

Original Paper

A Classification of Regimes—Foam Theory to Praxis

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Abstract

Behind a political regime there is political theory. In the world today—the real world and not merely a possible world—we have some 200 states, but only a handful of regime types. The essence of these few types is to be found in their political theories. We ask what the regime meaning is with key theoreticians.

Keywords

spread of dictatorship, crisis of democracy, principal-agent problematic, theory and praxis

Introduction

The 5th of Marx' *theses on Feuerbach* reads:

Feuerbach, not satisfied with abstract thinking, appeals to sensuous intuition, but he does not conceive sensuousness as practicing human sensuous activity. (V)

This Marxist confrontation between theory or model on the one hand and practice or performance on the other hand is worthwhile applying onto the governments in the world. Asking for the model behind a regime is to ask what is the meaning of an institutional setup. Just as one may ask for the sense of an action (“Sinn”) (Weber, 1978), so one may search for the modeling of institutional meaning, or theory guiding the institutional set-up.

I will talk about the problematics of regime reason in relation to two kinds of political systems: dictatorship and democracy.

Lenin: Dictatorship of the Proletariat

Here we have a few examples in the world: namely China, Vietnam, Laos and North Korea. The latter includes a huge role for kinship relations, looking like a bizarre kind of hereditary monarchy.

The dictatorship of the proletariat made its historical appearance in the new state organized by Lenin. Due to the civil wars the USSR became much bigger than Russia of today. The USSR included all areas

where the Red Army won, from the Black Sea to Vladivostok.

Lenin constructed a dictatorship based on the principles of debate *ex ante* and absolute obedience *ex post*, together with a spy network and surveillance agency to eliminate opposition. He had to improvise as Marx wrote little about this type of dictatorship other than it being “necessary”.

The Bolsheviks secured complete power by the mechanism of *parallelism* between state and party. To every state power there corresponded a party power with decisiveness. Thus Stalin was general secretary of the party and Politburo. Formally the USSR was a federation of Republics with state competences and individual rights. In reality, it was a totalitarian state that Stalin transformed into autocracy.

After Stalin’s death in 1953 collective power was tried involving state and party, an experiment lasting until the USSR was dissolved. The totalitarian nature of the state was abandoned in a search of liberal presidentialism where state-party parallelism had been severed. However, presidentialism was soon replaced by autocracy by Putin, reinstating totalitarian forms of ruling.

Lenin’s Soviet Union led to a series of regimes, where a few elderly men controlled everything and did not hesitate to use force against fellow countrymen questioning their embezzling.

In China the Communist party hegemony type of Marxist dictatorship of the proletariat has been upheld. Xi Jinping is the head of both state and party. The dictatorship of the proletariat is still a viable myth in China, although Han nationalism is very relevant.

Yet, in the former USSR autocracy is combined with corruption to result in the omnipotence of so-called oligarchs favoured by the state. We could hardly be further away from the Lenin regime type: all over former USSR bunches of elderly men *looting* for their families amidst propagating myths.

The link between China and Russia is no longer based upon Marxism-Leninism. Putin plays on the Russian destiny and religious orthodoxy.

Pareto and Mosca: Elite versus People

With the exception of Cuba and Venezuela Latin America has experienced several right wing dictatorships since independence. The role of military elites had been nefarious for democratic stability. Remember that elites are heterogeneous. One may at least distinguish between military, party politicians, economic and religious or cultural elites. Latin American politics in the 20th century was often a matter of which of these elites would prevail besides Marxist guerrillas.

The meaning of a Latin American elite regime is often to control society to their own benefits. If necessary, physical force will be exerted against opponents. A *caudillo* may emerge on the Mussolini model like in Mexico, the Caribbean or Brazil. However, the Latin American elite regime was less nationalist and violent than the European examples. Massive repression occurred in Chile and Argentina, alongside omnipresent racism against aboriginal people. This type of elitist regime is

basically a *status quo* system. Several of the regimes could not contain crime or drug syndicates. The repression of political opposition and civil society was severe at times.

Real Monarchy

Elitism is constituted *inter alia* by the real monarchies in the world. *Emir* or *sultan* is not within the rule of law regimes, as such regimes are legitimated by religion or the *Koran*. Indonesia and Malaysia are promising exceptions. Countries with Muslim majorities are prone to democratic instability, as the *Koran* is at odds with rule of law notions.

Nietzsche: External and Internal Enemies

A political regime amounts to a state, if it can exercise monopoly upon legitimate physical force continuously over a territorial space. In a second kind of elitist regime, the meaning is to emphasize physical strength and force both nationally and individually. Thus, it faces both external and internal enemies in Schmitt's sense (1922). The sense of the political systems in Germany and Italy during the 30's and 40's was to eliminate these enemies by force.

The core of German Nazism and Italian fascism was the cult of violence or fighting as well as the belief in the myth of racism. These regimes not only practiced cruelty but also made it into a duty. The philosopher who turned all values upside down was Friedrich Nietzsche. Philosophy since Ancient times praised rationality and modesty, although disagreeing about theology. Sympathy and duty were emphasized by even the philosophers who started from the axiom of egoism, like for example Adam Smith. However, Nietzsche made mockery of all forms of hypocrisy, underlining the will to power.

Postmodernists see Nietzsche as a philosopher of liberation from the Jewish and Christian straightjacket, but his admiration for "Great Men" e.g., Napoleon, reveals a cult of cruelty: so many battles, so many dead youngsters.

The meaning of the German and Italian regimes was to put this cruelty into systematic practice, resulting in horrendous costs.

Ad Hoc Dictatorship

In Africa and Asia one encounters the *ad hoc* dictatorship that presents a short term solution to crisis or chaos. Conceivably, dictatorship is introduced as a temporary solution to be replaced by democratic reforms later on. The problem is *WHEN?* It often times happens that such temporary dictatorships find ways to survive as one party states or military dictatorship with *looting*. *Cui bono?*

Some countries are in a rollercoaster ride between democracy and dictatorship. Only rule of law would help them reach democratic stability.

To Sum up

Why is dictatorship despicable? Because it entails a wrong solution to the ever present *principal-agent* problem in government. Sooner or later the agent will serve his own agenda, even against the principal. The dictator and his entourage starts embezzling the nation or its people, and even sacrificing citizen lives in meaningless warfare.

Democracy = Participator + Rule of Law

From Herbert Tingsten (the greatest political scientist in Sweden) I take the idea that democracy is a political regime. Two key requirements on such regimes include: (a) rule of law; (b) popular participation in government. A few models suggest how the two outcomes can be provided by institutions.

There is no neat and tidy definition of the expression “rule of law”. The Oxford English Dictionary offers the following entry:

“[t]he authority and influence of law in society, especially when viewed as a constraint on individual and institutional behavior; (hence) the principle whereby all members of a society (including those in government) are considered equally subject to publicly disclosed legal codes and processes”.

Now, this sounds rather complicated as well as somewhat legalistic: how to measure it in order to compare states?

One may deconstruct this concept with other concepts or criteria like:

- 1) Strong legal formalism promoting equality under the laws;
- 2) Individual rights covering contract, free labour and property;
- 3) Checks and balances, i.e., institutionalized mixed government with countervailing competences between executive, legislature and judiciary.

A political regime characterized by limited government and countervailing competences may satisfy a few different models.

Westminster: B-model

The classic model of democracy was outlined by Englishman Walter Bagehot (1867). He claimed that the American civil war showed the superiority of British parliamentarism over American presidentialism and federalism. Politics could change rapidly in the former with less risk for deep seated animosity. The *ultra vires* principle hindered blocking by minority. The majoritarian election in Great Britain secured better “*Regierungsfähigkeit*”. Bagehot wrote his essays shortly after the American bloody war. The meaning of the B-model is policy responsiveness to the majority opinions in the people.

Polyarchy: D-model

To some political theorists democracy has been seen as impossible. The idea that the people could decide all issues wisely was not feasible, given the associated transaction costs. Dahl sided with this opinion reserving the word “polyarchy” for a regime that was only second best (1956; 1971).

The second best nature of polyarchy derives from elitism. Actually, Dahl argued like Pareto and Mosca. Thus, the US political system was characterized by a deep tension between the rich ruling classes and the less affluent “people”. One may observe that the theme of *polyarchy* is close to American elitist theory heavily criticized by Dahl (Wright Mills, 1956). Polyarchy would be a form of representative democracy with competition among elite groupings (Schumpeter, 1943), like the US.

Participatory democracy may be combined with direct representation like in Switzerland, but too many referendums is conducive to transaction costs and voter indifference.

Democracy is a regime with rule of law and popular anchors. Democracy as only participation or deliberation is merely a myth, but too little participation entails a crisis for democracy.

Consociationalism: L-model

The wave of democratization after WWI led to a host of new democracies. With PR election techniques, they deviated from the Anglo-Saxon model above. It was up to Arend Lijphart to theorize them.

Lijphart started from a small set of democracies: the Netherlands, Belgium, Austria and Switzerland. Looking at their 20th century history, Lijphart identified another aspect of democracy, namely peaceful conflict resolution through elite accommodation. At crucial points in time the PR election technique provided policy influence to all major political elites in order to bargain a peaceful solution to otherwise lethal conflict. The meaning of a democratic polity is to overcome deep seated conflicts in plural societies by means of mechanisms of cooperation or “consociational” *devices* and institutions (Lijphart, 1999).

Lijphart stated a democracy model based upon PR and oversized coalitions—to bring all major parties on board. He called it *power sharing*, i.e., the very opposite to Westminster.

Democracy may need an oversized government to stabilise the regime. This theme could be generalised in two ways that Lijphart tried himself. Firstly, he searched (in vain) for other high conflict societies where consociationalism may work: Lebanon, Rwanda-Burundi, Sri Lanka and South Africa. Secondly, he suggested a more general model covering both Westminster and consociational democracy.

If we take the majoritarian election technique and centralization from the model B as well as PR and decentralization or federalism from the model L, we arrive at Diagram 1.

Diagram 1. The L-model – election system (majoritarian-PR) against power concentration-decentralisation).

A B
C D

Lijphart no doubt would hold that of these four types of democratic regimes, D is preferable. He overstated his novelty by calling India consociation democracy despite its majoritarian election system.

Equality: R-model

In the theory of social democracy it is not enough that the regime satisfies rule of law and people participation. Social Democrats or social liberals add a third goal in order for democracy to make sense, i.e., equality as real social justice.

Public policy should favour by different means the least affluent half of the population, until such policy becomes counterproductive—see Rawls' *Theory of justice* from 1971 (Rawls, 1971).

The Swedish or Scandinavian regime implemented this context for a long time before neoliberalism prevailed. Redistribution comprised both money and services in Sweden and it worked. The Swedish model is still intact but it has lost its meaning of reducing social and economic inequality. Thus, schools and health care have been partly privatised to some extent and transfer payments are subjected to incentive compatibility. Progressive taxation has been scaled back, but the unique Swedish integration of elderly care with health care remains a policy success.

Of course, the mainstream Anglo-Saxon concept of democracy today is not Rawlsian. But the affluent EU states have several welfare programs type R-model like for instance free higher education. Left intellectuals (Piketty, Stieglitz, Krugman) are all for the R-model but vain. Inequality of wealth and income is rising everywhere.

Participation

In democracy today the ideal of participation has been subjected to that of representation. There is only one referendum democracy in the world (Switzerland). Countries like Austria, Denmark, Italy, Sweden and the United Kingdom also employ the referendum although sparsely.

As a matter of fact, election participation is not impressive in modern democracies. Civil society displays more vitality. The ideal of participatory democracy still attracts intellectuals. Yet, high levels of electoral participation are hard to come by. In Switzerland only 40 % vote in many referendums.

Decline of Rule of Law

Representative democracy and not participative is the realistic alternative. Transaction costs and principal-agent deliberations give this conclusion. How then are representatives as agents to be controlled in order that they work for the principal? Reply: rule of law.

Spreading democracy around the globe is tantamount to inserting rule of law. The World Justice Project

(WJP) measures the existence of rule of law, unpacking a rule of law regime as follows:

- a) Constraints on Government Powers
- b) Absence of Corruption
- c) Open Government
- d) Fundamental Rights
- e) Order and Security
- f) Regulatory Enforcement
- g) Civil Justice
- h) Criminal Justice.

The WJP underlines accountability, judicial independence, legal formalism and balance of power between executive and legislature. It is worth pointing out that democracy is not mentioned. Rule of law was conceptualized before the advent of democracy after the Great War. Rule of law as legality, rights and countervailing rule may be combined with democracy as popular rule, but it has not always been so.

Table 1 presents the results of the most recent survey of the RL Index for 137 countries around the world, presenting the mean value by region.

Table 1. Average RL Index by World Region by 2021

Region	Min	Average	Max
East Asia & Pacific	0,32	0,60	0,83
Eastern Europe & Central Asia	0,42	0,50	0,61
EU + EFTA + North America	0,52	0,74	0,90
Latin America & Caribbean	0,27	0,52	0,71
Middle East & North Africa	0,35	0,49	0,64
South Asia	0,35	0,44	0,52
Sub-Saharan Africa	0,35	0,46	0,62

Source: (WJP, 2021)

Not merely Western countries score above 0.6 on this scale. Rule of law countries include: Japan, South Korea, Singapore, Chile, Costa Rica, Uruguay, United Arab Emirates, Mauritius and Namibia as well as Rwanda. Hong Kong is also given a high grade by the WJP, but that must be in the past now. Compared with 2020 the index has decreased, for the US substantially ÷ a crisis of democracy.

Conclusion

Dictatorships remain more numerous than democracies. It is feasible—Weber denied—to subjugate a whole people by means of naked power. It depends upon the solution to the *agency* question: Sed quis custodiet ipsos custodes? The response to Roman Juvenal's question is: rule of law and citizen or people responsiveness. When Madison wrote the American constitution, he targeted rule of law but missed out on people participation—an omission never fully undone. When low voter turnout is combined with rule of law violations, then we arrive at the “crisis of democracy” theme. As a matter of fact US democracy is close to the D-model. In WJP 2021 the US has fallen to 27th rank. Finally, Iran has a unique regime: hierocracy.

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