



J O H N K E A N E

Civil
Society

Old Images, New Visions

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CIVIL SOCIETY

OLD IMAGES, NEW
VISIONS

JOHN KEANE

Polity Press

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Openings

February 1997: Half way through writing this book, a registered letter arrived from a colleague in Belgrade. Chock-full of newspaper clippings, sample posters, postcards and photographs, the tattered package held together in a wrapping of string contained a short letter describing the dramatic, now world-famous Serbian events of the previous several months. 'You should really come to see with your own eyes the wonders of the past 72 days,' the letter began. 'Each evening, during the state-controlled television news programme, thousands of people join in with "noise is fashionable" actions. They fling open their windows and clang pots and pans, or honk their car horns in unison, or assemble peacefully in the streets blowing whistles, clarinets and trumpets. When the programme has ended, the racket stops at once. Thousands of people in small groups then go walking through the frozen streets of Belgrade. Police cordons are simply unable to stop them, especially because the students form "cordons against cordons", and because the numbers of walkers grow as each day passes.'

'Walking is important to us', the letter continued. 'It symbolizes our reclaiming of space, our new civil freedoms. Routes and gathering points are usually decided and coordinated by mobile phone. We walk everywhere that we can: around the courtyard of the university rectorate, past the education ministry and the offices of *Politika*, over to the egg-splattered premises of Serbian Television. Sometimes the marchers walk in circles, acting like prisoners. The weather is unusually cold

here. Minus ten or worse. Sympathizers supply the walkers with food, tea and coffee. Student organizations urge everybody to avoid alcohol. There have also been many huge demonstrations in Republic Square, with flowers, whistles, placards, flags, gleeful children, costumes, musicians, actors, dancing, the singing of patriotic hymns. The demonstrators don't forget that they live in the Balkans. They have a lot to say about nationalism and war, lawlessness and pauperization. But they also sense that there are signs in everyday life, especially within families, cultural and educational organizations, that decency, openness and autonomous personality formation have survived. Perhaps that is why, through all of these dramas, our President and his Lady Macbeth have kept silent and remained invisible. They surely have a whiff of what they cannot stomach: a civil society is emerging in their land.'

September 1997: As this book neared completion, Dr Mahathir bin Muhammad, Prime Minister of Malaysia, delivered a conference speech to showcase his country's new Multimedia Super Corridor (MSC).¹ Extending north from Malaysia's new international airport to the city of Kuala Lumpur, now dominated by the soaring Petronas twin towers, the MSC is a 15-by-50 kilometre zone which symbolizes Malaysia's commitment to a future based on the new revolution in digital communications technology, Dr Mahathir explained. He described how the dedicated zone will offer the companies which invest in it state-of-the-art facilities, enabling them to expand their frontiers through electronic commerce, smart partnerships with global IT leaders, and capital-raising ventures on the Internet. MSC will incorporate an intelligent city, Cyberjaya, and a new 'wired' federal capital, Putrajaya, Dr Mahathir added. He went on to report that the first futuristic building, 'Cyberview', has been completed, that the construction of the Multimedia University is soon scheduled for com-

¹ Dr Mahathir bin Muhammad, 'Inventing our Common Future', a speech delivered to the Multimedia Asia 1997 (MMA '97) Conference and Exhibition at The Mines Resort City, Seri Kembangan, Malaysia (16 September 1997).

pletion, and that more than 40 Malaysian and foreign companies – including US giant Microsoft, whose founder Bill Gates sits on the MSC's international advisory panel – have made firm commitments to the project.

Pointing out that the MSC is an integral part of his broader Vision 2020 masterplan, Dr Mahathir pledged in his speech to lead his country into the Information Age by fostering 'electronic government'. Its priorities include 'paperless' government offices and automated government procurement. Electronic government would also embrace more transparent, effective and efficient delivery of services to citizens – for instance, the development of one-stop service windows, through which citizens can go to a kiosk in a shopping mall or use a PC at home to renew their driving licences or pay their electricity bills in one simple session. Electronic government would prove to be lean government, Dr Mahathir predicted. 'The government expenditure is not very big. The private sector will put in the infrastructure,' he said, before making another prediction that the primary long-term impact of the Multimedia Super Corridor would be felt underneath government, in the social domain. Not only would the MSC serve to create such new services and products as the world's first wallet-sized, multifunction computer called 'e-pass'. The transformation of Malaysia into a knowledge-based society through information technology would spread into the everyday lives of Malaysians. 'We want to become a developed nation in our own mould,' concluded Dr Mahathir. 'Malaysia's IT agenda defines the content of the mould as the creation of a civil society. By civil society we mean a community which is self-regulating and empowered through the use of knowledge, skills and values inculcated within the people. Such a society will allow every Malaysian to live a life of managed destiny and dignity, not just in the here and now, but also in the hereafter.'

Power

Political events sketched in a personal letter from Belgrade and a formal speech by a key politician of a far-distant, newly industrializing country appear to have nothing in common, except for two words: civil society. Given the contemporary popularity of the phrase, the overlap is both significant and unsurprising. For nearly a century and a half, the language of civil society virtually disappeared from intellectual and political life, and, as recently as a decade ago, the language of civil society remained strange sounding, quite unfashionable, even greeted with cynicism or hostility in certain circles. Since then, in the European region and elsewhere, the term 'civil society' has become so vogueish in the human sciences and uttered so often through the lips of politicians, business leaders, academics, foundation executives, relief agencies and citizens, that the even-handed *Times Literary Supplement* has observed, with justification, that 'the very phrase is becoming motherhood-and-apple pie of the 1990s'.¹

My own research projects on the topic of civil society and the state anticipated this development. They tried to describe and explain its contours to observers who found the whole development surprising or puzzling, because they lived either in contexts (such as Russia) where until recently the equivalent term 'civil society' had never existed; or in contexts (like the United States) where virtually the same theme of civil

¹ *Times Literary Supplement*, no. 4940 (5 December 1997), p. 30.

society had been addressed under the different, but nonetheless overlapping (but arguably less fecund) debate concerning the political dangers of citizens' declining capacity for organizing themselves into groups – their tendency to go 'bowling alone' – and the philosophical and political merits of 'communitarianism' and 'liberalism'. My projects on civil society were conceived in quite different circumstances. They originally grew out of a study of the attempt to retrieve the concept of the public sphere (*Öffentlichkeit*) in twentieth-century German political thought from the time of Max Weber.² The research was also nurtured by several practical commitments: for instance, in the underground university and civic initiatives in Czechoslovakia; my public engagement with the intellectual and political controversies produced by the collapsing welfare state project; and the work of drafting and launching Charter 88, a citizens' initiative that called publicly for a written constitution for Britain. The research projects on civil society and the state were eventually published in 1988 – and republished a decade later – as a two-volume contribution entitled *Democracy and Civil Society* and *Civil Society and the State: New European Perspectives*.³ These books aimed to stir up new discussions about an old-fashioned category, to invest it with fresh theoretical meaning and political significance. The volumes posed questions that continue to resonate in our times: What precisely is meant by the originally eighteenth-century distinction between the state and the non-state realm of civil society? Why has that distinction, so crucial throughout the first half of the nineteenth century and then apparently lost without trace, again become sharply topical? For what intellectual and political purposes can the distinction be used and whose intellectual and political interests might it serve?

For various reasons, some of them masking my own intellectual weaknesses, *Democracy and Civil Society* and *Civil Society and the State* came to be considered 'classics' in their field. It is

² *Public Life and Late Capitalism* (Cambridge and New York, 1984).

³ *Democracy and Civil Society: On the Predicaments of European Socialism, the Prospects for Democracy, and the Problem of Controlling Social and Political Power* (London and New York, 1988; London, 1998); *Civil Society and the State: New European Perspectives* (London and New York, 1988; London, 1998).

worth reflecting for a moment on these two works, since the 'old images' they contain help us today to make sense of the 'new versions' of civil society that can and should be developed during the coming years. *Democracy and Civil Society* and *Civil Society and the State* examined the late-eighteenth-century European origins and early-nineteenth-century development of the distinction between civil society and the state. These works showed that the language of civil society (*societas civilis*), traditionally used to speak of a peaceful political order governed by law, came instead to refer to a realm of life *institutionally separated* from territorial state institutions. The volumes emphasized the ways in which, during the period 1750–1850, the language of civil society became fragile and polysemic, an object of intensive discussion and controversy. From the time of the American Revolution, it was argued, many writers used the term 'civil society', admittedly in a variety of confused ways, to refer to dynamic webs of interrelated non-governmental institutions, such as market economies, households, charitable groups, clubs and voluntary associations, independent churches and publishing houses. The two volumes invested much effort in the philosophical task of reconstructing and building upon these early modern understandings of civil society. Civil society, as I used the term and still do, is an ideal-typical category (an *idealtyp* in the sense of Max Weber) that both describes and envisages a complex and dynamic ensemble of legally protected non-governmental institutions that tend to be non-violent, self-organizing, self-reflexive, and permanently in tension with each other and with the state institutions that 'frame', constrict and enable their activities.

Civil Society and the State and *Democracy and Civil Society* tried to illustrate just how useful this term is when analysing past events – like the uneven geographic distribution of absolutist states, or the emergence of modern forms of exclusion of women from public life, or the 'civilizing' of European manners. And emphasis was placed upon the capacity of the old-fashioned theoretical distinction between civil society and state institutions to make new and different sense of contemporary social and political developments. For instance, *Democracy and Civil Society* and *Civil Society and the State* showed why the

resistance to totalitarian regimes after the crushing of the Prague Spring often spoke the language of civil society. But these books insisted that the state–civil society distinction is not only vitally important in contexts lacking basic political and civil freedoms. The language of civil society, they argued, applies equally well to such disparate political phenomena as the decline of the welfare state, the rise of neo-liberalism and the growth of social movements. In this way, these two volumes anticipated, and tried to counter, the lingering suspicion that the civil society perspective has been overtaken by late-twentieth-century events; that the concept of civil society perhaps proved useful in the development of critical analyses of despotism, and in projects of mobilizing politically against it, but that the concept is now much less helpful when it comes to thinking and acting constructively about how to organize ‘late modern’ democratic institutions.

* * *

Various arguments were mustered against the prejudice and suspicion that the language of civil society has become obsolete. The case *for* civil society was wide ranging. It included the argument that a civil society gives preferential treatment to individuals’ daily freedom from violence; claims concerning the importance of enabling groups and individuals freely within the law to define and express their various social identities; the argument that freedom of communication is impossible without networks of variously sized non-state communications media; and (an argument that is extended below) the insistence that politically regulated and socially constrained markets are superior devices for eliminating all those factors of production that fail to perform according to current standards of efficiency. But of special interest to both volumes was the subject of democracy or, more precisely, the intellectual and political need to revive the democratic imagination. In countering the suspicion that civil society is an *idée passée*, the volumes strived to think unconventionally and constructively about the optimal conditions under which the modern democratic tradition can survive and flourish globally after a century marked by revolutionary upheavals, total war, totalitarianism and welfare state *dirigisme*.

These volumes understood democracy as a special type of political system in which civil society and state institutions tend to function as two necessary moments, separate but contiguous, distinct but interdependent, internal articulations of a system in which the exercise of power, whether in the household or the corporate boardroom and government office, is subject to public disputation, compromise and agreement.

This revised understanding of democracy rejected the narrow complacency of those who consider it as simply government by means of periodic elections, party competition, majority rule and the rule of law. The volumes argued for the growing importance of considering not only *who* votes in elections but *where* people vote and, thus, for the incorporation into democratic politics of 'social life' as a possible domain of democratization. Partly under the influence of my working contacts with the post-totalitarian regimes of Czechoslovakia, Poland and Yugoslavia, *Democracy and Civil Society* went further. It attempted to stake out a new *democratic* interpretation of democracy, one that is more genuinely *pluralist*, philosophically and politically speaking. The proposed account of democracy rejected the arrogant search for ultimate Truth and ultimate Solutions. It called into question our bad habit of worshipping so-called universal imperatives and of riding rough-shod over contingencies. Both books argued that democratic theories of politics must resist the temptation to attribute universal importance to particular ways of life. Priority is to be given to avoiding the alarming tendency – evident in the political wreckage left behind by the twentieth century – to boss ourselves and others, using sticks and stones and ideologies, into accepting our preferred version of the world. This is best done, the two volumes proposed, by redefining democracy as the institutionalized duty to doubt calls to worship Grand Ideals, as the obligation to defend greater pluralism, and as the emphasis on institutional complexity and public accountability as barriers against dangerous accumulations of power, wherever and whenever they develop.

The commitment to pluralism and power sharing in *Democracy and Civil Society* and *Civil Society and the State* was in turn linked conceptually to the argument for a forward-looking democratic politics with eyes in the back of its head. Convinced

that in matters concerning democracy the past is crucial for the present; that tradition is not the private property of conservatives; and that (as Jean Starobinski has famously insisted) a key element of a modernist outlook is the presence of the past in the present that attempts constantly to claim and supersede the past, the two volumes tried to convince readers that the viability of democratic theory and politics depends *not* on their capacity to forget about the past, but at least in part on their ability to retrieve, reconstruct and imaginatively transform old, but unexhausted political languages in markedly changed circumstances. That exercise in what Walter Benjamin called *rettende Kritik* was evident in the repeated references to the social and political thought of the age of the democratic revolution – to the period in Europe after 1760, when old loyalties snapped and many people experienced obedience to existing power as a form of humiliation. In particular, *Civil Society and the State* and *Democracy and Civil Society* were preoccupied with rescuing the early modern awareness of the difference between ‘society’ and ‘state’ from the condescension of posterity. The two volumes tried to make the originally eighteenth-century distinction between civil society and the state call and dance to the tunes of contemporary politics. The volumes emphasized that the process of democratization cannot be synonymous with the extension of total state power into the non-state sphere of civil society. Conversely, they emphasized that democratization cannot be defined as the abolition of the state and the building of spontaneous agreement among citizens living within civil society. The unending project of democracy, it was argued, must steer a course between these two unworkable extremes. Democracy is an always difficult, permanently extended process of apportioning and publicly monitoring the exercise of power within polities marked by the institutionally distinct – but always mediated – realms of civil society and state institutions.

* * *

When viewed from the perspective of democratic theory and politics, *Civil Society and the State* and *Democracy and Civil Society* were not only attempts to stimulate discussion about

the contemporary utility of certain old eighteenth- and early nineteenth-century images of civil society. They also tried to retrieve and critically develop this period's remarkable insights into the perennial problem of how publicly to apportion and control the exercise of power. Those books prefigured, and are linked to, two subsequent works: *The Media and Democracy* (1991), which thinks with and against certain eighteenth-century trends to ask questions about the contemporary political functions of communications media; and *Tom Paine: A Political Life* (1995), which is a study of the life and times of democratic republicanism in the Atlantic region during the second half of the eighteenth century. All four works are bound together by the thought that public suspicion of power in its various forms is an essential ingredient of our early modern democratic heritage. In the American colonies prior to 1776, for example, a great deal of the literature that poured from the presses of printing shops supposed a theory of politics that is strikingly relevant, so much so that it feels linked to our times in the most intimate way. Many colonists worked from the idea that the driving force behind every political development, the key determinant of every political controversy, is power. Power was understood as the exercise of dominion by some men over the lives of others, and it was seen as a permanent temptation in human affairs. Likened most often to the act of trespassing, power was said to have an 'encroaching' nature, like a beast bent on devouring its natural prey: liberty, law or right. The key problem in human affairs, this literature implied, was how to preserve liberty by inventing effective checks on the wielders of power, apportioning and monitoring it, ensuring its responsible exercise.

Democracy and Civil Society and *Civil Society and the State* did not embrace the naturalistic imagery of power as a beast, but in attempting to rescue and revive the early modern sensitivity to power the two volumes were able to suggest that a revised theory of democracy could meet head-on the dominant tendency in western political thought to define political systems as power-ridden relationships between superiors and inferiors. The history of political thought has been mainly a history written from above. The dominant tradition that

runs from Plato's *Statesman* and Xenophon's *Cyropaedia* to Hobbes's *Leviathan* and Schmitt's *Die Diktatur* has represented political power from the standpoint of the rulers. It has sought to justify the power-holders' right to command and the subjects' duty to obey by defending various principles of legitimacy, including the authority of God; the will of the people; nature (as an original force, *kratos*, or as the law of reason or modern natural law) and appeals to history; or, as in legal positivism, by emphasizing the fact of existing laws that are made and enforced by authorities appointed by the political system itself. This dominant tradition has, of course, come under fire increasingly in modern times. The entitlements of the governed – the dark side of the moon of western political thought – have come ever more sharply in focus. The natural rights of the individual; the liberty, wealth and happiness of citizens; the right of resistance to unjust laws; the separation of powers; liberty of the press; the rule of law; office holding and law making subject to time limits: these and other principles, which are seen to exist independently of political power, which is required both to respect and to protect them, have been invoked in opposition to oligarchic and state-centred theories of politics. *Democracy and Civil Society* and *Civil Society and the State* aimed to retrieve, reconstruct and develop the power-sharing 'spirit' of such principles. They did so principally by insisting that the exercise of power is best monitored and controlled publicly within a democratic order marked by the institutional separation of civil society and state institutions. Seen from this power-sharing perspective, state actors and institutions within a democracy are constantly forced to respect, protect and share power with civilian actors and institutions – just as civilians living within the state-protected institutions of a heterogeneous civil society are forced to recognize social differences and to share power among themselves. A democracy, in short, was seen as a fractured and self-reflexive system of power in which there are daily reminders to governors and governed alike that those who exercise power over others cannot do anything they want, and that (as Spinoza put it) even sovereigns are forced in practice to recognize that they cannot make a table eat grass.

Global trends

Civil Society and the State and *Democracy and Civil Society* were among those lucky books that are held aloft after launch by warm winds of opinion. These works fought hard to retrieve the state–civil society distinction from the bookshelves of the distant past. Judging by their buoyant sales and many scores of reviews, translations, interviews, replies and even pirated editions, they helped in a modest way to popularize the category of civil society and to bring it to the heart of various branches of the human sciences. Other works on the subject had, of course, appeared before mine: for instance, in Latin America, where a neo-Gramscian account of the concept of civil society was used as a theoretical weapon against dictatorship;¹ and even earlier still in Japan, where (unknown to me at the time) the contemporary renewal of the language of civil society and the state first began during the second half of the 1960s, especially thanks to the work of the so-called Civil Society School of Japanese Marxism.²

¹ See Caterina Mengotti, 'Civil Society in the Latin American Context', unpublished paper, Centre for the Study of Democracy (London, January 1998); Carlos Nelson Coutinho, 'As categorias de Gramsci e a realidade brasileira', *Presença* (Rio de Janeiro, 8 September 1986), pp. 141–62; Norbert Lechner, 'De la révolution de la démocratie (le débat intellectuel en Amérique du Sud)', *Esprit* (July 1986), pp. 1–13; and Guillermo O'Donnell and Philippe C. Schmitter, 'Resurrecting Civil Society', in *Transition from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore, 1986), pp. 48–56.

² The main works include Yoshihiko Uchida, *Nihon Shihonshugi no Shiso-zo*

What might be called phase one of the contemporary renaissance of civil society is evident in the writings of Yoshihiko Uchida and Kiyooki Hirata, who used the term 'civil society' (*shimin-shakai*) in a neo-Gramscian sense to highlight three themes. First, emphasis was placed on the importance, in the Japanese context, of breaking the bad habit of relying upon European social science concepts and methods that were seen to be wooden, with insufficient resonance in the everyday lives of individuals. So Uchida positively called for a new, less academic social science, sensitive to the need for 'compassion with toiling people'³ within the sphere of civil society. Secondly, the concept of civil society was used to deepen the analysis of the peculiarities of Japanese capitalism. Without saying so, the Civil Society School of Japanese Marxism developed an early version of what later would be called 'the Asian values argument'. Particular emphasis was placed upon the survival in modern Japan of unusually strong premodern sentiments, such as communalism, patriarchal family life and individuals' deference towards power. The *weakness* of civil society, in the sense of shared social networks that infuse individuals with a strong sense of their individuality, enabled Japanese capitalism to grow at an exceptional speed without significant social resistance. In consequence, the demands imposed by capital were more easily realizable and to the detriment of civil liberties, such as the entitlement to improved living, working and environmental conditions.

Seen from this perspective, Japanese capitalism has been a form of capitalism without a civil society – note the refusal to conflate the two categories – and this peculiar weakness of civil society, it was argued, helped explain the unusually manipulative, authoritarian quality of the Japanese state, despite the introduction of American-style democracy following mili-

[Images of Japanese Capitalism through the Social Sciences] (Tokyo, 1967) and two works by Kiyooki Hirata, *Shimin-shakai to Shakaiishugi* [Civil Society and Socialism] (Tokyo, 1969) and *Keizaigaku to Rekishi-ninshiki* [Political Economy and Philosophy of History] (Tokyo, 1971). I am most grateful to my colleague Takashi Inoguchi for advice about these works.

³ Yoshihiko Uchida, *Nihon Shihonshugi no Shiso-zo*, op. cit., p. 353.