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# Camila Vergara, "Systemic Corruption: Constitutional Ideas for an Anti-Oligarchic Republic"

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**Camila Vergara.** *Systemic Corruption: Constitutional Ideas for an Anti-Oligarchic Republic.* Princeton University Press 2020. 312 pp. \$38.00 USD (Hardcover ISBN 9780691207537); \$24.95 USD (Paperback ISBN 9780691211565).

Camila Vergara's *Systemic Corruption: Constitutional Ideas for an Anti-Oligarchic Republic* proposes a structure to ensure plebian power is enshrined in a republic for the purpose of countering systemic corruption in contemporary politics. Through analyzing the works of elitist political philosophies such as those of Plato, Aristotle, Cicero, James Harrington, Montesquieu, and the US founders, Vergara identifies an evolving trend of constitutional structures that leave common people largely subject to the will of a powerful few, while being prone to systemic corruption that continuously increases societal inequities. Drawing from Niccolò Machiavelli, the Marquis de Condorcet, Rosa Luxemburg, and Hannah Arendt, among others, Vergara reveals an evolution of plebian-focused constitutional philosophy that opposes the elitist models. She develops an idea for institutionalizing plebian power in contemporary contexts focusing on local assemblies and a system of tribunates possessing proposal and censorial powers over representative governments and judiciaries.

The book's primary purpose is to provide a roadmap for emancipating 'the many vulnerable to oligarchic domination' (3) in contemporary societies by creating structures through which they can wield power and counter systemic corruption. Its call for an ambitious political restructuring provokes important conversations about equitable power distribution, how to foster effective political participation, and how to ensure that change-focused revolutionary spirits are effectively fostered for continuous political improvement.

The book contains nine chapters plus an introduction and short epilogue. The first chapter tracks philosophical definitions of corruption as the gradual decay of political institutions toward elitism. Vergara outlines Plato's understanding of corruption as equal liberty that degrades an aristocracy toward tyranny (17-19). Aristotle takes a similar stance, but prefers a polity 'between the extremes of oligarchy and democracy' (23) and views changing government types as natural transformations of states of being (19-24). After philosophers from Cicero through to Aquinas place a more individual focus on corruption, Machiavelli brings it back to an institutional level by identifying its roots as bad structures and practices (26-30). Vergara builds upon Machiavelli's idea that 'law is not necessarily a source of virtue' (40) to include 'the degree of inequality, the gap between capital and labor, allocation of GDP among social classes, and regressive versus progressive taxation schemes' (41) as part of systemic corruption (30-42).

Chapter two examines philosophies advocating for elitist mixed constitutional structures that concentrate power in the hands of the few. Vergara outlines plebian power in the Roman Republic as largely elite-controlled, save for a brief period when plebian institutions were created to exert some accountability over the Senate (43-9). However, these plebian institutions were plagued with 'increasing cooptation of plebian leadership into patrician ranks' (49), eventually resulting in them being 'overridden through negligence, usurpation contempt, and open violence' (50). Cicero's remedy for corruption is restoring elite dominance (50-4). Harrington's proposal gives elites



agenda-setting power while restricting suffrage to landowners (54-65). Montesquieu's fear that too much equality would cause corruption by undermining authority prompts him to call for a mixed constitution in which plebian representatives can be overruled by elites and only elites can represent plebians (65-75). The US Constitution is viewed as being designed to prevent plebian wealth redistribution attempts while establishing competing government branches and enshrining press freedoms to reduce corruption (75-94). Vergara critiques Philip Pettit's proposed constitutional model as elitist for placing onus on individuals to seek justice through government processes, leaving plebians atomized with little means for collective political action (94-101).

Chapter three employs materialist constitutional thought to analyze systemic inequities. Vergara identifies Machiavelli's call for periodic constitutional renewal and punishment of corrupt elites as this thought's origin, which is continued by Condorcet and Thomas Jefferson's calls for public education and local assemblies (102-13). Vergara diverges from Evgeny Pashukanis' argument that plebian law cannot be created after overcoming bourgeois law, drawing from Machiavelli's insistence on the importance of conflict and from critical legal studies' proposed legal reforms to resist exploitation (113-19).

Chapter four examines Machiavelli's contributions to plebian thought. Vergara identifies these contributions as mainly 'periodic revision and creation of fundamental laws and institutions' (135) by plebians, as well as 'extraordinary popular punishment to remind elites of the founding fear in which plebian liberty was gained through force' (135) in order to provide a level of accountability that Machiavelli sought to preserve the Florentine Republic (125-43). Machiavelli's idea of liberty as nondomination is combined with his desire to preserve the revolutionary spirit to deter corruption by provoking fear in elites (139-43).

In chapter five, Vergara presents Condorcet's idea of having local assemblies be the core decision-making bodies as another important aspect of plebian-focused politics. For Condorcet, these assemblies would have 'the power to elect, censor, and reconstitute the republic' (146). Unlike the US founders, Condorcet does not believe that a 'separation of powers' (149) is beneficial for resisting corruption because it pits different societal interests against each other, and whichever faction wins can take liberty away from the other branches (148-50). Condorcet is skeptical of 'representative government without a proper surveillance power censoring it' (151) through plebian assemblies and a plebian-selected Council of Overseers to hold leaders in check (151-67).

Chapter six integrates Rosa Luxemburg's insistence on grassroots power to prevent domination by a revolutionary party machine. Luxemburg calls for local workers' councils to preserve post-revolutionary emancipation and prevent exploitation, and critiques Vladimir Lenin's plans for centralizing power as a manipulation of the revolutionary spirit for the ends of a few (168-80). To resist such centralization, Luxemburg prioritizes plebian political participation and education through local councils that can hold governments accountable (180-3).

In chapter seven, Vergara argues that Hannah Arendt's idea for local councils builds on Luxemburg's while focusing on 'the capacity of human beings to initiate something new' (187). Developing local councils as nexuses for exercising freedom empowers this nascent human

potential to stimulate positive change (184-91). For Arendt, political values in a constitution should not be trumped by social ends, which she argues led to the French Revolution's failure (191-205). Arendt opposes representative government because it atomizes citizens and limits deliberation and freedom that foster natality while curtailing revolutionary spirit (205-15).

Chapter eight analyzes recent plebian thought. Vergara opposes Jeffrey Green's recommendation for plebians to essentially accept their fate (219-23). For Vergara, plebian politics should focus on active political participation (223-5), and that 'True political action is always democratic because it attacks inequality and seeks to dismantle patterns of oppression that have been naturalized through the discipline of police logic' (225). Vergara critiques John McCormick's idea of a plebian tribunate for allocating too much power to a randomly selected group, using identity-based quotas for certain positions, limiting the number of plebians vetoes per year, and using the death penalty to deter corruption (225-35). Vergara critiques Lawrence Hamilton's proposal for similar identity quotas and plebian vetoes limits (235-40).

Chapter nine comprises Vergara's proposal for plebian power. Local plebian assemblies are applied with participation restrictions 'based on the *governing position* of the few' (244) to exclude leaders of political, legal, cultural, military, or religious institutions (241-9). Local councils are administered by a tribunate that also works to prevent corruption, and which can initiate impeachment proceedings (249-258). The chapter concludes with a policy-style draft of the proposal, with procedures outlined for meeting frequencies and constitutional revisions conducted every 'seventeenth year after the acceptance of the current constitution' (259) to preserve the revolutionary spirit (250-64).

While Vergara's proposal calls for substantial changes, its actual description is brief, spanning pages 241-264, about twenty-four pages or 9% of the book minus the bibliography and index. A more detailed description of the idea would help account for potential contingencies to prevent the system from being exploited. For instance, I worry about the discursive power of assembly councils and delegates to develop proposals into yes/no votes, as wording could determine the success of a motion. What if no one volunteers for an assembly council? What constitutes a cultural authority that should not participate in assemblies (252)? It would also be beneficial to estimate the cost in aggregate and per citizen to create and run additional plebian structures on top of existing levels of government using Vergara's model of the contemporary US.

Conceptually, the proposed model does not appear to provide a direct counter to corporate power and influence over politics, which would likely need to be substantially reined in to ensure plebian institutions are successful. I am also ambivalent about Vergara's assertion that once created, the plebian institutions cannot be undone (263). If the majority decides that it would be more equitable that plebian politics be manifested in a different way, or if the system does not work, they would be stuck. For future research, I recommend that Vergara explore the role of student governments, inevitable political institutions for most all citizens in contemporary societies, in promoting plebian-centric politics. I would also be interested in a small-scale political simulation testing the idea with research subjects.

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