

## BOOK REVIEW

### **Camila Vergara. *Systemic Corruption: Constitutional Ideas for an Anti-Oligarchic Republic***

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Camila Vergara's book *Systemic Corruption* is an attempt to review political thought and to lay foundational ideas for a plebian republic. As the name suggests, she underscores how representative democracy faces political decay through systemic corruption manifested "as an oligarchization of power in society" (2). What is crucial to note in liberal-democratic systems are the oligarchic strongholds that maintain a "democratic" order. The privatization of the public sphere caused by qualifications for political engagement creates spaces of exclusion that simply maintain the status quo or give rise to sudden outbursts of extreme political moves, evident in today's numerous Far-Right politicians from Trump in the United States and Duterte in the Philippines. In sketching the bleak state of the representative republic, Vergara's aim is for us to "better appreciate our political regime as an experiment that has led to acute inequality and a dangerous oligarchization of power, and therefore in need of structural reform" (2). In other words, this book is an exercise of philosophic political imagination for a viable society that seeks to "retrieve the constitutional wisdom of past republican experiences with oligarchic domination to find an institutional solution to structural decay" (3). In presenting this, Vergara divides her book into three parts that engage the readers to critique for themselves the political status quo and to accompany her in her political imaginary: a theoretical engagement of corruption and material constitutionality in Part I, historical instances of plebian emergence in Part II, and contemporary appropriations of this phenomenon in Part III.

The book begins with Part I as "Systemic Corruption and the Material Constitution" that tackles the development of politics, its decay, and a viable alternative. Chapter 1, entitled "Corruption as Political Decay," begins the tone of the entire work by presenting liberal democracy as "flawed and perfectible, a product of fallible human thinking" evident with "its inability to effectively combat corruption" (13). Vergara reviews related literature and shows the present inadequacy in failing to provide a philosophic backbone to any discussion of political decay. A significant contribution this book makes is how she traces (political) corruption beyond the legal and even moral conceptions in modern society and begins in fact by discussing corruption qua the Greek notion of *phthora* (φθορά) "which meant destruction, decay, and "passing away" as correlative to genesis" (15). This Pre-Socratic tie of genesis and *phthora* was a tug of nature that eventually took on physical, moral, and eventually political implications, especially significant in the works of Plato and Aristotle that linked moral and political degradation. With these last two, "political corruption occurs

in pure regimes because of a loss of virtue” (22). From its Greek origin, political corruption qua *phthora* (translated into Latin as *corruptus*) develops through a Roman adaptation with Polybius’ documentation of the Roman Republic. This recognizes corruption not simply as the loss of civic virtue but an imbalance of power between the magistrates, senate, and plebian council. Eventually, Cicero’s mention of *corruptus* highlights the individual, visceral aspect that is later taken by medieval thinkers such as Augustine with emphasis on virtue. Hence, corruption is treated by Machiavelli vis-à-vis “constant threat of oligarchic power,” and thus, the latter’s political vision “should be analyzed as socialized modes of defense against the relentless force of political decay” (28). With this survey, Vergara provides a ground to understand corruption that is crucial to any analysis of modern or contemporary facets of the word, especially by considering that every form of government is prone to such tendency. This chapter ends with the presentation of this manuscript’s invaluable contribution to the current debate concerning political corruption as a systemic phenomenon, in particular, the discussion resulting from Machiavelli’s politics. This is important for Vergara’s work because her later divisions are based on two political notions that she traces from him.

Chapter 2, entitled “Elitist Interpretations of the Republic,” forms a genealogy of interpreting Machiavelli’s ideas which she analyzes in two strands: an elitist-proceduralist with Polybius, Cicero, Montesquieu, Madison, and Pettit and a plebeian-materialist beginning with the ancient Roman plebian experience and Machiavelli’s own interpretation for the Florentine republic. Vergara discusses the tenants of both strands as to how they are justified by their own reasoning. She presents a fair treatment of these thinkers by including their historical conditions. Elitist Constitutionalism finds its foundation in the Roman republic. “The Roman constitution was not a document, but rather a tradition that incorporated fundamental institutions as well as written and unwritten norms (*ius*) and evolving practices (*mos*)” (46). The materiality of this seeming theoretical basis secured its practicality in maintaining a certain sense of stability. This is especially important with the Plebian Council that acted as a counterweight to oligarchy in Rome—arguably what made the Roman Republic outdo Greek democracy that was more prone to tyranny. Vergara goes to detail to recount the founding principles of the Roman republic and how it was organized, significantly highlighting the Plebian Council, which acted as a way for the general public to be included in political decisions. After Rome, she proceeds to show its difference with the republicanism that later flourished in England with Harrington and Montesquieu who conceived both of a certain aristocratic rule, resounding an oligarchic tone, wary of the populace’s ability to rule at all, and later in the United States with the *Federalist Papers*. In tracing the development of republicanism, Vergara is able to stress how the narrative changed with the introduction of liberalism and individualism. Thus, the core idea of republicanism seeks to balance political discourse in recognition of the common good as both “the safety *and* prosperity of the people” (76). Republicanism in representative governments enabled common citizens to “legitimately constitute, direct, change, or overthrow a government, not only if there [are] evident usurpation and tyranny, but also if representatives are not advancing prosperity and happiness properly because of their favoring of a specific class or group of citizens” (77). This was something that is positively recognized in the history of the American constitution, which sought to put into practice the theoretical advantages of earlier positions of

republicanism in light of their own contexts. Thus, a certain mixed form of constitution sought to balance central and federal powers, economic aims alongside the harmony of general interest through representation in government.

With this reading, Chapter 3, “On Material Constitutional Thought,” presents Vergara’s reconstruction of a plebian materialist constitutional thought as “a novel methodological approach to the study of constitutions that goes beyond the written text and jurisprudence, to incorporate the material structure of society” (6). She presents how though the rule of law espouses equality, its materiality proves otherwise ramified by the experience of marginalized groups such as women, ethnic minorities, and, in the United States, black Americans who are statistically more likely to be oppressed by the law. Parenthetically this is even more true today, evident with recent events such as the Black Lives Matter protests after the death of George Floyd or the constant state refugees find themselves in; though the law illegalizes malpractice and promotes equality in the face of it, the material conditions of these marginalized sectors indicate the law’s inefficacy to realize this theoretical egalitarianism. Vergara’s reason for developing a materialist constitutionalism is “premised on the recognition that norms develop in relation to society and are the result of conflict” (103). Precisely because the rule of law is enforced, there remain serious legal and social pathologies to constitutionalism. She reconstructs a plebian material constitutional thought beginning with Machiavelli that banks on conflict for society’s flourishing – a need for channeling emancipatory impulses into life-affirming qualities of the state – and points to two strands presented in history: *revolutionary reformers* and *critical theorists*. Vergara traces the development of *revolutionary reformers* as the positive conception of materialist constitutionalism that began with Machiavelli through the Marquis of Condorcet, Thomas Jefferson, Hannah Arendt, Lawrence Hamilton, and John McCormick (109-113) and its negative conception in *critical theorists* that of course begins with Karl Marx furthered by Evgeny Pashukanis, Antonio Negri, and Marco Goldoni and Michael Wilkinson (113-20). With this divide she bridges through Rosa Luxemburg, Vergara maintains that agonistic pluralism and the utter equation of politics to economics do not give not a fair treatment of democracy for “both obscure factual oligarchy and overestimates the political power of individuals to exert changes to the superstructure” (120-21).

Part II is entitled *Plebian Constitutional Thought* containing four images that present the plebian power in political setup. This begins with Chapter 4, entitled “Machiavelli on the Plebeian Power to Create and Punish,” which returns to Machiavelli’s assessment of Florence and his engagement with republicanism. He departs from the elitist views of Cicero and Montesquieu and accounts for a balance of power present in a mixed materialist constitution. This “seeks to perfect the Roman republican experience by formally constitutionalizing the power of the many to resist the domination coming from the few” (128). The view that Vergara creates of Machiavelli is (negative) libertarian and republican yet not democratic; an increase of the *populo*’s power as active resistance within the republican framework that entails the constitutionalization of the populace’s ability to guard the constitution (today’s juridical power) yet to be radical enough to go against established law is a necessary condition for society’s governance to save itself from oligarchic domination. This chapter dissects Machiavelli’s *Discourses on Remodeling the Government of Florence* to present his stress on the plebian force through the creation of new institutions to balance power in society while at the same time their extraordinary ability to sanction punishment as a

necessary violence. This differentiates liberty and law and highlights how oppression remains a primal fact in a lack of true engagement of society's members. The populace stands as guardians of anti-oppression lest society turns oligarchic. Thus, the plebian power finds its great manifestation by challenging the few constitutionalized through Machiavelli in new institutions and inflicting punishment. Containing corruption necessitates inflicting violence to imbibe fear within society. This, reminiscent of Roman success, allows society to "periodically examine and reconcile the legal framework with social reality" by presenting new means to "curb corruption and the overgrowth of oligarchy" (142). Individuals in republics ought to stress this capacity.

The next image of plebian power is presented in Chapter 5, entitled "Condorcet on Primary Assemblies." Nicolas de Condorcet, though born into nobility, sought to protect republican society from indirect despotism, "a de facto oligarchy within the bounds of the rule of law" (145). He is an underappreciated figure in political philosophy whose fight for egalitarianism paved the way for a materialist constitutional proposal as an entire plebeian framework "aimed not at suppressing the revolutionary spirit" but "creating the institutional structure necessary to harness the emancipatory nature of popular politics" (154). He is critical of Montesquieu's proceduralism that enabled a separation of powers embodied in the United States Constitution, for this is not enough to safeguard society from corruption, especially the domination of oligarchs when these branches of Government unite. Society at large lacks protection as the Branches are set to balance each other out than to primarily fulfill a function. Condorcet instead presents "an *institutionalized* popular power aimed both at electing the members of government and at censoring their decisions" (152). This *popular branch* in government is tasked to keep the Powers balanced as it is composed of local primary assemblies, as manifestations of popular will, that give the ultimate verdict concerning legislature. These assemblies have "the power to oppose change and to generate it" alongside "the role of approving or rejecting drafts constitutions, as well as for deciding whether to initiate a constituent process" (159). What is unique with Condorcet's view is that he proposes education not as a privilege but as a right to enable citizens for active participatory politics. Only in being educated can one participate in society, for "individual citizens need to exercise their sovereign rights assembled, in a material and procedural space conducive to deliberation and decision making" (162). Alongside assemblies, Condorcet ensures further balance through the creation of a surveillance office qua a Council of Overseers elected directly by the public that acts as the link between the Branches, the citizens, and even serves as both enforcement and surveillance that the popular will is enforced.

The third presentation of plebian engagement is Chapter 6, entitled "Luxemburg on Popular Emancipation." Vergara engages with Rosa Luxemburg's ideas to present the latter's "support for worker's councils as the necessary material ground for a new legal system" that favors socialism than capitalism, not as a fixed constitution but one in transition (169). Luxemburg is a materialist with her view of emancipation. She is wary of simply enacting emancipatory law within the current setup of society (proceduralist legality) for mere alterations of the present being a bourgeois strategy to maintain the status quo. The transition for Luxemburg from capitalist to socialist society is inevitably marked with conflict because though workers already have legal representation (the SPD in the Bundestag during her time), the ruling class pushes back any "radical social change initiated in the workers' councils" (174). Political action

creates representation, and so requires its eventual organization; socialist society is marked by a transformation of the proletariat to an individual with “inner self-discipline, intellectual maturity, moral ardor, a sense of dignity and responsibility” because emancipation does not happen from the top but through political action. (179). This may only happen through the struggle that society will face in the establishment of the workers’ council. This formation makes them conscious of understanding the transition, enabling a power-sharing balance, and forming a national council that takes the helm towards the impending revolution. Luxemburg’s proposal, Vergara thus concludes, is “a Marxist iteration of the republican mixed constitution, in which the legal power of the oligarchy is checked by the constituent power of the proletariat as a universal agent of emancipation” (183). The agonistic approach to society’s future ensues because of a plebian institutionalized counterweight both through legal representation and a national council to drive the transition from capitalist to socialist society.

The last presentation of plebian representation is given in Chapter 7, entitled “Arendt on the Republic of Parties and Councils.” Vergara reads in Arendt’s political philosophy a council system that introduces the democratic element into a republican mixed constitution that serves as a political space for freedom. With her Greek and Roman influences, Arendt equates the good and the political with freedom as an action within the political sphere. However, equality is necessary for freedom, and Arendt proposes a political arrangement to realize this. Vergara traces Arendt’s comments on the French and American revolutions and the favored for the latter for in the former type of revolution, liberation came at the price of creating “ex nihilo a new body politic” which “created the space for rightlessness and violence” (194). This type of revolution changed the source of power from theological origin bestowed upon the king to authority in the people. This transition thus experienced constant threats of counterrevolution, which resulted in constant fear and violence necessary to secure independence, something contrary to the founding principle of *fraternité* and absent in its American counterpart. Arendt argues that it should not be simply the will of the people that serve as the new beginning but “mutual promise and common deliberation and that a successful constitutional order is the one that allows for these principles to be permanently enacted.” (200) Engagement in the public sphere is made possible by social trust and, eventually, the principle of deliberation, the transition from individual to a citizen. However, the American model is not perfect for the present because, in such a representative model, there are pockets of political decay qua the lack of space for political action. She grasps “representative government not as a deficient form of popular government, but as a form of oligarchy [...] because they reserve the privilege of politics for the selected few” (207). The privilege that representatives hold (in fact, what Arendt would describe as political freedom) precludes citizens from taking an active role in political affairs. Vergara reads Arendt’s proposal of a council system as an alternative form of government to coexist with that of representation, following the latter’s observations of both French and American revolutions. This two-fold council system of “local assemblies of the people [...] as well as a *containment* of representative government” highlights the spontaneity of the revolutionary (political) spirit (213). This type of approach maintains, on the one hand, the tensions of democracy’s deliberative model while, on the other, republicanism for enforcement. Plebian presence thus surfaces through councils that have that ability for political judgment of their representatives.

After presenting different forms of plebian representation, Vergara proceeds to Part III on “Anti-oligarchic Institutions for the Twenty-First Century,” which finally unpacks the construction she sought to do. This begins with chapter 8 on “Contemporary Plebeian Thought” that first underscores plebeianism as “an experience of self-emancipation through political action that challenges the established hierarchical order in which plebeians are subordinate subjects” (219-20) that should, Vergara argues, “rest on a political philosophy that embraces conflict as productive of liberty” (224). She begins with Rancière in considering democracy outside oligarchic structures yet underscores the difference between disagreement politics and consensus democracy, stressing that the latter nullifies emancipatory promises of the first. Lest this is misunderstood, her argument is straightforward: she presents a plebian politics not as “mere outbursts within a dominant disciplinary logic of police” but “a politics of active resistance that strategically uses institutions to change the political system from within” (225). Thus, Vergara argues that to revive the plebian presence in society, and institutions must be put in place for political realization. Representative government elections do not exclude the possibility of both oligarchy and marginalization. With this, she then considers two contemporary appropriations. First, she presents and is critical of John McCormick’s proposal for a plebian tribunate as a counterweight that can be accommodated by the current constitutional framework at least in the United States: with veto powers in the legislature and a selection by lottery (226-235). Parenthetically, what she especially takes from McCormick is the manner individuals are included in the Plebian Tribunate—selection by lottery and not an election, for the latter paved the downfall of the Roman plebian presence. With McCormick’s treatment of American politics, Vergara secondly presents Lawrence Hamilton’s adaptation in South Africa. Whereas McCormick would argue that representation excludes, Hamilton pushes the opposite by arguing that representation is a form of freedom in that it “is better understood in relation to the group they are part of, and the power that the representatives of the group have to shape government policy” (236). Vergara presents Hamilton’s proposal to include plebian power both in representative councils and as a form of counterweight to the branches of government and highlights while remaining critical of certain features of this setup (235-240).

Chapter 9 is then the last section entitled “Constitutionalizing the Power of Those Who Do Not Rule,” which primarily serves as Vergara’s rejoinder to the crux at hand. The sentence she begins this speaks multitudes of her project: “it is in times of crisis when political imagination is needed most” (241). She proceeds with what I consider her attempt to make philosophic political thought viable in today’s society by proposing a mixed form of constitution, institutionalizing plebian power that makes the populace safeguards of liberty. She lays down justifications for the ontological divide rooted in Machiavelli of the *few* and the *many* and proceeds with an actual proposal for this mixed constitution that benefits from all the thinkers discussed in the preceding chapters, namely a Plebian Branch composed of local assemblies and a tribunate, following the general framework of a republic in a liberal society, alongside provisions for membership, deliberation, functions, and constituent processes.

This book ends with an epilogue, “What Is to Be Done?” reminiscent of Vladimir Lenin’s 1902 pamphlet and Nikolay Chernyshevsky’s 1863 novel with the same title. This epilogue stands as an afterthought: having actually proposed a blueprint for a new beginning in the form of plebian republicanism, what now? She

reminds us of politics' crisis today as systemic corruption hiding behind the mask of democracy. It "has taken hold of representative institutions and has undermined the legitimacy of elections" that no single leader of a political landscape full of populist rhetoric can salvage (267). True reform must give ear to structural reforms that allow the *many* to engage in the public sphere as a rally to put our ontological recognition of equality into fruition and as an attempt to put political thought to practice.

Overall, Vergara's book is a brilliant and timely presentation of a political imaginary in analyzing the presence of oligarchic structures within democratic politics. What makes Vergara's discussion thought-provoking is that as she emphasizes the opposition of plebian and elite, she remains conscious that "a class-based distinction is not the only way the division between the few and the many could be drawn" (228). She gives a review of the grammar of our political systems by tracing democracy's development and its impingement in oligarchic form and moves forward with an immanent critique of democracy qua oligarchy as an attempt at positing a plebian presence within the constitution. What she ultimately seeks to include in the narrative is not so much the representation of another branch of government but the ability for the populace to safeguard liberty in a society that oppression takes multiple forms. Thus, it is an excellent resource for the critique of the political status quo without necessitating an ideological emancipatory impulse.

Serious scholars and researchers on political philosophy will find this book refreshing in reviewing fundamental concepts to political theory and positing a Plebian Council reminiscent of the great Roman empire and benefited from positive traits of English, French, and American setup. Even if the readers are not familiar with the thinkers mentioned, Vergara is fair in presenting each's political philosophy as she provides their socio-historical context to allow the reader to recognize how they were reacting to the politics of their time. With continual referencing to primary sources, this book grounds the discussion of democracy's degeneration into oligarchy while positing a brand of republicanism that is theoretically adequate with multiple facets in history: Rome, England, Florence, and even the United States. Vergara's language is easy to follow as she clarifies important elements along the way and what significantly aids her presentation is how she supplies diagrams of each philosopher's treatment of social organization for a straightforward juxtaposition of their conception of politics. By going through this book, readers will be led deeper into specified discussions of each thinkers' political thoughts and will find affinities with her treatment of Machiavelli with Hanna Pitkin's own, especially in her *Fortune is a Woman* (1999). Moreover, with this book, one may recognize a timely appreciation of female political thinkers who are generally excluded from modern political discourses, especially considering the recent centenary of Luxemburg's death.

## REFERENCE

Pitkin, Hanna Fenichel. 1999. *Fortune is a woman: Gender and politics in the thought of Niccolò Machiavelli*. Chicago: The University of Chicago Press.

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