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THE NEXUS BETWEEN CIVIL SOCIETY AND DEMOCRACY
Suggesting a Critical Approach

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Hardly any other social science concept can claim as impressive a career in the recent past as ›civil society‹. Although this concept exhibits a long history reaching back as far as Aristotle, with manifold twists throughout the middle ages and early modernity and coming to a first peak between the Scottish Enlightenment and Hegelian thought, it was with Marx that civil society had essentially disappeared from social thought.[1] Having effectively been absent from social and political theory for a century and a half, civil society has undergone an astonishing renaissance since the late 1970s.[2] The coincidence of various developments triggered this comeback.

Its origins lie with the East-Central European dissent that had developed a society-based approach to changing Soviet-type regimes. By way of setting up a range of parallel social structures independent of official authorities, societies in the region were to regain their strength, assert themselves against the destructive and manipulative influence of the regime and, in the long run, re-negotiate state-society relationships.[3] This strategy soon came to figure under the heading of civil society. As such, it made its way into Western social science, which proved very receptive of this concept. This openness was due to a number of changes that had taken place in Western democracies, of which the emergence of new social movements was but the most prominent. In the face of these changes, social theorists viewed civil society as a powerful tool for both, empirical analysis and normative postulates in the context of established democracies.[4] Lastly, the fashion of civil society further gained in momentum with the »third wave« democratisations, which culminated in the breakdown of the communist regimes in Eastern Europe.[5] In theory and practice, regime change to democracy placed increasing emphasis on the role of independent social and political actors, not only for the very transition to democracy but equally also for subsequent processes of democratic consolidation.[6]

It was this relevance for non-democratic, to-be-democratic and established democratic contexts alike, or rather the democratising potential with which civil society is endowed in all these circumstances, that made the concept of civil society travel across all borders. It has been adopted by social scientists from a wide range of disciplines, it has become the political slogan of many an activist, and it has entered the terminology of many an ideological position. The significance of civil society for democracy will be the theme of the present considerations. They are inspired by the observation that the scholarly as well as more practical discourse on civil society to date has been surprisingly non-critical. Commonly, civil society has been emphasised as being conducive to democracy in many ways, both, in helping to bring it about, where it does not exist, and in further strengthening it, where it is in place. Little thought, however, has been devoted to the possibility that civil society may also have effects detrimental for democracy, although such negative impacts should not be overlooked, neither theoretically nor empirically. The present discussion will thus challenge the widespread assumption of civil society as unmitigated blessing for democracy by giving equal consideration to its virtues and vices. Following on from this overview, a theoretical approach will be suggested that allows a conceptualisation of the nexus between civil society and democracy in a more critical and differentiated manner. On this basis, as will be argued finally, empirical research should be undertaken that allows for an analysis of civil society and an assessment of its impact on the democratic regime in question. Such an evaluation cannot be satisfactorily derived from most studies of civil society that have been conducted to date, and an empirical application of the approach suggested here can thus yield important additional and corrective insights. For this reason it is suggested to conduct in-depth research along the lines of the presented approach and to substantiate the recovered significance of civil society in the European context, both in the established democracies of the West and the new democracies of the East alike.

Before entering this discussion, however, it is necessary to clear the definitional ground for the considerations to come. Needless to say, that the long history of the concept as well as its current popularity have produced a wide range of different and competing, frequently even contradictory meanings.[7] As a discussion of definitional questions in the light of the conceptual history of civil society has been undertaken elsewhere, it may suffice to introduce a definition that can be considered appropriate and widely shared. In its most concise form, this definition has been suggested by Schmitter, for whom »civil society can be defined as a set or

1 The noteworthy exception from this observation is Antonio Gramsci; cf. Bobbio, Norberto: Democracy and Dictatorship. Cambridge: Polity 1997.

2 An overview of this conceptual history is part of the author's PhD project under the title *Post-Communist Civil Society. Patterns of Intermediary Organisation in East-Central Europe*.

3 The author's dissertation also provides a detailed exploration of the civil society project developed by East-Central European dissidents in the 1970s and 1980s.

4 The most comprehensive treatment of civil society in relation to Western democracies is Cohen, Jean L./ Arato, Andrew: Civil Society and Political Theory. Cambridge: MIT 1992.

5 Huntington, Samuel P.: The Third Wave: Democratization in the Late Twentieth Century. Norman: Univ. of Oklahoma Pr. 1991.

6 With regard to East-Central Europe, an extensive overview is provided by Tismaneanu, Vladimir: Reinventing Politics. Eastern Europe from Stalin to Havel. New York: The Free Pr. 1992.

7 Discussions of such different meanings can be found with, among others, Péréz-Díaz, Víctor M.: The Return of Civil Society. The Emergence of Democratic Spain. Cambridge/ MA: Harvard UP 1993 and Alexander, Jeffrey C.: Introduction. Civil Society I, II, III: Constructing an Empirical Concept from Normative Controversies and Historical Transformations. In: Alexander, Jeffrey C. (Ed.): Real Civil Societies. Thousand Oaks: Sage 1998, pp. 1-19.

system of self-organised intermediary groups that: (1) are relatively independent of both public authorities and private units of production and reproduction, that is, of firms and families; (2) are capable of deliberating about and taking collective actions in defence or promotion of their interests or passions; (3) do not seek to replace either state agents or private (re)producers or to accept responsibility for governing the polity as a whole; and (4) agree to act within pre-established rules of a ›civil,‹ i.e. mutually respectful, nature.«[8] It is civil society based on the four characteristics of *dual autonomy*, *collective action*, *nonusurpation* and *civility* that the following considerations will refer to.

8 Schmitter, Philippe C.: The Consolidation of Democracy and Representation of Social Groups. In: American Behavioural Scientist. Vol. 35, no. 4/5 (March/June 1992), pp. 422-449, here p. 240.

The Virtues: How Civil Society Can Contribute to Democracy

The crucial role of civil society in democratic regimes has been generally appreciated by theorists. This realm is usually said to have the potential for performing a number of functions strengthening democracies. The precise range of functions and the emphases placed on one or another among them naturally differ among authors.[9] It is, however, possible to derive five major functions, through which civil society contributes to strengthening democracy.

The Lockean Function: Control of State Power. As indicated by labelling it after John Locke, this function can be traced back to the early modern appearance of the distinction between public and private. The fragile balance between the two realms necessitates arrangements that both guarantee their separation and regulate their interaction. Besides a range of other institutional precautions, such as inalienable individual rights, the rule of law or democratic procedures of decision-making, civil society has the capacity to act as an important additional watch-dog over the relationships between public and private, state and society.

In its liberal interpretation, this function takes on a largely defensive format. By way of association in civil society, individuals increase their capacity to shield off state interference into social and individual life. A more proactive thrust relates civil society more directly to state and political actors. As intermediaries, associations of civil society operate in the public realm and are part of a complex system of checks and balances, they contribute to and share in decision-making processes and interact directly with government. By way of observing political processes, providing information to various publics and, if necessary, also mobilising these for or against particular political decisions, civil society holds government obedient to the democratic rules of the game as well as responsible and responsive to societal concerns.

The Hegelian Function: Interest Mediation. If the outlined control function mainly relates to the modes of decision-making and enforcement, this second function of civil society rather addresses the content of such decisions. What is at stake is the problematic translation of the competing and conflicting interests, beliefs, values and passions to be found in modern societies into publicly binding decisions.[10] While the central mechanism for the representation of social interests to the political system have traditionally been political parties, civil society plays an important supplementary role. It compensates for the deficiencies of interest representation that result from a number of functional constraints political parties face, such as vote maximisation and electoral cycles.[11] As a result, the pluralism of social interests can be represented more fully, specifically and continuously. Beyond representation, civil society also contributes to the mediation of conflicting interests, as it provides arenas, where competing social groups and interests interact directly and arrive at settlements on more specialised disputes.[12]

As a supplementary channel for the representation and mediation of social interests, civil society thus contributes to a more differentiated system of governance, which in turn is more commensurate with the increasing social pluralism of contemporary societies. It allows for a wider spectrum of interests to be articulated, aggregated and mediated and thus for decision-making processes, which more closely reflect social reality.

The Pluralist Function: Social Integration. Distinct from the previous functions, which relate to the political processes of decision-making, this third function shifts the focus towards social relationships and social cohesion. No political community is sustainable unless the society forming its basis is held together by some measure of social integration overarching the differences among, firstly, individuals and, secondly, social groups and thus containing the disruptive potential generated by these differences. Civil society contributes to social integration in a twofold manner.

9 Overviews of civil society's democratic functions are provided by the following authors: Bibič, Adolf: Democracy and Civil Society. In: Bibič, Adolf/ Graziano, Luigi (Eds.): Civil Society, Political Society, Democracy. Ljubljana: Slovenian Ass. for Political Science 1994, pp. 43-72; Schmitter 1997; Diamond, Larry: Developing Democracy. Toward Consolidation. Baltimore: Johns Hopkins UP 1999; Merkel, Wolfgang: Civil Society and Democratic Consolidation in Eastern Europ. Budapest: Hungarian Center for Democracy Found. 1999 (Budapest Papers on Democratic Transition 255).

10 As this problem of mediating between the particular and the universal was at the heart of Hegel's philosophy, this function has been labelled after this thinker. In addition, it has been argued that Hegel provided the first comprehensive theory of civil society, which is of major relevance for contemporary thinking on this subject; cf. Cohen, Jean L./ Arato, Andrew: Civil Society and Political Theory. Cambridge: MIT 1992, p. 91 and, for the original text, Hegel, Gottfried W.F.: Elements of the Philosophy of Right. Ed. by Allen W. Wood. Cambridge: Cambridge UP 1991.

11 Lehmbruch, Gerhard/ Schmitter, Philippe (Eds.): Trends towrad Corporatist Intermediation. London, Berverly Hills: Sage 1979.

12 Such arenas have come to be coined *concertation regime*; cf. Schmitter 1992.

A first moment of this function relates to the integration of individuals into social groups. Civil society provides a space for individuals to combine on the basis of a shared interest, belief or passion. Perceived commonalities between individuals and their translation into the associations of civil society only make distinct social groups materialise, integrate and shape collective identities. The co-existence of numerous social groups, which is inherent to the pluralism of modern societies, leads to the second moment, through which civil society contributes to social integration.

Societies are usually characterised by a number of deeply entrenched cleavages, which give rise to social conflict and, in the worst case, threaten the integrity of society. It is with regard to such fault lines that civil society has a mitigating effect. The same individuals that come together in an association on the basis of one interest, differ along with many other interests and passions. This is a function of the multiple nature of their identities. Associations thus also confront a significant degree of differentiation among their members and, in the name of one interest, bridge differences and social cleavages along with other interests. Pluralists have argued time and again that this has moderating effects on both individuals and associations or social groups. By way of cross-cutting social cleavages, civil society defuses their explosive potential and contributes to the integration of society as a whole.[13]

The Tocquevillean Function: Political Socialisation. This fourth function of civil society relates to political culture, understood here broadly as the attitudinal and behavioural dispositions of individuals towards the formal rules, institutional structures and incumbent office-holders of the political regime they live in. The political culture that is commensurate with democracy is characterised by attitudes of *tolerance*, *pragmatism*, *trust*, *willingness to compromise*, and *civility*. On the behavioural level, these attitudinal dispositions translate into a pattern of *moderation*, *co-operation*, *bargaining*, and *accommodation*.[14] To a significant extent, the vibrancy or vulnerability of a democracy depends on whether or not these dispositions are present. Civil society is an important agent to anchor a democratic political culture in the broader populace.

Ever since Tocqueville, it has been emphasised that »associations may [...] be considered as large free schools, where all the members of the community go to learn the general theory of association.«[15] Immediate and frequent participation of individuals in the associations of civil society inculcates citizens with an understanding of the workings of democracy and training of their skills therein. They acquire a greater sense of political efficacy as a result of the successful pursuit of interests by way of association. They develop a willingness to combine with others and to accept the necessity of compromise resulting from such co-operation. In short, it is through immediate personal experience facilitated by civil society that individuals become democratically cultivated. In providing an additional space for the democratic socialisation of individuals, civil society thus affects the cultural, informal side of democratic regimes.

The Non-Profit Function: Service Provision. This last function relates to the contribution civil society can make to the material output of an overall social and political system. Generally, this output comprises a vast range of goods and services necessary, if not essential, for individuals, sections of the population, or the social and political community in its entirety. The majority of these individual and social needs is satisfied through the combined activity of the public sector of the state and private economic markets. However, situations occur frequently, in which the state and the market are limited in their capacity to provide for a range of, usually quasi-public, goods. It is in such situations that civil society has an important compensatory function.

The two scenarios of market failure and contract failure constraint the commercial supply of a number of goods, be they of a collective nature, as in the former case, or be they characterised by a particular complexity, such as health or education. These deficiencies have oftentimes led to state intervention, through regulatory measures or direct provision of such goods and services. However, the state's capacity in this respect is also limited. Firstly, there is a tension between the need to legitimise state activity by democratic majorities and the diverse demands of various social minorities. Frequently, state provision remains unresponsive to the needs of particular social groups, such as religious minorities. Secondly, state supply of specific goods and services is implemented through the rule-bound, publicly accountable, centralised and hierarchical structures of public administration. This bureaucratisation, however, limits the flexibility of public suppliers to respond to changing needs and to experiment with alternative solutions. State provision thus satisfies social demands insufficiently in both quantitative and qualitative terms.

13 Cf. *pars pro toto* Truman, David B.: The Governmental Process Political Interests and Public Opinion. New York: Knopf 1951, p. 157, pp. 508-514; Lipset, Seymour Martin: Political Man. London: Heinemann 1969, p. 211ff. More recently, the result of overlapping memberships in various associations has been coined »social capital«; cf. Putnam 1993.

14 Diamond, Larry: Introduction: Political Culture and Democracy. In: Diamond, Larry (Ed.): Political Culture and Democracy in Developing Democracies. Boulder: Lynne Rienner 1993, pp. 1-33.

15 Tocqueville, Alexis de: Democracy in America. Vol. 2. New York: Harper & Row 1988, p. 116.

The combined effect of these constraints on the performance of markets and states is a situation, in which various public or collective goods and services are not or not sufficiently available to society. Civil society organisations combine a non-profit with a non-governmental character. This enables them to overcome the structural constraints resulting in the failure of markets and states to satisfy social demands for specific goods and services, most typically in the areas of health, education and social welfare. Civil society thus plays a compensatory and supplementary role, contributes to the material output of democratic regimes and, as a result, increases their efficiency.[16]

From the preceding considerations of the various functions of civil society, it should be obvious how this sphere can positively affect the viability of democratic regimes. More sober and cautious analysts have consequently and rightfully stressed the crucial place of this realm in democratic regimes. More enthusiastic advocates, on the other hand, are frequently led to view civil society as a panacea to the problems facing contemporary democracies. In particular the latter, uncritical praise of civil society, however, loses sight of a number of problematic aspects arising from civil society.

The Vices: How Civil Society Can Be Harmful for Democracy

Systematic explorations of the democratically dysfunctional aspects of civil society have so far been very rare in the scholarly literature.[17] The fact that such problematic sides exist, hindering civil society from making a positive contribution to democracy in the best case, or through which this realm directly undermines democratic regimes at worst, must not, however, be ignored. A critical examination of civil society arrives at a considerable number of such downsides.

Political Co-optation. There are strong incentives for both political actors and civil society organisations to enter into close relationships or even alliances with one another. The co-optation of particular civil society organisations is an instrument for political actors to strengthen their own anchorage in society and thus to increase their legitimacy, be they incumbent governments and the state apparatus at their disposal or be they the political opposition.[18] Civil society organisations, in turn, can also expect benefits from political co-optation. Social pluralism implies competition among values, beliefs and interests. In civil society, this translates into an organisational contest for political attention, social support and material resources. Political co-optation is a possibility for civil society organisations to enhance their competitiveness and, as a result, their chances for organisational survival. An alignment with incumbent governments enables them to receive preferential treatment when it comes to the distribution of public funds and other resources, access to information, and co-operation with the state administration. Those organisations aligned with the political opposition find themselves largely excluded from such resources but have the prospect of benefiting if their political partners take office in the future.[19]

As a result, political co-optation sacrifices the ability of civil society to impartially control the compliance of state and political actors with democratic norms and procedures. Instead of being society's watch-dog over the exercise of state power, civil society organisations turn into societal instruments used by political opponents, with little concern for procedural accuracy on either side.

Obscured Decision-Making. The organisation and representation through civil society of variegated social groups crystallises and specifies their particular interests and enforces the legitimate expectation on part of these groups that their concerns be included in processes of political decision-making. Being confronted with this organised pressure, political decision-makers will find it hard to ignore, neglect or suppress interests thus reinforced by civil society. The resulting inclusion of a wider range of interests, however, has direct and problematic effects on both processes and results of political decision-making.[20]

A larger number of participant interests leads to increasingly complex interactions and negotiations, which complicate, lengthen and obscure decision-making processes. For political actors, it becomes increasingly difficult to oversee and regulate the interactions between various interests and to generate compromise among them within reasonable time limits. The legitimation of these processes and their outcomes is impeded by the fact that it becomes increasingly difficult to communicate the complex negotiation dynamics comprehensibly to the various social interests directly involved and to the public at large, and hence it is harder to yield broad legitimacy for their outcomes.

16 Excellent overviews of the research on non-profit organisations are provided by Powell, Walter W. (Ed.): The Nonprofit Sector. A Research Handbook. New Haven: Yale UP 1987; Rose-Ackerman, Susan (Ed.): The Economics of Nonprofit Institutions. Studies in Structure and Policy. Oxford: Oxford UP 1986; Anheier, Helmut K./ Seibel, Wolfgang (Eds.): The Third Sector. Comparative Studies of Nonprofit Organizations. Berlin: de Gruyter 1990; Powell, Walter W./ Clemens, Elisabeth S. (Eds.): Private Action and the Public Good. New Haven: Yale UP 1998.

17 Cf. for example, Schmitter 1997, p. 248; Rueschemeyer, Dietrich: The Self-Organization of Society and Democratic Rule. Specifying the Relationship. In: Rueschemeyer, Dietrich/ Rueschemeyer, Marylin/ Wittrock, Björn (Eds.): Participation and Democracy. East and West. Comparisons and Interpretations. Armonk: Sharpe 1998, pp. 9-25; Diamond 1999, pp. 250-260; Brysk, Alison: Democratizing Civil Society in Latin America. In: Journ. of Democracy. Vol. 11, no. 3 (July 2000), pp. 151-165.

18 Empirical examples are provided for Slovakia by Benešová, Stanislava: Slovakia's »Active« Civil Society: A Paradox of Democratic Consolidation. Budapest: Central European Univ., Dept. of Political Science 1997 [unpubl. M.A. thesis]; for Hungary by Miszlivetz, Ferenc/ Ertsey, Katalin: Hungary: Civil Society in the Post-Socialist World. In: van Rooy, Alison (Ed.): Civil Society and the Aid Industry. The Politics and Promise. London: Earthscan 1998, pp. 71-103, here p. 78f., but also for inter-war Germany by Berman, Sheri: Civil Society and the Collapse of the Weimar Republic. In: World Politics 49 (April 1997), pp. 401-429.

19 The fact that civil society organisations also have incentives to tie themselves to particular political actors is rarely acknowledged. Under the heading of partisanship, Brysk 2000, p. 159 touches upon this possibility.

20 Schmitter 1997, p. 248, Rueschemeyer 1998, p. 17.

Once achieved, the results of such decision-making processes are likely to have travelled far in comparison to the initial intentions of the negotiating sides. A typical effect are package deals, that is, the broadening of issues included beyond those originally subject to negotiation. This occurs in order to achieve trade-offs across issues that satisfy all participant interests to at least some extent. Outcomes expand in extent, time-frame, publics affected and costs generated. At the end of this dynamic often stand unintended and undesirable results, which all negotiating sides have difficulties to identify with.

Interest representation through civil society and the resulting expansion of decision-making processes potentially impedes the functioning of actual democratic regimes through negative effects on both their transparency and efficiency.

Biased Interest Representation. While, by definition, civil society is a realm open to the formation, organisation and representation of any interest regardless of its particular nature, scope or social significance, social groups differ in the extent, to which they can utilise this potential of civil society and exert an influence upon political decision-making. The fundamental requirement for participation in and interest representation through civil society is, again by definition, a minimum of formal organisation. Numerous social interests frequently remain unorganised, be it that they are too diffuse to be formalised or that they are in their significance outdone by other and seemingly more salient issues, or be it that the social group affected is too heterogeneous to co-operate for a specific cause. However, once some degree of formalisation is achieved, social interests and groups demonstrate significant differentials in their effectiveness for interest representation and mediation through civil society.

This effectiveness is largely determined by three factors. Firstly, the strategic position of a given interest or group in the society is defined mainly by its socio-economic status, affiliations between the group in question and government officials, and the significance of a given group for the functioning of the overall social and political system. Secondly, the internal characteristics of the organisation(s) representing a given interest are important. The cohesion achieved among members of the group defined by that interest, the skills of the group's representatives, and the resources at the disposal of an organisation are at play. Finally, the accessibility of political processes and institutions determines whether and which interests are being considered in the course of decision-making.[21] The differentials across social groups concerning these factors systematically skew interest representation through civil society and advantage some interests over others.[22]

Hence, although on the surface civil society seems to provide equal opportunities to different social groups to represent their interests and influence political decisions affecting them, interest mediation through civil society perpetuates and fortifies traditional stratifications, political (in)efficacies and spheres of influence. Given the underlying differentials in organisability, strategic position, organisational capacity and government accessibility, civil society thus demonstrates specific deficiencies when it comes to the translation of social pluralism into publicly binding decisions. Rather than increasing the representativity and, as a result legitimacy, of these decisions, civil society has the potential to severely diminish both.

Social Segregation. It is not a necessary and natural trait of civil society that its organisational structures cross-cut and overlap with social and political, economic and cultural divides characterising a given society, with the effects for social integration outlined earlier. Instead, organisations may equally emerge along with such cleavages.[23] Theorists have pointed to several historical instances, in which particularly ethnically, religiously and linguistically distinct sections of the population have developed their segregated organisational milieux. Similarly, socially and economically defined social groups, such as the working or the agrarian class, built up highly differentiated and encompassing organisational subcultures in many countries.[24] The alignment of organisational structures with specific social cleavages, however, affects the capacity of civil society to integrate a given society. Its integrative potential may be offset in the best case, and it may function as an outright disintegrative force in the worst.

The best illustration for the problems arising from such alignments is probably the extreme case of several civil societies co-existing in complete isolation. In this scenario, the relation to a specific social cleavage assumes primary significance. Under this heading, a fully self-contained organisational subculture, or separate civil society, exists and is capable of catering for the entire range of needs, interests and passions of all those individuals, who share the respective primary property, that is, the relation to the relevant social cleavage.[25] In such a setting, social cleavages are cemented through the organisational structures of civil society. This

21 Truman 1971, p. 506f.

22 Schattschneider, Elmer E.: The Semisovereign People. Hinsdale: Dryden 1975, p. 34f.

23 Rueschemeyer 1998, p. 16 points to the antinomy that »[s]uch bridging [...] may be at odds with the claim that it is above all the *autonomous* organization of subordinate groups that is required for democratization and the maintenance of democratic rule.«

24 The often-cited case is the *pillarisation* of Dutch society; cf. Lijphart, Arend: The Politics of Accommodation. Pluralism and Democracy in the Netherlands. Berkeley: Univ. of California Pr. 1968. Similar observations have been drawn for Weimar Germany by Berman 1997.

25 Schmitter 1997, p. 248.

exacerbates and perpetuates the significance of these divides. Civil society or, more precisely, several distinct civil societies, then contribute to the fragmentation and potential disintegration of the overall society and polity.

Non-Democratic Procedures, Goals and Strategies. The habituation and eventual appreciation of democratic procedures and norms, to which civil society contributes through facilitating more frequent and immediate political participation, depends on the characteristics of the internal procedures of organisations, the goals pursued and the strategies applied by them. Compliance with democratic credentials, and thus positive effects on the political socialisation of members, however, cannot be taken for granted for each and every organisation in civil society.

Procedural problems of accountability and transparency are particularly obvious in large-scale organisations. Complicated processes of decision-making, bureaucratic hierarchies and professionalisation inevitably impede the control of a mass membership over an organisations' apparatus, elected bodies and leaders, and decisions taken and enforced by them.[26] An additional problem in large-scale organisations are the limits to the genuine participation of average members, whose involvement is reduced to rare occasions of mobilisation through the organisation's leadership. Goals of organisations can be similarly problematic. Some organisations represent views, which directly interfere with democracy and human rights. In the extreme, this may be the promotion of racist, fundamentalist or revolutionary causes, and the open denigration of social pluralism and democracy. In more subtle ways, this may be the propagation of the universal validity of one particular set of beliefs and values, such as a religion, which questions the value of pluralism and democracy. Such absolute and uncompromising goals are not conducive to a democratic political socialisation.[27] No less caution is with regard to organisational strategies, which undermine the functioning of the political and social order. Through the employment of disruptive, violent, illegal or socially irresponsible strategies, civil society organisations accustom their members to behavioural patterns, which are diametrically opposed to those necessary for a smooth functioning of democratic regimes.[28]

In sum, non-democratic procedures, goals and strategies of organisations prevent civil society from being an effective agency of political socialisation to democracy at best, and they may generate, perpetuate and aggravate openly non-democratic views and forms of conduct at worst.

By way of the described problematic effects, civil society impedes the smooth functioning of democratic regimes. Taken to extremes, various of these aspects can even directly threaten the maintenance of democratic regimes.

Virtue or Vice? Structural Properties of Civil Society

From the preceding considerations of these virtues and vices, or functions and dysfunctions, it becomes clear that the widespread assumption of civil society as having an exclusively positive impact on democracy cannot be maintained. Instead, as has been shown, this sphere can be as conducive as detrimental to the functioning and viability of democratic regimes. What is more, any existing civil society is likely to expose a specific mixture of the virtues and vices outlined above.[29]

Consequently, it is necessary to adopt a more critical perspective that accommodates the ambivalent nature of civil society vis-à-vis democracy. A promising approach opens upon closer examination of the various virtues and vices of civil society mentioned above. It turns out that these are related to one another in individual cases. Such a relationship is probably most obvious in the case of social integration, which contrasts starkly with the problem of social segregation; virtue and vice of civil society are diametrically opposed. Less obviously antipodal but nevertheless interrelated are other functions and dysfunctions. The control by civil society of state power cannot be exercised properly if organisations, more or less forcibly, give in to political co-optation; in this case, the vice in question is not necessarily the precise antithesis to a given virtue but rather an impediment to its performance. In a similar way, obscured decision-making and biased interest representation hamper the democratically beneficial effects civil society can generate in the field of interest mediation, while non-democratic procedures, goals and strategies within civil society curb its contribution to the political socialisation of individuals and groups to democracy. In all these cases, hence, specific virtues and vices of civil society figure as alternative scenarios with opposite effects on the democratic regime in question.

26 The classic advocate of such a view is clearly Michels, Robert: Political Parties. A Sociological Study of the Oligarchical Tendencies of Modern Democracy. New York: The Free Pr. 1962, p. 365: »It is organization which gives birth to the dominion of the elected over the electors, of the mandataries over the mandators, of the delegates over the delegators. Who says organization, says oligarchy.« Cf. also Rueschemeyer 1998, p. 13.

27 Brysk 2000, p. 159f.; Rueschemeyer 1998, p. 14.

28 An interesting case study of the range of possible protest strategies employed by civil society organisations on Poland is Ekiert, Grzegorz/Kubik, Jan: Rebellious Civil Society. Popular Protest and Democratic Consolidation in Poland, 1989-1993. Ann Arbor: Univ. of Michigan Pr. 1999. Similar inquiries have been conducted for East Germany, Slovakia, Hungary and Slovenia, cf. Szabó, Maté: Repertoires of Contention in Post-Communist Protest Cultures: An East Central European Comparative Survey. In: Social Research 63, no. 4 (Winter 1996), pp. 1155-1182.

29 Schmitter 1997, p. 248.

Facing these alternatives, the question arises, which conditions have to be in place in order for either the positive scenario or its negative counterpart to prevail, that is, to enable or prevent civil society from making its various contributions to democracy. The earlier considerations have already touched upon a number of structural characteristics of civil society that affect its democratic potential. More systematically, it is possible to identify a specific structural property for each of these virtue vs. vice pairs, whose presence enables civil society to perform a given democratic function, while its absence makes the realm more prone to democratic dysfunctionality. These properties are as follows.

Organisational Autonomy vis-à-vis the State and Political Actors. If civil society organisations are to function as an efficient control mechanism over the exercise of state and political power, their crucial organisational property is autonomy from both the state apparatus and political society more broadly. This autonomy extends beyond mere technical independence, that is, the existence of separate organisational structures and the availability of resources required for the pursuit of an organisation's specific interest. More broadly, it can be described as a relationship of mutual acceptance and respectful co-operation without any claims for superiority on either side. For civil society organisations, autonomy means that the formulation, expression and pursuit of specific interests is largely free from constraints and interference by state authorities or political actors. Such autonomy, however, also implies that civil society largely refrains from permanent and direct interference with political processes and the exercise of state power for as long as these comply with democratic procedures.

If it is the state or political society that deny such autonomy to civil society, the result is political co-optation. More or less forcibly, civil society organisations enter into dependencies on political senior partners. Political co-optation, then, affects the potential of a given civil society organisation to control the exercise of state and political power: the own senior partner is whitewashed, political opponents are automatically seen to be in breach with democratic norms. If, in turn, it is civil society that makes strong claims for its own superiority, relationships with state authorities and political society become antagonised. Any exercise of state and political power is then conceived of as essentially illegitimate, as it is measured against the inferiority of these realms to civil society and not against the procedural norms of democracy. In both these scenarios, a lack of autonomy leads to a politicisation of civil society, both among its organisations and in relation to the state and specific political actors. However, in order for civil society to be able to act as a competent watchdog, its non-political character is crucial.

Transparent and Efficient Interest Representation. The viability of civil society as an alternative channel of interest mediation is conditioned by the transparency and efficiency, with which social interests are represented to political decision-making. Transparency refers to the rule-bound character of interest mediation, which facilitates the articulation of different and competing interests, provides equal access to the making of decisions affecting them, and regulates the bargaining processes among them. Thus based on generally accepted and known procedures, traceable in both process and result, the interaction of conflicting social groups can yield compromises and decisions that are likely to be acceptable to all participant interests. Efficiency, on the other hand, addresses the extent to which social groups and interests are actually organised through civil society. It not only presumes that any relevant social interest finds its organisational expression in civil society but it also requires a far-reaching organisational coverage of the social group defined and affected by a given interest. Efficiency of representation is a prerequisite for both the participation and the significance of social groups in processes of interest mediation.

Deficiencies of transparency and efficiency, on the other hand, result in the problematic aspects of interest mediation through civil society mentioned earlier. A lack of transparency obscures the interaction of conflicting social groups in both process and result. Deficits of efficiency skew representation in favour of some interests over others, of organised interests over unorganised ones and of those achieving greater organisational coverage of the social group in question over those with a lesser coverage. In such situations, where interest mediation is not co-ordinated through rules and is socially skewed, civil society will function well as an additional channel for the representation of social groups to decision-making processes. In order to have an advantageous impact on democracy, civil society has to be a structure of interest representation that follows co-ordinating mechanisms and encompasses as wide as possible a range of social interests.

Criss-Crossing Organisational Structures and Social Cleavages. The integrative or segregative effects flowing from civil society clearly hinge upon the constellation of its organisational structures to social cleavages. It is only if the latter are criss-crossed by the former, through organisational memberships bridging and overlapping social groups divided along with social and political, economic and cultural characteristics, that civil society contributes to the integration of society and polity. Such an integrated civil society is, then, favourably associated with democracy.

If, on the other hand, the organisational structures of civil society largely follow deep-seated cleavages, this realm is conducive to the segregation and fragmentation of the social and political community. Such a segregated civil society, or indeed several separate civil societies, stand in clearly disadvantageous relation to democracy.

Organisational Behaviour Respectful of Democratic Norms. The capacity of civil society to act as an agency for political socialisation to democracy is determined by the structural property of organisational behaviour, which contains three important aspects. Firstly, the goals pursued by civil society organisations must be strictly commensurate with the credentials of democracy, pluralism and human rights. Any interest that stands in more or less open conflict with these fundamentals is counterproductive to the generation of democratic political attitudes among the members of the organisation pursuing that interest. Secondly, political socialisation via participatory learning experiences requires that the internal organisational procedures are both enabling and democratic. They must facilitate the genuine and regular participation of an organisation's membership, and they have to be in accord with democratic procedures and accountability. In turn, organisational structures and procedures that are prohibitive of such participation and non-transparent in decision-making and accountability cannot be expected to effectively familiarise individual members with the democratic process.

In aggregate, then, it is only through democratic organisational behaviour that civil society contributes to a political socialisation favourable for democracy. Non-democratic goals, procedures and/or strategies, in turn, curb if not pervert civil society's capacity to generate democratic patterns of behaviour and attitudes.

Enabling Environment. The capability of civil society to provide quasi-public goods and services in compensation for state and market deficiencies is mainly conditioned by factors external to this realm, and this environment can be more or less favourable to the performance of this specific democratic function. Among these environmental factors, three aspects are particularly important, two of which relate to the state, while the third addresses society.

With regard to the state, it is important to notice that service provision through civil society essentially implies a partnership between this realm and the state. It is only if state authorities acknowledge the need for such services, the limitations imposed on the public sector for their provision, and the potential of civil society to cater for these needs, that such a partnership, that is a transfer of responsibility for service provision from the public sector to civil society, can be established.[30] Such an entrusting, co-operative attitude on part of the state authorities, then, needs to find its expression in the legal and material conditions created for the functioning of civil society as an alternative and compensatory provider of quasi-public services. Legally, a regulatory framework that specifies the conditions, under which civil society organisations are to provide specific services must be in place. Such regulations include the legal status of organisations and supervisory mechanisms ensuring quality control for the services provided by civil society. Materially, it has to be guaranteed that civil society organisations providing such services have access to sufficient resources through government contracts, grants and subsidies, a supportive tax regime, the possibility to charge fees for services provided to individuals and groups, and through a general climate encouraging fundraising for and donating to such service organisations.[31]

A third environmental aspect affecting civil society's democratic function of service provision relates to the rest of society. In the first place, such a role for civil society requires a general acceptance on the part of society, which after all is the recipient and beneficiary of quasi-public goods and services. Such social appreciation opens the access for civil society organisations to various societal resources. Services thus provided are trusted to meet quality standards, a willingness to pay fees in exchange for services develops, employment in such organisations becomes socially acceptable, volunteer involvement appears worthwhile, donations are seen as feeding more directly the provision of desirable services and are thus encouraged. The availability of these social resources, in turn, strengthens the capacity of civil society to perform the task of service provision.

30 An insightful case study on the development of such a partnership between the state and civil society in France is Ullman, Claire F.: The Welfare State's Other Crisis. Explaining the New Partnership Between Nonprofit Organizations and the State in France. Bloomington: Indiana UP 1998.

31 A good overview of the legal and material conditions necessary for a viable civil society is provided by the *Handbook on good practices for Laws Relating to Non-Governmental Organizations* that was prepared for the World Bank's Environment Department by the International Center for Not-for-Profit Law.

An environment thus enabling civil society to provide quasi-public goods and services is, however, not a natural and automatic scenario. Instead, many countries are characterised by strong statist traditions that result in less favourable legal, material and social conditions for civil society. State authorities may either not acknowledge the social need for certain goods and services, in particular if these are newly arising ones, or they may assert the primary role of the public sector for the satisfaction of such social demands. Bureaucratic dynamics may disguise the deficits of the public sector and be hostile to the transfer of service provision to civil society. Public expectations for the satisfaction of such demands, in turn, may be overwhelmingly directed to the state authorities and neglect the potential of civil society. As a result of such inherited political, bureaucratic and social dispositions, civil society faces an environment that can be disabling and prohibitive of a provision of quasi-public goods and services.

This overview shows how five specific structural properties of civil society assume critical importance when it comes to the impact of this realm on democratic regimes. The performance of each of the virtues, or democratic functions, of civil society is obviously dependent upon the presence of a particular structural characteristic. The absence of these properties, in turn, leads to the various vices, or dysfunctional aspects, of civil society described earlier.

Ideal Types of Civil Society

Bearing in mind that the approach developed here ought to facilitate empirical research on civil society and an assessment of its impact on a given democratic regime, the preceding theoretical considerations require further specification. On the one hand, it is necessary to more closely describe each of the structural properties of civil society through a range of indicators, which can be explored and substantiated empirically. On the other hand, this theoretical approach needs to be turned into an analytical tool that allows for an assessment of a given civil society with regard to democracy. The present discussion will focus on the latter of these problems.

On the basis of the above-mentioned properties, it is possible to model ideal-types of civil society in relation to its democratic functions and dysfunctions. Functional ideal-types feature the complete presence of a specific structural property and represent the scenario, which fully enables civil society to perform a respective democratic function. Accordingly, a *non-politicised* civil society distinguished by organisational autonomy vis-à-vis the state and political actors is able to function as an efficient control mechanism over state power. A *co-ordinated and encompassing* civil society featuring transparent and efficient interest representation makes this sphere a forceful additional channel of interest mediation. An integrated civil society is characterised by criss-crossing organisational structures and social cleavages and enforces the cohesion of a given society and polity. A *democratic* civil society, where organisational behaviour is respectful of democratic norms makes this realm an effective agent of democratic political socialisation. And an *enabled* civil society benefits from a legal, material and social environment that encourages the provision of quasi-public goods and services through the organisations of this sphere.

These functional ideal-types of civil society, however, contrast with dysfunctional ones that, based on the total absence of a specific structural property, embody the scenarios fully preventing civil society from performing the respective democratic functions and fostering the various dysfunctional aspects of this realm instead. These dysfunctional ideal-types are: a *politicised* civil society, whose organisations are deprived of their autonomy from state and political actors through political co-optation that annuls their potential for controlling the exercise of state power; an *unco-ordinated and selective* civil society, in which transparency and efficiency of interest representation are deficient and result in obscured processes of decision-making and a biased representation of social groups; a *segregrated* civil society characterised by an alignment of organisational structures and social cleavages that undermines the integrity of the overall social and political community; a *non-democratic* civil society exhibiting organisational goals, procedures and strategies incommensurate with democratic norms thus propagating and perpetuating non-democratic elements of political culture; and a *disabled* civil society that is prevented from making a significant contribution to the satisfaction of social demands for quasi-public goods and services by its legal, material and social environment.

Based on their relation to a specific structural property, that is its presence or absence, these ideal-types of civil society form five (democratically functional vs. democratically dysfunc-

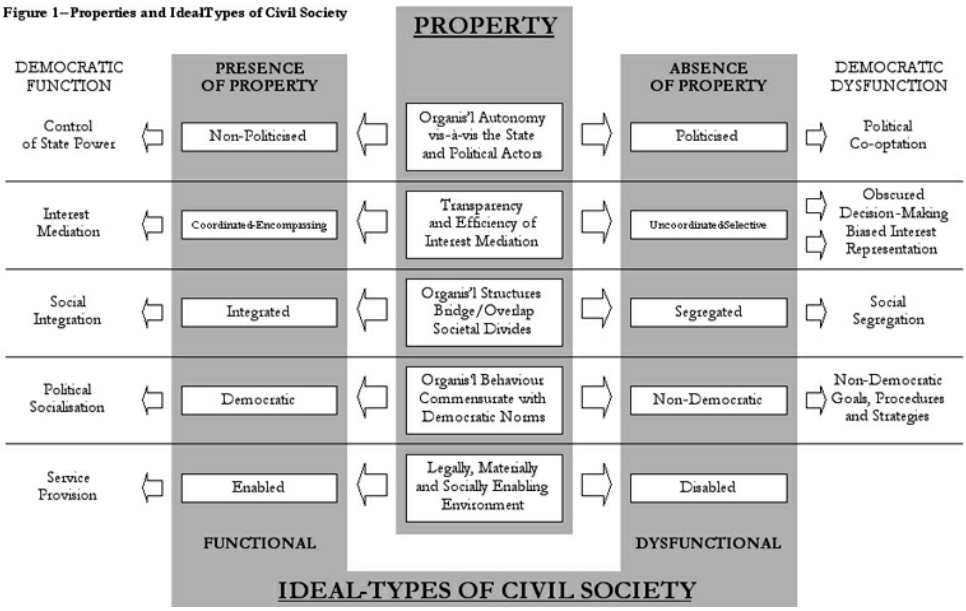
tional) contrast pairs: non-politicised vs. politicised civil society; co-ordinated-encompassing vs. unco-ordinated-selective civil society; integrated vs. segregated civil society; democratic vs. non-democratic civil society; and enabled vs. disabled civil society. These contrast pairs represent the five important dimensions of civil society in its relationship to and influence on the surrounding democratic regime.

The described relationships between democratic functions and dysfunctions, structural properties and ideal-types of civil society can be visualised more systematically as shown in Figure 1 below.

The five pairs of contrasting ideal-types embody an analytical device that facilitates a differentiated exploration and evaluation of the democratic performance, under-performance or mal-performance of civil society. Each of these pairs delineates the theoretical outer limits of a range that describes the extent, to which civil society has a given structural property. By means of empirical inquiry into the above-mentioned structural properties, it is possible to locate any existing civil society along with these five dimensions. From the position a given civil society occupies along with each of these ranges, it is then possible to evaluate, to which extent this realm is able to perform the democratic function associated with each of these dimensions. The closer civil society is to a given functional ideal-type, or the more solidly the respective structural property is established, the greater is the capacity of this sphere to fulfil the democratic function in question. In turn, it is also possible to assess the extent, to which this realm exhibits the various dysfunctional aspects described earlier. The closer civil society is to a given dysfunctional ideal-type, or the less solidly a respective structural property is in place, the more does this realm represent a problematic challenge for the functioning of the democratic regime.

When applied to any given civil society, the approach presented here makes possible a differentiated assessment of the varying influences this organisational realm exerts on democracy. In all likelihood, this impact is typically a mixed one, since any given civil society will exhibit a specific constellation of more and less democratic impacts or, in other words, virtues and vices.

Figure 1 – Properties and IdealTypes of Civil Society



Patterns of Civil Society

Such an assessment would, however, be incomplete without an aggregation of these differentiated results that allows for a characterisation of civil society as an entire organisational sphere. After all, the definition adopted above describes civil society as a sub-system of any democratic regime. In this capacity as a set of organisations, civil society encompasses a wide range of associations and other entities, not all of which are similarly and equally relevant for all the democratic virtues or vices, or functions and dysfunctions, of the realm. In many cases,

an individual organisation will mainly relate to one of the virtues (or vices), such as charitable organisations in the area of service provision or civic advocacy groups with regard to controlling state and political power. These differential emphases of organisational activity notwithstanding, all these organisations form the realm of civil society. In this entirety of organisations, it would be desirable to capture the overall shape and impact of civil society on the democratic regime, of which it is a component.

Once a given civil society has been characterised along with each of its five dimensions, the resulting locations on each of them combine to a country-specific pattern of this realm. Figures 2 and 3 below sketch out four of an infinite number of different possibilities for such patterns of civil society. Of these, the first two patterns of civil society represent extreme cases, while the second pair are not unlikely to be found in reality. In all these figures, the radiate lines represent civil society's five dimensions, with the dysfunctional ideal-types at their central origin and with the functional ideal-types at the outer ends. The various patterns of civil society are represented by the bold figures emerging from the specific locations on each of these ranges and their connections.

»Democrat's dream« is essentially a civil society, which disposes of all the structural properties to such an extent that it approaches functional ideal-types along with all five dimensions. This civil society is, consequently, exclusively characterised by virtues and capable of satisfactorily performing all of its democratic functions, while the various dysfunctional aspects are fully absent. In sum, such a civil society would have an exclusively and strongly positive impact on the democratic regime, within which it is embedded.

»Democrat's nightmare«, on the other hand, sketches out a civil society that comes close to dysfunctional ideal-types on all five accounts and thus exhibits vices only. As all its structural properties are essentially absent, this civil society is not only prevented from performing any of the democratic functions but exhibits all the dysfunctional aspects it can possibly have. This civil society is purely to the detriment of democracy.

Although, unfortunately or fortunately, neither of these scenarios is likely to be met in reality, an important observation can be drawn from these extremes. Patterns of civil society encompass specific property spaces, whose size directly results from the varying locations of civil society along with each of its five dimensions. These locations themselves relate civil society to specific aspects of a democratic regime. Their combination in form of a pattern and the property space defined by it, in turn, relate civil society in toto to democracy more generally. The size of the property space is a direct reflection of civil society's impact on democracy: the larger its size, the more positive civil society's overall influence on democracy. The two extreme cases in Figures 2 describe the, again theoretical and ideal-typical, maximum and minimum scenarios possible for civil society's property space. Any existing civil society, then, forms a pattern and occupies a property space that lies between these two poles of »democrat's dream« and »democrat's nightmare«.

Contrary to these extreme cases, Figure 3 sketches out two empirically more likely (yet equally fictitious) patterns of civil society. The pattern to the left exhibits traits one would expect to find in the setting of a more established democracy. It suggests a civil society that has developed over a sufficient period of time, and probably in advantageous political, economic and social conditions, in order for it to develop most of the structural properties favouring democracy. Along with all but one dimension, this civil society approximates the democratically functional ideal-types and thus positively affects the democratic regime through four of its democratic virtues. An exception is the highly segregated nature of this fictitious civil society, which reflects the existence of strong social cleavages, around which separate civil societies have organised. The conflict potential of this segregated civil society, however, is likely to be institutionally accommodated. As a result of these advantageous locations along with four out of five dimensions, this civil society shows a pattern that encompasses a relatively large property space. Its considerable size, in turn, indicates the strongly positive impact of this civil society on democracy.

In contrast, the pattern to the right shows traits more likely to occur in a setting of recent regime change to democracy. With the exception of its relatively integrated character, this civil society scores relatively low along with all dimensions. Intermediate levels of non-politicisation and democracy suggest significant deficiencies along with the structural properties of organisational autonomy and behaviour; control of state power and political socialisation through civil society are impeded, while dysfunctional aspects such as political co-optation or

32 For the inspiration as to how to visualise these patterns of civil society, I am indebted to Helmut Anheier and associates, who use very similar sketches for their *Civil Society Diamond*, a comparative research project recently launched on civil society. The categories Anheier et al. use to distinguish their four dimensions of civil society are as follows: organisational and economic structure of civil society; values underlying and promoted by this realm; surrounding legal and political space; impact of civil society on the solution of specific social, economic and political problems; cf. Anheier, Helmut K.: The CIVICUS Civil Society Diamond. Profiling Civil Society. London: London School of Economics, Centre for Civil Society, 18 April 2000 [unpubl. project summary], p. 6f.

the preservation of non-democratic dispositions remain important. Very low levels are exhibited on the remaining two dimensions. Civil society operates in an environment largely prohibitive of the provision of quasi-public goods and services through this realm; interest representation through civil society takes highly unregulated and socially selective forms. Along with both these dimensions, this civil society is not only prevented from contributing to the performance of the democratic regime but it is, in particular through the problematic lack of transparency and efficiency of interest representation, likely to undermine it altogether. As a result of these highly unfavourable scores on most dimensions, the property space encompassed by this pattern is very small. The insignificant size indicates an overall impact of civil society on democracy that is rather disadvantageous.

These brief examples should demonstrate the usefulness of the perspective suggested here that, subsequent to a differentiated treatment of civil society's five major dimensions, re-establishes a holistic view of this realm. Through the perspective of patterns of civil society, it becomes possible to distinguish the particular democratic strength and weaknesses, virtues and vices, of a given civil society. Moreover and no less importantly, through the property space encompassed by a given pattern, civil society as an organisational realm is directly related to the democratic regime it is part of, with a larger property space signaling a more positive impact, while a smaller one indicates constraints on civil society's democratic performance or even negative effects.

Figure 2– Patterns of Civil Society: Two (Unlikely) Extremes

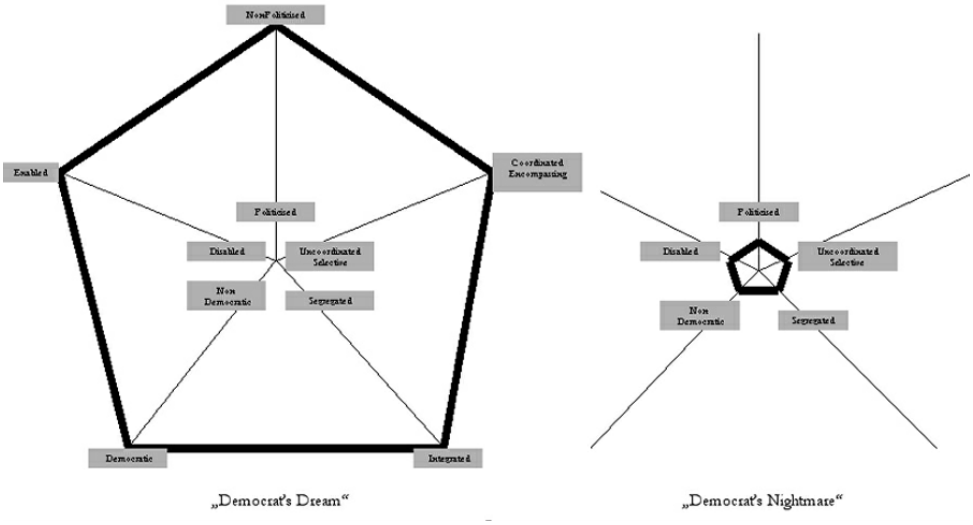
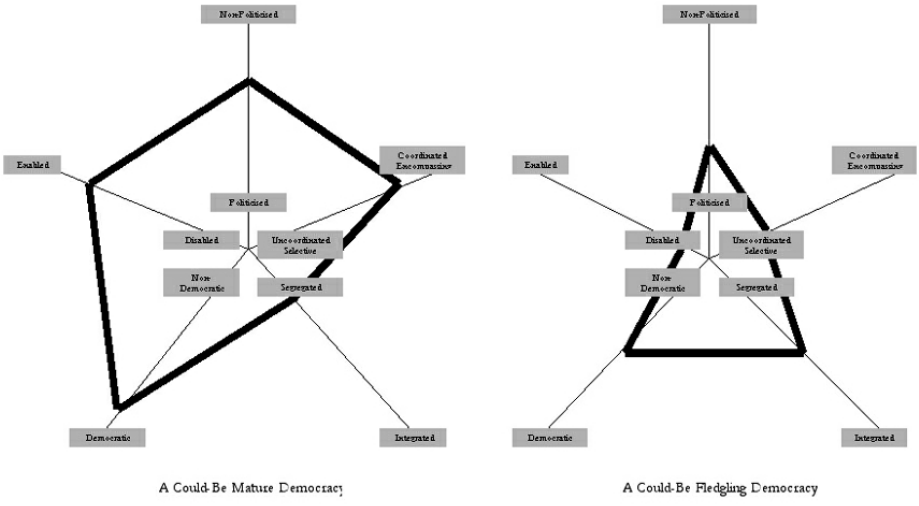


Figure 3– Patterns of Civil Society: Two (More Likely) Fictions



Avenues for Further Research

This theoretical approach suggests three major avenues for empirical research. Firstly, through an empirical application of this approach to a wide range of countries, it will be possible to assess the extent, to which civil society positively and negatively affects democratic regimes. This would rectify an important shortcoming of earlier research. Typically, studies of civil society have been based on the tacit assumption that civil society has an exclusively positive effect for democracy. Accordingly, it was considered sufficient to assess the quantitative strength or weakness of civil society in a given country in order to assess its impact on the democratic regime in question. Against the background of the preceding considerations, it should be clear that such an uncritical perspective cannot be maintained, and it is here that the present approach has an important innovative and corrective potential.

Secondly, and in going one step back from this analysis, it should be explored, which factors affect civil society. Inasmuch as civil society exerts an impact on democracy, this realm itself is subject to the influence of a wide range of factors that determine its shape, that is, its structural properties. The wide range of political and economic, cultural and social, national and international factors asserted to be affecting democracy would represent a vast pool of possible variables. Their impact on each of the five structural properties would have to be traced empirically in order to assess, which conditions influence civil society and determine its capacity to contribute to democracy. This, in turn and through the lens of civil society, addresses nothing less than the ancient question of which circumstances make for strong and stable democracies.

Thirdly, both these research strategies would greatly benefit from a dynamic perspective. Rather than analysing civil society as presented above for one point in time, a comparison of two or more such moments should be undertaken. On the one hand, this would allow for an evaluation of how civil society and its influences on democratic regimes change over time. On the other hand, a dynamic perspective would also make it possible to determine more precisely the influence of specific factors on civil society, and thus indirectly on democracy.

By way of generating more precise and more critical empirical insights to the democratic potential of civil society and the causalities surrounding it, the approach presented here also assumes a pragmatic dimension. Once strengths and weaknesses of civil society in a given context have been identified, and once the factors responsible for this state of affairs are known, concrete initiatives and policies can be devised in order to positively affect civil society, and thus democracy. In the European context, this seems to be particularly important in those countries of the South and East, where democratic regimes have been established more recently. Consolidation of democracy is still underway in these countries, and significant efforts are still to be made to stabilise, strengthen and further develop these democratic regimes. Well-founded strategies to enhance the capacity of civil society represent a crucial instrument in these efforts. However, and if one accepts the postulate that democracy is permanently in the making, a comparable necessity for further efforts also pertains to those more established democracies of the West. Not only does civil society have the potential to, at least partially, rectify some of the problems currently facing established democracies, but the normative objective should be to further push democratic regimes towards the ideal of democracy, and civil society assumes an important role in this pursuit.

Approaches such as the one presented here, the empirical insights generated by them and practical policies potentially ensuing thereof promise to provide an important impetus to civil society across Europe and beyond. While this is certainly an ambitious agenda, the more modest hope of the preceding considerations is to have provided a persuasive, and constructive, argument against the widely shared and overly positive stereotype of civil society as an unmitigated blessing for democracy. The question, whether or not scholars and practitioners alike put an end to this myth surrounding civil society, will condition all further theoretical reflection, critical empirical analysis and practical policies regarding this realm.

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