

Corporative Austria—a Functional Society?

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AUSTRIA has been presented on the First of May with a new constitution. No piecemeal reforms, no patchwork for the Vienna State builders. Mussolini and Hitler cut rather a poor figure in comparison. Fascist Germany is but exchanging parts of the old constitution for new ones; the legal superstructure of the Second Reich passed almost untouched into the Third. Hitler was content to throw the old democratic constitution out of gear and then make sure that it remained paralysed. And even Mussolini, with a dozen years of undisturbed rule behind him, does not seem to think of discarding the old constitution of Italy wholesale, and setting up something new instead. A brand new constitution is a special feature of Austrian Fascism.

The New Solons

But the Vienna constitution is not only new, it is also a novelty. We must go back to Solon and Lykurgos for anything equally ambitious. For this constitution is very much more than the term implies. More than a new form of State, more than a change over from a Republic to a Monarchy, from Democracy to Absolutism would be. It presents itself as nothing less than the legal habit of a New Society. Its preamble runs:—

In the name of God the Almighty from whom all Right proceeds, the Austrian people receives this constitution for its Christian and German Federal State on a Corporative Foundation.

That a European State should declare itself the embodiment of religious and racial fundamentalism is not unprecedented; it might have happened any time in the Middle Ages. The touch of Theocracy is farther fetched; it takes one back, maybe, several thousand years. But the passage about a "State on a Corporative foundation" is what really matters. Such a State has never yet existed at all. When, as in the Middle Ages, guilds and corporations were flourishing, the State was in no way built upon them. When the centralized State absolutism makes its appearance in the seventeenth century on the Continent, the guilds have gone and the Estates of the Realm have taken their place; but in so far as they have their way against the Monarch, the State is not powerful, but is weak. So whether the term corporation means mediæval guilds of craftsmen or political Estates of the Realm—two widely different things which Fascist theory is deliberately apt to confuse—States founded on corporative institutions are unknown to history. Be this as it may, the establishment of a State on foundations of this sort in a modern industrial world with its thousand-fold division of labour, and its massive stratification of classes, would doubtless mean the creation of an utterly new type of society.

Vienna a Clue to Berlin and Rome

Here the matter gains in interest. Dollfuss's new constitution may well reveal to us something about the most intriguing aspects of the Fascist experiments carried on on the more important scenes of action. What can we learn about Mussolini's and Hitler's true aims and ideas from the Austrian State building effort? Such seems an appropriate question to anybody realizing the natural affinity to each other of Fascist régime. The more so as Germany and Italy themselves are far from supplying us with the information required. Their dic-

tators are just as wary to reveal their plans of the establishment of a new society as they are cautious in dealing with constitutional changes. Hitler has officially ordered the stopping of any advance towards a Corporative State. The "Ständische Aufbau" is put off in Germany indefinitely. In Italy, although not called to a halt, its progress is so slight that it has little to show. The Austrian species of the German and Italian genus could thus serve as a valuable clue to elucidate the wider term.

The Catholic Hitch

But there is a hitch. The Austrian constitution is laid down as a conscious alternative to the German and the Italian brand of Fascism. The New Society it is aiming at is the Society foreshadowed in the Papal Encyclical *Quadragesimo Anno*. It is of utmost importance to understand clearly the implications of this fact. When, in the year 1931, this Encyclical was circulated by the Holy See, Fascism had made its terms with the Pope in Italy. In Germany there seemed to be no serious indication of an impending Fascist dictatorship. The Encyclical, although accepting the idea of a Corporate Society (even claiming it, not without some justification, as a sort of Roman Catholic copyright), refused to endorse both the Fascist conception of the Omnipotence of the State and the aspirations of the Fascist Party to monopoly within it. Indeed, the Holy See held that the Corporative Idea was opposed almost as much to the Liberal concept of competitive capitalism as to the Fascist conception of a Totalitarian Society, in which the political State is not only supreme, but actually absorbs every other function of society. More than a hint was thrown out in the Encyclical that in Fascism the State endeavours to supplant spontaneous activities in every walk of life; that Fascist constitutions tend towards a bureaucratic and political attitude; that political factional interests tend to dominate the working of the State. The political faction meant was no other, of course, than the Fascist Party itself. And the Encyclical went on to say that Fascist constitutions seem to be more apt to be expressive of these factional interests than conducive to better social order. This was anything but friendly towards the Party which tried to monopolize the idea of the Corporate Society as its special contribution to Social Philosophy and Politics.

Quadragesimo Anno v. Fascism

The Encyclical *Quadragesimo Anno* was originally, no doubt, a genuine attempt on the part of the Catholic Church to see its doctrines reflected in the vision of a Society which would have all the idyllic restfulness of mediæval society without sacrificing the productive achievements of modern division of labour; which would preserve all the living spontaneity of creative craftsmanship without foregoing the discipline of the modern machine-born efficiency; all the strength and richness of vocational self-government without putting the control of industry actually into the hands of the producers; in one word, making life in society peaceful, purposeful, and self-expressive without doing away with capitalism.

A sort of Freedom and something very akin to Democracy was to be made into an ingredient of the New Society. "Human beings are free to choose the forms of their existence after their liking as long as justice

and the common good are safeguarded." State activity must be restricted to the field where it belongs. A special plea was put in in favour of local autonomy and the self-government of vocational bodies. The State is to be limited to the rôle of a directing, controlling, and stimulating force which does not attempt to supplant individuals or organizations in their rightful and natural activities. It was only fair to interpret these pronouncements in the document as being declarations intended to favour the free vocational associations of the workers, *i.e.*, of a genuine Trade Union movement. A special paragraph dealt with the relationships of the employers and employed in vocational bodies. Although the *Carta del Lavoro* of Fascism in Italy had by this time definitely foreshadowed the establishment of vocational corporations in which employers and employed would be represented on a basis of parity, the Encyclical went out of its way to emphasize the necessity of separate bodies for consultation whenever "there is a danger of undue pressure being brought to bear on one of the parties". This could only mean that separate consultation of the workers' representatives inside the vocational corporations was to be regarded as a normal feature of the new industrial organization. If we add to this that the Encyclical deliberately omitted to mention that the two parties should be represented on a basis of parity, the implied criticism of Fascist trade union policy is striking. Both a trade union monopoly of the State Party and an enforced subservience of trade unions to a State-governed vocational system were thus rejected by the Pope.

Enter Functional Society

There are such as believe that this line of thought of the Encyclical enclosed the chrysalis, as it were, of a Functional Society. Vocational representation, local autonomy, restrictions on the competences of the Political State, diversity of organizational forms are rightly regarded as characteristic of it. Indeed, had the rôle of intellectual leadership in a counter-revolution in Austria fallen to the Catholic Church in the year 1931, as it undoubtedly did in 1934, a constitution emerging from it might quite well have been regarded as functional. Although, certainly, it would have been categorically conservative in its social outlook, and even reactionary as far as cultural aspects of life and thought go, yet it could not have failed to impress upon a world weary of the one-dimensional uniformity of merely territorial representation, the depth and the manifoldness of a society conceived in functional terms.

Towards Peace With Fascism

But 1931 is emphatically not 1931. Between these two dates Fascism triumphed in Germany. The Vatican decided that it would not fight Fascism any more, if it could help it, but rather seek its friendship. The Holy See, which had carried on an extended campaign against Italian Fascism before it came to terms with it, offered a Concordat to Hitler almost on the day of his accession to power. (That the Holy Father could not think of accepting the National Socialist creed is a different matter altogether.) Yet another feature of the new situation was the necessity for the Roman Church to insist on the independence of Austria as a *piéd à terre* in its struggle against the preponderance of a Protestant and National Socialist Third Reich in the German-speaking world. Thus the idea was born that Austria should be independent of Germany under a sort of Catholic Fascism. The friendly note *Quadragesimo Anno* had sounded towards Trade Unionism and Labour as possible allies against the arrogance of Fascist omnipotence was forgotten and a ruthless drive against Social Democracy was urged on by the Roman Church in Vienna. The Vienna constitution is the outcome of

the Encyclical of 1931 as interpreted by the Holy See in 1931. So what might have been a Catholic and reactionary edition of a Functional Society of a sort, was turned into a mere parody of it.

Exit Functional Society

This was made possible by simply replacing in the constitution the qualified democratic principle by autocracy, making nomination instead of election the rule.

In the new Austrian constitution there is a separate body to deal with the economic aspects of matter (Chamber of Corporations), a separate body to deal with matters of cultural interest (Chamber of the Intellect), a separate one to deal with high policy (State Council), and even another one to represent regional interest (Chamber of Provinces). Adherents of the Threelfold State will rejoice to hear of such multiplicity of functional organs. But is it Functionalism? Do these manifold organs mean anything? Are they expressive of the wills and consciences of human beings striving to fashion the forms of their own lives, and of the functions of Society dependent on these forms in the most creative and fruitful way? The answer must depend on the manner in which they are constituted.

The Council of State consists of members *nominated* by the President of the State.

The Chamber of Provinces consists of the Governors of the Provinces and their financial advisers. These Governors are *nominated* by the President of the State.

The Chamber of Corporations will be constituted in a manner which is still to be decided upon by Statute. But the part to be played by the representatives of crafts and labour is already marked by the setting up of a unified Trade Union (*Einheitsgewerkschaft*) as the only accredited type of working-class organization in the country.

The Chamber of Intellect will consist of representatives of the Churches, Universities and other public bodies, every one of those representatives being *nominated* in some way or other by the Church or the State.

Bodies of this sort are functional only in name. There is no more real functionalism about them than there would be about so many State Departments labelled Economic, Political, and so on, respectively.

Or take local autonomy. Vienna freed at last from the tyranny of its Socialist masters (who could base their authority only on the votes of some two-thirds of the adult population) is granted a Charter of Autonomy by its liberators. On the showing, it is a grand example of the functional spirit pervading the new corporative constitution. The Burgomaster is head of a Town Council of sixty-four members, twelve of them representing cultural bodies, twelve representing each industry, craft, and trade, four representing agriculture, banking, the professions, and the civil service. Could the principle of functional representation be more fully realized? But in fact every one of these "representatives" is *nominated* by the Burgomaster himself. Moreover, he can not only recall each member of the Town Council "for unpatriotic behaviour" but dissolve the whole Town Council at will.

As to the representation of the workers in the Town Council the constitution suggests that the Burgomaster "ought to consider due representation of the managerial staff as well as employees in selecting the persons called to represent the different branches of industrial life". That's all.

Functionalism is Democracy on a higher plane. It is the representation of human beings in every respect. The Austrian Constitution, representing nobody anywhere, means abolishing Democracy under a functional guise.