Civil Society

History and Possibilities

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Contents

1   The development of civil society

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Fugitive in its senses, the idea of civil society infiltrates all efforts to assess the possibilities and threats revealed by the glacial political shifts at the turn of the century. In a period of rising political animosities and mistrust, it has come to express a political desire for greater civility in social relations.[1] More ambitiously, in light of the mounting unintelligibility of the politically created world, it names a desire for analytically more appropriate categories of understanding. Invoked at the same time as the diagnosis and as the cure for current ills, deployed by conservatives, liberals, and radical utopians alike, by oppositional movements and by international aid donors, civil society has become an ideological rendezvous for erstwhile antagonists. It is championed across the globe as '*the* idea of the late twentieth century'.[2]

  In the West, disillusion with the given 'boundaries' of politics and with the restrictions of what are seen as the increasingly decrepit processes of party politics, has provoked interest in civil society as a means of rejuvenating public life.[3] In the East, the term has come more narrowly to mean – besides political and civil liberties – simply private property rights and markets.[4] In the South, the collapse of the theoretical models that

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This chapter seeks to sketch the broad parameters of recent discussions of civil society. As such, it draws freely on a host of published studies, as well as on the papers and discussions of the Civil Society seminar held jointly by the School of Oriental and African Studies and Birkbeck College, University of London. I am especially grateful to Sudipta Kaviraj for his help in thinking about the subject, and to Emma Rothschild for her initial suggestion that I should tackle it.

[1] Cf. V. Havel, 'Politics, Morality, and Civility', *Summer Meditations* (London: Faber, 1992).

[2] National Humanities Center, *The Idea of a Civil Society* (Humanities Research Center, Research Triangle Park, North Carolina, 1992), p. 1.

[3] See C. Maier (ed.), *The Changing Boundaries of the Political* (Cambridge: Cambridge University Press, 1987); J. Keane, *Democracy and Civil Society* (London: Verso, 1988); J. Cohen and A. Arato, *Civil Society and Political Theory* (Cambridge, Mass.: MIT Press, 1992); and for a somewhat different use of the idea of civil society, see P. Hirst, *Associative Democracy* (Cambridge: Polity Press, 1993).

[4] See P. G. Lewis (ed.), *Democracy and Civil Society in Eastern Europe* (Basingstoke: Macmillan); E. Hankiss, *Eastern European Alternatives* (Oxford: Oxford University Press,

dominated post-Second World War understandings of politics there has given new currency to the idea of civil society: intellectuals in India and in Latin America, in the Middle East and in China, Africa and South East Asia, are all infusing new and complex life into the category.[5] International agencies and lenders too have turned their attention to this idea. In an effort to accelerate and increase the efficiency of development tasks, they now seek ways to by-pass the central state and to assist directly what they identify as the constituents of civil society: private enterprises and organizations, church and denominational associations, self-employed workers' co-operatives and unions, and the vast field of NGOs, all have attracted external interest. They have come to be seen as essential to the construction of what are assumed to be the social preconditions for more accountable, public, and representative forms of political power.[6] To all who invoke it, civil society incarnates a desire to recover for society powers – economic, social, expressive – believed to have been illegitimately usurped by states.

Although central to classical Western political theory, the concept of civil society was largely moribund during the days when models of state-led modernization dominated both liberal and Marxist conceptions of social change and development. It was recovered during the late 1970s and 1980s, as these models disintegrated. Civil society seemed to promise something better and available: it was democracy and prosperity, autonomy and the means to exercise it. Yet, in those regions that have emerged from authoritarian rule or from close political regulation of the economy – that is, in regions which seemed to have created what were assumed to be the preconditions for the emergence of a civil society – the picture has been much darker. The common pattern has been the appearance of a multiplicity of non-negotiable identities and colliding self-righteous

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1990); C. Kukathas, D. W. Lovell, and W. Malay, *Transition from Socialism* (Melbourne: Longman Chesire, 1991): R. Rose. 'Eastern Europe's Need for a Civil Economy' (unpublished MS, 1992).

[5] See M. A Garreton, 'Political Democratisation in Latin America and the Crisis of Paradigms', in J. Manor (ed.), *Rethinking Third World Politics* (Harlow: Longmans, 1991). See also, for the Indian case, the work of Rajni Kothari: *State Against Democracy* (Delhi: Ajanta Publications, 1988); for the Middle East, see Zubaida's chapter in this volume; for a discussion of the Southern African case, see T. Ranger, 'Civil Society in Southern Africa', paper presented to Civil Society seminar, Birkbeck College and SOAS, London; for Sub-Saharan Africa, see the Introduction and J.-F. Bayart, 'Civil Society in Africa', in P. Chabal (ed.), *Political Domination in Africa* (Cambridge: Cambridge University Press, 1986).

[6] See G. Hawthorn, 'Sub-Saharan Africa', in D. Held (ed.), *Prospects for Democracy* (Cambridge: Polity Press, 1993), pp. 343 and 354: see also World Bank, *The Social Dimensions of Structural Adjustment in Sub-Saharan Africa* (Washington: World Bank, 1989), cited by Hawthorn, 'Sub-Saharan Africa'.

beliefs, not a plural representation of malleable interests. Civil society remains as distant and precarious an ambition as ever.

Is it a coherent and possible one? As commonly understood today, is it an idea that may usefully guide and influence strategies designed to accomplish 'transitions'? In the burgeoning literature on transitions, two models dominate: on the one hand, a 'shock-therapy' model, which advocates the sudden institution of, for example, free markets in goods and services, and on the other hand, a 'gradualist' model, which stresses the importance of maintaining stable political structures and which emphasizes the unintended results of actions.[7] The very notion of 'transition' has, however, itself lost much of its coherence: it implies a determinate end-state, yet at no time since the establishment of the professional social sciences has there been a weaker and more indeterminate conception of what exactly populations and their territories are changing *to*, or can reasonably hope for.[8] Can the category of 'civil society' serve – as Ralf Dahrendorf claimed – as the conceptual and practical 'key' to such transitions?[9] Do the disparate uses of the term amount to a determinate normative ideal? More importantly, are there resources within the concept's history, which can, for current conditions, relevantly specify the causal agencies and capacities needed to achieve and maintain this ideal? Finally, does 'civil society' name a systemic entity, an institutional package, or is it most appropriately used to describe a particular set of human capacities and modes of conduct, always only contingently available (even in places where it does, at present, happen to exist)?

In contemporary discussions, there is no agreement about the proper location of the sources of civil society, sources which ought to and actually can restrain and moderate the state. One response, which for convenience might be called a 'liberal' position, sees the effective powers of civil society as basically residing in the economy, in property rights and markets where such rights may be freely exchanged. Another view, a 'radical' position, locates civil society in a 'society' independent of the economic domain and the state, where ideas are publicly exchanged,

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[7] Both of these models can be found in Adam Smith's *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776), the classic analysis of the processes of transition from pre-commercial to commercial society.

[8] Despite exhortations such as F. Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1991).

[9] R. Dahrendorf, *Reflections on the Revolution in Europe* (London: Chatto, 1990), p. 93. Cf. also J. Cohen and A. Arato, *Civil Society and Political Theory*, p. 2: 'if we are to understand the dramatic changes occurring in Latin America and Eastern Europe in particular, the concept of civil society is indispensable [especially] if we are to understand the stakes of these "transitions to democracy" as well as the self-understanding of the relevant actors'.

associations freely formed, and interests discovered. Finally, a 'conservative' position prefers to see it as residing in a set of cultural acquisitions, in historically inherited manners of civility which moderate relations between groups and individuals: unlike the previous two positions, adherents of this view do not see these acquisitions as being necessarily universally available.[10] Each of these domains – economy, society, culture – is portrayed by its respective advocates as a domain of special authenticity and efficacy which ought to limit the state, and which can accomplish more effectively what states have tried, often with pathetic success, to do for themselves.

Historical pedigrees may be found for each of these views concerning the development of civil society, yet each also betrays a historical partiality and thinness. The purpose of this chapter is to sketch some of the general themes of this book, which hope to caution against such thinness and partiality, and to urge a richer historical sense upon all current efforts directed at the development of civil societies. The first part briefly considers three decisive moments in the historical development of the concept: John Locke, the Scottish theorists of commercial society, and Hegel. Each had distinct (if in some respects overlapping) visions, and each had a causal account of how their vision might be secured. Their assumptions may today appear implausible; but contemporary advocates of the idea of civil society must at the very least match these causal ambitions. The second part of the chapter considers the significance of the category of civil society, both as an analytic tool and as a critical, regulative principle for the politics of the South. Taken at its boldest, the idea of civil society embodies the epic of Western modernity: as such, it raises questions about the significance of the historical experience of Western politics for societies that possess their own cultural and historical logics, yet which have by no means remained untouched by the peculiar Western saga. Is the combination of liberal democracy and civil society a necessary fate for inhabitants of the modern West, but of little or no relevance to the East or the South?[11] In what respects might the experience of the West be relevant to these regions? The point is not one about the replicability of institutions and practices, in the manner that modernization theory once assumed was possible, but about the possibility of identifying a common set of goals and purposes, perhaps

[10] Cf. F. Mount, *Times Literary Supplement*, 15 October 1993: 'the grammar of civility has been neglected . . . it is the absence of this moral conversation – and the habitual acceptance of personal obligations arising out of it – which we lament in the ex-Communist states of Central and Eastern Europe: the way we put it is that "they lack civil society"'.

[11] J. Gray, *Post-Liberalism* (London: Routledge, 1993), chs. 14 and 20; and see my review article, *The Political Quarterly*, 64, no. 4 (1993), pp. 481–4.

best described by the idea of political accountability.[12] Attempts to strengthen 'democratization' and political accountability have assumed that this can be accomplished through the introduction of constitutions, competitive political parties, and markets and property rights. These are taken to constitute a coherent and stable mix for securing autonomy and prosperity, the modern liberty that Benjamin Constant characterized as the liberty to live as one pleases.[13] But the category 'civil society' can introduce a new complexity and sharpness to assessments of the difficulties facing democracy in the South, both in establishing preconditions and dealing with consequences.

I

In the early post-Second World War decades, the concept of civil society received no significant attention in the West. It played no structural role in the arguments during the 1950s of liberal political theorists like Isaiah Berlin, Jacob Talmon, or Karl Popper, all of whom were defenders of liberal values and of individual liberty and all of whom wished to specify the proper sphere and limits of political authority. Berlin, for example, in his classic essay, 'Two Concepts of Liberty', insisted that 'a frontier must be drawn between the area of private life and that of public authority': likewise Talmon, in distinguishing the liberal from the totalitarian conception of democracy, claimed that the former 'recognizes a variety of levels of personal and collective endeavour, which are altogether outside the sphere of politics'.[14] Both vividly portrayed the dangers of 'absolute politics', and both sought to circumscribe the boundaries of politics: yet neither felt any particular need to invoke the idea of civil society. During the same period, critics of the Left likewise found the term of little interest. Marxists, both orthodox and dissident, used it negatively: it was identified with 'bourgeois society', a realm of contradiction and mystification sustained by relations of power. Civil society, understood as bourgeois society, was seen as the sphere of needs, inextricably linked to the productive base of capitalist society, and in need of constant police and regulation by the state. Members of the Frankfurt School, influenced

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[12] See J. Lonsdale, 'Political Accountability in African History', in P. Chabal (ed.), *Political Domination in Africa* (Cambridge: Cambridge University Press, 1986).

[13] See B. Constant, 'The Liberty of the Ancients Compared with that of the Moderns', in *Political Writings*, trans. and ed. by B. Fontana (Cambridge: Cambridge University Press, 1988).

[14] I. Berlin, 'Two Concepts of Liberty' (1958), in *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), p. 124: and cf. p. 127, J. Talmon, *The Origins of Totalitarian Democracy* (1952) (London, 1972 edn), p. 1.

by Lukács's interpretation of Hegel, saw the concept as a prism through which the contradictions and conflicts of capitalism were refracted. The term played no role in critiques of Left totalitarianism which stressed the distortions produced by unbridled state power: Herbert Marcuse, for example, made no use of the category in his influential study of *Soviet Marxism*.

A serious revival of the term did, however, begin on the Left. In the late 1960s, it gained popularity among radicals disaffected with Marxism. The existing structures of Left politics (dominated by Communist Parties) were rejected, in favour of 'social movements' – these were seen as more authentic embodiments of social demands and interests. Equally, the recovery of Antonio Gramsci's work was a vital spur: his modification of the arrangements of Marx's schema of base and superstructure gave the concept of civil society – applied to Western Europe – a wholly novel centrality.[15] The consequence of Gramsci's relocation of civil society, at the level of the superstructure, along with the state, and his claim that it was the site of decisive struggle for hegemony, provoked a reorientation towards cultural critique. The term finally went into orbit during the late 1970s and 1980s, after its adoption by groups and intellectuals agitating against the authoritarian states and regimes in Eastern Europe (especially Poland) and Latin America. Most recently, the idea of civil society has appealed to those who wish to sustain the project of a 'post-modern utopianism', to reconcile socialism and democracy. In these usages, 'civil society' is employed to designate a conception richer than 'constitutional representative democracy': it is seen as a supplement – and not a substitute – to the perceived illegitimacies of this system. Conversely, it is also seen as a means of establishing a more integrated relationship between socialism and democracy.[16] From this perspective, civil society is understood as a term that identifies the sociological underpinnings of modern democracy. It follows that the historic inability of socialism to find a democratic form for itself has come implicitly to be explained as largely a consequence of its theoretical ignorance of and practical antagonism towards civil society. For Left radicals, it has thus become a handy term which at once both helps them to acclimatize to liberal political theory, and allows them to revive doctrines of popular sovereignty.

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[15] See N. Bobbio, 'Gramsci and the Conception of Civil Society', in *Which Socialism?* (Cambridge: Polity Press, 1987).

[16] Cf. Keane, *Democracy and Civil Society*; Cohen and Arato, *Civil Society and Political Theory*; and C. Mouffe (ed.), *Dimensions of Radical Democracy* (London: Verso, 1992), which claims that such categories as civil society and citizenship can produce 'a radicalization of the modern democratic tradition' (p. 1).

These rediscoveries of the idea of civil society obscure its historical depth. A typical example of such oversight is manifest in Jean Cohen and Andrew Arato's large volume on the subject, which gives barely seven pages (out of nearly 800) to consideration of the pre-Hegelian idioms which bear on the idea of civil society.[17] However, as the following chapters make clear, the languages of Roman law, classical republicanism, Pufendorf and the natural law tradition, Locke, Montesquieu, the theorists of commercial society, as well as Hegel and the nineteenth-century traditions of civil associations and guild socialism, are all essential components of any historically informed understanding of the idea. These different historical strands often cut against one another rather than combining into a single continuous conceptual history. Restrictions in historical perspective have often promoted confusion in contemporary understanding, which instinctively tends to define civil society in opposition to the state, and to propose a misleading zero-sum relation between the two. Civil society is not a new, post-Hegelian concept. It is a much older term, which entered into English usage via the Latin translation, s*ocietas civilis*, of Aristotle's *koinonia politike*. In its original sense, it allowed no distinction between 'state' and 'society' or between political and civil society: it simply meant a community, a collection of human beings united within a legitimate political order, and was variously rendered as 'society' or 'community'.[18] It was Hegel who first bifurcated the concept, but in a way whereby state and civil society functioned in his account as redescriptions of one another.[19]

If civil society is defined in opposition to the 'state' then, as Norberto Bobbio has noted, 'it is difficult to provide a positive definition of "civil society" because it is a question of listing everything that has been left over, after limiting the sphere of the state'. But such attempts to substantialize definitions of civil society are unhelpful. Civil society is not best thought of as the theoretical specification of a substantive model, which actual societies must then strive to approximate. Historically, the term has been defined in opposition to several antonyms. In the Anglo-Scottish and French idioms that surround the term, civil society (along with cognate terms) was generally opposed to the condition of despotism and barbarism, or to natural society.[20] In these traditions, the problem of

[17] Cohen and Arato, *Civil Society and Political Theory*.

[18] See A. Black, this volume; and N. Bobbio, 'Civil Society', in *Democracy and Dictatorship* (Cambridge: Polity Press, 1989).

[19] Hegel himself ignored the pre-modern and natural law history of the concept, as well as its place in Aristotle's *Politics*: see M. Reidel ' "State" and "Civil Society": Linguistic Context and Historical Origin', in *Between Tradition and Revolution* (Cambridge: Cambridge University Press, 1984), pp. 133–4.

[20] Cf. J. Starobinski, 'Le Mot Civilisation', *Le Remède dans le mal* (Paris: Gallimard, 1989).

the appropriate boundaries between political and civil authority, between public and private, has tended to be discussed in a number of political languages: rights, constitutionalism, mixed government, the rule of law, markets, and the division of labour (all of which may be taken to provide part of the content of civil society). In the German tradition, on the other hand, civil society has generally been situated in opposition either to community or to the state.[21]

Three moments in the historical development of the term have been of particular significance: the ideas of John Locke, the Scottish theorists of commercial society, and Hegel. For Locke, the fundamental contrast defining a civil society was the state of nature: a predicament in which deeply held individual beliefs about how to act collided, and where there could be no authoritative answer to the question, 'who will be judge?'. A civil society was one purged as effectively as possible of this condition.[22] Locke made no separation between civil society, and political society – in no sense was civil society conceived of as distinct from an entity termed 'the state'. Rather, a civil society was a term accorded to a benign state, a legitimate political order. Locke, in John Dunn's words, 'distinguished sharply between true civil societies in which governmental power derives in more or less determinate ways from the consent of their citizens, and political units which possess at least equivalent concentrations of coercive power but in which there is neither the recognition nor the reality of any dependence of governmental power upon popular consent'.[23] The Lockean conception of a legitimate political order, however, was vastly different from our own post-Hobbesian conception of the state as an impersonal structure of authority. Committed to a strongly individualist conception, Locke saw political legitimacy as founded upon unbroken chains of personal trust. A legitimate political society was one in which the modality of human interaction was trust: trust was not a variably chosen strategy, contingent upon circumstances, but the very premise of such an order. Both rulers and ruled conceived of governmental power as a trust, *and* the psychic relation between ruled and rulers was governed by relations of trust. As Dunn has emphasized, what must strike us about Locke's conception was his willingness to entangle two issues which modern traditions of political understanding commonly treat as radically disparate: 'the psychic and practical relations between individual citizens

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[21] Ferdinand Tönnies, *Gemeinschaft und Gesellschaft* (Leipzig, 1887), is the classic statement of this distinction. See J. Samples, 'Kant, Tönnies and the Liberal Idea of Community in German Sociology', *History of Political Thought*, vol. 8, no. 2 (1987), pp. 245–62.

[22] J. Dunn, this volume.

[23] J. Dunn, 'Trust and Political Agency', in D. Gambetta (ed.), *Trust* (Oxford: Blackwell, 1988), p. 83.

across the space of private life, and the structural relations between bureaucratic governments and the subjects over whom they rule'.[24] He wished above all to resist the depersonalization and demoralization of political authority which he saw as characteristic of his times.

In contrast to the state of nature, Locke understood civil society as a condition where there exist known standing laws, judges, and effective powers of enforcement. Such a condition was necessarily a skilled and precarious political achievement: it did not in any way represent the truth of a developmental process or a theoretical system. For Locke, 'a civilized society was not an essentially systemic entity: it was simply an aggregation of civilized human beings', that is, a society of human beings who had succeeded in disciplining their conduct.[25] If there was to be any possibility of securing a civilized society, certain minimal conditions were clearly necessary: these included a representative political order, a system of private property rights, and toleration of freedom of worship (although this did not, for Locke, extend to freedom of speech or to toleration of atheism).[26] The creation of such a civilized habitat could also, no doubt, in part be helped by processes of socialization, by the inculcation of a 'penal conception of the self'.[27] But such processes could never be comprehensive or entirely successful, for Locke 'saw no reassuring array of automatic mechanisms, either within the individual human psyche, in a human society at large, or in the organization of people's productive activities, that ensured the provisions of such benefit'.[28] Unlike many later theorists, Locke gave no primacy to some special mechanism – for example, the market or the division of labour – which could engender and sustain a civilized society. Furthermore, such a society was not one where individuals were at liberty to live as they pleased: rather, it was a space where individuals could fulfil the injunctions of the Christian God. What ultimately held human beings together

[24] Ibid., pp. 83–4.
[25] J. Dunn, '"Bright Enough For All Our Purposes": John Locke's Conception of a Civilized Society', *Notes and Records of the Royal Society*, 43 (1980), pp. 133–53.
[26] For a discussion of what to us must appear as Locke's restrictive conception of toleration, see J. Dunn, 'The Claim to Freedom of Conscience: Freedom of Speech, Freedom of Thought, Freedom of Worship?', in O. P. Grell, J. I. Israel, and N. Tyacke (eds.), *From Persecution to Toleration: The Glorious Revolution and Religion in England* (Oxford: Oxford University Press, 1991), pp. 171–93: also J. Tully, 'Locke', in J. H. Burns and M. Goldie (eds.), *The Cambridge History of Political Thought 1450–1700* (Cambridge: Cambridge University Press, 1991), esp. pp. 649–52.
[27] See the interpretation of Locke in J. Tully, 'Governing Conduct', in E. Leites (ed.), *Conscience and Casuistry in Early Modern Europe* (Cambridge: Cambridge University Press, 1988), pp. 12–71.
[28] Dunn, '"Bright Enough For All Our Purposes" . . .'

in the form of a civil society, a community, was this shared conviction of their terrestrial purposes.

A more secular response to the problem of civil society conceived of as a moral community was proposed by the theorists of commercial society. The language of commercial society emerged during the eighteenth century, as an attempt to resolve the mounting difficulties confronting the Christian answer to the problem of community.[29] It claimed to show how those very processes within modern societies which critics of commercial society assumed would undermine the hope for a virtuous community were in fact creating new solidarities, which enabled a new form of society. This was a form of human association held together by interdependencies of need – the fundamental modality of human interaction here was not trust, but need. The nature of these interdependencies established the necessity of society and the dynamics of this process was now captured by the concept of 'civilization', which described a progressive development of human capacities and 'manners'. Crucial to the viability of such a society was a commitment to an effective system of justice, embodied in law and upheld by political authority. This governed the possibility of effective markets, which both fulfilled existing needs while continually generating new ones, and whose dynamism allowed a steady refinement of civility.

However, as the early theorists of this view were careful to insist, a commercial society was not held together simply by relations of utility and rational self-interest. In fact it produced and sustained a realm of human interaction and relationship which precisely was not governed by *necessitudo*, need. This was the realm of private friendship and free interpersonal connections, of morals, affections, and sentiments. Contrary to later critics who bemoaned the destructive effects of commerce and exchange upon 'community', in the view of the theorists of commercial society human association was actually enriched by the introduction of voluntariness and choice, which enabled persons to come together in an arena freed from the grip of dependencies of need. For Adam Smith, for example, in pre-commercial societies all human social relations were pervaded by exchange relationships: it was only commercial societies that had successfully instituted a distinction between the realms of market exchange and personal relations. According to Smith, commercial societies at once circumscribed the realm of need, consigning it to the market, and simultaneously created a sphere of non-instrumental human relations, governed by 'natural sympathy', the moral affections. Commercial

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[29] See I. Hont and M. Ignatieff (eds.), *Wealth and Virtue: The Shaping of Political Economy in the Scottish Enlightenment* (Cambridge: Cambridge University Press, 1983).

societies thus made possible a higher form of human association, based not upon exclusive and non-voluntary relations (like fictitious kinship bonds or patron–client relations – both forms of human relation typical of pre-commercial societies). In such trading societies, strangers were no longer imponderable and threatening presences: instead, one found here 'authentically indifferent co-citizens – the sort of indifference that enables one to make contracts with all'. The dispersed existence of such 'indifferent strangers' defined the new moral order as a generalized civil society and reinforced (rather than weakened) it, functioning in this way like the market in the economy.[30] The dissolution of older, more intense and exclusive ties by the universalism of sympathy was vital to the movement from barbarity and rudeness to politeness and polish, and it was essential to the creation of the new moral sense required by the emergent commercial society.[31] Commercial society was thus at once a social and economic order as well as a moral order – both being the products of the unintended collective outcome of private actions. This model of universal sociability was able to generate an independent social self-cohesiveness and consistency, collectively beneficial and self-regulating, which could serve to replace the forms of governance associated with pre-commercial social institutions. But it was vital to Smith's purposes to stress that the practical achievement of this model was an unintended outcome of human actions. The point has been well put by Allan Silver:

[T]he moral order, like the wealth of nations, is continuously created by an indefinitely large number of acts as people encounter each other in a field defined not by institutions or tradition, but their own interactions. The causal texture of both branches of Smith's theory, the economic and the social, is identical: desirable aggregate outcomes are the unintended result of an infinity of small-scale exchanges and interactions by ordinary persons. In both, the outcome is other and 'better' than those intended by ordinary persons. Self-interest in the market increases the wealth of all: sociability sustains a universal morality from which all benefit.[32]

For the theorists of commercial society, social practices and institutions – from the intimate connections of marriage and the family, to the wider web of property, and government – were to be understood not purely in terms of utility, of their social function, but of the sentiments which animated them. In place of the Christian conception of a universal community held together by fear of what the afterlife may bring, the eighteenth-century Scottish theorists substituted a wholly secular model

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[30] A. Silver, 'Friendship in Commercial Society: Eighteenth-Century Social Theory and Modern Sociology', *American Journal of Sociology*, vol. 95, no. 6 (1990), pp. 1474–504, at pp. 1482–3.
[31] Ibid., p. 1488.   [32] Ibid., p. 1492.

of the moral order, which saw it 'as created by natural social interactions'.[33]

Commercial society, by enabling the emergence of this new type of relationship governed by natural sympathy, integrated individuals into larger societies, and connected them successively to more inclusive groups. Only in such societies could friendship potentially become a universal relation that might connect all: impersonal markets thus had the unintended but beneficial moral effect of allowing private social relations to be formed, free from the imperatives of rational self-interest and utility.[34] From this perspective the existence of 'strong' and intense social ties as opposed to 'weak' ones, which often appear in locations where the state is weak and ineffective (for example, among the contemporary urban poor), might be viewed as a retreat towards exclusive and involuntary relations based on need: that is to say, as relations characteristic of pre-commercial societies rather than of a civil society.

A distinct point, which follows from the conception of social relations in commercial societies as possessed of a voluntary dimension, manifest in the bond of friendship, is relevant here. The consequences of the commercial society model for political loyalty and allegiance was seen early by Montesquieu, in his discussion of the special character of individual liberty in England.[35] According to Montesquieu, the spirit of independence and individual liberty, characteristic of commercial societies produced not isolation and social solipsism, but a new type of public *moeurs*: it enabled a filigree of relations between individuals to emerge, which endowed social relations with an independent consistency. This social self-cohesiveness could act as a restraining barrier on political power. It produced (and here Montesquieu cited by way of example the English structure of party politics) a self-equilibrating system, which allowed no single party or branch of government to gain enduring dominance. This system was founded on the idea of the mutability of political loyalties: 'as each individual, always independent, would largely follow his own caprices and fantasies, he would often change parties: he would abandon one and leave all his friends in order to bind himself to another in which he would find all his enemies: and often, in this nation, he could forget both the laws of friendship and those of hatred'.[36] This portrayal of the agitation of social interaction within a commercial society, and of the regular reconfiguration of political groups into diverse

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[33] Ibid., p. 1493.   [34] Ibid., p. 1494.
[35] Montesquieu, *Spirit of the Laws* (Cambridge: Cambridge University Press, 1989), bk. 19, ch. 27. See B. Manin, 'The Typologies of Civil Society', paper presented to Civil Society seminar, SOAS and Birkbeck College, University of London.
[36] Montesquieu, *Spirit of the Laws*, p. 326.

and transient majorities, carries an important contemporary lesson, of special relevance to those countries of the South where majoritarian conceptions of democracy, based on permanent and therefore indefeasible majorities, threaten to undermine the very point of democratic politics.

Hegel is the pivotal figure in shaping contemporary understandings of the idea of civil society. Hegel's question, recognizably continuous with that of Locke and the theorists of commercial society, concerned the possibility of creating and sustaining a community under modern conditions. It was in response to this problem that he introduced the distinction between the 'state' and 'civil society'. His solution tried to integrate the individual freedoms specified by the natural law tradition (from Hobbes to Rousseau and Kant) with a rich vision of community, existing under conditions of modern exchange. Influential interpreters such as Manfred Riedel have emphasized the novelty of Hegel's redefinition of civil society: he no longer used it as a synonym for political society, but defined it on the one hand as distinct from the family, and on the other (and most crucially) from the state.[37] Riedel has claimed that for Hegel civil society was the realm of instrumental relations between atomized and isolated individuals, an arena governed by utility. This was a realm devoid of moral qualities, which required management by external principles: the corporations, and the 'police'. Yet, as Gareth Stedman Jones argues, such an interpretation misses Hegel's purposes.[38] For Hegel, civil society was not the object of criticism and antagonism, nor was it one which required external management. On the contrary, it embodied an intrinsically valuable acquisition: it was the space where the higher principle of modern subjectivity could emerge and flourish. But what was lacking, and what Hegel sought to provide, was an adequate conceptualization of this sphere, one which was richer than that found in the natural law tradition, which to Hegel gave too much prominence to the instrumentalities embodied in the contract.

Hegel's conception of civil society derived from the attempt to incorporate what he saw as valuable in modern natural law – above all, the conception of modern liberal individual freedoms – with a vision of moral and political life, the *Sittlichkeit* of community. He arrived at his conception by two means: a revaluation of the concept of labour, whereby he came to emphasize its expressive rather than instrumental significance: and a revaluation of individual subjectivity, which he came to see as based on the dynamics of mutual recognition. Contrary to the

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[37] See M. Riedel, *Between Tradition and Revolution: The Hegelian Transformation of Political Philosophy* (Cambridge: Cambridge University Press, 1984).

[38] G. Stedman Jones, this volume.

assertions of natural law theorists, civil society was not the product of the social institution of natural drives and instincts (for Hobbes, this was the instinct for self-preservation; for Rousseau it was natural inclination). For Hegel, civil society was not merely the system of needs, but equally the sphere of recognition. It was a horizontally rather than a vertically organized model. It enabled the possibility of identification between persons, and enabled connections of mutuality, based on rights and duties: it embodied rationally grounded norms which determined conduct and which required active inculcation. The rational self that inhabited civil society was not, for Hegel, a natural given (as natural law theorists tended to assume), nor could it be engendered as a simple by-product of the instrumental relations of the market and contract. It could only emerge through institutionally mediated cultural and historical processes of interaction, through, above all, processes of social recognition. It was community itself that was the source – and not the outcome – of self-conscious rational being. The system of possession, property, and exchange, universalized across civil society, was an instantiation of this web of recognition, and this universality was made explicit and itself recognized in the state. The state was thus not an externally imposed construct, but rather the ratification of a pre-existing entity.[39] In this way, Hegel proposed a solution to the Christian problem of community: he claimed to have produced a political equivalent of the Christian community, united not by fear of God but by belief in the divinity of the political community itself (like Locke, Hegel too ruled out the possibility of atheism: all had to profess some belief).

II

From this brief and hasty preview of some of the arguments to be found in this volume, some lines of inquiry relevant to current efforts to develop civil societies suggest themselves. These may help to recognize what conditions or capacities are necessary to reduce the chances of a complete breakdown of civility, a reversion to the state of nature. First, civil society is not best thought of as a substantive category, as embodying a set of determinate institutions which exist distinct from or in opposition to the state, and which might be supposed to possess causal independence from the state. An historical perspective should serve to warn against all theoretical models which, for example, posit 'civil society' as a distinct entity that throws up 'inputs' or 'demands' that the state must then service and accommodate (failing which, a 'crisis of governability' is said

[39] Ibid.

to occur).[40] Second, a necessary association between civil society and a specific political form – for example, liberal democracy – cannot be assumed. It may well be that a viable liberal democratic political order is not possible in the absence of a civil society; but, as the East Asian cases make clear, civil societies can live without liberal democracy.[41] Third, it follows that civil society is most usefully thought of as identifying a set of human *capacities*, moral and political. There is little reason to think that we can have a theoretical model which explains retrospectively and guides prospectively the 'transition' to a situation where human beings may have such capacities. Understood thus, civil society is not a determinate end-state, nor can it ever be a secure acquisition for any group of human beings. This provokes a fourth point, which concerns the notion of unintendedness. For the Scottish theorists of the eighteenth century, the emergence of commercial society could be explained as the unintended outcome of numerous individual actions, undertaken for different purposes.[42] 'Every step and every movement of the multitude', Adam Ferguson wrote, 'even in what are termed enlightened ages, are made with equal blindness to the future: and nations stumble upon establishments, which are indeed the result of human actions, but not the creation of human design'.[43] For any prospective inquiry which seeks to specify conditions and actions which could effectively produce a 'transition' to a particular desired outcome (elsewhere originally produced unintentionally), there is a difficulty here which may be logically insurmountable. It is impossible to replicate the initial conditions of action: we now know the outcome desired, and we now act intentionally to bring it about. However, the consequence of such present actions, intended towards a specific end, may in fact produce yet another unintended outcome (alternatively, we may pretend to act unintentionally; but this too cannot replicate precisely the initial conditions).[44]

Nevertheless, are there certain preconditions or prerequisites relevant

[40] For an account which brings out something of the historical specificity of this way of conceiving the relations between state and society, see A. Silver, ' "Trust" in Social and Political Theory', in G. D. Suttles and M. N. Zald (eds.), *The Challenge of Social Control* (Norwood, N.J.: Ablex, 1985), pp. 52–67. This perspective on state–society relations, characteristic of 'systems theory', is implicit in much of the political science literature on development: see, for example, A. Kohli, *Democracy and Disorder: India's Crisis of Governability* (Cambridge: Cambridge University Press, 1990).

[41] Cf. J. Gray, *Post-Liberalism* (London: Routledge, 1993), p. 203: 'Civil society may exist and flourish under a variety of political regimes, of which liberal democracy is only one'; Gray, however, sustains this point with an argument different from mine.

[42] See A. O. Hirschman, 'Rival Views of Market Society', *Rival Views of Market Society and Other Essays* (New York: Viking, 1986).

[43] A. Ferguson. *An Essay on the History of Civil Society* (Edinburgh, 1768, 2nd edn), p. 187.

[44] I am indebted for this formulation of the point to Sudipta Kaviraj.

to the development of the human capacities associated with civil society? What follows is a tentative and provisional set of considerations (made in awareness of Albert Hirschman's warning against the pitfalls of trying to fasten on immutable preconditions and prerequisites).[45] First, civil society presupposes a concept of 'politics': a conception which both specifies the territorial and constitutional scope of politics, and recognizes an arena or set of practices which is subject to regular and punctual publicity, which provides a terrain upon which competing claims may be advanced and justified. That is, it presupposes a conception of politics that embodies a common sense of its purposes, a sense of what it is that individuals and groups are *competing for*, of why they have associated and agreed to compete and disagree. This need not exclusively take the form of, say, participation in the electoral practices of representative democracy, premised on the expansion of a conception of the citizenry. It can involve different and 'informal' ways of entering and acting within the arena of politics.[46] In this respect, even in situations of great social heterogeneity, politics can function not simply to entrench social division, but it can act as a cohesive practice.[47] A conception of politics held in common can encourage potential antagonists to become participants in a common 'game', and require them to justify their claims and demands: a point well demonstrated by A. C. Milner, who in his study of politics in Malaysia has argued that 'politics, perhaps quite unintentionally as far as its practitioners are concerned, may possibly be promoting an element of unity in a much divided society'.[48]

Where such conceptions are unavailable, or where there are deeply divided beliefs about the point of politics, the possibility of civil society is endangered. An example of the first kind is sub-Saharan Africa.[49] Here

[45] See A. O. Hirschman, 'The Search for Paradigms as a Hindrance to Understanding', *World Politics* 32 (April 1970), 329–43.
[46] For interpretations which give centrality to the formation and expansion of a citizenry, through the incorporation of larger and larger numbers into electoral practices, see for example E. Morgan, *Inventing the People: The Rise of Popular Sovereignty in England and America* (London: Norton, 1988): and the articles on Europe and Latin America in *Quaderni storici*, no. 69 (1988). For a quite different argument, which stresses the importance of 'informal' means, such as the expansion of the press and proliferation of associations, in constituting a 'public sphere', see H. Sabato, 'Citizenship, Political Participation, and the Formation of the Public Sphere in Buenos Aires 1850s–1880s', *Past and Present*, no. 136 (1992), pp. 139–63.
[47] For an illuminating theoretical discussion of this point, see A. Pizzorno, 'On the Individualistic Theory of Social Order', in P. Bourdieu and J. Coleman (eds.), *Social Theory for a Changing Society* (Boulder: Westview Press, 1991) esp. p. 225.
[48] A. C. Milner, 'Inventing Politics: The Case of Malaysia', *Past and Present*, no. 132 (1991), pp. 104–29, at p. 104.
[49] See J.-F. Bayart, 'Civil Society in Africa', in P. Chabal (ed.), *Political Domination in Africa* (Cambridge: Cambridge University Press, 1986).

states and their politics have been deeply unstable, and the people who live in these areas seem caught in cycles of authoritarian and despotic rule. As interpreted by Jean-François Bayart, the fundamental explanation of this is the absence of any 'organization principle' for a civil society. 'There is', Bayart notes, 'no common cultural frame of reference between dominant and dominated, and sometimes not even among the dominated'.[50] In the absence of such shared conceptual maps (the lack of which Bayart blames in part on the evasions of African intellectuals), the possibility of devising unitary political capabilities is precluded. But to some, the fact that there are indeed many particular social actors – peasantries and so on – who remain outside politics provides also a glimmer of hope: it is precisely the local forms of association, and the 'cultures of accountability' which exist among such actors, which may provide possible sources for advance towards democracy.[51]

Some have pointed to an analogous difficulty – the absence of a common conceptual map – in the Indian case, though it has arisen by a very different process. Here the point is not that such a common frame of reference never existed; it is, rather, that rival conceptions have entered into lethal confrontation. To construct and sustain such a common frame of reference is evidently a constant and effortful task, and some have laid the blame for the abdication of this task on the shoulders of the Nehruvian elite which dominated the Indian state during the decades immediately after independence.[52] In the Indian case too, an intellectual and conceptual failure has been identified as explaining the breakdown of domestic civility. The consequences of this conceptual neglect have become most apparent in recent decades. The rapid and large-scale entry of agrarian groups into state and national-level politics during the 1980s has had a massive impact on the conduct of parliamentary politics in India.[53] It has highlighted the chasm which exists between elite and vernacular universes of discourse, and it questions the possibility of creating an Indian civil society. An initial condition for a civil society, then, is the availability of a shared conceptual map which describes a collectivity (constituted by, say, 'citizens') and provides them with comprehensible (and plausible) conceptual categories which they can use

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[50] Ibid., p. 117.
[51] Hawthorn, 'Sub-Saharan Africa', esp. pp. 344–5.
[52] Cf. S. Kaviraj, 'On State, Society and Discourse in India', in J. Manor (ed.), *Rethinking Third World Politics* (Harlow: Longman, 1991), pp. 90–1: 'In retrospect, [the Nehruvian elites'] basic failure seems to have been the nearly total neglect of the question of the cultural reproduction of society . . . it neglected the creation of a common thicker we-ness (something that was a deeper sense of community than merely common opposition to the British) and the creation of a single political language for the entire polity.'
[53] See A. Sen, 'The Threats to Secular India', *The New York Review of Books*, 8 April 1993.

to shape their dealings with one another ('rights', 'duties', 'parties', 'interests', 'secularism', 'law', and so on). Here one might adopt the distancing gaze of Michel Foucault (although it does not follow that one need share all his suspicions), and think of civil society as a set of practices which renders human beings governable: that is, as a technique of governance.[54]

A second precondition that a civil society appears to require is the presence of a particular type of self: one that is mutable, able to conceive of interests as transient, and able to change and to choose political loyalties and public affiliations. Such a self must possess the capacity of being open to discursive persuasion and deliberation, and be able to see his or her interests not as pre-given and pre-defined.[55] It must, that is, be a corrigible self, one that can conceive of a distinction or gap between its own identity and its interests. This is not necessarily a liberal conception of the individual self (although it is obviously not unrelated to such a conception). In liberal conceptions, civil society seems to require the presence of a particular type of individual, a rational and interest-maximizing being, who possesses pre-given economic interests which await release and fulfilment. Yet this view of a self or individual guided by rational self-interest is excessively reductive: it would be more useful to speak of a self that is constituted and guided by 'civilized self-interest' – a conception which values restraint. The intimate link between the idea of civil society and individualism which liberal political theory insists upon remains in fact a profoundly unstable relation, since individualism is itself one of the sources which can threaten and undermine the possibility of civil society.

On the other hand, the loyalties of traditional communities can also threaten and undermine. In the non-liberal societies of the South, where individualism is not developed and where family and community structure have only rarely and intermittently enabled the construction of a private self, a central difficulty facing the possibility of civil society is the presence of identitarian solidarities of a sub-national character: that is, solidarities whose primary purpose is to secure recognition of identity, and whose claims are hence absolute and indivisible. Here the category of citizenship is conventionally introduced, despite the fact that modern political theory and practice has repeatedly highlighted the incoherence and instability of this notion. On the one hand the supposed advantages and qualities of citizenship are undermined by individualism.[56] Jean Leca

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[54] See M. Foucault, *Résumé des cours 1970–1982* (Paris: Le Seuil, 1989), pp. 112–13.
[55] See B. Manin, 'On Legitimacy and Political Deliberation', *Political Theory* 15 (1987), pp. 338–68.
[56] Cf. A. Seligman, *The Idea of Civil Society* (New York: Free Press, 1992), esp. chapter 3.

has summarized the common account of how this happens as follows: the individual, whatever his or her origins, is recognized as of value, and so citizenship is extended to all who live within a territory: as a claim to control, especially over the spheres of private and cultural life, it prompts the individual citizen to make more claims and so extends the scope of citizenship. However, this widening of scope, combined with the development of impersonal mechanisms and abstract trust systems like the market, money, large organizations, and bureaucracy, induces feelings of impotence and encourages the decline of public sense among citizens. Unable to understand collective mechanisms and withdrawing from civic participation, the individual citizen now gives priority to one demand over all else and all others, and pursues satisfaction of it: 'from being a vision of the destiny of the city, the political becomes the system of mediation of the most divergent social demands, and the private takes precedence over the public as the goal of citizenship activity, as the public takes precedence over the private as a mode of resource allocation'.[57]

On the other hand, widening the scope of citizenship can corrode the quality of civility (distinct from 'civic sense'), a quality vital in situations of social heterogeneity. Civility allows a degree of mutual recognition between individuals of different social groups. But as Leca puts it, 'Civility, which is essential to citizenship, can, paradoxically, be better maintained when citizenship itself does not exist' – that is, when different competitive logics exist. Take the case of India, with its peculiar form of social pluralism. Prior to the emergence of a unitary state, and the requirement that this be constituted by particular types of individual, by 'citizens', society here was constituted by groups (defined by complex permutations of religious belief, caste position, and so on). These were situated in positions of adjacency to one another, pursuing different goals by different logics.[58] This was a distinctive, non-liberal form of pluralism. But the intensifying struggle for goods and resources which are dispensed by the state and are linked to citizenship (such as secure state employment, education, and so on), within a nation which has very differentiated social groupings and great economic disparities, can destroy civility, as it disaggregates existing groups and reconstitutes them as political agents. In such situations civility is maintained either where groups retain their separate identities and the ability to pursue their own purposes by their own logics, or where ideological forms such as nationalism can create political communities that are culturally homogeneous (or at least elites who share a political imagination).

[57] J. Leca, 'Individualism and Citizenship', in P. Birnbaum and J. Leca (eds.), *Individualism* (Oxford: Oxford University Press, 1990), pp. 161–2.

[58] S. Kaviraj, 'On State, Society and Discourse'.

A third, equally problematic, precondition is an institutionalized dispersal of social power. This is usually accomplished by means of a legal structure of property rights, and a system of markets where such rights can be exchanged, as well as by legal recognition of political associations and voluntary agencies. But there is a double exigency here, since in order to achieve such a dispersal of power, a strong and effective state is also needed: one that has precisely the capacity neutrally to enforce law and to regulate social interaction. Indeed, such a *Rechtstaat* or legal-constitutional state might in some capacity wish – and need – to regulate the accumulations of social power which markets can also encourage.

This range of divergent requirements embodies a dilemma that faces all those states in both the East and the South which seek to negotiate 'transitions' to democratic and market systems – which hope to establish both democracy and capitalism. In the South, 'civil society' has come almost exclusively to mean all those forces and agencies which oppose the state and its efforts at regulation: it has been used to describe agents and practices which wish to 'recapture' areas of life from the state. Yet, as the contributions to this volume make clear, this stark opposition between civil society and state is not the most helpful one. If conceived in this way, as naming a kind of spontaneous order set apart from the structures of the state, then civil society drifts towards political indeterminacy. It may, for example, be used to affirm a conception of a liberal *Rechtstaat* which can act to restrain what are taken to be pernicious aspects and practices of the state itself. But, besides this secular and liberal view, it can also be appropriated by those wishing to legitimate distinctly non-liberal goals and practices. Indeed, in this manner the appeal to civil society may be nothing less than a demand that the state be subordinated to a civil society which is proposed as a terrain of authenticity and special intimacy, one uncontaminated by government and located outside its regulation. As Sami Zubaida shows in his discussion of Egypt, for instance, two drastically opposed conceptions of civil society circulate in critical intellectual discourse, a 'secular-liberal' and an 'Islamic-communal' one: and they do not stand in a symmetrical relation to democratic politics.[59] The first presses the case for legal recognition of voluntary civil associations (political parties, unions, pressure groups). The second delimits as 'civil society' a space of practices and activities unregulated by the 'legal-constitutional' state, but which conforms to interpretations of Islamic tenets: it wishes to develop a rich system of

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[59] See S. Zubaida, this volume.

religious, communal, and business networks, an 'Islamic sector' of the economy and society.

New states have had enormous demands placed on them simultaneously: to ensure their own security, to legitimate themselves through the practices of modern democratic politics, and to tend to the welfare of their citizens. In older states, such demands have been lodged sequentially, not simultaneously. On occasion, new states have been altogether extinguished by the weight of these demands or, more usually, they have succumbed to despotic ambitions. States in the South are characterized by a political oddity: although they may be accorded all the trappings of fully sovereign states, they are often unable to exercise control and command over their own populations and territories: domestically, they are deeply ineffective.[60] To its original historical exponents, civil society represented a moral community, a legitimate political order. In situations where many states in the South are 'quasi-states', modelling relations between state and civil society in terms of an opposition between the two can be misleading, obscuring the ways in which civil society, far from designating a world of spontaneous arrangements, is in fact constitutively intermeshed with the state. In many such locations, it is precisely the absence of an effective state that leaves human beings in what are approximations to the state of nature. In the South, it is certain capacities of the state which simultaneously require both development and moderation: they require development precisely in ways which are self-moderating, self-limiting. The extent and kind of civil society which one is likely to find in such areas – whether religious and communal or secular, whether constituted by groups seeking inclusion in or separation from the state – will as Geoffrey Hawthorn has argued, directly vary with and depend on the nature and success of the state in question.[61]

To focus, for example, on 'social movements' which exist outside 'high politics' and the party system as the crucial agent for the creation of a civil society and 'democratization' yields an overly partial perspective. Political legitimacy under current conditions is usually accorded to states where the chance to exercise state powers is decided by periodic electoral competition between political parties. Modern political parties, although they have generally shown little success in being able to maintain themselves as durable structures of trust, are a crucial point of articulation between civil society and the state. They have an amphibious status, existing on both terrains: they represent each to the other. Classical ideas

[60] See R. H. Jackson, *Quasi-states: Sovereignty, International Relations, and the Third World* (Cambridge: Cambridge University Press, 1990).
[61] G. Hawthorn, this volume.

of civil society contained a conception of how it was represented politically, and this must remain essential to any plausible modern versions of the idea. Corporations, associations, political parties – all are units which aggregate individuals, which achieve unitary political form, and which possess unitary political capabilities. Yet recent advocates of the idea of civil society altogether eschew discussion of political parties, in favour of an exclusive focus on social movements.[62] Although this is perhaps a perspective peculiar to American radicals, it is by no means restricted to them, and it avoids questions about the abilities of social movements to secure both stable and durable institutional form and to embody self-limiting properties: if they are to govern, what governs them?

Current understandings of civil society invariably see it as essentially a category of domestic political space. The term is used to identify and privilege agencies – markets, social movements, cultures – whose effective political causality is heavily local. Yet every local and domestic space, every nation-state, is today rocked by causalities which escape its bounds and which condition the possibility of its continuing viability as a habitat for civil human relations. In the task of developing viable and durable democratic politics in the South, the idea of civil society is hardly a self-sufficing one, let alone a fundamental 'key'. It is best thought of as a complicating term, one that embodies a range of historical idioms intended to establish a legitimate political order. Recovering its rich and unshapely forms in the history of Western political thinking can help to clarify why the project of constructing and sustaining democracy today is so vexed, why it can never be merely a question of introducing forms of competitive politics, or of establishing markets. Attention to the historical development of the concept of civil society identifies a host of requirements (not specified merely in institutional terms), precariously available at the best of times, which are necessary to develop and sustain civil human relations in developing societies.

[62] See Cohen and Arato, *Civil Society and Political Theory.*