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# Some Propositions about Civil Society and the Consolidation of Democracy

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# **Some Propositions about Civil Society and the Consolidation of Democracy**

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# Abstract

»Civil Society« is a concept that has been much discussed in relation to the processes of democratization in Southern Europe, Latin America and, especially, in Eastern Europe. Despite widespread recognition of its potential importance, scholars have not agreed on how to define it, nor are they sure what the specific nature of its contribution can be.

This essay, is an attempt to pin down the meaning of civil society and the role that it can play in facilitating the consolidation of democracy. Emphasis is placed on four characteristics of intermediary organizations: their dual autonomy from both the state and primary social units of production and reproduction; their capacity collective action in defense of the interests and passions of their members; their limitation with regard to governing the polity as a whole; and, their willingness to act »civilly«, i.e. within pre-established rules of exchange and influence.

After exploring its relationship with social movements and political parties, attention is focused primarily on the emergent properties of individual interest associations and of the systems of interest intermediation they form. Hypothetically, it is suggested that variables such as the number of associations, their density of membership, the breadth of their respective domains and of their coverage of interests/passions, the extent of associational monopoly and the pressure of higher-order coordination mechanisms combine (admitted in a variety of ways) to determine the structural context within which these organizations can serve to link citizens and public authorities. Strategic capacity, encompassingness, class governance and congruence are offered as the key conditions which determine the strength or weakness of civil society.

A series of hypotheses are proposed which link (positively and negatively) the relative strength of civil society to success or failure in the effort to consolidate democracy.

Furthermore, it is argued that civil society is not an automatic or unreflexive product of capitalism, urbanization, literacy, social mobilization, economic growth – i.e. of development – although it is encouraged by all of the above. Rather, its emergence requires explicit policies by public authorities and implicit practices by private (re)producers. After a brief discussion of what these policies may be, the article concludes with some reflections of the changing international context and on the relevance of civil society in places and cultures far removed from its historic heartland: Western Europe.

## Preface

This paper was originally presented at the Conference on »Reconfiguring State and Society« at the University of California, Berkeley, on 22–23 April, 1993. Although it was written in a hurry and lacks the usual protective apparatus of footnotes and references, I am pleased to offer it to the *Political Science Series* of the Institute for Advanced Studies in the hope that it will contribute something to the lively, but still inconclusive debate about the importance of civil society for the consolidation of democracy in Eastern Europe. To my seminar students at the Institute and, especially, to Andreas Schedler, I would like to express my thanks for such a stimulating visit to Vienna.

# I.

**The presence of a civil society (or, better said, of some degree, distribution or type of civil society) contributes positively to the consolidation (and, later, to the persistence) of democracy.**

## 1. Non-causality

Civil society contributes to – but does *not* cause – the consolidation of democracy. It cannot unilaterally bring about democracy, or sustain democratic institutions and practices once they are in place. Ergo, civil society acts along with other institutions, processes and calculations in the democratic process.

## 2. Civil Society

»Civil society« (hereafter, CS) is here defined as a set or system of self-organized intermediary groups:

(1) that are relatively independent of both public authorities *and* private units of production and reproduction, i.e. of firms and families;

(2) that are capable of deliberating about and taking collective actions in defense/promotion of their interests/passions;

(3) but do *not* seek to replace either state agents or private (re)producers or to accept responsibility for governing the polity as a whole;

(4) but *do* agree to act within pre-established rules of a »civil« or legal nature.

CS, therefore, rests on four conditions or norms:

(1) dual autonomy;

(2) collective action;

(3) non-usurpation;

(4) civility.

These must be practiced within civil society by its intermediary units *and* respected by both public authorities and private (re)producers. The mere existence of intermediary organizations is necessary, but not sufficient evidence for the existence of a CS since these units can be manipulated by public or private actors and they can be mere facades masking actions by social groups intended to usurp power from legitimate state authorities or to exert domination over other social groups in »uncivil« ways.

## 3. Consolidation of Democracy

»Consolidation of democracy« (hereafter, CoD) could be defined as the process of transforming the accidental arrangements, prudential norms and contingent solutions that have emerged during the transition from autocracy into relations of cooperation and competition that are reliably known, regularly practiced and voluntarily accepted by those persons or collectivities, i.e. politicians and citizens, that participate in democratic governance. If it sets in, the democratic regime will have institutionalized uncertainty in certain roles and policy areas, but it will also have reassured its citizens that the competition to occupy office and/or to exercise influence will be fair and circumscribed to a predictable range of outcomes. Modern, representative, political democracy rests on this »bounded uncertainty« and the »contingent consent« of actors to respect the outcomes it produces.

The core of the consolidation dilemma, then, lies in coming up with a set of institutions that politicians can agree upon and citizens are willing to support. Arriving at a stable solution, especially in the climate of exaggerated expectations that tends to characterize the transition, is no easy matter. Not only are the choices *intrinsically conflictual* – with different

parties of politicians preferring rules that will ensure their own re-election or eventual access to power, and different groups of citizens wanting rules that will ensure greater accountability of their professional agents – but they are also *extrinsically consequential*. Once they are translated *via* electoral uncertainty into governments that begin to produce public policies, they will affect rates of economic growth, willingness to invest, competitiveness in foreign markets, distributions of income and wealth, access to education, perceptions of cultural deprivation, racial balance, and even national identity. To a certain extent, these substantive matters are anticipated by actors and incorporated in the compromises they make with regard to procedures, but there is lots of room for error and unintended consequence. In the short run, the consolidation of democracy depends on actors' and citizens' ability to come up with a solution to their intrinsic conflicts over rules; in the long run, it will depend upon the extrinsic impact that policies made under these rules will have upon groups within a (hopefully) civil society.

#### 4. Degree

»Degree« implies that CS never completely monopolizes the interaction between individuals/firms and the state, but operates alongside such direct contacts and actions in differing mixes of efforts to influence the course of public policy. The more these efforts are channelled through intermediary organizations, the greater is the degree of civil society and, by implication, the easier it will be *ceteris paribus* to consolidate democracy.

#### 5. Distribution

»Distribution« implies that the attributes of CS may be more applicable to some subsets of interests/passions rather than to others. Standard usage has focused on the intermediation of functionally-based lines of cleavage in society: classes, sectors and professions and the desirability that their particularly salient conflicts be processed through such channels, although as the bases of conflict shift within a given society, it may become equally imperative that »other« interests and even passions be represented in this fashion.

(As the students in the Institute seminar reminded me, my emphasis on the »functional« domains of class, sector and profession tends to ignore both the issues and the forms of collective action associated with so-called »new social movements«. Despite its old-fashioned tone, I continue to believe – with James Madison and Karl Marx – that property and the organization of production provide the most enduring forms of cleavage and structuration in society and that, until and unless these are incorporated on a regular basis within the political system, it will be impossible to consolidate any type of democracy. I would readily concede, however, that the emergence of passionate causes rooted in gender, the environment, ethnic discrimination and/or national consciousness could make this task much more difficult and even overwhelm it).

#### 6. Type

»Type« implies that the norms of autonomy, collective action, non-usurpation and civility can be embodied in quite different ways to produce different general configurations or »systems of intermediation«. The most widely discussed of these has involved the ideal-typical distinction between *pluralism* and *corporatism*. The additional implication is that both of these configurations (as well as several intervening points on the continuum between them) are compatible with the CoD, but that their presence will have a significant impact upon the performance, distribution of benefits and »quality« of the democracy that emerges.

## II.

**The existence of civil society is not a pre-requisite either for the demise of autocracy or for the transition to democracy. Rarely have actors in civil society alone brought about such a change in regime.**

### 1. The Resurrection of Civil Society

However, the transition to democracy is almost invariably accompanied by a »resurrection of civil society« (even where none may have existed before). This usually occurs *after not before* the transition has begun.

### 2. The Decline of Participation

Much of the original impetus will take the form of relatively spontaneous movements, but with the convocation of elections during the transition attention tends to shift dramatically toward political parties. After the »founding elections«, however, as the polity settles into the trenches of more routinized conflict, the process of consolidation tends to bring out the role of interest associations.

This can lead to a certain confusion about the nature of civil society in neo-democracies since there may be a temptation initially to identify its presence or strength by the spontaneity of social movements and the enthusiastic participation of citizens in them. This is bound to decline:

(1) because the mere advent of democracy satisfies some of the most »passionate« revindications of movements;

(2) because the process of consolidation encourages individuals and social collectivities to pursue more »private-regarding« interests and to »free-ride« on the efforts of others;

(3) because the mechanisms of modern democracy tend to privilege territorially- and functionally-based interests (hence, political parties and interest associations) over thematically-based causes (i.e. »single-issue movements«).

The important generality to keep in mind is that civil society is composed, not of a single type of intermediary organization, but of a variety of types of them, and that this mix should be expected to shift over time in response to changes in the substance and intensity of conflict, as well as the stage of democratization.

## III.

**The presence of a functioning party system (of whatever type) is not alone direct evidence for the existence of a civil society since political parties are not likely to be able to monopolize the organized intermediation between individuals/firms and public authorities.**

### 1. Changes in the Role of Parties

No doubt, the functioning of a viable, competitive party system will benefit from the presence of a CS – for reasons explicated below – but such a system can hardly be expected to reflect all of its interests and passions, least of all, in the often lengthy period between elections. Parties will seek to penetrate and even to subordinate the core institutions of CS, i.e. its associations and movements, but there are several reasons to suspect that they have diminished considerably in their capability for aggregating its interests and passions through their programs, platforms and ideologies.



Very substantial changes have taken place in the nature and role of parties in well-established Western democracies. It would be anachronistic to presume that parties in today's neo-democracies will have to go through all the stages and perform all the functions of their predecessors. Today's citizens – even in polities that have long suffered under authoritarian rule and have no prior history of civil society – have quite different organizational skills, are less likely to identify so closely with partisan symbols or ideologies, and defend a much more variegated set of interests. Moreover, the new regimes are emerging in an international environment virtually saturated with different models of successful collective action. All this may not preclude a hegemonic role for parties in the representation of civil society, but it does suggest that they will be facing more competition from interest associations and social movements than their predecessors, and that we should revise our thinking about democratization accordingly.

## 2. Channels of Representation

Modern democracy is a very complex set of institutions involving multiple channels of representation and sites for authoritative decision-making. Citizenship, its most distinctive property, is not confined to voting periodically in elections. It also can be exercised by influencing the selection of candidates, joining associations or movements, petitioning authorities, engaging in »unconventional« protests, and so forth. Nor is the accountability of authorities only guaranteed through the traditional mechanisms of territorial constituency and legislative process. Much of it can circumvent these partisan mechanisms and focus directly through functional channels and bargaining processes on elected or appointed officials within the state apparatus.

## 3. Partial Regimes

For these reasons, modern democracy should be conceptualized, not as »a regime«, but as a composite of »partial regimes«, each of which has been institutionalized around distinctive sites for the representation of social groups and the resolution of their ensuing conflicts. Parties, associations, movements, localities and various *clientele* compete and coalesce through these different channels in efforts to capture office and influence policy. Authorities with different functions and at different levels of aggregation interact with these representative and could legitimately claim accountability to different citizen interests (and passions).

Constitutions, of course, are an effort to establish a single, overarching set of »meta-rules« that would render these partial regimes coherent, by assigning specific tasks to each and enforcing some hierarchical relation among them, but such formal documents are rarely successful in delineating and controlling all these relations. The process of convoking a constituent assembly, producing an acceptable draft and ratifying it by vote and/or plebiscite, undoubtedly, represents a significant moment in democratic consolidation, but many partial regimes will be left undefined. For it is precisely in the interstices between different types of representation in civil society that constitutional norms are most vague and least prescriptive. Imagine trying to deduce from even the most detailed of constitutions (and they are becoming more detailed) how parties, associations and movements will interact to influence policies. Or trying to discern how capital and labor will bargain over income shares under the new meta-rules.

If political democracy is not a regime but a composite of regimes, then the appropriate strategy for studying the relationship between its consolidation and civil society would be disaggregation. Not only is this theoretically desirable, but it also makes the effort more empirically feasible. In Figure One, I have attempted to sketch out the property space

would be involved and to suggest some of the specific partial regimes that are likely to emerge. On the vertical axis, the space is defined in terms of the institutional domain of action, ranging from authoritatively defined *state agencies* to *self-constituted units of civil society*. Horizontally, the variance concerns the power resources that actors can bring to bear on the emerging political process: *numbers* in the case of those

**Figure One**

relying primarily on the counting of individual votes; *intensities* for those that are based on weighing the contribution of particular groups of citizens. Competing theories of democracy: liberal-statist, majoritarian-consociational, unitary-federal, presidential-parliamentary have long argued the merits of particular locations in Figure One. All are potentially democratic (provided they respect the overarching principle of citizenship and the procedural minima of civil rights, fair elections, free associability, etc.).

#### 4. The Over-representation of Dominant Interests

In response to the opportunities (and threats) of democratization, individual associations are likely to have to change significantly in their internal structures and operative practices. Some will make every effort to retain the organizational advantages they enjoyed under the previous autocracy; others will seize upon the chance of establishing a new relationship with their members and inserting themselves independently into the policy process. Here, there is a deep-seated irony since those groups in CS that are in greatest need of collective action, i.e. those with numerous, dispersed and relatively impoverished individuals as potential members, are the least likely to be successful in attracting these members on a rational and voluntary basis. The small, concentrated and privileged groups should have less difficulty in generating resources under democratic conditions. Not only do they need them less (since their members may have adequate resources to act individually), but they were usually the privileged interlocutors and beneficiaries of the previous autocracy. Left to its own devices, then, the new »liberal« associability could produce a systematically skewed over-representation of dominant class, sectoral and professional interests. Subordinate groups have, of course, the new resource of voting between competing parties to pursue their general interests, but they may have to rely on the state recognition, licensing and subsidization characteristic of the *ancien regime* to participate effectively in the democratic game when it comes to advancing their more particular interests. The practical temptations of neo-corporatism, in other words, may outweigh the ideological attractions of pluralism.

#### 5. Direct Membership Organizations

First, let us turn briefly to some *properties of individual, direct membership organizations* representing the interests of business, labor and agriculture that may change with the advent of democracy:

(1) *Number*. Theoretically, this should be unlimited under the newly acquired twin freedoms of association and petition. As James Madison put it so bitterly about his fellow citizens, »the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts«. Indeed, his pluralist formula was designed to increase the potential number by multiplying the levels of authority around which they could form, as well as placing no barriers to their continual fragmentation. Several factors, however, may either raise the threshold of association formation for specific social groups, or restrict access to bargaining arenas by those that do manage to get organized. Here is where public policies, either held over from the previous regime or created anew under the new democratic regime, can be expected to play a crucial role. Linked to this basic condition are subsidiary questions of whether the associations are new or merely re-baptized versions of previous ones; whether their formation is spontaneous or sponsored (and, if so, by whom); and whether they tend to emerge early or late in the process of transition.

(2) *Member Density*. According to liberal democratic theory, the proportion of those eligible to join and contribute to this form of collective

action who actually do so is supposed to be determined only by the rational and independent calculation of individuals. In fact, the usual social and economic »filtering mechanisms« are often supplemented by deliberate public and private actions. This leads to the murky area of outside sponsorship by political parties, statutory obligations by state agencies (*vide* chamber systems for capitalists and agriculturists, closed shops and union taxes for workers) and even more subtle forms of fiscal discrimination, licensing, export certification, subsidized services and outright coercion – all of which can bind various social and economic categories to their respective units of representation in ways they do not freely choose, but which have been accepted as compatible with democratic practice.

(3) *Representational Domain*. According to the usual canons of democracy, interest associations (old or new) should be able to determine by themselves whom they wish to represent. They set the limits on whom they attempt to recruit as members and what they purport to speak for. Rarely, however, is this the case. Under state corporatist auspices – the usual inheritance from authoritarian rule – these domains were specified by law or administrative regulation. Interests had to be organized by economic sector or professional specialization; to have adopted a given territorial format; to have restricted themselves to a certain level of interaction; and to perform a prescribed set of tasks. Conversely, certain domains and activities were proscribed, as were specific political, ideological or cultural affiliations. These are organizational »habits« that may decay slowly, even when the original measures are revoked.

## 6. The Definition of Interests

Whatever the inheritance and the inertia, countries are likely to vary considerably in the way interest domains are defined. Two dimensions seem especially crucial for future democratic practice:

(1) the *degree of specialization* into functional (e.g. product, sector or class), territorial (e.g. local, provincial or national) and task (e.g. trade vs. employer associations, unions oriented toward militant action vs. those oriented toward the provision of services) domains;

(2) the *extent of discrimination* according to individual member characteristics such as size of firm, level of skills, public-private status, religious belief, ethnicity, party affiliation, etc.

Summarizing this »bundle« of characteristics relative to individual associations, the two emergent properties that seem to make the most difference for the consolidation of different types of democracy could be called *strategic capacity* and *encompassingness*:

(1) Are these newly created or recently renovated organizations sufficiently resourceful and autonomous to be able to define and sustain a course of action over the long-run that is neither linked exclusively to the immediate preferences of their members nor dependent upon the policies of parties and agencies external to their domain?

(2) If this is the case, how broad a category of represented interests can be covered by any given organization or coordinated by peak associations through hierarchical arrangements?

*Where politics acquire class, sectoral or professional associations with both strategic capacity and encompassing scope, these units of civil society play a more significant role in the consolidation process than where a great multiplicity of narrowly specialized and overlapping organizations emerge with close dependencies upon their members and/or interlocutors. Pluralist associations, in other words, weaken the role of interest intermediaries; corporatist ones strengthen it.* This difference also affects the probability of establishing stable partial regimes and, hence, the type of democratic regime. For example, the chance of creating viable *concertation regimes* linking associations directly with each other and/or to state agencies seems contingent on the development of strategic capacity and

encompassingness. Furthermore, once concertation is initiated, it will tend to encourage »participant associations« to acquire even more autonomy from members and party interlocutors and to extend their scope to bring wider and wider interest domains under their control. At the extreme, the neo-democracy could become populated with a series of »private interest governments« in sensitive policy areas, with profound consequences for political parties, local clienteles and the legislative process, as well as for the overall governability of the political order.

## 7. Systems of Interest Intermediation

The second set of emergent characteristics refers to what one may loosely term, the *system of interest intermediation*. The impact of organized interests in civil society upon the type of democracy cannot be assessed by merely adding together the associations and movements present in a given polity, but must also take into account the properties that emerge from their competitive and cooperative interaction. To keep the discussion focused, let us again concentrate on just the three most salient dimensions:

(1) The first is *coverage*. What social groups are organized into wider networks of collective action, which operate strictly on their own, and which are completely left out? The usual decision to privilege class, sectoral and professional groups implies a biased assessment that these, among all the varied interests in CS, are likely to make the most crucial decisions with regard to partial regime consolidation and, eventually, the type of democracy. In the narrow sense, the issue is whether identifiable segments or factions of these interests (»potential groups« in the pluralist jargon) fail to organize – or do so to a degree appreciably lesser than would appear possible. Is this due to the persistence of repressive measures (e.g. prohibitions on the unionization of civil servants or the organization of shop-floor units of worker representation), to a strategic calculation that their interests would be better promoted/defended through other means of collective action (e.g. political parties, informal collusion or clientelistic connections), or to a structural incapacity to act under the new conditions of voluntarism and competitiveness? Granted that it may be difficult to assess counterfactually the presence of interest categories that »exist but do not act« and to reconstruct the logic that leads conscious and active groups to be satisfied through one mode rather than another of representation, but a comprehensive assessment of the coverage of emergent interest systems requires at least some effort in this direction – if only because of the hypothesis that democracies will face serious problems of legitimacy and governability if they exclude (or simply ignore) such potentially active social groups.

The problem is exacerbated when one shifts from this narrow class and sectoral focus to the much broader question of the coverage of »other« interests (not to mention, passions), i.e. those people who are poor, aged, sick, unemployed, illiterate, dwelling in slums, foreigners deprived of decent treatment, natives suffering from ethnic, linguistic or sexual discrimination, anxious about environmental degradation, concerned about world peace or the rights of animals, *e cosi via*. Here, there can be no initial presumption that collective action will take the rather limited and specialized form of associability. Their demands may be better addressed *via* political parties (if they are voters), religious institutions (if they are believers), local governments (if they are spatially concentrated) or state agencies (if they are designated clients). They can also form their own social movements, with both an agenda and a means of action that may not be compatible with the more narrowly constrained scope of interest organizations.

(2) The second emergent property is *monopoly*. The advent of democracy should encourage competition among groups in civil society for members, for resources and for recognition by, as well as access to,

authorities. It does not, however, make it imperative or unavoidable. The usual assumption is that the previous authoritarian regime – if it did not suppress associability altogether for specific groups – compelled them to act within a singular, monopolistic, state-recognized (and often state-controlled) organization. Whether this situation persists after that regime has fallen seems to be contingent on political factors that assert themselves during the transition and that can have a lasting effect. By far the most salient, especially with regard to trade unions, is the emergent structure of competition among political parties. Rivalry between ideological »camps«: Communists, Socialists and, occasionally, Christian Democrats, over worker affiliation often antedates the demise of authoritarian rule, but it may be only after electoral politics has been restored that it can become sufficiently salient to split more-or-less unitary workers' movements. Business and professional associations have historically been less organizationally affected by partisan divisions – even when their members voted for competing parties – but they have sometimes been fragmented by linguistic or religious differences. Far more divisive for them has been the conflict of interest between small, medium and large enterprises – analogous to the difficulties of containing white and blue collar workers within the same peak association or of working out »non-raiding agreements« between unions representing differing skill levels. Regionalism and »micro-nationalism« can also lead to situations of competition for members or access – often under quite uncivil norms.

Whatever the source, the emergent post-authoritarian system will possess varying degrees of »monopoly power« in the representation of interests – and this will be crucial for the formation of partial regimes. Oftentimes, this will prove difficult to assess for the simple reason that associations may appear to have defined their domains in ways that imply competition, while in practice coming to less obtrusive arrangements under which they agree not to try to lure away each other's members, or to share key resources and even leaders, or to engage in a subtle division of labor vis-à-vis potential interlocutors. For example, capitalists in northern and central European countries are organized into separate hierarchies of trade and employer associations that seem to be competing for member allegiance and political access. Upon closer examination (and despite some past conflicts), this turns out to be a quite stable division of labor that lends considerable flexibility and »redundant capacity« to that class' defense of its interests.

(3) The third system property is *coordination*. Single associations tend to have a limited span of control and capacity for managing interest diversity. The age-old quest for »One Big Union« has gone unfulfilled for workers, although capitalists and farmers have sometimes come closer to that goal. In order to represent more comprehensive categories, the usual technique has been to create »associations of associations«. These peak organizations (*Spitzenverbände* is the incomparable German phrase) may attempt to coordinate the behavior of entities within a single sector (e.g. the entire chemical industry), a whole branch of production (e.g. all of industry) or the class as a whole (all capitalists, workers or farmers irrespective of branch or sector). They may cover a locality, a province or region, a national state or even a supranational unit such as the European Community. Their success in effectively incorporating all relevant groups and forging a unity of action among them also varies from very incomplete and loose confederal arrangements in which members retain their financial and political autonomy and are moved to common action only by exhortation or the personal authority of leaders, to highly centralized and hierarchic bodies with superior resources and even a capacity to discipline all class or sectoral interests that refuse to follow an agreed-upon policy line.

The attainment of such a high coordinative capacity is not attained without struggle or, at least, never without significant threats to the interests at stake. This is obviously easier to do where the scope is purely local and

the sector quite narrow – for at these levels the mutual effects of small numbers and close social interaction can be brought to bear. To accomplish such feats on a national and class basis requires much greater effort. Normally, it comes only after the building blocks – the direct membership local and sectoral associations – have been created, but this tends to make the subsequent subordination of the latter more difficult. In some cases, the heritage of centralization from the immediately preceding state corporatist experience may facilitate such an outcome.

## 8. Inter-organizational Systems

If *strategic capacity* and *encompassingness* were the two composite, emergent properties of individual associations within civil society that seemed most relevant, the two that best define the nature of inter-organizational systems of interest intermediation are *class governance* and *congruence*.

(1) Class governance is the capacity to commit a comprehensive social category – e.g. all owners of productive property, workers in all industries, self-employed in all sectors – to a common and long-term course of action and to be able to assure that those bound by such a policy do indeed comply with it. Theoretically, this could be accomplished by a political party, although the logic of continuous electoral competition tends to undermine this for manual workers – and parties have almost never performed this function for capitalists. In practical and contemporary terms, if class governance is to become a property of civil society and the political order, it is a set of interest associations (or even a single peak association) that will have to do the job.

(2) Congruence refers to the extent to which the coverage, monopoly status and coordinative capacity of one class, sector or profession within civil society are similar to others. One could postulate an underlying trend in this direction, especially between clusters of associations that represent conflicting interests. Nevertheless, in historical terms, some may take the lead in experimenting with (and, occasionally, borrowing from abroad) novel forms of self-organization that subsequently diffuse to their opponents or imitators. Given the high uncertainty of the transition period, incongruence would seem a rather normal state and the question would be whether this tends to diminish during the course of democratic consolidation.

## IV.

**The presence of civil society contributes to the consolidation of democracy through the several processes. Civil society, however, is not an unmitigated blessing for democracy. It can affect the consolidation and subsequent functioning of democracy in a number of negative ways.**

### 1. Positive Contributions

The presence of civil society contributes to the consolidation of democracy through the following processes:

(1) It stabilizes expectations within social groups and, thereby, presents authorities with more aggregated, reliable and actionable information with which to govern;

(2) It inculcates conceptions of interest and norms of behavior that are civic, i.e. that are mindful of the existence of the unit as a whole and respectful of the democratic process;

(3) It provides channels for self-expression and identification that are more proximate to individuals and firms and, hence, less alienating to use when making demands, especially upon remote central-national officials;



(4) It serves to govern the behavior of its members with regard to collective commitments, thereby, reducing the burden of governance for both public authorities and private producers;

(5) It provides important, but not unique, reservoirs of potential resistance to arbitrary or tyrannical action by rulers – whether by illegitimate usurpers or intolerant majorities.

## 2. Negative Effects

Civil society, is not an unmitigated blessing for democracy. It can affect the consolidation and subsequent functioning of democracy in a number of negative ways:

(1) It can make the formation of majorities more difficult, lengthy and precarious, thereby, lowering the legitimacy of democratic governments;

(2) It may build into the policy process a systematically biased distribution of influence, especially where its formative principles are strictly liberal, i.e. individualistic and voluntaristic. (As one North American critic – E. E. Schattschneider – put it: the problem with the interest group chorus in the United States is that it sings in an upperclass accent);

(3) It tends to impose an elaborate and obscure process of compromise upon political life, the outcome of which can be policies which no one wanted in the first place and with which no one can subsequently identify;

(4) It can reinforce the tendency toward »pork-barrel« solutions whereby each association or movement satisfies its interests/passions at the expense of the unit as a whole with the end result being an inefficient and inflation-prone economy;

(5) Most dangerously, »it« may prove to be not one but several civil societies – all occupying the same territory and polity, but organizing interests and passions into communities that are ethnically, linguistically or culturally distinct – even exclusive. (The historic solution in Western Europe to this »pillarization« of CS has been consociationalism or *Proporz-demokratie*, but this may not be an option for most neo-democracies which might, therefore, have to face the difficult prospect of secession).

Any given civil society will produce a mixture of the effects noted above. Nothing *a priori* guarantees that the positive ones will outweigh the negative ones, although that has been the European experience *over the long run*. (Many authors – and, most prominently, Jürgen Habermas – have presumed that the mere presence of a civil society would ensure the existence of a »public space« within which matters of concern to the polity as a whole will be debated openly and binding agreements be reached consensually. For the negative reasons sketched above, I am skeptical of this assumption. Everything will depend on the individual and systemic properties of the associations and movements that emerge. If they are small enough in number, encompassing in their domains, balanced in their capabilities, capable of governing their members' behavior and congruent in their configurations, then, there may be a greater chance that they will contribute to promoting a »social dialogue« inside or outside such public institutions as the parliament. If not, they may just [re]produce a set of squabbling, self-interested organizations which are individually and collectively incapable of agreeing upon a common course of action and the so-called »public interest« will only be the mechanical vector of their conflicting demands. Unfortunately, most actors in contemporary neo-democracies are likely to be affected by short-term and egoistic calculations under conditions of high uncertainty and, hence, are unlikely to be able to see – much less to agree upon – the long-term desirability of constructing a distinctive public space.)

If the above conceptualization of the problem has any validity, it should be possible to assess the probable outcome by monitoring the properties for *strategic capacity, encompassingness, class governance* and

*congruence* that emerge during the process of regime change. These, in turn, depend on the more discrete characteristics that individual associations and movements are acquiring, i.e. their *numbers*, *densities of membership* and *domains of representation*, as well as upon the emergent macro-characteristics of the system of intermediation: its *coverage of interests/passions*, its *extent of monopoly* and its *degree of coordination*.

## **V.**

**The civil society is not an automatic or unreflexive product of capitalism, urbanization, literacy, social mobilization, empathy – i.e. of development – although it is encouraged by all of the above. Rather, its emergence requires explicit policies by public authorities and implicit practices by private (re)producers.**

## 1. Rights and Obligations

The public policies involve a complex mix of rights and obligations which have varied considerably historically and, hence, are difficult to generalize about. They include such things as:

- (1) freedom of association, petition and assembly;
- (2) legal recognition and immunity;
- (3) special fiscal treatment;
- (4) established arenas for functional representation;
- (5) guarantees of access to decision-making;
- (6) protection from non-intermission in internal affairs;
- (7) subsidization with public funds;
- (8) obligatory membership and/or contributions;
- (9) legal extension of contracts (*Allgemeinverbindlichkeit*);
- (10) devolved responsibility for policy implementation.

## 2. Private Practices

The private practices that have contributed to greater reliance upon the intermediaries of civil society are even more difficult to pin down, although they would include the following:

- (1) class, sectoral, professional or group consciousness;
- (2) willingness to contribute to collective action;
- (3) 'moral sentiments' or self-restraint in the pursuit of group interests;
- (4) satisfaction derived from interacting with one's peers, i.e. sociability;
- (5) trust in group leadership and in the conformity of one's peers;
- (6) some degree of 'other-regardingness' for the society as a whole;
- (7) propensity to accept group discipline;
- (8) willingness to forego opportunities for special access due to personal attributes, i.e. resistance to clientelistic temptations;
- (9) sense of personal efficacy;
- (10) command over sufficient organizational skills.

# VI.

**The emergence of civil society can assume a wide variety of systemic configurations, although the range that is viable in a given polity is likely to be considerably more restricted.**

1. As we have noted in Proposition I, variations in type – especially along the continuum from pluralism to corporatism – can be expected to produce significant differences in the distribution of benefits, the aggregate economic performance and the governability of the democracy that may eventually emerge.

2. Especially significant for understanding these differences are the two summary properties of individual associations or movements: *strategic capacity* and *encompassingness*, and the two summary properties of the systems of intermediation: *class governance* and *congruence*. The higher the values on these four dimensions – and they tend to be higher in more corporatist as opposed more pluralist systems – the greater will be the positive contribution of civil society to the consolidation of democracy.

3. Which is not to say that it is easy to predict or understand why a given polity will adopt one or another configuration. One obvious factor is likely to be the legacy of institutions from the previous autocracy and the extent to which the mode of transition ensures some degree of continuity. Pacted transitions from *ancien regimes* with well-entrenched state corporatist

practices may provide the most favorable context; whereas, abrupt or violent changes from personal autocracies based on patrimonial or clientelistic relations («sultanistic» is the term that Juan Linz has proposed to cover such cases – even if this may do some violence to the relatively orderly and bureaucratic rule of the Ottoman Empire) would seem to be the least likely context for the emergence of anything but a very weak civil society.

4. Many other factors, no doubt, conspire in the background to incline emergent civil societies toward one or another configuration. High levels of pre-industrial urbanization, catholicism, small size of country, delayed but relatively rapid capitalist development, conservative political coalitions overseeing the Great Transformation, persistence of artisanal modes of production, policies of agricultural protectionism and, especially, strength of Social Democracy have all been associated with more corporatist outcomes in Western Europe during the 19th and early 20th centuries, although it is by no means clear whether these variables still pack the same punch, or even push in the same direction.

5. What is relatively new and potentially highly significant is the emergence of something approaching an »transnational civil society«. These networks of non-governmental organizations (NGOs), most of which are headquartered in established civil societies, and funded and staffed by their citizens, have created a rather formidable capacity for intervening in neo-democracies. Each successive case of democratization since 1974 has contributed more to the development of formal non-governmental organizations and informal informational networks devoted to the promotion of human rights, protection of minorities, monitoring of elections, provision of economic advice, fostering of exchanges among academics and intellectuals. When the first cases of Portugal, Greece and Spain emerged, this sort of infrastructure hardly existed. Indeed, some of the key lessons were learned from these experiences and subsequently applied elsewhere. By now, there exist an extraordinary variety of transnational parties, associations, foundations, movements and networks ready to intervene either to promote or to protect democracy. To the extent that the international context promoting the consolidation of democracy has shifted from its habitual primary reliance on public, intergovernmental channels of influence towards an increased direct involvement of private, non-governmental organizations, it can help to foster the development of national civil societies where they might not otherwise have emerged or where they might have been absorbed by either public authorities or private (re)producers.

## VII.

**While its historical origins are unequivocally rooted in Western Europe, the norms and practices of civil society are relevant to the consolidation of democracy in all cultural and geographical areas of the world, *provided* that the generic type of democracy that actors are seeking to consolidate is modern and liberal, i.e. constitutional, representative, accountable via pluri-party competitive elections, tolerant of social/ethnic diversity and respectful of property rights.**

1. Whether by imperial fiat, the actions of resident European colonists or processes of international diffusion, the norms and practices of civil society have spread beyond the core area in which they were first developed. Admittedly, this has been an uneven process and it has been superimposed upon quite different »native« traditions. Some extra-European societies may have had analogous institutions in the past, viz the guild

systems of ancient China or the Ottoman Empire, but it is debatable whether such legacies have any contemporary relevance.

2. Whether there exist other generic forms of democracy that are viable and better reflect the cultural norms and popular expectations of particular national societies is a matter for discussion, although I would like to interject a personal note of skepticism. Not only has this notion of a more »authentic« African, Asian (»Confucian«), Latin American (»Iberian«) or just plain Non-Western democracy repeatedly been used as a coverup for autocratic practices, but it has rarely been accompanied by any evidence that citizens in the specific society in question actually possessed such distinctive values or political cultures that would require them to hold their rulers accountable in some different fashion.