

AN INTERVIEW WITH ROGER D. CONGLETON ON JAMES M. BUCHANAN'S GENERALITY PRINCIPLE AND THE DEMOGRANT MODEL

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***Roger D. Congleton** (1951,-) has been serving as a Professor of Economics at West Virginia University, since 2011. Professor Congleton held a long-term faculty position as a Professor of Economics at George Mason University and was affiliated with the Center for the Study of Public Choice as a research fellow. His research spans the fields of constitutional economics, public choice, public policy, and welfare economics. He has delivered over one hundred academic seminars in more than twenty-five countries. His scholarly output includes 16 books and edited volumes, 121 peer-reviewed journal articles, 43 book chapters, 18 book reviews, and 10 additional publications, totaling 208 works. Moreover, he has presented over 130 conference papers and has led or contributed to various externally funded research projects.*

Q: Could you discuss the principles of “generality” and “non-discrimination” as presented in *Politics by Principle, Not Interest: Toward Nondiscriminatory Democracy*, which you co-authored with Buchanan?

Congleton: In general, what we had in mind was the concept of “equal protection of the law,” which we argued advanced both normative and practice interests. The book extends that principle to all public policies and regulations, and demonstrates that it tends to increase constitutional stability and reduce conflict at the same time that it advances the equal treatment under law principle.

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Q: If Buchanan’s idea of “principle-based politics” were to be implemented, how could a balance be established between democratic representation and constitutional principles?

Congleton: The book does not really address other constitutional issues such as the best way to represent citizens in a parliament as far as I remember. But it is compatible with a principle that each voter should have the same impact on electoral outcomes and representation. So that either there would be one great electorate as true of some PR systems, or that every electoral district would have the same number of voters.

Q: How can Buchanan’s “non-discrimination principle” be implemented in today’s interest-based political systems, and would it be sustainable if applied?

Congleton: The reduction in cycling and rent seeking would produce practical advantages, which if also supported by an equal treatment norm could assure considerable constitutional stability.

However, unless there was normative support, rent seeking exceptions to the rule would be constantly introduced and it is quite possible that many would garner majority support—although not unanimous support.

Q: What kind of fair and equal society do you think Buchanan envisioned when developing the concept of “nondiscriminatory democracy”? When you compare the society you live in today with this ideal model, what do you see as the most significant differences in terms of justice and equality?

Congleton: In the US case, it would be one where government budgets are far shorter than they are now, while government itself might be larger or smaller according to the risk aversion (social insurance) of voters. In principle, politics would tend to be more boring because fewer narrow interest group promoting efforts would be undertaken, which would reduce the risk that individuals would be, in a sense, fiscally exploited by their government’s.

Q: What fundamental problems does Buchanan’s “generality principle” aim to solve regarding the sustainability of the social contract and the justice of constitutional democracy?

Congleton: It would tend to make public policies more stable and reduce rent-seeking. Both rent-seeking (and its associated corruption) and instability are bad for democracies - because people tend to be risk averse.

Q: In order for the “generality principle” developed by Buchanan to become functional, are structural reforms such as the redesign of legislative processes, ensuring the neutrality of public administration, and strengthening constitutional oversight mechanisms necessary?

Congleton: The generality principle is a significant constraint on the types of legislation that can be adopted. To be binding, it would have to have constitutional status (either formally via amendment, or informally via court precedents). To assure that the constitutional rules were followed, some kind of constitutional court is likely to be necessary.

Q: What are the fundamental differences between the demogrant model developed by Buchanan and the proposals of Universal Basic Income (UBI) and Basic Income Guarantee (BIG)?

Congleton: A demogrant model is only one of the possible ways that redistribution could be undertaken. Other forms of social insurance, unemployment insurance, health insurance, and the like would also be possible.

The demogrant program would resemble a UBI, if implemented, but because everyone would pay taxes into it and receive a grant, it would tend to be smaller than many UBI proposals if adopted via super majority referenda.

Q: Could the demogrant model developed by Buchanan be an effective tool in achieving the fundamental objectives of welfare states, such as reducing income inequality and promoting social justice?

Congleton: There are different concepts about what a welfare state is supposed to do. It may for example provide modest social insurance as in the first half of the twentieth century, or simply prevent people from starving or freezing to death from a lack of food or housing. A welfare state that attempted to secure equal incomes is a quite different agenda than what they began with in the late nineteenth century. The generality principle does not, however, by itself rule out massive redistribution via a demogrant system, when the demogrant is chosen under majority rule. (I’ve

written on this several times, as in my presidential address published in public choice a few years back—with a title something like ethics and good government.) To constrain such possibilities would require a sense that the existing distribution of income based on marginal revenue products and inheritance is basically acceptable, and that large scale taxation and transfers are not acceptable.

Q: When comparing the demogrant model developed by Buchanan with existing social transfer mechanisms, in what respects do you find it more advantageous or disadvantageous?

Congleton: Its main advantage is its transparency and attempt to treat everyone equally. Compared to most welfare programs it is a simple program that can be described in a single page or two of prose and arithmetic. Most welfare programs are complex and so subject to the interpretations of welfare state employees—who often are among the most benefited by such programs (through salaries and employment)

Q: If fiscal rules as proposed by Buchanan were to be implemented at the constitutional level in today's modern welfare states, how would you evaluate the potential social and political implications of such a fiscal constitution?

Congleton: Neither of us would ask a dominant coalition or ruler to single-handedly impose such a system on an unwilling populace. Were this to be done and sustained for a decade or so, many people might like it, but that cannot be determined ex ante.

In a vote over such a system, numerous factors would affect a voter's decision about whether to support it or not. For example, if they are a beneficiary of current programs that would be eliminated, it would matter whether they expect their transfer receipts to increase or decrease after such rules were in place. Pragmatists would simply vote their wallets. In countries with very unequal income distributions, it is possible that large transfers would be adopted. (See what I term the majoritarian poverty trap, ala Venezuela.) It would take the right sort of norms to enable the system to generate favorable results from the perspective of those favoring relatively small governments.