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CONFRONTING VARIETIES OF ECONOMIC DEMOCRACY:  
PLURALISM IN ANTI-AUTHORITARIAN LEGAL REFORM

The genuine possibility of radical legal and economic reform requires a crisis of faith in how dominant forms of social organization are legitimated. The constellation of critiques and visions for reform that are coalescing around the frame of law and political economy in part reflect that such a crisis is present and the politics of radical reform possible. Yet, in moving from solidarity about the need for change to proposals for concrete institutional reform invariably reveals pluralistic visions of such change whose divisions were previously less visible. Already divisions are emergent in significant variations in about what it means to imbue economic institutions with democratic values

This paper seeks to use several proposed radical reforms in the regulation of labor markets and corporate governance to demonstrate the need for clear and open discussions of where such reform agendas converge and diverge in their visions of economic democracy. Arguments for a universal basic income and a job guarantee are both meant to achieve the dual goals of greater income security and reduced employer disciplinary powers. However, their views regarding the value and meaning of work inherent in a democratic economy are in sharp contrast. Similarly, calls for the promotion of corporate codetermination and cooperative production both seek to add aspects of procedural democracy to production in order to achieve distributive and dignitary gains for workers, but possess very different views about the nature of capital ownership and the necessity of hierarchical representative structures.

The risk of leaving these underlying divisions unaddressed at this moment of political possibility is that they will devolve into policy tribalism that lacks the cohesion possessed by proponents of economic authoritarianism. As such, showing where such visions still complement each other can lead to debates about prioritization rather than pure preference. Moreover, making explicit that such reforms have clear presumptions about the nature of economic democracy promotes thinking through the particulars of how they will be effectively institutionalized, and is the most effective and compelling nexus where legal scholars can help contribute to rendering radical ideas into functional alternatives. Such a surfacing also allows debates about economic democracy to confront the issues at the heart of long-standing debates about political democracy that are often now elided on the terrain of public political contest—such as the dangers of majoritarianism, civic apathy, and the difficulties of structuring effective electoral processes of representation.