposals Cohen and Rogers propose would fall outside the limits of feasibility. To be sure, this suggestion cannot be established a priori, and it is pointless to speculate in general about structural constraints and conjunctural impedances to democratic transformations. To assess the prospects for Cohen and Rogers's associative democracy properly, it would be necessary to consider detailed institutional proposals in the context of concrete situations. With due regard, therefore, to the tentativeness of any opinions registered at this level of abstraction from real-world politics, I would nevertheless adduce one consideration that supports my hesitations about the prospects for *any* democratic but non-socialist route to significant social amelioration.

Historically, capitalism has proved adept at accommodating democratic transformations to a degree that confounded widely shared expectations. Thus it survived the extension of the franchise to voters without property, the principal objective of a number of ostensibly anti-capitalist, nineteenth-century social movements. But the extension of the franchise was accompanied by the emergence of institutions – the party system, above all – that severely mitigated the extent to which 'democratic' institutions implement governance 'of, by and for the people'. Arguably, the extension of the franchise to the propertyless, though undeniably 'progressive', mainly served to legitimate the existing political regime without jeopardizing established economic interests. There is some chance that a similar phenomenon might result from the implementation of Cohen and Rogers's design for society, should their democratic corporatism ever become a compelling political ideal. Thus at a time when 'global competitiveness' has become a consensus value across the entire (but very constricted) political spectrum, corporatist schemes for enhancing 'human capital' might well seem eminently desirable. I do not doubt that workers' retraining programs, for example, or other educational measures could be contrived that would be helpful to popular constituencies. But just as the extension of the franchise to propertyless workers delivered less than it promised, so I suspect would even the most progressive corporatist schemes mobilized 'to grow the economy'. For along with some increased likelihood of employment as well-paying jobs diminish, the diminution of workers' power in the long run and the decapacitation of the *demos* for more radical social transformations must also be taken into account in any balanced assessment. Thus the question is not just whether capitalism can accommodate associative democratic institutions – an unlikely enough prospect; the more important question is whether it can do so in a way that will result in

anything like the far-reaching changes for the better that Cohen and Rogers evidently intend. Their proposed 'new social partnership' will be instrumental for fundamental social amelioration only if capital is sufficiently interested in cooperation to accede to genuine democratization; in other words, if the popular movement is in a position to make the owners of society's principal means of production offers they cannot refuse. The *demos* must be able, as it were, to co-opt economic elites. But if the nineteenth-century battle over the franchise is exemplary, as I believe it is, historical precedents point in the opposite direction. Indeed, it is fair to say that since the advent of capitalism, whenever capitalists have acceded to the demands of the *demos*, even when the outcome has been overwhelmingly for the better, it is the popular movements that have been co-opted.

Following Marx, many Left militants used to describe themselves as 'scientific' socialists because they sought to ground the political struggles they waged in genuine historical possibilities. The contrast was with 'utopian' socialists who proposed visions of ideal arrangements in disregard of real-world economic, social and political processes. Cohen and Rogers too seek to avoid utopianism, even as they assume the mantle of social engineers. But their plea for a new social contract joining everyone regardless of their class position in a common democratic project suggests that utopianism has gained the upper hand after all. In the older, justly discredited corporatisms of the early twentieth century, it was the nation that united the people with their rulers. For Cohen and Rogers, it is an interest in democracy that assumes this role. My claim is that this interest is illusory; that the owners of society's principal means of production may be able to adapt to formal democratization, but must remain unalterably opposed to its substance. And I further claim that the balance of class forces in almost all likely circumstances is overwhelmingly stacked against the genuine democratizers. Cohen and Rogers's associative democracy, therefore, flies in the face of the social divisions that structure capitalist societies. Paradoxically, their pragmatic and 'realistic' design for society is, if anything, more utopian than socialism is. Despite their best efforts to the contrary, they are 'utopian democrats'.

In recent years, as faith in socialism has declined, it has become less clear than was once assumed what the socialist alternative to capitalism involves. But this is not a reason to retract longstanding socialist commitments altogether. It is instead a challenge to develop a more adequate socialist vision. Nor do we need to have that vision fully in hand to assert that 'scientific democrats' must be socialists too. We are

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.

7

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.